



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DAY: WEDNESDAY

DATE: August 1, 2012

TIME: → 6:00 pm

PLACE: BOARD ROOM

175 INGRAM STREET



Joe Barry
Corporate Secretary



CVRD

REGULAR BOARD MEETING

WEDNESDAY, AUGUST 1, 2012

6:00 PM – CVRD BOARD ROOM

AGENDA		PAGES
1.	<u>APPROVAL OF AGENDA:</u>	2-4
2.	<u>ADOPTION OF MINUTES:</u>	
	M1 Adoption of minutes of Regular Board meeting of July 11, 2012	5-18
3.	<u>BUSINESS ARISING FROM THE MINUTES:</u>	
4.	<u>DELEGATIONS:</u>	
5.	<u>REPORT OF THE CHAIRPERSON:</u>	
	RC1 Presentation, Certificate of Commendation – Mr. Richard Carl Ruppenthal	Verbal
6.	<u>CORRESPONDENCE:</u>	
7.	<u>INFORMATION:</u>	
	IN1 Public Meeting Minutes Re: South Island Aggregates (SIA), Waste Discharge Permit Application and Mining Permit Amendment Application	19-47
	IN2 Active Earth Engineering Ltd Re: Application for Authorization to Discharge Waste, 640 Stebbings Road, Shawnigan Lake BC (SIA)	48-52
8.	<u>COMMITTEE REPORTS:</u>	
	CR1 Regional Services Committee – Director Lefebure Report and Recommendations of Meeting of July 25, 2012	To Be Distributed
	CR2 Electoral Area Services Committee – Director Walker Report and Recommendations of Meeting of July 31, 2012	To Be Distributed
	CR3 Engineering & Environmental Services Committee – Director Iannidinardo Report and Recommendations of Meeting of July 25, 2012	53-54
	CR4 Island Savings Centre Commission – Director Lines Report and Recommendation of Meeting of July 12, 2012	55

- | | | |
|-----|--|----------------------|
| CR5 | Communications Committee – Director Fraser
Report and Recommendations of Meeting of July 31, 2012 | To Be
Distributed |
| CR6 | Transit Committee – Director Morrison
Report and Recommendations of Meeting of August 1, 2012 | To Be
Distributed |
9. **STAFF REPORTS:**
- | | | |
|-----|--|-------|
| SR1 | Staff Report from Planner I, Planning & Development
Re: Rezoning Application 1-F-11RS (All Sports Lands Ltd.) | 56-57 |
| SR2 | Staff Report from Planner II, Planning & Development
Re: Temporary Use Permit Application 1-A-11TUP (Malahat Holdings Ltd.) | 58-63 |
10. **PUBLIC HEARINGS:**
11. **BYLAWS:**
- | | | |
|----|---|-------|
| B1 | That "CVRD Bylaw No. 3617 – Lambourn Estates Water System Capital Reserve Fund Expenditure (Reservoir and Water Treatment System Upgrades) Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading. | 64-65 |
| B1 | That "CVRD Bylaw No. 3617 – Lambourn Estates Water System Capital Reserve Fund Expenditure (Reservoir and Water Treatment System Upgrades) Bylaw, 2012", be adopted. | |
| B2 | That "CVRD Bylaw No. 3618 – Kerry Park Recreation Centre Reserve Fund Expenditure (Sewer System Upgrades) Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading. | 66-67 |
| B2 | That "CVRD Bylaw No. 3618 – Kerry Park Recreation Centre Reserve Fund Expenditure (Sewer System Upgrades) Bylaw, 2012", be adopted. | |
| B3 | That "CVRD Bylaw No. 3616 – Woodley Range Water System Service Establishment Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 68-70 |
| B4 | That "CVRD Bylaw No. 3623 – Woodley Range Water System Service Loan Authorization Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 71-72 |
| B5 | That "CVRD Bylaw No. 3624 – Shellwood Water System Service Establishment Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 73-75 |
| B6 | That "CVRD Bylaw No. 3625 – Shellwood Water System Service Loan Authorization Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 76-77 |
| B7 | That "CVRD Bylaw No. 3626 – Lanes Road Drainage System Service Amendment Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 78-79 |

- | | | |
|----|---|-------|
| B8 | That "CVRD Bylaw No. 3627 – Carlton Water System Service Establishment Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 80-82 |
| B9 | That "CVRD Bylaw No. 3628 – Carlton Water System Service Loan Authorization Bylaw, 2012", be granted 1 st , 2 nd and 3 rd reading.
(Pending Engineering & Environment Committee Recommendation of meeting held July 25, 2012.) | 83-84 |

12. RESOLUTIONS:**13. UNFINISHED BUSINESS:****14. NOTICE OF MOTION:****15. NEW BUSINESS:****16. QUESTION PERIOD:**

- a) Press
- b) Public

17. CLOSED SESSION:

Motion that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

- | | | |
|-------|---|-------|
| CSM1 | Adoption of Closed Session Minutes of July 11, 2012 | 85-87 |
| CSCR1 | Land Acquisition {Sub (1) (e)} | 88 |
| CSSR1 | Potential Litigation {Sub (1) (g)} | 89-91 |

18. ADJOURNMENT:

The next Regular Board meeting will be held September 12, 2012 at 6:00 pm, in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan BC, on Wednesday, July 11, 2012 at 6:12 pm.

PRESENT: Chair R. Hutchins
Directors M. Dorey, L. Duncan, B. Fraser, G Giles, B. Lines, L. Iannidinardo, M. Marcotte, T. McGonigle, M. Walker, P. Kent, I. Morrison, R. Hartmann, J. Lefebure, and P. Weaver

ALSO

PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
John Van Horne, Manager, Human Resources

APPROVAL OF AGENDA

12-329

It was moved and seconded that the agenda be amended by deleting items CR8 and CR9, and with the addition of the following six New Business items:

NB1 Cowichan Lake Recreation Commission Report and Recommendations of meeting of June 28, 2012;

NB2 Appointment – Cowichan Lake Recreation Commission;

NB3 Staff Report from the Acting Manager, Parks & Trails
Re: Stebbings Road Community Forest Prior Encroachment Clean-up;

NB4 FCM Resolution – Long Term Infrastructure Funding;

CSNB1 Land Acquisition {Sub (1) (e)};

CSNB2 Legal Advice {Sub (1) (i)}; and

that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

12-330

It was moved and seconded that the minutes of June 13, 2012 Regular Board meeting, be adopted.

MOTION CARRIED

REPORT OF CHAIRPERSON

RC1

South Island Aggregates Waste Discharge Permit Application meeting

Chair Hutchins gave an overview of the agenda for the Thursday, July 12, 2012 South Island Aggregates Waste Discharge application public meeting.

12-331

It was moved and seconded that the CVRD Board endorse the

following position on the South Island Aggregates Waste Discharge Permit application:

- The Board requested additional time for the public process to be undertaken.
- The Board may consider taking a position on this application once it is satisfied a thorough, public, and community engagement process is completed and a CVRD staff report on the matter has been presented to the Board.
- Although the permitting process does not require CVRD approval or input, the CVRD may, under the Public Notification Regulation, provide information and feedback to the director of waste management for consideration.
- The Board has not considered a position on this application at this time.

MOTION CARRIED

RC2

Appointment to the Community Safety Advisory Committee

Chair Hutchins advised that he has made the following appointment to the Community Safety Advisory Committee, with the term to expire November 30, 2012:

Councillor John Koury, District of North Cowichan

RC3

Communications Committee Chairperson and Vice-Chairperson Appointments

Chair Hutchins advised that he has appointed Director Fraser as Chairperson of the Communications Committee and Director Marcotte as Vice-Chairperson of the Communications Committee.

COMMITTEE REPORTS

CR1

The report and recommendations from the Regional Services Committee meeting of June 27, 2012, listing five items, were considered.

12-332

It was moved and seconded:

2. That the South Cowichan Eco Depot Report be received at this time.
3. That an application be submitted to the 2012 UBCM Community Excellence Awards Program for Leadership & Innovation, under the Regional District category, for the Kinsol Trestle Rehabilitation Project.
4. That a staff report be prepared on the progress of bylaws for outdoor burning and air quality.

