



Making a difference...together

SAANICH PENINSULA WATER COMMISSION

Notice of Meeting on **Thursday, May 19, 2016 at 8:30 am**

Saanich Peninsula Treatment Plant Meeting Room, 9055 Mainwaring Road, North Saanich, BC

M. Williams (Chair)	P. Wainwright (Vice-Chair)	R. Barnhart	M. Doehnel
C. Graham	M. Lougher-Goodey	C. Stock	M. Thompson
M. Underwood	M. Weisenberger	R. Windsor	

AGENDA

1. Approval of Agenda
2. Adoption of Minutes of March 17, 2016
3. Chair's Remarks
4. Presentations/Delegations
 - No one has registered to speak
5. Proposed Amendments to the Greater Victoria Water Supply Area Protection Bylaw No. 2804 to Include the Leech Water Supply Area and Draft Water Supply Area Access and Special Use Request and Approval Policy and Procedure (Report #SPWC 2016-05)
6. Bulk Water Connection Policy (Report #SPWC 2016-06)
7. Water Watch
8. New Business
9. Adjournment

Distribution:

Staff/Town Halls, etc.

R. Lapham
L. Hutcheson
R. Sharma
A. Orr
G. Harris

T. Robbins
M. Cowley
D. Robson
S. Mason
I. Sander
M. Montague
Commission file

P. Robins, Central Saanich
D. McAllister, Central Saanich
R. Buchan, North Saanich
P. O'Reilly, North Saanich
T. Tanton, Sidney
R. Humble, Sidney



Making a difference...together

**Minutes of a Meeting of the Saanich Peninsula Water Commission
Held March 17, 2016 in the Saanich Peninsula Treatment Plant Meeting Room,
9055 Mainwaring Road, North Saanich, BC**

PRESENT

COMMISSIONERS: M. Williams, P. Wainwright, R. Barnhart, M. Doehnel, M. Lougher-Goodey, M. Weisenberger, R. Windsor

STAFF: T. Robbins, General Manager, Integrated Water Services; M. McCrank, Senior Manager, Infrastructure Operations; M. Cowley, A/Senior Manager, Infrastructure Engineering; D. Robson, Manager, Saanich Peninsula & Gulf Island Operations; G. Harris, Senior Manager, Environmental Protection; D. Puskas, Engineer 5; M. Montague (recorder)

GUESTS: M. Underwood, Tsawout First Nation; S. Hallatt, Manager, Aboriginal Initiatives; E. Nahser-Ringer, First Nations Engagement Assistant

The meeting was called to order at 8:30 am. The Chair introduced Mavis Underwood from the Tsawout First Nation, whose name has been put forward to the CRD Board to be appointed as a First Nations representative to the Saanich Peninsula Water Commission. Introductions were made around the table.

1. APPROVAL OF AGENDA

MOVED by Commissioner Lougher-Goodey, **SECONDED** by Commissioner Barnhart, that the Saanich Peninsula Water Commission approve the agenda.

CARRIED

2. ADOPTION OF MINUTES

MOVED by Commissioner Wainwright, **SECONDED** by Commissioner Lougher-Goodey, that the Saanich Peninsula Water Commission adopt the minutes of the January 21, 2016 meeting as distributed.

CARRIED

3. CHAIR'S REMARKS

The Chair made no remarks.

4. PRESENTATIONS/DELEGATIONS

There were no presentations/delegations.

5. SUMMARY OF RECOMMENDATIONS BY OTHER WATER COMMISSIONS

MOVED by Commissioner Lougher-Goodey, **SECONDED** by Commissioner Windsor, That the Saanich Peninsula Water Commission receive the staff report for information.

CARRIED

6. **BYLAW NO. 4084: TRANSFER OF FUNDS TO THE SAANICH PENINSULA WATER SUPPLY CAPITAL RESERVE FUND**

T. Robbins spoke to the report. He noted that the Saanich Peninsula Water Supply System has unexpended funds originating from the bylaws itemized in Table 1 of the staff report. The Saanich Peninsula Water Commission has recommended that these funds be transferred to the Saanich Peninsula Water Supply System Capital Reserve Fund. The proposed Bylaw No. 4084 would authorize this transfer in compliance with Section 377 of the *Local Government Act* and Section 190 of the *Community Charter*.

MOVED by Commissioner Lougher-Goodey, **SECONDED** by Commissioner Windsor, That the Saanich Peninsula Water Commission recommends to the CRD Board that Bylaw No. 4084 cited as the "Saanich Peninsula Water Supply Capital Reserve Fund Transfer Bylaw No. 1, 2016" be introduced and read a first and second time, read a third time, and adopted.

CARRIED

7. **REQUEST TO WAIVE SAANICH PENINSULA WATER AND WASTEWATER DEVELOPMENT COST CHARGES**

T. Robbins spoke to the report. He reported that the CRD recently received a request from the Greater Victoria Rental Development Society to waive the Development Cost Charges (DCCs) for their proposed multi-use residential and commercial development at 9818 Fourth Street in the Town of Sidney, which includes 56 affordable rental housing units. Further to CRD DCC Bylaw No. 3208, the *Local Government Act* sets out conditions under which DCCs may be waived or reduced for affordable rental housing units however, to do so, Bylaw amendments would be required. Then, the Saanich Peninsula Water and Wastewater Commissions could consider waiving the DCCs for the proposed 56 affordable rental housing units in the development.

MOVED by Commissioner Windsor and **SECONDED** by Commissioner Wainwright, That the Saanich Peninsula Water and Wastewater Commissions direct staff to prepare draft amendments to the Saanich Peninsula Water and Wastewater Development Cost Charge Bylaw No. 3208 for the Commissions' review, that would allow for the Commissions to waive the development cost charges payable under the Bylaw for the following eligible development types: 'not-for-profit rental housing, including supportive living housing' and 'for-profit affordable rental housing'.

CARRIED

8. **LICENCE REQUEST FROM ROGERS COMMUNICATIONS INC. FOR COMMUNICATION EQUIPMENT INSTALLATION ON CLOAKE HILL RESERVOIR**

T. Robbins spoke to the report. He reported that the CRD received correspondence from Standard Land Company Inc., an agent representing Rogers Communications Inc., advising that Rogers is in the site acquisition and land use consultation phase for the installation and operation of a new radio communications facility in North Saanich to provide improved high speed wireless data and voice communication services to Rogers customers in the Land's End neighbourhood. Rogers has identified the Cloake Hill Reservoir at 11326 Redbud Place in North Saanich as a suitable site. If the CRD ultimately approves of the installation, the CRD (Saanich Peninsula Water Commission) would enter into a Licence of Occupation with Rogers at the Cloake Hill Reservoir site, and receive annual licence revenue for the duration of the agreement. If the Saanich Peninsular Water Commission supports the request, it is recommended that Rogers

would seek support for the proposed installation from the District of North Saanich and, through CRD staff, report back to the Saanich Peninsula Water Commission on the outcome of the process prior to further consideration.

MOVED by Commissioner Windsor and **SECONDED** by Commissioner Lougher-Goodey, that the Saanich Peninsula Water Commission support the Rogers Communications Inc. (Rogers) request for a Licence of Occupation to install radio communications equipment at Cloake Hill Reservoir, and advise Rogers to seek support for the proposed installation from the District of North Saanich and, through CRD staff, report back to the Saanich Peninsula Water Commission on the outcome of the process prior to further consideration of CRD engineering and operational considerations and preparation of a Licence of Occupation.

CARRIED

9. WATER WATCH

MOVED by Commissioner Lougher-Goodey, **SECONDED** by Commissioner Weisenberger, that the Saanich Peninsula Water Commission receive the report for information.

CARRIED

10. NEW BUSINESS

There was no new business.

11. ADJOURNMENT

MOVED by Commissioner Lougher-Goodey, **SECONDED** by Commissioner Windsor, That the Saanich Peninsula Water Commission meeting be adjourned at 9:13 am.

CARRIED

CHAIR

**REPORT TO SAANICH PENINSULA WATER COMMISSION
MEETING OF THURSDAY, MAY 19, 2016**

SUBJECT **PROPOSED AMENDMENTS TO THE GREATER VICTORIA WATER SUPPLY AREA PROTECTION BYLAW NO. 2804 TO INCLUDE THE LEECH WATER SUPPLY AREA AND DRAFT WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL POLICY AND PROCEDURE**

ISSUE

The Greater Victoria Water Supply Area Protection Bylaw No. 2804 requires amendment in order to include the Leech Water Supply Area (WSA), to allow enforcement against undesirable access and activities occurring in the WSA, to accommodate the Trans Canada Trail, to accommodate First Nations cultural access and activities and to update the Bylaw. The Ticket Authorization Bylaw also require amendment to reflect proposed changes to Bylaw No. 2804, to increase minimum fine amounts and to include an escalation of fines for repeat offences.

BACKGROUND

On May 18, 2016, the Regional Water Supply Commission will consider the attached (Attachment 1) staff report, which recommends minor adjustments to the previously proposed bylaw amendments and the establishment of a *Water Supply Area Access and Special Use Request and Approval Policy* and *Water Supply Area Access and Special Use Request and Approval Procedure*, along with an amended *CRD External Applicant Access and Special Use Request - Greater Victoria Water Supply Area* form. This approach to addressing the Leech Water Supply Area access and use issue, would set out policy and procedure for water supply area access and special use requests, while leaving the decision making authority with the Regional Water Supply Commission (RWSC), and presenting Greater Victoria Water Supply Area Protection Bylaw amendments for the RWSC and CRD Board's consideration that ensure protection of the water supply areas by enabling enforcement against the undesirable access and activities occurring in the Leech Water Supply Area.

CONCLUSION

The proposed amendments to the Greater Victoria Water Supply Area Protection Bylaw No. 2804 and supporting policy and procedure documents would enable enforcement against the undesirable access and activities occurring in the Leech WSA while defining the process for groups or individuals who are seeking water supply area access and special use. The proposed bylaw amendments would also accommodate the portion of the Trans Canada Trail passing through the water supply area, accommodate First Nations cultural access to the Leech WSA and would update the bylaw in keeping with current watershed protection standards. The proposed amendments to the Ticket authorization Bylaw No. 1857 would reflect proposed changes to Bylaw No. 2804, increase the minimum fines and include an escalation of fines for repeat offences to increase deterrence.

RECOMMENDATION

That the Saanich Peninsula Water Commission receive the staff report for information.



