



Making a difference...together

**Minutes of a Meeting of the Core Area Liquid Waste Management Committee
Held Wednesday, July 09, 2014, in the Board Room, 625 Fisgard St., Victoria, BC**

Present: Directors: G. Young (Chair), D. Blackwell (Vice-Chair), M. Alto, S. Brice, J. Brownoff, V. Derman, B. Desjardins, D. Fortin (9:11 am), C. Hamilton, G. Hill, B. Isitt (9:04 am), N. Jensen (9:08), V. Sanders (9:04, for F. Leonard), L. Seaton, L. Wergeland, A. Bryson, Board Chair, ex officio (9:08)

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; T. Robbins, General Manager, Integrated Water Services; A. Sweetnam, Program Director, Seaterra Program; T. Brcic, Program Manager, Seaterra Program; M. Cowley, Conveyance Infrastructure Project Manager; A. Orr, Corporate Communications; M. Peckham, Project Manager, Seaterra Program; S. Santarossa, Corporate Officer; N. More, Committee Clerk (recorder)

Also Present: Alternate Directors J. Cullington, L. Hundleby, D. Screech; B. Eaton (Chair, Seaterra Commission);

The meeting was called to order at 9:00 am.

1. Approval of Agenda

The supplementary agenda included a staff report under item 13. Director Desjardins provided a revised version of the motion given under item 11.

MOVED by Director Brice, **SECONDED** by Director Hill,

That the agenda be approved with the supplementary agenda, and item 13 be considered with item 10.

CARRIED

MOVED by Director Hamilton, **SECONDED** by Director Desjardins,

That the Notice of Motion as presented as Item 12 be considered by the Committee at this meeting

CARRIED

2. Adoption of Minutes

MOVED by Director Hamilton, **SECONDED** by Director Alto,

That the minutes of the May 14, 2014, meeting be adopted as previously circulated.

CARRIED

3. Chair's Remarks: There were none.

Director Isitt and Alternate Director Sanders entered the meeting at 9:04 am.

4. Presentations/Delegations

- 1) David Langley, re item 6: felt there should be a defined and agreed list of Peer Review Team findings before the Committee could decide whether to request the Peer Review

Team to revisit the report or to declare acceptance of the report. The delegation provided a written submission, on file at Legislative and Information Services.

Director Jensen entered the meeting at 9:08 am.

Board Chair Bryson entered the meeting at 9:09 am.

- 2) Bryan Gilbert, re items 6 and 11: spoke in support of the motion in item 11. He was concerned about tsunami risk, sea level rise and structural mitigation for the treatment plant design with McLoughlin Point as the site.

Director Fortin entered the meeting at 9:11 am.

- 3) Norma Brown, re items 10, 11, 2: spoke against decisions made about the wastewater treatment program in the past and against similar decisions in the future.
- 4) Richard Atwell, STAG, re item 6: spoke against reassembling the Peer Review Team. He quoted from reports, studies and Provincial guidelines, and asked that the Committee recommend alternative 4 from the staff report. The delegation provided a PowerPoint presentation, on file at Legislative and Information Services.
- 5) Beth Burton-Krahn, re item 6: spoke against the option to revisit the peer review report. She was concerned about setbacks to accommodate sea level rise and felt the McLoughlin site was not an option.

5. Motion to Close the Meeting

The Committee discussed that the information received in the closed portion of the meeting would inform their discussions on the open agenda items.

MOVED by Director Brice, **SECONDED** by Director Hill,

That the Committee close the meeting in accordance with the *Community Charter* Part 4, Division 3, Section 90(1) (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the regional district; (m) a matter that, under another enactment, is such that the public may be excluded from the meeting; and (2) (b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both and a third party.

CARRIED

The Committee moved to the closed session at 9:25 am.

The Committee rose from the closed session at 11:14 am without report.

The Committee took a short recess and reconvened at 11:19 am with all members present save A. Bryson, J. Brownoff, V. Derman, D. Fortin and B. Isitt.

6. Core Area Wastewater Treatment Program – Options for Review of Treatment Plan and Current Conditions

Chair Young introduced the item.

Board Chair Bryson and Directors Brownoff, and Derman entered the meeting at 11:21 am.

T. Robbins informed the Committee that on page 3 of the staff report, the implications for alternatives 1 and 2 are reversed.

Directors Isitt and Fortin entered the meeting at 11:23.

MOVED by Director Hamilton, **SECONDED** by Director Desjardins,
It is anticipated that a \$400,000 budget would be required for this alternative to fund procurement costs, and consultant fees. CRED staff would work with municipal staff and First Nations to choose to develop a sub-regional approach to waste water to craft Terms of Reference generally based on criteria noted in Alternative 2. The independent consultant would have no previous association with the Seaterra Program, PRT or previous CRD wastewater program studies. Monies and contracts would be administered by communities. Funding allocation for the sub-regional assessment would be based on the same formula used to determine municipal contributions to the entire project.

Any recommendation would come to the CALWMC and subsequently to the CRD Board for amendments to the Liquid Waste Management Plan. It is anticipated that this study could be completed in October 2014 at the earliest. There is currently no allowance in the proposed deliverable dates or budget estimates in alternative 1, 2 or 3 for new public and First Nation engagement processes.