MOTION CARRIED

It was moved and seconded:

1. 1. That Grant applications include a budget for the year the funds are

requested as well as the prior year's financial statements;

2. That successful grant recipients provide a summary report that states how the funds were used, how the community benefited and any outcomes, if applicable;
3. That Grants approved as part of the annual budget be distributed to recipients as soon as possible after the adoption of the budget.

12-333 It was moved and seconded that the motion be amended by adding "and Annual Financial Contributions" after "Grants" in Clause 3.

MOTION CARRIED

VOTING RESUMED ON THE ORIGINAL MOTION AS AMENDED

Motion restated for clarification:

- 12-334**
1. 1. That Grant applications include a budget for the year the funds are requested as well as the prior year's financial statements;
 2. That successful grant recipients provide a summary report that states how the funds were used, how the community benefited and any outcomes, if applicable;
 3. That Grants and Annual Financial Contributions approved as part of the annual budget be distributed to recipients as soon as possible after the adoption of the budget.

MOTION CARRIED

12-335 *(Amended from original Committee recommendation):*

5. It was moved and seconded that a letter be sent to Don McRae, the Honourable Minister of Agriculture, asking the government to review the burning practices on farmland in the province.

MOTION CARRIED

CR2 The report and recommendations from the Electoral Area Services Committee meeting of June 19, 2012, listing nine items, were considered.

- 12-336** It was moved and seconded:
1. That the CVRD participate in the BC Agricultural Council's Agricultural Adaptation Strategies Project, and that the project outline be forwarded to the Regional Agricultural Advisory Commission for information and comment.
 2. That all Advisory Planning Commission and Parks Commission minutes be posted on the CVRD website.

MOTION CARRIED

- 12-337** It was moved and seconded:
3. That Application No. 1-I-12DVP by Cordell Holm for a variance to Section 5.3(4) of Bylaw No. 2465, to reduce the required interior side parcel line setback from three metres to two metres on Lot

- 25, Block 5, Cowichan Lake District, Plan 51348 (PID: 016-771-630) be approved, subject to a legal survey confirming compliance with approved setbacks.
4. That Application No. 2-F-12DP (Hignell) be approved, and that a development permit be issued to permit an addition to the existing residence on Lot 2, Section 7, Range 1, Sahtlam District, Plan EPP18497.
 5. That Application No. 1-A-12DP submitted by Island Marine Construction on behalf of Peter and Jane Beverly Gibson for reconstruction of a seawall on Lot 1, District Lot 1G and Section 1, Range 9, Shawnigan District, Plan 46201, Except that Part in Plan VIP 53096 (PID: 009-818-871) be approved, subject to:
 1. The development shall be carried out in strict compliance with the reports prepared by Levelton Consultants Ltd. dated March 20, 2012, and Polster Environmental Services Ltd. dated June 2, 2012.
 2. A letter of credit for 125% of the value of the vegetation/restoration recommended in the Polster Environmental Services Ltd.
 6. That Application No. 5-E-12 DP/RAR/VAR by Donna Corby for a variance to Section 5.18 of Bylaw No. 1840 in order to reduce the required Streamside Protection and Enhancement Area setback from 30.6 metres down to 20 metres on Lot B, Section 8, Sahtlam District, Plan VIP53018 (PID: 017-475-503) be approved, subject to compliance with the recommendations of RAR Report No. 2294 and in accordance with the revised site plan.
 7. 1. That the appropriate Zoning and OCP amendment bylaws for Application No. 1-I-09RS (VanIsle Waterfront Development Corporation) be forwarded to the Board for consideration of 1st and 2nd reading.
 2. That a public hearing be scheduled with Directors Weaver, Morrison and Dorey as delegates, and further, that the following be submitted in a form acceptable to the CVRD prior to scheduling the hearing:
 1. A draft covenant that would prohibit further subdivision of the remainder of the lands owned by the applicants until such time as the subject properties are part of a CVRD Community Sewer System and a CVRD Community Water System;
 2. A draft covenant requiring that at the time of subdivision of the remaining lands to the north, that the applicant work with the CVRD Parks and Trails Division to establish an east-west trail link of not less than 7 metres in width; and
 3. A draft covenant requiring the repair or removal of the underperforming fire hydrant in the development.
 3. That CVRD staff be authorized to release Covenant No.

EX044069 over Lot 3, Block 180, Cowichan Lake District, Plan VIP78710 if rezoning Application No. 1-I-09RS is approved and the amendment bylaws are adopted by the CVRD Board.

8.
 1. That the appropriate Zoning amendment bylaw for Application No. 2-A-11RS (Maxwell) be forwarded to the Board for consideration of 1st and 2nd reading.
 2. That a public hearing be scheduled with Directors Walker, Dorey, and Giles as delegates.
 3. That a draft Covenant, for the purpose of maintaining the existing screening along the eastern boundary of the subject property fronting the Trans Canada Highway, be prepared prior to the public hearing being held, and further that the screening covenant be registered on title prior to final adoption of the Zoning Amendment Bylaw.
9. That the following criteria respecting the South Cowichan Joint APC be referred to the three South Cowichan Advisory Planning Commissions for review and consideration:
 1. That the following types of applications be referred to the Joint APC:
 1. Any applications for zoning amendment that would require that the Official Community Plan also be amended, but excluding:
 - i. amendments to the OCP that would permit fewer than five additional dwelling units;
 - ii. amendments to the OCP that would permit the subdivision of fewer than five additional parcels of land; and/or
 - iii. commercial or industrial applications that would redesignate and rezone one hectare of land or less.
 2. Any applications that propose new community sewer or community water services, or extensions of existing services to areas not identified on the OCP's Schedule C as potential sewer or water expansion areas (necessitating an amendment to Schedule C).
 3. Any applications that would expand an existing Village Containment Boundary, or create a new VCB.
 2. Only applications that meet the following conditions be referred to Electoral Area APCs as indicated below:
 1. Applications only covering part or all of the water surface of any lake or the ocean be referred to the APC for the electoral area within which the subject property is located.
 2. Any applications be referred to the APCs of any electoral area that borders the subject property, if it will not be considered at a Joint APC meeting.
 3. Administrative amendments that are proposed by the CVRD

be referred to all three APCs.

4. Any applications to convert an RR-4 Mobile Home Zone (non-strata) to an RR-5 Manufactured Home Zone (strata-subdivision).

3. That the comments of each APC be reported back to the Electoral Area Services Committee for its further consideration; and

that the three South Cowichan Directors and APC Chairs meet to review the comments of each APC.

MOTION CARRIED

6:50 pm

Director Hartmann left the Board Room at 6:50 pm.

The report and recommendations from the Electoral Area Services Committee meeting of July 3, 2012, listing ten items, were considered.

12-338

It was moved and seconded:

1. That Bill Eben be compensated \$225 for the loss of two livestock (sheep) as a result of an attack from unknown dog(s) at 4860 Bench Road on May 16, 2012.
2. 1. That a loan authorization bylaw be prepared for an amount up to \$265,000 financed over a fifteen year period, for the purpose of assisting in the purchase of a new first line Type 2 fire engine for the Malahat Fire Protection Service Area, and that the bylaw be forwarded to the Board for consideration of three readings and, following provincial and voter approval, be considered for adoption.
3. That voter approval for the adoption of the loan authorization bylaw be obtained through an alternate approval process.
3. That a reserve fund expenditure bylaw be prepared authorizing the expenditure of up to \$60,000 from Reserve Fund Bylaw No. 1301 (Malahat Fire Protection Specified (Local Service) Area Machinery and Equipment Reserve Fund Bylaw No. 1, 1990) for the purpose of assisting with the purchase of a new first line Type 2 fire engine for the Malahat Fire Protection Service Area, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.
3. That the resignation of Tom Boughner from the Area C Advisory Planning Commission be accepted, and that a letter of appreciation of service be forwarded to Mr. Boughner.
4. That a grant-in-aid, Area I – Youbou/Meade Creek, in the amount of \$250 be given to Cowichan Valley Community Radio Society, to assist with their Summer Nights project.
5. That a letter be forwarded to the Ministry of Transportation and infrastructure requesting that a “No Left Turn” sign be installed on

the east side of Miller Road to prevent left turns onto the Trans Canada Highway.