Ted Robbins, B.Sc., C.Tech.
General Manager, Integrated Water Services

TR:mm

Attachment: 1

**REPORT TO REGIONAL WATER SUPPLY COMMISSION
MEETING OF WEDNESDAY, MAY 18, 2016**

SUBJECT **PROPOSED AMENDMENTS TO THE GREATER VICTORIA WATER SUPPLY AREA PROTECTION BYLAW NO. 2804 TO INCLUDE THE LEECH WATER SUPPLY AREA AND DRAFT WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL POLICY AND PROCEDURE**

ISSUE

The 'Greater Victoria Water Supply Area Protection Bylaw No. 2804 requires amendment in order to include the Leech Water Supply Area (WSA), to allow enforcement against undesirable access and activities occurring in the WSA, to accommodate the Trans Canada Trail, to accommodate First Nations cultural access and activities and to update the Bylaw. The Ticket Authorization Bylaw also require amendment to reflect proposed changes to Bylaw No. 2804, to increase minimum fine amounts and to include an escalation of fines for repeat offences.

BACKGROUND

Following the CRD Board's defeat in February 2016 of the first and second readings of Bylaw No. 4050, that would have seen amendments to the Greater Victoria Water Supply Area (GVWSA) Protection Bylaw to restrict unauthorized access to the Leech WSA, allow First Nations cultural use access in the Leech WSA in accordance with an agreement and not allow broad public recreational use access in the Leech WSA, staff prepared two reports with supplementary information for the Board's consideration at their April 20, 2016 meeting. At this meeting, the Board considered two motions on this issue as follows:

That the CRD Board request that the Regional Water Supply Commission consider options for a permitting system for responsible recreational access to the Leech lands, including options for the issuance of fishing and hiking permits in the western portion of the Leech lands, and include this option in amendments to the Greater Victoria Water Supply Area Protection Bylaw No. 2804 and Ticket Authorization Bylaw No. 1857 for the Board's consideration.

This motion was defeated with a tie weighted vote.

That the CRD Board receive the report for information (Supplementary Information Regarding Amendment of the Greater Victoria Water Supply Area Protection Bylaw to Include the Leech Water Supply Area) and provide the Regional Water Supply Commission and staff direction to bring forward amendments to Bylaw No. 2804, in keeping with the previous Commission direction, that do not incorporate recreational access by permit in the Leech WSA in the short term while the area is not in use for drinking water supply.

This motion passed with a weighted vote of 42-34.

OBSERVATIONS

1. Although there has been a majority of the Commission that support the Bylaw amendments recommended to the Board in December, the Board's position is split based on the previously proposed amendments. The Board will ultimately need to support and adopt any bylaw amendments.
2. No Commission or Board members, regardless of their position on the previously proposed bylaw amendments, support the undesirable activities occurring in the Leech WSA, including tree cutting, camping and fires, off-road motorized vehicle use and garbage dumping and without a protection bylaw in place, the CRD remains unable to enforce against the undesirable access and activities.
3. The issue of amending the protection bylaw to include the Leech WSA has not been resolved due to lack of resolution on 'recreational access and activities'.

Given the above observations, staff are recommending minor adjustments to the previously proposed bylaw amendments and the establishment of a *Water Supply Area Access and Special Use Request and Approval Policy* and *Water Supply Area Access and Special Use Request and Approval Procedure*, along with an amended CRD *External Applicant Access and Special Use Request – Greater Victoria Water Supply Area* form. This approach would set out policy and procedure for water supply area access and special use requests, while leaving the decision making authority with the Regional Water Supply Commission, and presenting WSA Protection Bylaw amendments for the Commission and Board's consideration that ensure protection of the water supply areas by enabling enforcement against the undesirable access and activities occurring in the Leech WSA.

GVWSA PROTECTION BYLAW AMENDMENT ADJUSTMENTS

The current protection bylaw and proposed bylaw amendments provide significant discretion to the General Manager, Integrated Water Services, to make decisions with respect to water supply area access and activities. The previous report to the Commission on December 16, 2015 set out an explanation of the changes and updates proposed to Bylaw No. 2804. Attachment 1 indicates the proposed initial changes (in red) and the 'new' proposed adjustments (in blue) to the existing Bylaw No. 2804, and Attachment 2 is a draft of Bylaw No. 4050, which is the 'new' proposed amending bylaw to Bylaw No. 2804.

The 'new' proposed bylaw adjustments allow for the consideration of a request for water supply area access and special use, leaving the authority to approve or not approve a request with the Regional Water Supply Commission. Specific adjustments have been proposed under sections 40 and 46 of the bylaw to reflect these provisions.

DRAFT WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL POLICY

A draft policy has been prepared (Attachment 3) which sets out direction for Water Supply Area Access and Special Use Requests and Approvals. The policy statement is as follows:

The Regional Water Supply Commission will consider requests for Water Supply Area access and special use. The Commission will be provided a CRD Integrated Water Services staff evaluation of each request and a recommendation for the Commission's consideration. The

Commission will approve or not approve a request which will determine whether or not the General Manager can issue a permit for access and special use.

DRAFT WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL PROCEDURE

A draft procedure has been prepared (Attachment 4) which sets out the procedure for a group or individual to request access and undertake a special use in a water supply area. The procedure also sets out the general situations and conditions that CRD Integrated Water Services staff will use in evaluating a request for access and special use and in making a recommendation to the Regional Water Supply Commission respecting approval of a permit. As part of the application process, completion of an *External Applicant Access and Special Use Request – Greater Victoria Water Supply Area* form is required. The current form has been amended as proposed in Attachment 5, to reflect the new proposed approach.

ALTERNATIVES

That the Regional Water Supply Commission:

1. (a) Endorse the proposed amendments to Bylaw No. 2804, Greater Victoria Water Supply Area Protection Bylaw and Bylaw No. 1857, Schedule 27 of the Ticket Authorization Bylaw;
(b) Recommend to the CRD Board that Bylaw No. 4050 cited as “Capital Regional District Water Supply Area Regulations Bylaw No. 1, 2000, Amendment Bylaw No. 1, 2015” be introduced, read a first and second time, read a third time;
(c) Recommend to the CRD Board that Bylaw No. 4051 cited as “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment No. 56, 2015” be introduced, read a first and second time, read a third time; and
(d) Approve the draft *Water Supply Area Access and Special Use Request and Approval Policy* and *Water Supply Area Access and Special Use Request and Approval Procedure*.
2. Not endorse or recommend the proposed amendments to the Greater Victoria Water Supply Area Protection Bylaw No. 2804, and the proposed amendments to Schedule 27 of the Ticket Authorization Bylaw No. 1857, or the draft *Water Supply Area Access and Special Use Request and Approval Policy* and *Water Supply Area Access and Special Use Request and Approval Procedure*, and provide staff with further direction on bylaw amendments.

IMPLICATIONS

ENVIRONMENTAL AND SOCIAL

The undesirable access and activities occurring in the Leech WSA, continue to put the water supply areas at risk and without a protection bylaw in place covering all of the CRD water supply area lands, the CRD remains unable to enforce against the undesirable access and activities. The proposed bylaw amendments and supporting documents would enable enforcement against the undesirable access and activities while defining policy and procedure for groups or individuals who are seeking access and special use.

INTERGOVERNMENTAL

The Traditional Use Access Agreement with T’Souke First Nation was developed in parallel with Bylaw No. 2804 amendments. The amendments proposed to Bylaw No. 2804 make allowance for T’Souke First Nation traditional use activities described under the Agreement and provides for potential further agreements with other First Nations. Any CRD access and special use permit issuance must consider and avoid conflicts with activities under Agreement with a First Nation.

CONCLUSION

The proposed amendments to the Greater Victoria Water Supply Area Protection Bylaw No. 2804 and supporting policy and procedure documents would enable enforcement against the undesirable access and activities occurring in the Leech WSA while defining the process for groups or individuals who are seeking water supply area access and special use. The proposed bylaw amendments would also accommodate the portion of the Trans Canada Trail passing through the water supply area, accommodate First Nations cultural access to the Leech WSA and would update the bylaw in keeping with current watershed protection standards. The proposed amendments to the Ticket authorization Bylaw No. 1857 would reflect proposed changes to Bylaw No. 2804, increase the minimum fines and include an escalation of fines for repeat offences to increase deterrence.

RECOMMENDATION

That the Regional Water Supply Commission:

1. (a) Endorse the proposed amendments to Bylaw No. 2804, Greater Victoria Water Supply Area Protection Bylaw and Bylaw No. 1857, Schedule 27 of the Ticket Authorization Bylaw;
- (b) Recommend to the CRD Board that Bylaw No. 4050 cited as “Capital Regional District Water Supply Area Regulations Bylaw No. 1, 2000, Amendment Bylaw No. 1, 2015” be introduced, read a first and second time, read a third time;
- (c) Recommend to the CRD Board that Bylaw No. 4051 cited as “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment No. 56, 2015” be introduced, read a first and second time, read a third time; and
- (d) Approve the draft *Water Supply Area Access and Special Use Request and Approval Policy and Water Supply Area Access and Special Use Request and Approval Procedure*.