The Committee requested clarification on the motion and discussed the following points:

- a study administered by individual municipalities with a funding allocation from the CRD goes against the service establishment agreement
- the CRD procurement process would have to be followed
- agreements would have to be in place with the municipalities
- the core area wastewater service is based on the CRD being responsible for the service
- under financial authority rules, the CRD cannot turn money over to a municipality to administer
- how some municipalities wish to explore sub-regional options

MOVED by Director Desjardins, **SECONDED** by Director Hamilton,
That the fourth sentence of the main motion be amended as "Monies and contracts would be administered by the CRD working in collaboration with the communities."

CARRIED

The Committee discussed comparisons of a region-wide study to the proposed sub-regional study, logistics of procuring a consultant, the proper allocation of service funds and the terms of reference for carrying out the proposed studies, as well as the following points:

- 'sub-regional' is a new term in the discussion and has not yet been defined
- the motion appears to assume a decision has been made for a decentralized system
- infrastructure and assets already in place
- the re-direction of taxpayer money to support the few rather than the whole

MOVED by Director Desjardins, **SECONDED** by Director Blackwell,
That the main motion be referred to staff for more details.

CARRIED
Brice, Bryson, Jensen, Sanders and Wergeland OPPOSED

MOVED by Director Desjardins, **SECONDED** by Director Derman,
That the meeting be extended to 1:20 pm.

CARRIED

7. Seaterra Program Commission Direction – Seaterra Program Work (CAL 14-13)

T. Robbins gave an overview of the report.

MOVED by Director Blackwell, **SECONDED** by Director Seaton,
That it be recommended to the Capital Regional District Board:
That the report be received for information.

CARRIED

8. Seaterra Program and Budget Update No. 12 and No. 13

MOVED by Director Blackwell, **SECONDED** by Director Hill,
That it be recommended to the Capital Regional District Board:
That the report be received for information.

CARRIED

9. Onsite Wastewater Management Program Update

MOVED by Director Brownoff, **SECONDED** by Director Hill,
That it be recommended to the Capital Regional District Board:
That the report be received for information.

CARRIED

10. Correspondence

- a) Ministry of Environment, July 3, 2014, reference: 208161 (received with yellow highlighting)
- b) Ministry of Environment, July 3, 2014, reference 200464 (received with yellow highlighting)

MOVED by Director Blackwell, **SECONDED** by Director Seaton,
That the correspondence be received for information.

CARRIED

a) Implications of Minister of Environment Correspondence

T. Robbins provided an overview of the report. The Committee discussed the actions being requested of staff and the difference between distributed and separated systems.

Directors Blackwell and Fortin left the meeting at 12:23 pm.

MOVED by Director Derman, **SECONDED** by Director Desjardins,
That it be recommended to the Capital Regional District Board:
That the report be received for information.

CARRIED

11. Motion for Which Notice Has Been Given

a) Seaterra Program and Core Area Liquid Waste Management Plan: Director Desjardins

Director Blackwell returned to the meeting at 12:26 pm.

MOVED by Director Desjardins, **SECONDED** by Director Blackwell,
That it be recommended to the Capital Regional District Board:

WHEREAS the Minister of Environment has stated "After giving the request due consideration, The Province will not attempt to override the zoning decisions of the duly elected Esquimalt council", thus stopping the uncertainty and the possibility of a single centralized sewage treatment plant being built on McLoughlin Point and subsequently affecting many other components of the current LWMP;

AND WHEREAS there is an urgent need to minimize all financial risk to CRD from the Seaterra Program;

AND WHEREAS alternate solutions and options need to be explored that meet senior government deadlines, public approval, and environmental and fiscal best practices:

THEREFORE BE IT RESOLVED:

That the Core Area Liquid Waste Management Plan, other than those projects approved at the July 9, 2014, meeting, as pertains to the Seaterra Project, be suspended for a minimum of 60 days, allowing the CRD Board and participant municipalities an opportunity to explore possible directions going forward and for a complete and fully independent review of such options.

On the motion, the Committee discussed the following points:

- based on decisions already made, the Seaterra Commission has wound down the Seaterra Program
- staff have already received directions given in the motion
- the motion would hinder the project if a site is confirmed within the next 60 days
- the Core Area Liquid Waste Management Plan exists under Ministerial authority; it would be up to the Province to suspend it

The question on the motion was called.

DEFEATED

**Blackwell, Brice, Brownoff, Bryson, Derman, Hill, Isitt, Jensen, Sanders, Seaton,
Wergeland, Young OPPOSED**

12. Notice of Motion

- a) **Resolution for CRD Support for Municipalities and First Nations Who Want to Explore Options for Waste Water Treatment:** Director Hamilton

Director Hamilton offered that, since the substance exists in a large extent in a previous direction, she would work with staff on the wording for consideration at a following meeting.

13. Adjournment

MOVED by Director Brice, **SECONDED** by Director Brownoff,
That the meeting be adjourned at 12:45 pm.

CARRIED

CHAIR

RECORDER