MOTION CARRIED

12-339

It was moved and seconded:

6. That Application No. 1-H-11ALR, submitted by Ray Smith, made pursuant to Section 20 (3) of the *Agricultural Land Commission Act* to construct a second dwelling, be forwarded to the Agricultural Land Commission; and if approved, strongly recommend that the ALC determine an appropriate location for the second residence that minimizes the impact to the agricultural capability of the land.
7. That rezoning application No. 2-A-12RS (Parker for Parshel Holdings) be referred to the Electoral Area A – Mill Bay/Malahat and Electoral Area B – Shawnigan Lake Advisory Planning Commissions only.
8. That rezoning application No. 1-B-12RS (Living Forest Planning Consultants) be referred to the Electoral Area B – Shawnigan Lake Advisory Planning Commission only.
9. That rezoning applications 1-A-12RS (Mill Bay Marina Inc.) and 1-A-12DVP (Mill Bay Marina Inc.) be referred to the Electoral Area A – Mill Bay/Malahat Advisory Planning Commission only.
10. That the CVRD recommend to Alcatel-Lucent that TELUS host a community information meeting in Cobble Hill regarding their proposed self support telecommunications facility (cell tower) at 3730 Trans Canada Highway.

MOTION CARRIED

CR3

The report and recommendations from the Engineering and Environmental Services Committee meeting of June 27, 2012, listing two items, were considered.

12-340

It was moved and seconded:

1. That a Capital Reserve Fund Expenditure Bylaw be prepared for withdrawal of funds not exceeding \$15,000 from the *Lambourn Estates Water System Capital Reserve Fund* to finance upgrades to the existing water reservoir and water treatment system, and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting an increase to the maximum annual tax requisition limit for the Saltair Water System be received.

2. That "CVRD Bylaw No. 3615 – Saltair Water System Service Amendment Bylaw, 2012" that amends "Bylaw No. 2178 – Saltair Water System Service Establishment Bylaw, 2001", by increasing the maximum annual tax requisition from \$190,000 to \$490,000, be forwarded to the Board for consideration of three readings and, following provincial approval, adoption.

MOTION CARRIED

6:52 pm

Director Hartmann returned to the Board Room at 6:52 pm.

CR4

The report and recommendations from the Communications Committee meeting of June 19, 2012, listing two items, was considered.

12-341

It was moved and seconded:

1. That the following be referred to the Electoral Area Services Committee:
 1. A standard template be developed for all CVRD newsletters funded through General Government.
 2. In addition to local area news/updates and messages from the local area director, that space be provided for regional news/messages.
 3. Regional District staff/contractor be assigned to assist area directors with the production/review of such newsletters /articles.
 4. A percentage of the cost of publication and distribution of such newsletters be charged to General Government.
 5. The EASC consider establishing a communications budget to permit each area director to publish a newsletter bi-annually.
2. That CVRD Matters be re-established as a regular monthly publication.

MOTION CARRIED

CR5

The report and recommendation from the Central Sector Liquid Waste Management Plan Steering Committee meeting of June 18, 2012, listing one item was considered.

12-342

It was moved and seconded:

That the cost allocation formula to fund the Central Sector Liquid Waste Management Plan Amendment process be based on the 2012 completed converted assessment values for the following jurisdictions:

North Cowichan – south-end	59.9%
City of Duncan	13.8%
Electoral Area D	10.4%
Electoral Area E	11.8%
Cowichan Tribes	4.1%

MOTION CARRIED

CR6 The report and recommendation from the Kerry Park Recreation Centre Commission meeting of May 29, 2012, listing one item was considered.

12-343 It was moved and seconded:

1. That a Reserve Fund expenditure bylaw be prepared authorizing expenditure of no more than \$51,000 from the Kerry Park Recreation Centre Reserve Fund Bylaw No. 351 for the purpose of funding the sewer upgrades to the Kerry Park Recreation Centre, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

CR7 The report and recommendations from the Regional Agricultural Advisory Commission meeting of June 26, 2012, listing three items were considered.

12-344 It was moved and seconded:

1. 1. That the Regional Agricultural Advisory Commission endorses the recommendation of the Electoral Area Services Committee to the CVRD Board that consideration is given to participating in the BC Agricultural Council's Agricultural Adaptation Strategies Project.
2. That a strong letter of support be sent to the Minister of Agriculture, Don McRae, requesting significant investment in climate change research and agricultural adaptation strategies.
3. That the Regional Agricultural Advisory Commission in regards to ALR application 1-H-11 ALR, Raymond and Robin Smith, supports the construction of a second dwelling on the site, but does not support the proposed location of such dwelling on prime agricultural land.

MOTION CARRIED

12-345 *(Amended from original Committee recommendation);*

It was moved and seconded:

2. That staff report on the feasibility of the CVRD lending financial and in-kind support to the local agricultural societies to research and develop an inventory of equipment available for lease or loan to emerging farmers, and that this inventory could include a list of potential mentors, and to make this information available through the development of a web page and other means.

MOTION CARRIED

PUBLIC HEARING

PH1 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3595 and Zoning Amendment Bylaw No. 3596 (All Sports Lands Ltd.), applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, was considered.

12-346 It was moved and seconded that the Public Hearing report and Minutes re: Official Community Plan Amendment Bylaw No. 3595 and Zoning Amendment Bylaw No. 3596 (All Sports Lands Ltd.), applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, be received.

MOTION CARRIED

BYLAWS

B1 It was moved and seconded that "CVRD Bylaw No. 3578 – Security
12-347 Issuing (Loan Authorization Bylaw No. 3475) Bylaw, 2012", be granted 1st, 2nd, and 3rd reading.

MOTION CARRIED

B1 It was moved and seconded that "CVRD Bylaw No. 3578 – Security
12-348 Issuing (Loan Authorization Bylaw No. 3475) Bylaw, 2012", be adopted.

MOTION CARRIED

B2 It was moved and seconded that "CVRD Bylaw No. 3579 – Lambourn
12-349 Estates Sewer System Service Amendment Bylaw (PID 001-098-241), 2012", be adopted.

MOTION CARRIED

B3 It was moved and seconded that "CVRD Bylaw No. 3580 – Lambourn
12-350 Estates Water System Service Amendment Bylaw (PID 001-098-241), 2012", be adopted.

MOTION CARRIED

B4 It was moved and seconded that "CVRD Bylaw No. 3585 – Lambourn
12-351 Estates Sewer System Service Amendment Bylaw (PID 004-211-286), 2012", be adopted.

MOTION CARRIED

B5 It was moved and seconded that "CVRD Bylaw No. 3589 – Lambourn
12-352 Estates Water System Service Amendment Bylaw (PID 027-834-921), 2012", be adopted.