Submitted by:	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Service
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

Attachments:

1. Proposed Amendments to Bylaw 2804
2. Bylaw 4050, "Capital Regional District Water Supply Area Regulations Bylaw No. 1, 2000, Amendment Bylaw No. 1, 2015"
3. Draft Water Supply Area Access and Special Use Request and Approval Policy
4. Draft Water Supply Area Access and Special Use Request and Approval Procedure
5. External Applicant Access and Special Use Request – Greater Victoria Water Supply Area form
6. Bylaw 4051, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 56, 2015”

CAPITAL REGIONAL DISTRICT BYLAW NO. 2804

GREATER VICTORIA WATER SUPPLY AREA PROTECTION BYLAW

WHEREAS the Capital Regional District has established a water supply service and has the authority ~~to adopt a Bylaw~~ under section 796.2 (1) (a) of the *Local Government Act* to regulate in relation to the service; make rules for the management of property under its control with the right to set conditions respecting access to and use of that property;

NOW THEREFORE, the Capital Regional District Board in open meeting assembled, enacts as follows:

1. DEFINITIONS IN THIS BYLAW

“aircraft” means any vehicle capable of deriving support in the atmosphere from reactions of the air, and includes helicopters, gliders, ultralights, rockets and unmanned aerial vehicles;

“alien species” means a species designated as a controlled alien species pursuant to the Controlled Alien Species Regulation;

“animal” means an organism other than a human;

“authorized designate” means an employee or an officer of the CRD provided with the written authority to act on another person’s behalf;

"authorized personnel" includes, peace officer, conservation officer, or person appointed or employed by the CRD as a park officer, animal control officer, bylaw enforcement officer, watershed security officer, or other authorized CRD employee;

"Board" means the Board of Directors of the Capital Regional District;

"business" means carrying on a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit;

"CRD" means the Capital Regional District;

"cycle" means a device having any number of wheels that is propelled by human power and on which a person may ride;

"emergency personnel" includes any person, group or organization responding to emergency situations in the water supply area ~~lands~~;

"General Manager" means the General Manager of the CRD ~~Water Department~~ Integrated Water Services Department appointed by the Board and also any person lawfully acting in that capacity;

“Leech Water Supply Area” means the area identified as the Leech Water Supply Area on the map attached as Schedule “A” to this Bylaw;

"liquor" has the same meaning as in the Liquor Control and Licensing Act;

"motor vehicle" means a vehicle, not run on rails, that is designed to be self propelled;

"natural feature" means any native or non-native tree, shrub, flower, grass or plant of any kind; soil, sand, gravel, rock, mineral, wood, fallen timber or other living or dead natural material;

"hunt" means to trap, chase, pursue, worry, follow after or on the trail of, search for, shoot at, stalk, lie in wait for, or to attempt, in any manner, to capture, kill or injure any wildlife whether or not the wildlife is captured, killed or injured;

"permit" means a water supply area ~~lands~~-access and use permit issued under this bylaw;

~~"permit fee" includes the special use fee and the refundable security deposit prescribed by this bylaw for a water supply area lands access permit to carry out a special use;~~

"Regional Water Supply Commission" means the standing committee appointed by the Board for regional water supply service -purposes;

"special use" means an activity not included in the operations of the CRD, that is carried on in the water supply area ~~lands~~ by persons who are not employees or contractors of the CRD;

"traffic control device" means a sign, signal, line, meter, marking, space, barrier or device, not inconsistent with the Motor Vehicle Act, placed or erected by authority of the Board or the General Manager or a person authorized by either of them to exercise that authority;

~~"trail" means any footpath, pathway or area of land held in fee simple, leased, or held under a registered easement or statutory right-of-way by the CRD;~~

"vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power or used exclusively on stationary rails or tracks;

"vessel" means any ship or boat or any other description of vessel propelled by machinery, except a seaplane, used or designed to be used in navigation;

"water supply area ~~lands~~" means any water catchment and non-catchment lands, including the water bodies within the boundaries, owned and managed by the Capital Regional District, as shown on the maps attached as Schedule "A", but does not include the area marked "Trans Canada Trail" shown on Schedule "A";

"watercraft" means any vessel that is not being propelled by machinery;

"weed species" means a species designated as a noxious weed pursuant to the Weed Control Regulation;

"wildlife" means any native or non-native mammal, bird, insect, reptile, fish or other indigenous creature.

ENFORCEMENT POWERS

2. All authorized personnel may enforce this bylaw in the course of their duties.

3. Any authorized personnel may order a person who does anything contrary to this bylaw to leave water supply area ~~lands~~ immediately, or within a period of time specified by the authorized personnel, and every person so ordered shall comply with the order and leave the water supply area ~~lands~~ immediately or within the specified time period.
4. The prohibitions in this bylaw do not apply to authorized personnel or agents of the CRD acting in the course of their authorized duties or employment.

FINES

5. A person who contravenes this bylaw commits an offence and is liable on conviction to a fine of not less than ~~\$50.00~~\$100.00 and not more than the maximum prescribed by the Offence Act.
6. If a contravention of this bylaw is committed or continued on more than one day, it constitutes a separate offence for each day on which it is committed or continued.
7. A person who commits an offence under this bylaw and was previously convicted of the same offence is deemed to have committed a subsequent offence for purposes of establishing the appropriate fine.
8. The penalty imposed under section 5 shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw or any other statute, law or regulation.

NO ENTRY

9. No person, except emergency or authorized personnel or persons with the authority of the General Manager, shall enter the water supply area ~~lands~~.

PUBLIC CONDUCT

10. No person shall obstruct or interfere with any person or traffic lawfully using the water supply area ~~lands~~.
11. No person shall behave in a disorderly, dangerous or abusive manner in the water supply area ~~lands~~.

LIQUOR

- 11.12. No person shall ~~in water supply area lands~~ consume or possess liquor in the water supply area except in compliance with a license issued under the Liquor Control and Licensing Act and authorized by permit.

SIGNS

- 12.13. The General Manager may cause to be erected signs or other devices specifying one or more areas in the water supply area ~~lands~~ where specific activities are permitted, prohibited or restricted under the authority of this bylaw.
- 13.14. Every person in the water supply area ~~lands~~ must observe and obey every prohibition and restriction announced by a sign or other device erected under section ~~(913)~~.

DAMAGE

~~44.15.~~ No person shall remove, destroy or damage any natural feature, either organic or inorganic, or other CRD property of any kind, in the water supply area ~~lands~~ except with the as authorized by permit or with written permission of the ~~g~~General manager ~~or if permitted by permit.~~

~~45.16.~~ No person ~~in water supply area lands~~ shall in any way foul or pollute any ~~lake, stream, pond, watercourse or any CRD property on those lands or bodies of water~~ land, body of water, wetland, or watercourse in the water supply area.

~~46.17.~~ No person shall remove, destroy or damage any signs, notices, rules or regulations posted in the water supply area ~~lands~~ by and under the authority of the Regional Water Supply Commission or the General Manager.

~~47.18.~~ No person shall molest, disturb, frighten, injure, kill, catch, trap or snare any animal in the water supply area ~~lands~~ except as permitted by provincial or federal authorities ~~and the General Manager and with written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.~~

19. No person shall deposit any garbage, refuse, ~~empty or broken bottles, tin cans, paper or~~ other waste material upon the water supply area ~~lands~~.

20. No person shall introduce or cause to be introduced to the water supply area any alien species or weed species.

~~48.21.~~ No person shall introduce any living or non-living organic material into the water supply area except as authorized by permit or with the written permission of the General Manager.

FIRE

~~49.22.~~ No person shall light or keep lit any fire in the water supply area ~~lands~~ except authorized ~~persons personnel, and~~ other persons authorized by permit or with the written permission of the General Manager, ~~or under a permit or persons authorized by the terms of a written agreement between a First Nation and the CRD.~~

~~20.23.~~ No person shall throw or place upon the ground in the water supply area ~~lands~~ any lighted match, cigar, cigarette or other burning substance.

TREES

~~21.24.~~ No person shall cut, deface, damage or cut down any tree or carry out any logging operation or facilitate such operation in the water supply area ~~lands~~ except as authorized by permit or written permission of ~~where authorized by~~ the General Manager ~~or permit,~~ or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

CYCLES

~~22.25.~~ No person shall bring or ride any cycle in the water supply area ~~lands~~ except authorized personnel.-

CAMPING

~~23.26.~~ No person shall camp or sleep overnight in the water supply area ~~lands~~ with or without a shelter of any kind, including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean to, or other natural shelter, ~~without permission of the General Manager or by permit.~~ except as authorized by permit, with the written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

STORAGE

~~24.27.~~ No person, including an owner of property adjacent to the water supply area ~~lands~~, shall use the water supply area ~~lands~~ for storage of any kind, ~~unless related to CRD activities or except as~~ authorized by permit or with the written permission of the General Manager.

ANIMALS IN THE WATER SUPPLY AREA ~~LANDS~~

~~25.28.~~ No person shall bring in, allow animals in their custody to enter or have custody of ~~an~~ animals in the water supply area ~~lands~~ except emergency personnel or authorized personnel acting in the course of their duties.

FIREARMS AND HUNTING

~~26.29.~~ No person shall hunt, carry or discharge any firearm, bow or crossbow in the water supply area ~~lands~~ except authorized personnel acting in the course of their duties, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

VESSELS, ~~AND~~ WATERCRAFT AND AIRCRAFT

~~27.30.~~ No person shall ~~operate a helicopter, amphibious aircraft, vessel, watercraft or fishing device on or land an aircraft~~ within the water supply area ~~lands~~ except emergency or authorized personnel, as authorized by permit or ~~persons authorized with written permission of~~ by the General Manager.

~~28.31.~~ No person shall operate a vessel or watercraft on or within the water supply area except emergency or authorized personnel, by written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

FISHING

~~32.~~ No person shall fish or take fish or attempt to take fish by any method in the water supply area, except by written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

VEHICLES

- ~~29.33.~~ (1) No person shall drive or propel any type of motor vehicle in the water supply area ~~lands~~ except on ~~public~~ roadways intended and maintained for the passage of vehicles or parking lots.
- (2) Emergency personnel, authorized personnel, and persons with the authority of the General Manager are exempt from this section.
- (3) Vehicles parked in areas signed as "No Parking" or "No Parking Area Tow Away Zone" may be towed away immediately at the owner's expense by order of authorized personnel. Vehicles left unattended for more than 48 hours may be towed away at the owner's expense by order of authorized personnel.

~~(1) The General Manager may, if in his opinion it is necessary for reasons of safety or convenience, cause the erection of appropriate signs closing any road or other areas within water supply area lands.~~

~~No person shall operate a vehicle in any part of water supply area lands posted as closed except authorized personnel.~~

~~30.34.~~ (1) The General Manager may, ~~if in his opinion it is necessary for reasons of safety and convenience, limit, by posting signs to that effect the speed at which vehicles may be operated on any road~~ limit the maximum driving speed on any road within the water supply area ~~lands~~ by posting speed limits.

- (2) No person shall operate a vehicle in the water supply area ~~lands~~ in excess of the posted speed limit.

~~34.35.~~ (1) The General Manager or authorized personnel acting on his behalf may cause signs or other traffic control devices to be placed in the water supply area ~~lands~~ for the purposes of sections ~~25 to 27 both inclusive~~ 13, 34, 43 and 44.

- (2) No person shall operate a vehicle in the water supply area ~~lands~~ contrary to posted signs or traffic control devices.

COMMERCIAL SERVICES, ACTIVITIES OR DEMONSTRATIONS

~~32.36.~~ No person shall post, paint, or distribute any advertisement, sign, placard or handbill of any kind in the water supply area ~~lands~~.

~~33.37.~~ No person shall operate or station in the water supply area ~~lands~~ any vehicle displaying advertising or equipped with a public address system for the purpose of advertising, demonstration or attracting attention except ~~where as~~ where as authorized by permit or with the written permission of the General Manager ~~or by water supply area lands access permit~~.

CONSTRUCTION

~~34.38.~~ No person shall build, or place any temporary structure or facilities in the water supply area ~~lands~~ except where authorized by permit or with the written permission of the General Manager ~~or by permit~~.

~~35.39.~~ No person shall build, or place any permanent structure or facilities in the water supply area ~~lands~~ except where authorized by permit.

WATER SUPPLY AREA ~~LANDS~~ ACCESS PERMITS

~~36.40.~~ No person shall, ~~in water supply area lands~~, conduct or carry on any special use or enter into or remain within ~~any~~the water supply area ~~lands~~ except where authorized by ~~a special permit~~ or written permission of the General Manager in accordance with this Bylaw, who will seek approval for access and special use from the Regional Water Supply Commission.

~~37.41.~~ Persons who have the right under an enactment ~~or an existing written agreement~~ to enter into or remain within the water supply area ~~lands~~ are not excepted from the requirement in section (4033) to obtain a permit.

~~42.~~ Persons who have the right under an existing written agreement to carry on any special use or enter into or remain within the water supply area are excepted from the requirement in section 40 to obtain a permit unless the terms of the written agreement require the person to obtain a permit from the General Manager pursuant to this Bylaw.

~~43.~~ The General Manager may close a road or roads, or a portion or all of the water supply area for reasons of safety, weather, operational concerns, road conditions and fire danger conditions by posting notices at water supply area entrances.

~~44.~~ The General Manager may restrict specific activities of permit holders for reasons of safety, weather, operational concerns, road conditions and fire danger conditions by posting notices at water supply area entrances.

~~38.45.~~ The General Manager or authorized designate may issue a permit for ~~special use access and use (including special use)~~, if all of the conditions established under Section ~~4636~~ are met by the permit applicant.

~~39.46.~~ The General Manager is hereby delegated the authority to establish the conditions respecting the issuance of permits.

~~40.47.~~ (1) The General Manager and/or the Regional Water Supply Commission may:

- (a) refuse to issue a permit to any person or group who has previously contravened this bylaw;
- (b) revoke a permit if the special use is conducted in a manner which contravenes this bylaw;

~~41.48.~~ Where an applicant applies for a permit for access to the water supply area ~~lands~~, the applicant must pay a refundable security deposit of ~~\$50.00~~ \$500.00 which will be repaid upon return of ~~the keys~~ and ~~radio~~ other equipment owned by the Capital Regional District issued required as a condition of access.

CITATION

42.49. This bylaw may be cited as "Capital Regional District Water Supply Area Regulations Bylaw No. 1, 2000 – Amendment 1, 2015."

Read a first time this day of , 2016.

Read a second time this day of , 2016.

Read a third time this day of , 2016.

ADOPTED this day of , 2016.

CHAIR

SECRETARY

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4050**

**A BYLAW TO AMEND BYLAW 2804, “CAPITAL REGIONAL DISTRICT WATER
SUPPLY AREA REGULATIONS BYLAW NO. 1, 2000”**

WHEREAS, Bylaw 2804, regulates the access and use of Greater Victoria Water Supply Area, lands owned and managed by the Capital Regional District for the purpose of a water supply service;

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 2804, “Capital Regional District Water Supply Area Regulations Bylaw, 2000” is amended as follows:

a. By deleting the first paragraph beginning with “Whereas” in its entirety and substituting the following:

“WHEREAS the Capital Regional District has established a water supply service and has the authority under section 796.2 of the *Local Government Act* to regulate in relation to the service;”

b. By adding new definitions under Section 1 DEFINITIONS IN THIS BYLAW as follows:

““aircraft” means any vehicle capable of deriving support in the atmosphere from reactions of the air, and includes helicopters, gliders, ultralights, rockets and unmanned aerial vehicles;”

““alien species” means a species designated as a controlled alien species pursuant to the Controlled Alien Species Regulation;”

““authorized designate” means an employee or an officer of the CRD provided with the written authority to act on another person’s behalf;”

““Leech Water Supply Area” means the area identified as the Leech Water Supply Area on the map attached as Schedule “A” to this Bylaw;”

““hunt” means to trap, chase, pursue, worry, follow after or on the trail of, search for, shoot at, stalk, lie in wait for, or to attempt, in any manner, to capture, kill or injure any wildlife whether or not the wildlife is captured, killed or injured;”

““weed species” means a species designated as a noxious weed pursuant to the Weed Control Regulation;”

c. By deleting the definitions in Section 1 for “permit fee” and “trail” in their entirety;

d. By amending the definition of “emergency personnel by removing the word “lands”;

e. By amending the definition in Section 1 of “General Manager” by replacing “Water Department” with “Integrated Water Services Department”;

f. By amending the definition in Section 1 of “special use” to remove the word “lands”;

- g. By deleting the definition in Section 1 of “water supply area lands” in its entirety and replacing it with the following:

““water supply area” means any water catchment and non-catchment lands, including the water bodies within the boundaries, owned and managed by the Capital Regional District, as shown on the maps attached as Schedule “A”, but does not include the area marked “Trans Canada Trail” shown on Schedule “A””;

- h. By amending Section 3 under the heading ENFORCEMENT POWERS to remove each instance of the word “lands”;

- i. By inserting the following new Section after Section 3 under the heading ENFORCEMENT POWERS:

“The prohibitions in this bylaw do not apply to authorized personnel or agents of the CRD acting in the course of their authorized duties or employment.”;

- j. By amending Section 4 under the heading FINES to remove “\$50.00” and replace with “\$100.00”;

- k. By inserting the following three new Sections following section 4 under the heading FINES:

“If a contravention of this bylaw is committed or continued on more than one day, it constitutes a separate offence for each day on which it is committed or continued.”

“A person who commits an offence under this bylaw and was previously convicted of the same offence is deemed to have committed a subsequent offence for purposes of establishing the appropriate fine.”

“The penalty imposed under section 5 shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw or any other statute, law or regulation.”;

- l. By amending Section 5 under the heading NO ENTRY and Sections 6 and 7 under the heading PUBLIC CONDUCT to replace each instance of “water supply area lands” with “the water supply area”;

- m. By deleting section 8 under the heading LIQUOR in its entirety and replacing it with:

“No person shall consume or possess liquor in the water supply area except in compliance with a license issued under the Liquor Control and Licensing Act and authorized by permit.”;

- n. By amending Section 9 and 10 under the heading SIGNS to replace each instance of “water supply area lands” with “the water supply area”;

- o. By amending Section 10 to replace “under section (9)” with “under section (13)”;

- p. By deleting sections 11 to 15 inclusive under the heading DAMAGE and replacing with the following:

“No person shall remove, destroy or damage any natural feature, either organic or inorganic, or other CRD property of any kind, in the water supply area except as authorized by permit or with written permission of the General Manager.

No person shall in any way foul or pollute any land, body of water, wetland, or watercourse in the water supply area.

No person shall remove, destroy or damage any signs, notices, rules or regulations posted in the water supply area by and under the authority of the Regional Water Supply Commission or the General Manager.

No person shall molest, disturb, frighten, injure, kill, catch, trap or snare any animal in the water supply area except as permitted by provincial or federal authorities and with written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.

No person shall deposit any garbage, refuse, or other waste material upon the water supply area.

No person shall introduce or cause to be introduced to the water supply area any alien species or weed species.

No person shall introduce any living or non-living organic material into the water supply area except as authorized by permit or with the written permission of the General Manager.”;

- q. By deleting section 16 under the heading FIRE in its entirety and replacing it with the following:

“No person shall light or keep lit any fire in the water supply area except authorized personnel, other persons authorized by permit or with the written permission of the General Manager, or persons authorized by the terms of a written agreement between a First Nation and the CRD.”;

- r. By amending section 17 under the heading FIRE to replace “water supply area lands” with “the water supply area”;

- s. By deleting section 18 under the heading TREES in its entirety and replacing it with the following:

“No person shall cut, deface, damage or cut down any tree or carry out any logging operation or facilitate such operation in the water supply area except as authorized by permit or written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.”;

- t. By amending section 19 under the heading CYCLES to replace “water supply area lands” with “the water supply area”;

- u. By deleting section 20 under the heading CAMPING in its entirety and replacing it with the following:

“No person shall camp or sleep overnight in the water supply area with or without a shelter of any kind, including, but not restricted to, a motor vehicle, recreational vehicle, tent, lean to, or other natural shelter, except as authorized by permit, with the written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.”;

- v. By deleting section 21 under the heading STORAGE in its entirety and replacing it with the following:

“No person, including an owner of property adjacent to the water supply area, shall use the water supply area for storage of any kind, except as authorized by permit or with the written permission of the General Manager.”;

- w. By replacing the heading after section 21 from “ANIMALS IN WATER SUPPLY AREA LANDS” to “ANIMALS IN THE WATER SUPPLY AREA”;

- x. By deleting section 22 under the heading ANIMALS IN THE WATER SUPPLY AREA in its entirety and replacing it with the following:

“No person shall bring in, allow animals in their custody to enter or have custody of animals in the water supply area except emergency personnel or authorized personnel acting in the course of their duties.”;

- y. By deleting section 23 under the heading FIREARMS AND HUNTING in its entirety and replacing it with the following:

“No person shall hunt, carry or discharge any firearm, bow or crossbow in the water supply area except authorized personnel acting in the course of their duties, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.”;

- z. By deleting the heading after section 23 in its entirety and replacing it with “VESSELS, WATERCRAFT AND AIRCRAFT”;

- aa. By deleting section 24 under the heading VESSELS, WATERCRAFT AND AIRCRAFT and replacing it with the following:

“No person shall land an aircraft within the water supply area except emergency or authorized personnel, as authorized by permit or with written permission of the General Manager.”;

- bb. By inserting the following new section after section 24:

“No person shall operate a vessel or watercraft on or within the water supply area except emergency or authorized personnel, by written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.”;

- cc. By inserting a new heading and section after the VESSELS and WATERCRAFT sections as follows:

"FISHING

No person shall fish or take fish or attempt to take fish by any method in the water supply area, except by written permission of the General Manager, or in the Leech Water Supply Area where authorized by the terms of a written agreement between a First Nation and the CRD.”;

- dd. By deleting and replacing section 25 (1) in its entirety under the heading VEHICLES and replacing it with the following:

“No person shall drive or propel any type of motor vehicle in the water supply area except on roadways intended and maintained for the passage of vehicles or parking lots.”;

- ee. By deleting in its entirety section 26(1) and (2) under the heading VEHICLES;

- ff. By deleting in its entirety section 27 (1) under the heading VEHICLES and replacing it with the following:

“The General Manager may limit the maximum driving speed on any road within the water supply area by posting speed limits.”;

- gg. By amending section 27 (2), 28 (1) and (2) under the heading VEHICLES to replace each instance of "water supply area lands" with "the water supply area”;

- hh. By amending section 28 (1) under the heading VEHICLES to replace “sections 25 to 27” with “sections 13, 34, 43 and 44”;

- ii. By amending section 29 and 30 under the heading COMMERCIAL SERVICES, ACTIVITIES OR DEMONSTRATIONS to replace each instance of “water supply area lands” to “the water supply area”;

- jj. By amending section 30 under the heading COMMERCIAL SERVICES, ACTIVITIES OR DEMONSTRATIONS to replace “except where authorized by the General Manager or by water supply area lands access permit” to “except as authorized by permit or with the written permission of the General Manager.”;

- kk. By amending section 31 and 32 under the heading CONSTRUCTION to replace each instance of “water supply area lands” with “the water supply area”;

- ll. By amending section 31 under the heading CONSTRUCTION to replace “where authorized by the General Manager or by permit” to “where authorized by permit or with the written permission of the General Manager.”;

- mm. To delete sections 33 to 37 inclusive and the heading “WATER SUPPLY AREA LANDS ACCESS PERMITS” and replace it with the heading “WATER SUPPLY AREA ACCESS PERMITS” and the following amended and new sections:

“No person shall conduct or carry on any special use or enter into or remain within the water supply area except where authorized by permit or written permission of the General Manager in accordance with this Bylaw, who will seek approval for access and special use from the Regional Water Supply Commission.

Persons who have the right under an enactment to enter into or remain within the water supply area are not excepted from the requirement in section 40 to obtain a permit.

Persons who have the right under an existing written agreement to carry on any special use or enter into or remain within the water supply area are excepted from the requirement in section 40 to obtain a permit unless the terms of the written agreement require the person to obtain a permit from the General Manager pursuant to this Bylaw.

The General Manager may close a road or roads, or a portion or all of the water supply area for reasons of safety, weather, operational concerns, road conditions and fire danger conditions by posting notices at water supply area entrances.

The General Manager may restrict specific activities of permit holders for reasons of safety, weather, operational concerns, road conditions and fire danger conditions by posting notices at water supply area entrances.

The General Manager or authorized designate may issue a permit for access and use (including special use), if all of the conditions established under Section 46 are met by the permit applicant.

The General Manager and/or the Regional Water Supply Commission may:

- (a) refuse to issue a permit to any person or group who has previously contravened this bylaw;
- (b) revoke a permit if the special use is conducted in a manner which contravenes this bylaw;"

nn. By deleting section 38 under the heading WATER SUPPLY AREA ACCESS PERMITS in its entirety and replacing it with the following:

"Where an applicant applies for a permit for access to water supply area, the applicant must pay a refundable security deposit of \$500.00 which will be repaid upon return of keys and other equipment owned by the Capital Regional District issued as a condition of access.";

oo. By amending section 39 under the heading CITATION by adding ", Amendment 1, 2015" immediately after "Capital Regional District Water Supply Area Regulations Bylaw No. 1, 2000.";

pp. By renumbering in consecutive order the remaining, amended and added sections of the bylaw from 1 (Definitions) to 48 (Citations); and,

qq. By deleting "Schedule A" maps Sheet 1 and 2 dated June 9, 2000 in their entirety and replacing them with the Schedule A maps attached to and forming part of this bylaw "Greater Victoria Water Supply Area CRD Bylaw 2804 Schedule A" map reference "ScheduleAUpdate.mxd" dated December 9, 2015.



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CAPITAL REGIONAL DISTRICT

DEPARTMENT POLICY

Section	Regional Water Supply	
Subsection	Integrated Water Services - Policies	
Title	WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL	

POLICY:

The Regional Water Supply Commission will consider requests for Water Supply Area access and special use. The Commission will be provided a CRD Integrated Water Services staff evaluation of each request and a recommendation for the Commission’s consideration. The Commission will approve or not approve a request which will determine whether or not the General Manager can issue a permit for access and special use.

PURPOSE:

The purpose of this policy is to ensure the Regional Water Supply Commission is aware of the number and type of water supply area access and special use requests and sets out the roles of the Commission and CRD staff in the approval process.

RESPONSIBILITIES:

The CRD Board will amend the Greater Victoria Water Supply Area Protection Bylaw as required.

The Regional Water Supply Commission will review and amend this policy as required.

The CRD Integrated Water Services staff will adhere to this policy.

SCOPE:

This policy applies to all requests for water supply area access and special use, except under the prescribed situations set out in the *CRD Integrated Water Services – Water Supply Area Access and Special Use Request and Approval Procedure*.

DEFINITIONS:

‘Water Supply Area’ means any water catchment and non-catchment lands, including the water bodies within the boundaries, owned and managed by the CRD, including the Sooke, Goldstream and Leech Water Supply Areas.

‘Special Use’ means an activity not included in the operations of the CRD that is carried on in the water supply area by persons who are not employees or contractors of the CRD.

PROCEDURE:

Requests for water supply area access and special use, except under the prescribed situations set out in the *CRD Integrated Water Services – Water Supply Area Access and Special Use Request and Approval Procedure* will be evaluated by CRD Integrated Water Services staff. CRD Integrated Water Services staff will provide a staff report to the Regional Water Supply Commission outlining the nature of the request and special use, the implications of the request, and a staff recommendation for the Commission consideration. The Commission may approve or not approve the request and may set certain conditions with an approval. With the Commission’s approval, the General Manager, Integrated Water Services, will issue an access and special use permit and set out the conditions and requirements of the permit and the responsibilities of the permit holder.

Approval Date:		Approved By:	
1. Amendment Date:		Approved By:	
2. Amendment Date:		Approved By:	
3. Amendment Date:		Approved By:	
Next Review Date:		Reviewed By:	
Supersedes:			

Related Policy, Procedure or Guideline:

1. *CRD Integrated Water Services – Water Supply Area Access and Special Use Request and Approval Procedure*
2. *Greater Victoria Water Supply Area Protection Bylaw*



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CAPITAL REGIONAL DISTRICT

DEPARTMENT PROCEDURE

Section	Regional Water Supply	
Subsection	Integrated Water Services - Procedure	
Title	WATER SUPPLY AREA ACCESS AND SPECIAL USE REQUEST AND APPROVAL PROCEDURE	

PURPOSE:

The purpose of this procedure is to set out the procedure for a group or individual to request access and undertake a special use in the Greater Victoria Water Supply Area. This procedure also sets out the general situations and considerations that CRD Integrated Water Services staff will use in evaluating a request for access and special use and in making a recommendation to the Regional Water Supply Commission respecting approval of a permit. The Regional Water Supply Commission will approve or not approve a request for access and special use unless under the prescribed situations set out below. A permit for access and special use will be issued by the General Manager once the Commission has approved a request. This procedure is to be used in conjunction with the Greater Victoria Water Supply Area Protection Bylaw and the CRD Integrated Water Services, Regional Water Supply Policy - Water Supply Area Access and Special Use Request and Approval.

1. The General Manager, Integrated Water Services, has the authority to approve routine access and special use requests based on the following prescribed situations:
 - a. CRD staff specifically required to conduct activities included in the operations of the CRD as part of their duties;
 - b. BC Hydro and Fortis Gas staff and contractors for utility work to be undertaken in the water supply areas;
 - c. Representatives of senior governments or regulatory agencies who, as part of their duties, are required to gain access to the water supply areas;
 - d. Staff and contractors of agencies or organizations who hold licences, leases or other agreements with the CRD who are required to gain access to the water supply areas to access, operate and maintain equipment such as communications equipment, occupying water supply area sites or who are required to transit CRD lands to access private lands;
 - e. Organizations or individuals touring the water supply areas with CRD staff escorts;
 - f. Organizations or individuals conducting research projects authorized by the CRD, and being supported by an accredited academic institution or government agency;
 - g. Contractors or tradespeople required to perform work as requested by CRD;
 - h. Directors of the CRD Board, members of the Regional Water Supply Commission and other CRD Commissions and Committees, municipal council members, and health authority officials;
 - i. Accredited media representatives with CRD staff escorts; and
 - j. Special purpose day/visitation access with CRD staff escorts.
2. All other requests for water supply area access and special use will be approved by the Regional Water Supply Commission in accordance with the *Regional Water Supply Policy – Water Supply Area Access and Special Use Request and Approval*.

PROCEDURE:

1. Groups or individuals requesting water supply area access or special use permission are to complete the CRD Integrated Water Services form *External Applicant Access and Special Use Request – Greater Victoria Water Supply Area*.
2. CRD Integrated Water Services staff will evaluate the request based on the information provided in the form and any other information provided by the applicant.

3. CRD Integrated Water Services Staff will provide a staff report to the Regional Water Supply Commission outlining the nature of the request and special use, the implications of the request, and a staff recommendation for the Commission's consideration.
4. The Commission will approve or not approve the request and may set certain conditions with an approval.
5. With the Commission's approval, the General Manager, Integrated Water Services will issue an access and special use permit and set out the conditions, requirements of the permit and the responsibilities of the permit holder.

Approval Date:		Approved By:	
1. Amendment Date:		Approved By:	
2. Amendment Date:		Approved By:	
3. Amendment Date:		Approved By:	
Next Review Date:		Reviewed By:	
Supersedes:			

Related Policy, Procedure or Guideline:

1. *CRD Integrated Water Services, Water Supply Area Access and Special Use Request and Approval Policy*
2. *Greater Victoria Water Supply Area Protection Bylaw*



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Integrated Water Services, Watershed Protection Division
EXTERNAL APPLICANT ACCESS
AND SPECIAL USE REQUEST
GREATER VICTORIA WATER SUPPLY AREA

Application No. _____

Please Print and Fill Out All Applicable Sections.