MOTION CARRIED

- B6
12-353
- It was moved and seconded that "CVRD Bylaw No. 3590 – Lambourn Estates Sewer System Service Amendment Bylaw (PID 027-834-921), 2012", be adopted.
- MOTION CARRIED
- B7
12-354
- It was moved and seconded that "CVRD Bylaw No. 3613 – Mesachie Lake Water System Capital Reserve Fund Expenditure (\$25,000 – Reservoir Access, Security and Water Treatment Plant Controls) Bylaw, 2012", be granted 1st, 2nd, and 3rd reading.
- MOTION CARRIED
- B7
12-355
- It was moved and seconded that "CVRD Bylaw No. 3613 – Mesachie Lake Water System Capital Reserve Fund Expenditure (\$25,000 – Reservoir Access, Security and Water Treatment Plant Controls) Bylaw, 2012", be adopted.
- MOTION CARRIED
- B8
12-356
- It was moved and seconded that "CVRD Bylaw No. 3615 – Saltair Water System Service Amendment Bylaw, 2012", be granted 1st, 2nd, and 3rd reading.
- MOTION CARRIED
- B9
12-357
- It was moved and seconded that "CVRD Bylaw No. 3274 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Hayes), 2008", be adopted.
- MOTION CARRIED
- B10
12-358
- It was moved and seconded that "CVRD Bylaw No. 3564 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Van Isle Waterfront Development Corp.), 2012", be granted 1st and 2nd reading.
- MOTION CARRIED
- B11
12-359
- It was moved and seconded that "CVRD Bylaw No. 3565 – Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Van Isle Waterfront Development Corp.), 2012", be granted 1st and 2nd reading.
- MOTION CARRIED
- B12 and B13
12-360
- It was moved and seconded that "CVRD Bylaw No. 3595 – Electoral Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (All Sports Lands Ltd., 2012", and "CVRD Bylaw No. 3596 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (All Sports Lands Ltd.) 2012", be referred back to staff; and that staff be directed to provide recommendations on changes to amendment Bylaw No. 3596 to clarify that the slaughter and processing of animals is not a permitted use in the proposed C5 Zone; and that staff be directed to clarify and provide recommendations on whether a marshaling yard would be permitted as an office use.
- MOTION CARRIED

B14
12-361 It was moved and seconded that "CVRD Bylaw No. 3620 – South Cowichan Official Community Plan Amendment Bylaw (Maxwell), 2012", be granted 1st and 2nd reading.

MOTION CARRIED

B15
12-362 It was moved and seconded that "CVRD Bylaw No. 3621 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Maxwell), 2012", be granted 1st and 2nd reading.

MOTION CARRIED

NEW BUSINESS

NB1 The report and recommendation from the Cowichan Lake Recreation Commission meeting of June 28, 2012, listing one item, was considered.

12-363 It was moved and seconded that the CVRD Board accept the letter of resignation from Dean Adams and request that a letter of appreciation and thanks be sent to Dean Adams for his dedication and commitment to the Cowichan Lake Recreation Commission.

MOTION CARRIED

NB2
12-364 It was moved and seconded that the following appointment to the Cowichan Lake Recreation Commission be approved:

Appointed for a Term to Expire December 31, 2012:
John Rowley

MOTION CARRIED

NB3 The staff report from Acting Manager, Parks & Trails re: Stebbings Road Community Forest Prior Encroachment Clean-up was received as information.

NB4 The sample model FCM Resolution – Long Term Infrastructure Funding was considered.

12-365 WHEREAS, The Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities, will expire in March 2014;

WHEREAS, Federal investments over the last few years have helped to slow the decline of our cities and communities, and the Government of Canada has committed to develop a new long-term plan for local government infrastructure funding in consultation with local and provincial/territorial governments;

WHEREAS, a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that local governments can continue planning their capital spending effectively;

WHEREAS, The Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects local government priorities across the country and asks its members to

pass a Board resolution supporting the campaign;

AND WHEREAS, the Building Canada Plan has contributed to important initiatives in the Cowichan Valley including the Historic Kinsol Trestle, Cowichan Valley Flood Protection and the Vancouver Island Railway;

AND WHEREAS, the Cowichan Valley Regional District has continuing infrastructure needs, such as recreation facility renewals, fire halls and sewer and water upgrades, that can only be addressed through the kind of long-term planning and investment made possible by a national plan;

THEREFORE BE IT RESOLVED that the Cowichan Valley Regional District Board endorses the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long-term infrastructure plan meets the core infrastructure needs of cities and communities;

BE IT FURTHER RESOLVED that the Board urges the Minister of Transport, Infrastructure and Communities to ensure that the new long-term plan is fully in place when existing programs expire in 2014; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Minister of Transport, Infrastructure and Communities, the Honourable Denis Lebel; to the BC Minister of Transportation and Infrastructure, the Honourable Blair Lekstrom; to the BC Minister of Community, Sport and Cultural Development, the Honourable Ida Chong; to the Federation of Canadian Municipalities; and to the Union of BC Municipalities.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

12-366
7:40 pm

It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3 Section 90, {Sub (1) (f)} Law Enforcement; {Sub (2) (b)} Multi-Jurisdictional Negotiation; {Sub (1) (e)} Land Acquisition, {Sub (1) (g)} Litigation or Potential Litigation; {Sub (1) (c)} Labour Relations/Employee Relations; {Sub (1) (a)} Potential Appointment; and {Sub (1) (i)} Legal Advice.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

12-375
8:05 pm

It was moved and seconded that the Board rise with report on item CSSR2 Potential Appointment and return to the open portion of the Board meeting.

MOTION CARRIED

CSSR2
Potential
Appointment
{Sub (1) (a)}
12-372

It was moved and seconded that the following appointments to the Economic Development Commission be approved:

Appointed for a Term to Expire December 31, 2014:

Sandra Goth
Blair Herbert
Russ Jenkins
Robert Radford
Darin George, First Nations Representative

MOTION CARRIED

ADJOURNMENT

12-376
8:05 pm

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:05 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____



C·V·R·D

PUBLIC MEETING MINUTES South Island Aggregates (SIA) Waste Discharge Permit Application and Mining Permit Amendment Application

Following is a summary of the proceedings of the Public Meeting for South Island Aggregates (SIA) Waste Discharge Permit Application and Mining Permit Amendment Application, held on Thursday, July 12, 2012, in the Kerry Park Recreation Centre - Arena, 1035 Shawnigan Mill Bay Road, Mill Bay, B.C. at 6:40 p.m.:

WELCOME & INTRODUCTIONS

Rob Hutchins, CVRD Board Chair called the meeting to order.

Chair Hutchins, on behalf of the CVRD Board of Directors, welcomed and thanked the public for attending the Public Meeting.

Chair Hutchins introduced Chief Michael Harry, Malahat First Nations and Jean Crowder, MP. He noted that Bill Routley, MLA, was unable to attend the meeting.

Chair Hutchins introduced the following CVRD Directors:
 Director Mike Walker, Electoral Area A – Mill Bay/Malahat
 Director Bruce Fraser, Electoral Area B – Shawnigan Lake
 Director Gerry Giles, Electoral Area C – Cobble Hill
 Director Lori Iannidinardo, Electoral Area D – Cowichan Bay
 Director Loren Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora
 Director Ian Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls
 Director Mel Dorey, Electoral Area G – Saltair/Gulf Islands
 Director Mary Marcotte, Electoral Area H – North Oyster Diamond
 Director Pat Weaver, Electoral Area I – Youbou Meade Creek

Chair Hutchins introduced CVRD Staff:

Warren Jones, CAO, CVRD
 Rob Conway, Acting General Manager, Planning & Development Department
 Jennifer Hughes, Recording Secretary, Planning & Development Department
 Jessica Lendrum, Secretary, Planning & Development Department

Chair Hutchins further introduced the following representatives:
 Hubert Bunce and Luc LaChance, Ministry of Environment (MoE)
 Eddy Taje, Ministry of Energy and Mines
 Marty Block, South Island Aggregates (SIA)
 David Mitchell and Jeff Taylor, Active Earth Engineering

PUBLIC MEETING PURPOSE & PROCESS

Chair Hutchins gave a Power Point Presentation (EXHIBIT 1) which outlined the following:

- Meeting Purpose
- Question Period Procedure
- Public Input Procedure – it was determined that speakers will have three minutes to express their views
- Meeting Conduct