Primary Contact

Applicant's Name: _____ Name of Agency:* _____
Applicant's Title: _____ Phone: _____
Applicant's Supervisor: _____ Phone: _____
Agency Street Address: _____
City/Prov: _____ P. Code: _____
Agency Email: _____ Agency Fax: _____
Other Agency Numbers (cell, pager): _____
Agency Emergency Contact: Name: _____ Phone: _____

Note: If Applicant is representing a group or work crew that will be using a single vehicle and working in the same location at all times, only one full application form is required. Provide contact information for all of the other workers in the crew on an Additional Applicants Access Request form. Orientation is required for the entire group.
* If Applicant is not representing a group or agency, indicate 'Individual'.

Personal Contact Information (See Privacy Statement below.)

The personal information requested on this form is required to ensure continued protection of water quality and the Greater Victoria Water Supply Area lands; to provide a means for emergency contact; and to safeguard CRD Water equipment and facilities.

Home Address: Street: _____
City: _____ Prov. _____ P. Code: _____
Home Phone: _____ Other, if required (cell, pager, email): _____
Personal Emergency Contact: Name: _____ Phone: _____

Privacy Statement

CRD Water Services is committed to respecting your right to privacy. Personal information is collected under authority of CRD Bylaw 2804. The collection of personal information is subject to and protected by the Freedom of Information and Protection of Privacy Act and will only be used for the purposes for which it was originally collected or for a use consistent with that purpose.

Project / Purpose / Proposed Activity

Project Name / Purpose of Application (please provide supporting documents)/Proposed Activity: _____

Note: Research Applications must be coordinated through the Watershed Protection Division. Please attach a copy of the research proposal and or work plan

Placer Miner Application - Attach claim location map and Claim Number: _____

Sponsoring Integrated Water Services (IWS) Division or other CRD Department (check one):

[] Infrastructure Operations [] Infrastructure Engineering [] Watershed Protection
[] Water Quality [] Other CRD Department: _____
[] No CRD Sponsor

Name of Water Services Access Sponsor (Division Representative): _____

Name of Water Supply Area Co-Sponsor (Project Manager): _____
(If Required)

Vehicle, Equipment and Transporting Dangerous Materials Information

Vehicle Make: _____ Model: _____ Colour: _____

Vehicle Marking (Logo etc.): _____ License Plate Number: _____

Transporting Other Equipment (i.e. Heavy Equipment, Boat)? Yes No

If yes, what is it? _____

Transporting Fuel, Lubricants⁽¹⁾, Chemicals or other Hazardous or Dangerous Material? Yes NoIf yes⁽²⁾, what is it and how much? _____Transporting Dangerous Goods Certification Required? Yes No

Transporting Dangerous Goods Certification Number : _____

⁽¹⁾ Over and above that normally found in the vehicle or piece of equipment. ⁽²⁾ Please attach MSDS for each product.

Access Requirements *To be filled out in consultation with Sponsor*

Location of Work or Activity (be specific and note all locations): _____

Access Dates: From: _____ To: _____

 Monday to Friday Times: _____ Weekend Times: _____ Statutory Holidays Which ones? _____ Times: _____

Equipment Requirements *To be filled out in consultation with Sponsor*

The following equipment is required; please indicate if you are requesting a loan.

VHF Radio - CRD Water Frequencies ⁽¹⁾ Loan Requested? Yes NoEmergency Spill Kit Loan Requested? Yes NoWildfire Equipment Loan Requested? Yes No⁽¹⁾ If requesting approval to program personal radio to CRD Water Frequencies, please provide the following information:

Industry Canada File Number: _____

Industry Canada Licence Number: _____

On Site Safety Considerations

Applicable Safety Plan provided? (details) _____

First Aid certif. / equip. to be provided: _____

Insurance

Proof of Insurance Provided:

Vehicle: Yes No Firefighting (April 1 – October 31) Yes NoGeneral Liability Yes No

Note: By signing here the Applicant declares (and declares on behalf of group applicants), that the information provided is true and accurate.**Applicant's Signature:** _____ **Date:** _____**IWS Sponsor Signature:** _____ **Date:** _____**WSA Co-Sponsor:** _____ **Date:** _____

(If Required)

For Internal CRD Use Only

Initial Risk Review

- Contaminants (Hazardous material amounts, boat, heavy _____)
- Pathogens (Sani facilities, animals) _____
- Wildfire (Blasting, grinding, welding) _____
- Sediments / Nutrients (Excavation, _____)
- Cultural / Environmental _____
- Safety (Training & Equip., Appropriate Plan / _____)

Initial Comments: _____

Conditions and Restrictions: _____

 Risk Mgmt. Plan _____

Assessed Overall Risk to Water Quality or Other Values

Comments: _____

- Low Medium¹ High ¹

¹ Any application deemed a Medium or High Risk must be reviewed by the Senior Manager, Watershed Protection or Access Review Committee. Attach rationale for Medium or High Risk designation and recommendations on course of action.

Fire Danger Rating

Expected fire danger rating during access dates Very Low Low Moderate High Extreme

Inspections

Does the applicant require inspections or other action upon entry?
 No Yes _____ Pro

Insurance

Proof of Insurance Provided:
Vehicle: Yes No Firefighting (April 1 – October Yes No
General Liability Yes No

Security Chargehand Comments

Previous Issues / Application Checks _____

Initial Determination

- Recommend approval of the application
- Do not recommend approval of the application (be specific): _____
- Recommend approval of the application with requirements / restrictions as above and in addition: _____
- Refer to Sr. Manager, or ARC (Medium or High Risk) _____
Results of Further Risk Review

CRD Signatures

Security Chargehand, Watershed Protection

Date

Manager, Wildfire, Security & Emergency Response

Date

(If Required)

Senior Manager, Sponsoring IWS Division (or Water Supply Area Co-Sponsor)

Date

(If Required)

Senior Manager, Watershed Protection Division

Date

Approval for Access and Special Use Provided by Regional Water Supply Commission

Yes Date: _____

No, not required

General Manager, Integrated Water Services

Date

Access Times and Keys

Annual (Expires Jan 31) or;

Date From: _____

Date To: _____

24/7

Saturday & Sundays

Monday to Friday

Statutory Holidays

7:00 a.m. - 4:30 p.m.

Other: _____

Autogate Access:

Goldstream

Sooke

Gate Key Requirements: (refer to Water Supply Area Access Control Maps)

Goldstream Group

Sooke Entrance

Head Tank

AMO Submaster

KLC (Kapoor) Submaster

Macdonald Main

Survey Mountain

E&N Kapoor Group

Cragg Main

Weeks Lake

Mt. McDonald Compound

Others

Specify: _____

Refundable Key Deposit

Contract Holdback (none)

Researcher (\$100)

Miner (\$500)

Contractor / Consultant (\$250)

Adjacent Land Owner / Non-CRD Contractor (\$500)

Radio Frequencies

Permission to Program

File Number Checked

Licence Number Checked

Ongoing

Long Term (> 1 year)

Short Term

Expiry: _____

Orientation and Key Loans

Key Deposit Paid

Orientation Complete

Date: _____

Photo ID Card

Autogate Active

Dashboard ID Card

Key(s) issued / No(s): _____

Access Info. Folder issued

Other: _____

Return Date: _____

Security Chargehand or Alternate (Initials): _____

Applicant Declaration

By signing here the Applicant confirms completion of orientation; declares that they are going to an approved worksite(s) within the GVWSA to carry out work authorized by the CRD IWS or its representatives; understands and agrees to adhere to applicable Bylaws, policies and procedures; are not currently ill with a known waterborne communicable disease; will use the sanitary facilities provided, and; will follow the instructions of CRD IWS personnel when required.

The Applicant confirms equipment loans as listed above and understands that any keys or equipment issued remain the property of CRD IWS. The applicant declares (and declares on behalf of their group or work crew as required), that the keys or equipment will be surrendered upon notice, that **keys must not be copied or loaned to others** and that they will return keys and equipment on the due date or make arrangements for the renewal of borrowing privileges.

Applicant

Date

Routing

- | | |
|--|--|
| <input type="checkbox"/> Applicant / Water Services Access Sponsor | <input type="checkbox"/> Security Chargehand, Watershed Protection |
| <input type="checkbox"/> Manager Wildfire, Security and Emergency Response | <input type="checkbox"/> Senior Manager WP (and ARC - If Required) |
| <input type="checkbox"/> If Required, Sr. Manager, Sponsor Div. / WSA Co-Sponsor | <input type="checkbox"/> If Required, General Manager |

Data Entry Date: _____

Initials: _____

**CAPITAL REGIONAL DISTRICT
BYLAW 4051**

**A BYLAW TO AMEND BYLAW 1857 “CAPITAL REGIONAL DISTRICT TICKET
INFORMATION AUTHORIZATION BYLAW, 1990, AMENDMENT BYLAW NO. 56”**

WHEREAS, Bylaw 1857 Schedule 27 documents fines for offences of the Water Supply Area Regulations Bylaw No. 1, 2000;

NOW THEREFORE, the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 1857 of the “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 56” is amended as follows:
 - a) By deleting Schedule 27 in its entirety and replacing it with the Schedule attached to and forming part of this Bylaw.
2. This Bylaw may be cited as “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 56, 2015”.

READ A FIRST TIME THIS	day of	2016
READ A SECOND TIME	day of	2016
READ A THIRD TIME THIS	day of	2016
ADOPTED THIS	day of	2016

CHAIR

CORPORATE OFFICER

SCHEDULE 27 TO BYLAW NO. 1857WATER SUPPLY AREA
REGULATIONS BYLAW NO. 1, 2000
(BI 2804)

WORDS OR EXPRESSIONS DESIGNATING OFFENCE	SECTION	FINE
1. Unauthorized entry on water supply area lands	9.	\$200.00 (first offence) \$400.00 (second offence) \$1,000.00 (third offence)
2. Obstruct persons or traffic	10.	\$100.00
3. Disorderly behavior	11.	\$100.00
4. Unlawful use of liquor	12.	\$100.00
5. Fail to obey sign	14.	\$100.00
6. Damage to property/ natural feature in water supply area	15.	\$200.00 (first offence) \$400.00 (second offence) \$1,000.00 (third offence)
7. Foul water supply area lands/water bodies	16.	\$200.00
8. Remove posted notices	17.	\$100.00
9. Interfere with wildlife	18.	\$200.00
10. Deposit garbage	19.	\$200.00 (first offence) \$400.00 (second offence) \$1,000.00 (third offence)
11. Introduce alien or weed species	20.	\$200.00
12. Introduce organic material without authorization	21.	\$200.00
13. Unlawful fire	22.	\$200.00
14. Deposit burning substance	23.	\$200.00
15. Damage tree	24.	\$100.00
16. Cut down tree	24.	\$200.00

17.	Unauthorized cycling	25.	\$100.00
18.	Unauthorized camping	26.	\$100.00
19.	Prohibited storage	27.	\$100.00
20.	Prohibited animal	28.	\$200.00 (first offence) \$400.00 (second offence) \$1,000.00 (third offence)
21.	Unauthorized hunting, carry or discharge of firearm, crossbow or bow	29.	\$200.00
22.	Unauthorized operation of aircraft	30.	\$200.00
23.	Unauthorized operation of vessel or watercraft	31.	\$200.00
24.	Unauthorized fishing	32.	\$200.00
25.	Driving off road	33.(1)	\$200.00
26.	Driving contrary to posted signs or traffic control devices	35.(2)	\$100.00
27.	Unlawful sign	36.	\$100.00
28.	Prohibited public address system	37.	\$100.00
29.	Prohibited temporary structure	38.	\$100.00
30.	Prohibited permanent structure	39.	\$200.00
31.	Entry into closed area	43.	\$200.00
32.	Prohibited activity	44.	\$200.00

**REPORT TO SAANICH PENINSULA WATER COMMISSION
MEETING OF THURSDAY, MAY 19, 2016**

SUBJECT BULK WATER CONNECTION POLICY

ISSUE

The Regional Water Supply Commission recently approved a Bulk Water Connection policy for the Regional Water Supply Service to assist in the evaluation of requests from municipalities for new bulk water connections. It is proposed to apply the same policy when considering Saanich Peninsula Water System bulk water connection requests.

BACKGROUND

There are 63 bulk water connections across the Regional Water Supply System (including the Saanich Peninsula Water System), which provide bulk water supply to municipal water distribution systems. Recently, Capital Regional District (CRD) staff have considered requests for two new bulk water connections. At their meeting of April 20, 2016, the Regional Water Supply Commission approved a *Bulk Water Connection Policy* (Attachment 1), which will assist in the evaluation of requests from municipalities for new bulk water connections and to provide guidance and direction to municipal water distributors when considering a new connection. The policy also sets out the process for applying for a new bulk water connection, the technical information that should be provided with each request, and the financial obligations of the municipality if a new connection is approved and proceeds to design and construction.

It is proposed to apply the same Bulk Water Connection Policy to the Saanich Peninsula Water Service.

ALTERNATIVES

Alternative 1

That the Saanich Peninsula Water Commission approve the Bulk Water Connection Policy and its application to the Saanich Peninsula Water Service.

Alternative 2

That the Saanich Peninsula Water Commission not approve the Bulk Water Connection Policy and direct staff to amend the policy.

IMPLICATIONS

With a Bulk Water Connection Policy in place, the process and requirements for new municipal bulk water connection applications are clearly defined and the requests can be evaluated on a consistent basis.

CONCLUSION

The Regional Water Supply Commission recently approved a *Bulk Water Connection Policy*, which will assist in the evaluation of requests from municipalities for new bulk water connections and will provide guidance and direction to municipal water distributors when considering a new connection. The policy also sets out the process for applying for a new bulk water connection as well as the technical and financial considerations and requirements. It is proposed to apply the same policy to the Saanich Peninsula Water Service.

RECOMMENDATION

That the Saanich Peninsula Water Commission approve the Bulk Water Connection Policy and its application to the Saanich Peninsula Water Service.



Ted Robbins, B.Sc., C.Tech.
General Manager, Integrated Water Services

TR:mm

Attachment: 1



CAPITAL REGIONAL DISTRICT

DEPARTMENT POLICY

Section	Regional Water Supply	
Subsection	Integrated Water Services - Policies	<i>Policy #</i>
Title	BULK WATER CONNECTION	

POLICY:

This policy provides guidance and direction for municipal water distributors who wish to obtain approval for a new bulk water connection from the Regional Water Supply System.

PURPOSE:

This policy sets out the approval process for municipalities applying for a new bulk water connection from the Regional Water Supply System, as well as the technical and financial considerations that CRD staff and the Regional Water Supply Commission use to evaluate an application.

It is understood that it is good practice to limit the number of bulk connection points across the supply system, which have long term operational and maintenance costs associated with the metering, backflow prevention and valving equipment in bulk meter vaults. In addition, the hydraulic design of the municipal distribution systems should not be dependent on multiple supply system connections to meet flow and pressure requirements of customers.

RESPONSIBILITIES:

The CRD is responsible for the Regional Water Supply Service and Integrated Water Services operates the Regional Water Supply System. Municipalities operate municipal water distribution systems which purchase bulk water from the Regional Water Supply System.

PROCEDURE:

Process: The CRD will consider a written application for a new bulk water connection from a municipality served by the Regional Water Supply System. The application must indicate the location of the proposed connection and provide the technical information outlined below. CRD staff will evaluate the request and present the information and a recommendation to the Regional Water Supply Commission, who will provide direction to staff.

Technical Information: The request should provide the following technical information for the service area to assist in the evaluation of the request:

- Proposed total design flow (domestic flow and fire flow) in million litres per day (mld) for current and future design flows. Future flows should include 5 year and 20 year projections. The total design flow information should include proposed annual average and peak day demand.
- Preferred minimum required hydraulic grade line (HGL) and preferred maximum allowable HGL in metres geodetic.
- Estimated connection size (pipe diameter).
- An explanation as to how the existing municipal distribution system is operated with existing CRD bulk water connections.

- Confirmation from the municipality that the bulk water connection and any related municipal water distribution system extension complies with all municipal and CRD land use plans and policies relating to extension of municipal water services.
- New bulk water connections will be constructed in an underground vault with piping, valving, bulk water meter(s), backflow prevention equipment and SCADA communications equipment. The municipality must provide a suitable location for the vault.

Financial Obligations: The municipality is responsible for all of the costs related to the design, construction and commissioning of a new bulk water connection.

Upon completion of a new bulk water connection, the municipality will enter into a service agreement with the CRD which will define the infrastructure ownership transfer point as well as operational and regulatory requirements.

Approval Date:		Approved By:	
1. Amendment Date:		Approved By:	
2. Amendment Date:		Approved By:	
3. Amendment Date:		Approved By:	
Next Review Date:		Reviewed By:	
Supersedes:			

CAPITAL REGIONAL DISTRICT - INTEGRATED WATER SERVICES

Water Watch

Issued: May 16, 2016

Water Supply System Summary:

1. Useable Volume in Storage:

Reservoir	May 31 5 Year Ave		May 31/15		May 15/16		% Existing Full Storage
	ML	MIG	ML	MIG	ML	MIG	
Sooke	89,761	19,747	86,616	19,056	87,195	19,183	94.0%
Goldstream	9,197	2,023	8,223	1,809	8,333	1,833	84.8%
Total	98,958	21,771	94,839	20,865	95,528	21,016	93.2%

2. Average Daily Demand:

For the month of May	169.6 MLD	37.32 MIGD
For week ending May 15, 2016	178.6 MLD	39.29 MIGD
Max. day May 2016, to date:	191.7 MLD	42.17 MIGD

3. Average 5 Year Daily Demand for May

Average (2011 - 2015)	135.7 MLD ¹	29.84 MIGD ²
-----------------------	------------------------	-------------------------

¹MLD = Million Litres Per Day ²MIGD = Million Imperial Gallons Per Day

4. Rainfall May:

Average (1914 - 2015):	48.4 mm
Actual Rainfall to Date	0.8 (2% of monthly average)

5. Rainfall: Sep 1 - May 15

Average (1914 - 2015):	1524.0 mm
2015/2016	1742.7 (114% of average)

6. Water Conservation Action Required:

If each of us save a little, together we can save a lot.

Check our website at www.crd.bc.ca/water for more information.

If you require further information, please contact:

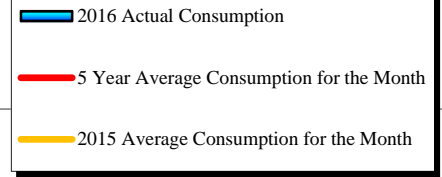
Ted Robbins, B.Sc., C.Tech
General Manager, CRD - Integrated Water Services
or