- PUBLIC** There were approximately 350 members of the public in attendance.
- CORRESPONDENCE** The following items were received and are attached to the Minutes as Exhibits:
- 1) CVRD Power Point Presentation (EXHIBIT 1);
 - 2) Ministry of Environment, Hubert Bunce, Power Point Presentation (EXHIBIT 2);
 - 3) David Mitchell and Jeff Taylor, Active Earth Engineering, Power Point Presentation (EXHIBIT 3);
 - 4) All submissions received at the CVRD Office (EXHIBIT 4).
- Chair Hutchins** Introduced Hubert Bunce, Ministry of Environment
- Hubert Bunce,
Ministry of
Environment (MoE)**
- MoE is processing an application made by SIA under the *Environmental Management Act* for authorization to treat and discharge waste to their site on Stebbings Road and thanked the CVRD for hosting the Public Meeting.
 - Primary purpose of the Public Meeting is to have SIA present their information to the public and to gather the concerns of the public prior to a decision being made.
 - SIA held a previous open house at the end of May where it was requested by the public that a Public Meeting be held.
- Mr. Bunce gave a Power Point Presentation (EXHIBIT 2) which outlined the following:
- Waste Discharge Regulation (WDR);
 - Permit Application Process which is broken down into seven key steps:
 1. Pre-Application
 2. Preparation of Application
 3. Public Notification and Consultation
 4. Application
 5. Ministry Review
 6. Decision
 7. Appeal (if applicable)
 - Notification and Consultation regarding Requirements, Activities to Date, When and How Concerns can be Heard;
 - He represents only one part of MoE's Division of Environmental Protection and another part of that group are the Biologists who study watersheds and water quality. MoE has been monitoring the watershed since 1970 and a comprehensive water quality study was conducted in 1984 which resulted in provisional Water Quality Objectives that were officially established in 2007.
 - The application is currently at Step 3 of the 7 Step Permit Application Process.
 - Public notification regulation has a minimum 30 day notification for public consultation. Consultation for the application started May 10th and it is well past the 30 day notification process. The Public Meeting is also forming part of the consultation process.
 - Applicant is working through the Permit Application Process and after Step 6 under the *Environmental Management Act* all decisions are appealable to the Environmental Appeal Board by any person or party aggrieved by the decision 30 days after the notice of the decision is given. Environmental Appeal Board is an independent agency which hears appeals from decisions made by government officials related to environmental issues.

- Chair Hutchins** Asked for questions from the public present to be directed to Mr. Bunce.
- Lavonne Hunick**
- 1348 Duffield Drive, Cobble Hill, but is in Electoral Area B – Shawnigan Lake.
 - Has a letter dated December 4, 2003, to Brian Umer, Orca Environmental, from Eric Partridge, Director of Waste Management, MoE. Asked what happens after the permit?
 - She informed the CVRD on May 9, 2012 of soil contamination on DL 78, Malahat, and has been informed that nothing has been done with regard to that contaminated soil relocation.
- Hubert Bunce**
- It is not straightforward process as there are a number of different types of authorizations and the Malahat soils issue is dealt with under a regulation which is handled by the Land Remediation Branch of MoE. Minister Blake has been in discussions with the CVRD around the issue of contaminated soils coming into various locations of the CVRD.
 - Subject application is for a permit which is specific to a given location that will have specific rules and site specific characteristics.
- Lavonne Hunick**
- If there is site specific for SIA and there is site specific for DL 78 are they both under MoE's jurisdiction and will they looking at it or ignoring it?
- Hubert Bunce**
- If a permit is issued they inspect on a regular scheduled basis, as well as check data submission and how the plant is being operated.
- Lavonne Hunick**
- Can she phone the Ministry to find out what they have done with DL 78?
- Hubert Bunce**
- Land Remediation Branch, MoE, should be contacted with regard to DL 78.
- Guy Walker**
- 1763 Wooden Road, Shawnigan Lake
 - Where is the water quality monitoring carried out, at how many sites and what are they testing for?
 - There are many single family dwellings in Shawnigan Lake that are located on bedrock wells.
- Hubert Bunce**
- Displayed on the power point map the water monitoring sites on Shawnigan Lake and upstream where Shawnigan Creek flows into the Lake.
 - Further monitoring relative to the application is being carried out at the application site and information gathered will also be considered part of the application.
 - Current monitoring has focussed on nutrients as that is the primary load to the watershed but with SIA's application they will have to change the parameters for monitoring materials to reflect the materials proposed for discharge.
- Guy Walker**
- Do chemists or scientists check the samples?
- Hubert Bunce**
- Trained volunteers will gather the samples which are forwarded onto the accredited labs for testing and analysis.
 - SIA has also hired a professional consulting firm to assist them in the assessment.
- Guy Walker**
- Is it the company's responsibility to continue the monitoring?

- Hubert Bunce** ➤ Yes, the responsibility lies with the company but noted some responsibility also falls on MoE.
- Guy Walker** ➤ By the time one of the monitoring stations registers just one of those nasty chemicals it is too late for them.
- Joseph Gollnar** ➤ 1401 Lover's Lane
➤ When the process is started what sort of baseline data does MoE collect on a site such as SIA's or any other similar project?
- Hubert Bunce** ➤ Monitoring stations are found around the Province.
➤ Some concerns in the baseline monitoring stations in the Shawnigan Watershed have been, up until now, relative to nutrients but noted that will be changing to also include metals.
➤ They do not monitor every watershed in every part of the Province.
➤ Before the application goes forward they will collect further relevant baseline information.
- Joseph Gollnar** ➤ Who gathers the information, MoE or private business?
- Hubert Bunce** ➤ Combination of both, as the applicant has ongoing monitoring inspection requirements to conduct and there are also inspections carried out by MoE.
- Dave Hutchinson** ➤ 2116 Cullin Road
➤ Cannot blame SIA for their behaviour for profit motivation in the private sector but noted that many people do not believe it is in the public's interest. Public relies on the government for effective regulation in protecting the public interest.
➤ Where are the parts of MoE and other parts of the government that want to help protect drinking water and the reassurances that the drinking water will be safe?
- Hubert Bunce** ➤ Application has been referred out to the Ministry of Health, local government, water stewardship, biologists, along with the public to provide information to help them weigh in on the decision making process.
- Dave Hutchinson** ➤ When a site of a huge scale like what is being proposed, with 5 million tons of contaminated soils over 50 years at the headwater of Shawnigan Creek which feeds into Shawnigan Lake they would expect the government would have multiple options for the public to scrutinize as to where they felt the contaminated soil should go.
➤ Feels like the Ministry is promoting the application as there are brownfield sites that the government needs to handle, for example Rock Bay.
- Hubert Bunce** ➤ The old Brownfield group came out of the Expo 86 lands at False Creek where old industrial and commercial properties were developed into new foreshore developments and the whole contaminated sites legislation was developed to deal with those issues.
➤ If there are materials that are considered hazardous waste they cannot be relocated to the SIA property or on the Malahat and those materials are transported to secured landfills that are able to handle it.
- Dave Hutchinson** ➤ Would not think a watershed that is used for drinking water should be used for disposing waste.

- Hubert Bunce** ➤ Planning, being progressive and having some foresight is now starting to be recognized in the Legislation but noted that they are still working on it.
- Frank Scott** ➤ 2692 Sunny Glades Lane, Shawnigan Lake
 ➤ Mentioned different levels of waste that gets shipped out of the area and asked who does the policing as to what goes into SIA's site?
- Hubert Bunce** ➤ SIA will have a huge liability issue if they accept material they are not authorized to accept.
 ➤ There is a roster of professionals who are accredited by the Province to determine whether material is meeting the criteria or not.
- Frank Scott** ➤ If a truck driver picks up a load of waste in Victoria and brings it to SIA and that truck driver does not know what he has in his truck who says that material cannot go onto that site?
- Hubert Bunce** ➤ Comprehensive sampling will have to take place on that material and if it is deemed to be not good it gets shipped out.
- Sierra Courtemanehe** ➤ Lives on the Malahat territory, Cobble Hill
 ➤ Understands the application has steps and it is within Step 3 and asked if they would ever consider having the public consultation process in Step 1 of gathering information instead of Step 3.
 ➤ Concerned about quality of water and protection.
 ➤ Asked how allowing septic systems to flow into the Lake and motor boats on the water protect the clean drinking water quality?
- Hubert Bunce** ➤ They go to consultation once the applicant has developed a fairly good application regarding what they are proposing and what the site will look like.
 ➤ Public comment is required when there is a good amount of information and all concerns and comments can be addressed.
- Sierra Courtemanehe** ➤ Legislation is not quite there yet. Does the water have to be completely undrinkable before it is?
- Hubert Bunce** ➤ Would hope not.
- Angela Auchincloss** ➤ 1254 Merridale Road, Mill Bay
 ➤ Who determines the acceptable levels of contaminants in the water?
 ➤ Who will be around for the community and what processes are in place when it is found that the levels that were acceptable are no longer acceptable?
- Hubert Bunce** ➤ Relies on the science of the day to determine the water quality objectives for acceptable levels of protection to the environment.
 ➤ Fish in the water is also a real test for water quality objectives.
 ➤ Province has defined specific water parameters based on local ecology and the numbers are based on the best science available. As new science comes along they get updated.
- Angela Auchincloss** ➤ Why does it have to be done in a watershed that supplies such a broad population and community as they do not want to be a guinea pig?
- Hubert Bunce** ➤ Comes down to land use planning and noted adjacent to the watershed is the CRD watershed which excludes any residential development.

- Through planning and foresight things can be looked at for the future.
- Grant Lord**
 - 1886 Flicker Road
 - Has Mr. Bunce personally visited the site?
- Hubert Bunce**
 - Has been to the gates of the site and his staff have been on site.
- Grant Lord**
 - Does Mr. Bunce plan to make anymore visits?
- Hubert Bunce**
 - May very well but does not have it on his agenda.
- Joe Barton**
 - 2734 Wilmot Avenue
 - What is defined as regularly scheduled inspections?
- Hubert Bunce**
 - Depends on the application and authorizations, for example, pulp mills are visited more frequently as they are considered high risk sites.
 - If a permit is issued on the subject site there would likely be a fairly high degree of inspections in the initial stages. If there was a level of confidence the operation was running well the inspection would likely be reduced, but noted at this point of time he could not give an accurate answer.
- Joe Barton**
 - Asked for an approximate?
- Hubert Bunce**
 - Depended on site specific conditions at each location, it might be inspected more frequently or less frequently and to give a number would be rhetorical.
- Joe Barton**
 - Cannot answer the question?
- Hubert Bunce**
 - Could give a number but it will mean nothing at this time.
- Joe Barton**
 - What bonds or assurances are required by the permittee and how much is it?
- Hubert Bunce**
 - That is an issue in the permitting process and the details of the permit still have to be determined but noted that the applicant has been advised that a security will be required.
- Joe Barton**
 - This is the public inquiry where the public has questions and hoped there would be answers to them.
- Hubert Bunce**
 - If that is a question, please put it forward to him directly and he will give him an answer, but noted he could not give it to him right now as he would be pre-judging the assessment.
- Speaker**
 - Who gives the City of Victoria permission to dump in Shawnigan Lake?
- Hubert Bunce**
 - Some material is brought up the Malahat under the requirements of the Contaminated Sites Regulation along with some of the material being transported to Courtenay, some stays in the CRD and some goes elsewhere.
- Speaker**
 - Does not go into a watershed?
- Hubert Bunce**
 - Pretty much everywhere in B.C. is a watershed.

- Speaker** ➤ Why not dump in the Victoria reservoir?
- Roger Painter** ➤ 1348 Campbell Road, Shawnigan Lake
➤ Has the Ministry of Transportation & Infrastructure (BC MoT) been involved and consulted with regard to the transportation of the materials to the site and if so in what regard?
- Hubert Bunce** ➤ Application was referred to BC MoT.
- Roger Painter** ➤ Will the public be able to find out their comments?
- Hubert Bunce** ➤ Could contact BC MoT directly.
- Chair Hutchins** Introduced Eddy Taje, Ministry of Energy and Mines, and stated he would be explaining the mine reclamation and permit application process.
- Eddy Taje, Ministry of Energy and Mines** ➤ Should the applicant be granted the waste management effluent permit the Ministry of Mines gets involved with regard to an amendment to the *Mines Act* to change the land use on the site from residential to a forestry use or an industrial use.
➤ Process is tied with MoE's approvals, for example geotechnical samples.
➤ Normal on site inspection process for safety is approximately 4½ years.
➤ If approved the reclamation security in place will be adjusted in 2013.
➤ If the application is approved his Ministry will work closely with MoE.
➤ Another option is excluding the land from the mine and leave it to MoE to administer.
- Dennis Brenton** ➤ 3215 Cobble Hill Road
➤ Is this restricted only to Island contaminants or can other contaminants be brought in from elsewhere, example, the United States?
- Hubert Bunce** ➤ Application defines the annual volume limit, along with total capacity relative to the site and quality parameters that are allowed. Whether the material comes from Rock Bay, Chemainus or Vancouver does not really matter as it is within the Country but noted there are International laws for the movement of material across borders.
- Edward McGuinness** ➤ Millions of tons of contaminated materials are proposed for the site and asked if it were to leach into the Lake how long will it take them to stop it?
- Eddy Taje** ➤ Would be stopped fairly quickly as the site will have an impervious liner along with a geotechnical liner.
➤ If leachate was to occur it would be a very small amount and it could be contained very quickly.
- Edward McGuinness** ➤ Will an earthquake cause a problem?
- Eddy Taje** ➤ Not sure.
- Edward McGuinness** ➤ They cannot give them any guarantees.
- Eddy Taje** ➤ There are risks involved.
- Edward McGuinness** ➤ In the 1960's and 70's a situation occurred in New York State called the Love Canal and asked if he was familiar with that?

- Situation is exactly the same as what happened in the 1960's and 70's and it is the exact same scenario for what is being proposed in Shawnigan Lake.
- Guy Luca**
 - 1763 Wooden Road, Shawnigan Lake
 - Ministry of Energy and Mines responsibility is for the hole in the ground and the reclamation of the hole in the ground but not necessarily what is goes into the hole in the ground?
- Eddy Taje**
 - Yes.
- Guy Luca**
 - They would have to alter the end use?
- Eddy Taje**
 - Yes.
- Guy Luca**
 - Who is responsible for the site in 60 years time, the Ministry of Mines, MoE or SIA?
- Eddy Taje**
 - He could not answer that question for 60 years from now.
 - If it is permitted by the Provincial Government then it would be the Provincial Government.
- Guy Luca**
 - What is the ultimate end use of the site either residential, industrial or re-forestation?
- Eddy Taje**
 - Could be used as an industrial use with possibly a heavy duty shop or it could be reforested.
- Guy Luca**
 - Is that the Ministry of Mines responsibility?
- Eddy Taje**
 - Yes, they are responsible for the end use.
 - It is private land and it is their responsibility to ensure that the end land use is compatible with the environmental standards necessary for the area and for those environmental standards they would rely on the MoE.
- Joseph Gollnar**
 - 1401 Lover's Lane
 - Would like an accurate description of what self regulation means in terms of site inspections and provisions for the two Ministries?
- Hubert Bunce**
 - There would be conditions within the permit that would require inspections, maintenance, groundwater monitoring and surface water monitoring on an ongoing basis.
- Eddy Taje**
 - Very limited provisions for self regulation but noted Worker's Safety components, environmental standards would be part of the conditions along with water monitoring that would have to go to an accredited lab for testing.
- Tom Harkins**
 - 1228 Braithwaite Drive, Cobble Hill
 - Does not make sense that they can trust regulations. Asked what that has to do with the water systems or wells in the area that are connected to Shawnigan Lake that people drink?
- Dave Hutchinson**
 - 2116 Cullin Road
 - SIA website states liners have been successfully used for decades and the life span is considered indefinite. Environment Canada website states

that all landfills will eventually release leachate to the surrounding environment and will have some impact on the local ecosystem. The liner proposed for the site is impervious but Environment Canada says differently and MoE states a third party review of Cache Creek landfill in 2009 stated minor performance, thus the issue is not whether liners will allow some leachate to escape but how much will escape and whether it will have a negative impact on the environment.

- Speaking about risk and possible leakage and asked why is this being contemplated in a watershed that is used as drinking water by thousands of people?