Deborah Walker
Demand Management Coordinator

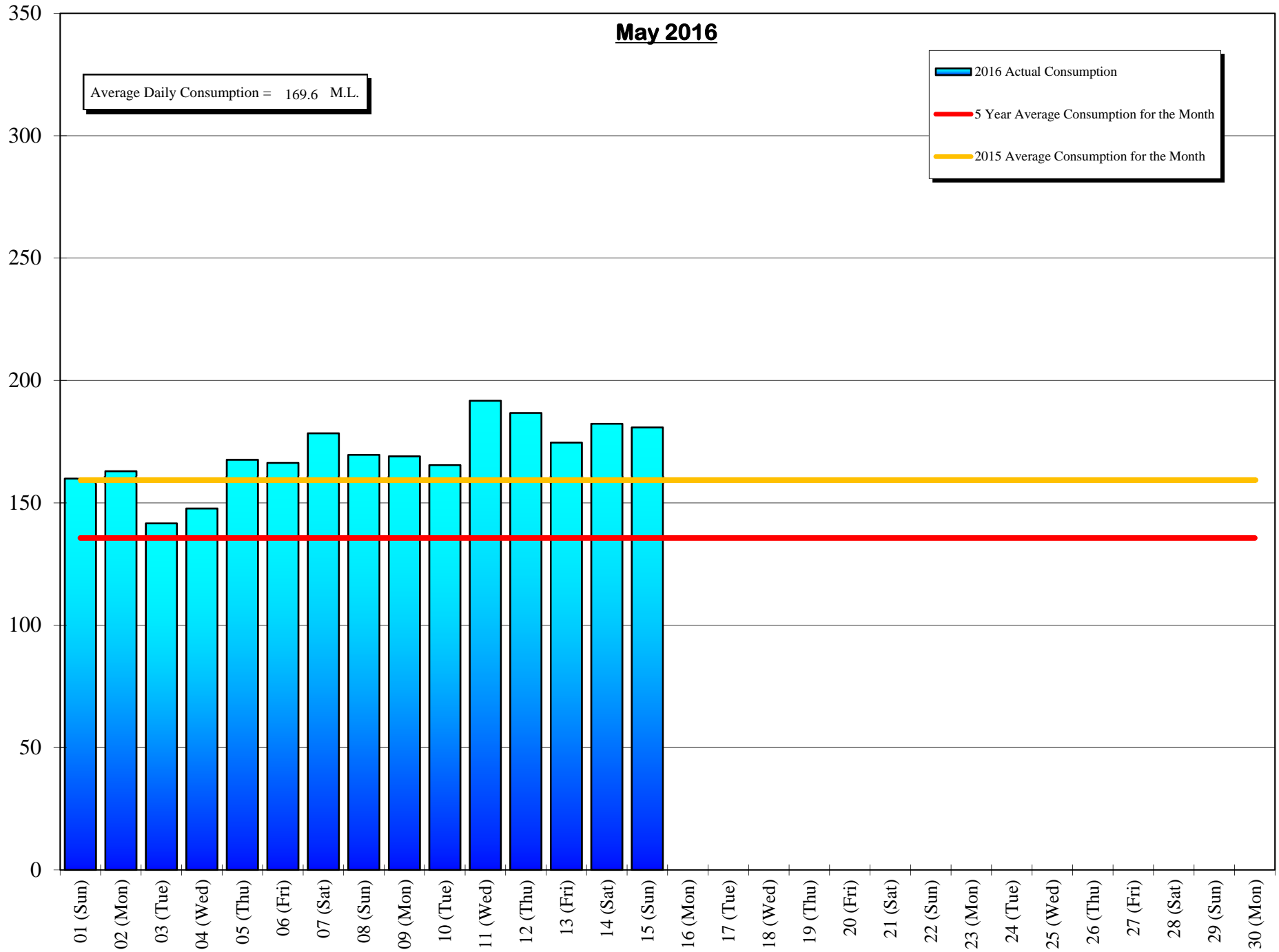
Capital Regional District Integrated Water Services
479 Island Highway
Victoria, BC V9B 1H7
(250) 474-9600

May 2016

Average Daily Consumption = 169.6 M.L.



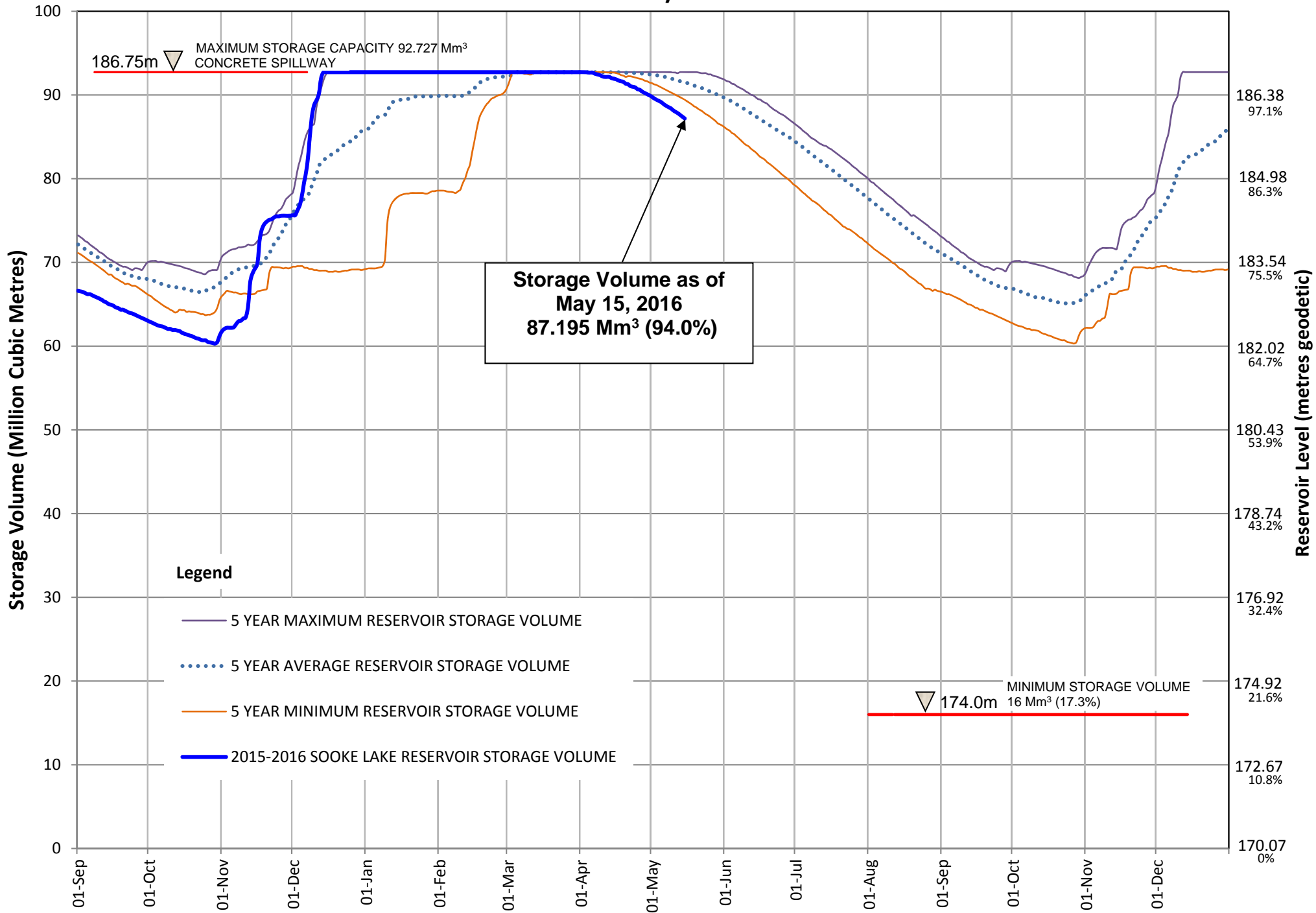
Consumption (Million Litres)



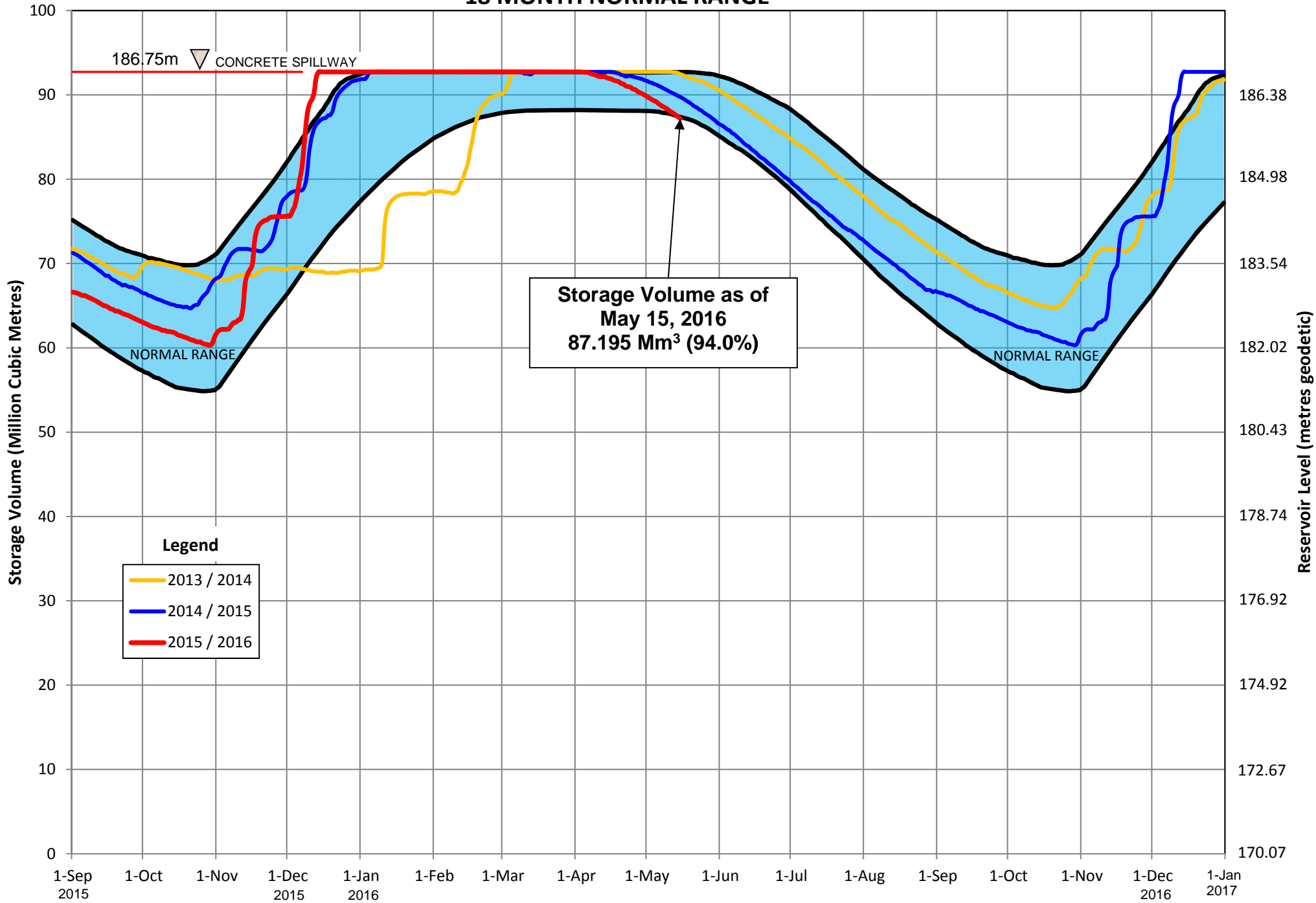
Day

SOOKE LAKE RESERVOIR STORAGE SUMMARY

2015 / 2016



SOOKE LAKE RESERVOIR STORAGE 18 MONTH NORMAL RANGE



186.75m ▽ CONCRETE SPILLWAY

Storage Volume as of
May 15, 2016
87.195 Mm³ (94.0%)

Legend

- 2013 / 2014
- 2014 / 2015
- 2015 / 2016

NORMAL RANGE

NORMAL RANGE