Eddy Taje

- Under their Legislation any person is entitled to make an application for any number of things and it is subject to various issues. If an application is made they have to follow a process to conclusion.

Dave Hutchinson

- Point they are trying to make is even with the best technology things go wrong, liners leak, people make mistakes and earthquakes happen and it is their drinking water.

Sheila Brenton

- 3215 Cobble Hill Road
- Former employee of SIA.
- Asked if he is the Chief Mines Inspector?

Eddy Taje

- No he is not.

Sheila Brenton

- Did he issue the original permit to SIA?

Eddy Taje

- No, he did not.

Sheila Brenton

- Since SIA has been opened fill has been brought in and asked who is responsible for where the fill came from and if it was tested prior to going onto that site?

Eddy Taje

- Presently SIA can bring in residential quality soil and the soil has to be tested at source. SIA must have records of testing and he looks at the records every month.
- There was a problem a while back where the soil did not meet the standards and they are currently working to resolve that issue.

Sheila Brenton

- Are there records from the first day the operation started?

Eddy Taje

- The first issue was 2004 but noted the first permittee did not thoroughly specify the standard soil that was being imported and when they followed up on that the soil standard was changed to be residential soils and there have been records ever since that time.

Sheila Brenton

- Are they aware of any contaminated fill that has been brought onto that site prior to any of those records?

Eddy Taje

- Yes, he was aware but he could not remember the year and advised that when that soil came in he worked with the agencies to resolve the issue cooperatively.

Sheila Brenton

- Does he feel their record has improved or does he even know?

Eddy Taje

- They have made major changes on site, sloping on site has been reduced

and the site has improved.

- Ed Kesler**
- 2320 Renfrew Road, Shawnigan Lake
 - Where are the results of inquiries and can the public obtain them from MoE?
- Hubert Bunce**
- Submissions would form part of the public record and can be provided upon request.
- Mark Hill**
- 2337 Stevenson Road
 - Given the chance of possible contamination of their drinking water would the Ministers of Transportation, Environment, Energy Mines and CVRD Directors along with their families drink bottled water from that site for the rest of their lives?
- Eddy Taje**
- Yes he would.
- Mark Hill**
- Will SIA be held personally liable if there was to be an environmental disaster?
- Hubert Bunce**
- Under the *Environmental Management Act* liability can and would be placed on the company and that could be potentially extended to their Directors with fines up to 1 million dollars or 6 months in jail.
- Sierra Courtemanehe**
- Lives on Malahat Territory
 - Who does SIA give the money to for the permit application?
- Eddy Taje**
- On their permit amendment application there is no fee but if the application is approved it could result in an increase of the security the Province holds.
- Hubert Bunce**
- Should a permit be issued there are fees with regard to the amount of material being discharged to the environment.
- Sierra Courtemanehe**
- \$200 for a go ahead, then more fees for soil being dumped and what are the rates for discharge?
- Hubert Bunce**
- Correct and there is a table that sets out discharge fees and there are also security issues.
- Sierra Courtemanehe**
- Acknowledged that water is inside of every person and stated looking at the greatest good for everyone is most important and asked if they know the water cycle?
- Eddy Taje**
- Yes.
- Steve Eldridge**
- Stebbings Road
 - Asked what is Eddy Taje's position with the Ministry of Mines?
- Eddy Taje**
- Senior Inspector of Mines, West Coast Region.
- Steve Eldridge**
- What is SIA's current environmental fee with the Ministry of Mines?
- Eddy Taje**
- Only a security.
- Steve Eldridge**
- What is the security deposit?

- Eddy Taje** ➤ \$5,000.00 but noted that is subject to review in 2013.
- Steve** ➤ 1190 Cougar Ridge Road
➤ His well is one of the first wells downstream from the site and the site is located approximately 5 km east from CRD watershed. It was stated that the containment site was engineered to restrict dissolvments but if an earthquake occurred there were no guarantees and asked if that was correct?
- Eddy Taje** ➤ Structure designed for the area is Zone 6 which is designed for a 7.2 earthquake on the Richter scale but noted the Engineers will be able to give the exact numbers.
- Steve** ➤ Are they aware the area is located on a major fault line and it is predicted that we are due to have a big earthquake at any time?
- Eddy Taje** ➤ Yes.
- Dr. Mackenzie Brooks** ➤ 770 Shawnigan Lake Road
➤ What is the past and present track record of SIA in terms of being in compliance with the rules and regulations that are in place?
- Eddy Taje** ➤ Last safety inspection had two workers identified with low end work safety issues and the permit issued a week ago was decent. In the past there were a couple of issues that were being worked on and remediated.
- Dr. Mackenzie Brooks** ➤ Asked what they specifically were?
- Eddy Taje** ➤ It was a sluff that had encroached.
- Dr. Mackenzie Brooks** ➤ What was the second one?
- Eddy Taje** ➤ Two safety issues, shocks and a fire extinguisher.
- Hubert Bunce** ➤ SIA does not have a track record with their Regional Office as this is their first application.
➤ Previously some material did go onto the site under their contaminated sites regulation that SIA was not expecting but they are dealing with it.
- Dr. Mackenzie Brooks** ➤ There was an incident with contaminated material on the site in the past and asked what happened?
- Hubert Bunce** ➤ Cannot speak to the details of it but stated SIA could answer that question but noted that he was aware material did go there and it was being worked on.
- Marion Watson** ➤ 2125 Wildflower Road
➤ Is there a different rate and a record of rates other than the residential rate for that site? If there were different rates then SIA would know they were accepting some different levels of soils onto that site.
- Eddy Taje** ➤ Does look at the records but does not look at the business side regarding money and what rates they are being paid.

- Marion Watson** ➤ Don't different types of soils trigger a different deposit fee?
- Eddy Taje** ➤ Through their Ministry there is no deposit fee.
- Marion Watson** ➤ Is there a deposit fee for different types of contaminated soil?
- Eddy Taje** ➤ Does not get involved in those fees.
- Marion Watson** ➤ The higher level of contaminated soil it is more likely it would be a higher fee.
- Eddy Taje** ➤ Cannot answer that question.
- Hubert Bunce** ➤ SIA should be able to answer that question.
➤ The Ministry does not relate the quality of soils to the amount of money it is being paid for its movement. The Ministry is interested in the quality of the soil.
➤ Soils are assessed at their source site to determine their quality and that determines where it can go.
- Speaker** ➤ Approximately \$10,000 deposit fee with MoE and Ministry of Mines for environmental disasters and noted it has cost approximately \$68 million dollars to clean-up Rock Bay and asked what determines the level of deposit for risk assurance?
- Eddy Taje** ➤ A number is set and if the Province has to clean-up a mess there would be sufficient money to do that as a bond would be in place.
- Speaker** ➤ Asked what determines the amount of the security?
- Eddy Taje** ➤ Cannot answer that question.
- Hubert Bunce** ➤ Determination of security would be set as to levels of concerns and risks and asked that people advise them of their concerns.
- Speaker** ➤ It has taken 68 million dollars to clean-up Rock Bay and it is not a watershed or a drinking water supply and is concerned about only \$10,000-\$30,000 being set aside to clean-up their water supply and asked if that would be increased?
- Hubert Bunce** ➤ No number has been determined yet and the security still also needs to be determined.
- Speaker** ➤ \$10,000 or \$20,000 is not enough money.
- Rick Sanders** ➤ 1190 Cougar Ridge Road
➤ Lives directly across from the CRD watershed and asked what happens to property values when the waste containment site is built by a residential area?
➤ If there was even a chance this would impact the Shawnigan Lake community drinking water or CRD Watershed how can contaminated waste be considered to be placed on site?
- Eddy Taje** ➤ Many factors influence property values and he cannot assess property values or answer the question.
➤ Any person in B.C. has the right to make application and the Government

has the obligation to process the application to a conclusion.

Rick Sanders

- The Government has to decide what the greater good of the greater population is or determine whether it is worth taking the risk.

Eddy Taje

- The subject application is to amend land use and when they get an application for any type of mining operation in B.C. they have to look at the protection of the workers, then protection of the public from the adverse effects of the operation and protection and reclamation of the environment.

BREAK

Chair Hutchins declared a Break at 8:20 p.m. and re-convened the Public Meeting at 8:40 p.m.

Chair Hutchins

Introduced Jeff Taylor and David Mitchell, Active Earth Engineering Ltd.

**Jeff Taylor,
Active Earth
Engineering Ltd.**

- Both are consultants and professional engineers and have both worked in the contaminated sites industry for approximately 15 years.
- Active Earth has been hired by SIA to prepare the technical assessment report to accompany the current application.
- Technical Assessment Report is hundreds of pages long and is hard to condense it down into a presentation.
- If people wanted more detail they can be contacted directly and they would provide that information.
- Design team consisted of 7 Professional Engineers and he and Mr. Mitchell are representing those 7 Engineers.
- Presentation will outline aquifers, watershed and permit application.
- Gave a Power Point Presentation (EXHIBIT 3) that addressed the following:

Context

- Watershed/Aquifer
- Contaminated Sites

Overview of Permit Application

- Waste Discharge Authorization Application
- Proposed Facility Design

SIA Operations

- Overview of Mine Operations and Mine Life
- Operational Issues of Concern
- Located in Upper reaches of Shawnigan Lake Catchment
- No aquifer beneath site. Spectacle Lake/Cobble Hill Bedrock Aquifer mapped 1 km east and Shawnigan Lake/Cobble Hill Aquifer mapped to north 2 km north.
- Monitoring wells drilled on site and nearby water wells.
- Calculated number of years for groundwater travel times.
- Within B.C there are approximately 15,000 sites registered.
- Estimated 4,000-6,000 Brownfield's in B.C.
- Federal Government allocated \$15 Billion Dollars to clean up Federal contaminated sites.
- Province of B.C. estimates there are 2,000-3,000 contaminated sites on Provincial Crown Land.
- Estimated 1,000-2,000 contaminated sites within the South Island Region.
- Reason a site is considered contaminated is they pose a risk to human health and the environment and many are actively impacting drinking water resources and aquatic receiving environments.
- Remediation of a contaminated site involves using methods to reduce the risk to an acceptable level and an acceptable risk is defined by MoE.
- Biggest barrier for cleaning a contaminated site in the south-end is finding

a viable disposal site for contaminated soils. Presently contaminated soils are shipped up Island or placed on a barge and shipped to Richmond.

- Price on the south Island for contaminated soil is 4-5 times higher than on the mainland.
 - Overview of Permit Application included
 - Application for mining permit amendment reclamation
 - Requiring Waste Discharge Permit from MoE
 - Technical Assessment Report includes evaluation of all applicable environmental factors, detailed design of proposed facility and the final report that incorporates MoE review and other stakeholder feedback.
 - Draft technical assessment report is more conceptual in nature and identified the types of waste that they are looking to have permitted at the facility. They now have a very detailed plan that has been put together.
 - Site is located approximately 5 km south of Shawnigan Lake and is zoned F-2.
 - Groundwater slide displayed information on On-site groundwater monitoring wells, Background monitoring completed and Monitoring program.
 - Surface water slide contained information on Shawnigan Creek, Ephemeral tributaries and Monitoring program.
 - Objective of the facility is that all water on site is treated prior to discharge which has a net improvement for water that leaves the site.
- David Mitchell,
Active Earth
Engineering Ltd.**
- Gave an overview of the proposed facility design and key design considerations that addressed the following:
 - Site preparation
 - Soil receiving and treatment area
 - Cell design and construction
 - Leachate prevention, detection, collection and treatment
 - Water treatment and discharge
 - Final cap, closure and monitoring
 - Soil treatment considerations:
 - Potential to add soil treatment to facility operations, would allow for beneficial re-use of suitable contaminated soil.
 - Soil treatment would require construction of bioremediation area which includes a synthetic liner beneath asphalt liner with leak detection/collection
 - MoE permit application includes option to treat soil.
 - Underlying the soil management pad is a number of liners of bedrock and if there was any leakage through the asphalt it would be caught by liner. If anything was to get through the liner the second leak collection system is a layer of clay and below that is a layer of bedrock.
 - The Cell Design and Construction slide explained the Multi-Barrier Approach and Key Design Details
 - No water leaves the facility before it gets tested.
 - Benefits of Proposed Facility include: Environmentally Responsible, Brownfield Remediation, Greenhouse Gas Reduction and Economic Stimulus.
 - South Island Aggregates is an active mine.
 - Displayed the slide titled Contaminated Soil on Fill-Site which explained what occurred on the property in November, 2010 when the site received a quantity of questionable soil and how SIA dealt with it.
 - SIA has also retained Active Earth to develop a Sediment and Erosion Plan for both the mine site and the fill site and SIA have implemented all of their recommendations. Some of these recommendations include using sediment traps, silt fencing, drainage swales, sediment ponds and rip rap

channels to reduce any runoff and siltation into Shawnigan Creek.

Jeff Taylor

Have also tried to address some of the Common Questions and Concerns as follows:

- Independent Monitoring
 - Permit monitoring will be undertaken by qualified professionals
 - Reporting will be prepared and submitted in accordance with permit requirements and will be publically accessible
 - MoE reviews compliance
 - SIA is proposing to fund independent, qualified, credible, third-party monitor
 - As a qualified professional he does not play with his professional integrity
- Earthquake/Natural Disaster
 - No local faults, very hard/durable rock
 - They cannot predict the future but noted the slopes have been designed to be geotechnically stable
 - Water treatment facilities designed to accommodate 1:200 year event
- Hazardous Waste
 - Will not be accepted at the proposed facility
- Verification of Soil Quality
 - Must meet MoE guidance for characterization
 - Receiver Site Professional, like himself, must sign off on analytical results after testing has been carried out on the soil
 - Periodic quality checks will be undertaken at the facility
- Blasting
 - Blasts are not significant enough to de-stablize cells
 - Blasts are focussed and targeted
- Trucking
 - There will be no net change or increase in trucking as the quarry needs to be filled either way
- Why This Site
 - Site is owned by SIA and they have been contracted by SIA to put in an application on their behalf
 - SIA can only make an application for a permit on property which they own
- Where Else Has This Type of Facility Been Constructed in the Past
 - All modern municipal landfills employ similar design principles
 - Dozens of contaminated soil management facilities throughout Western Canada and hundreds throughout North America
 - A nearby example is the Hartland Landfill that services the CRD.
- What are the Potential Impacts to Surface Waters
 - Only non-leachable soils are accepted, leachate detection, collection and treatment systems incorporated into proposed design
 - All water leaving the site reports to a treatment system which is designed to achieve BCWQG
 - All treated water is tested prior to discharge
 - Surface water quality is monitored at strategic points, both up and down stream of the discharge point
 - Monitoring results compared to baseline so there are no impacts
- What are the Potential Impacts to Groundwater
 - No leachate generation
 - Multi-barrier design
 - Virtually impermeable bedrock (250 feet)

- Monitoring on-site and down gradient wells and those results are compared to baseline data
- Sierra Courtemanehe**
- Living on Malahat territory.
 - If the people have the right to apply for a permit and if the public choose to apply for protecting the watershed, would MoE support the people?
- Hubert Bunce**
- His Ministry is in favour of protecting the watersheds.
 - His aspect of the Ministry is with regard to questions of discharge.
- Sierra Courtemanehe**
- Asked Mr. Bunce if he would ask the public at the meeting to raise their hands as to how many people were for the dumping of soils?
- Hubert Bunce**
- Asked the public for a show of hands how many supported the application and how many did not.
 - In response to the show of hands who were opposed to the application he asked that everyone send in their questions and concerns to MoE as soon as possible.
- Doug Makaroff**
- Lot B, 268 Stebbings Road and President of the Elkington Forest project.
 - Advised that they discovered a very large third aquifer just south of the SIA site and they had it tested. The aquifer they tapped into is huge as it produced over 120 gallons per minute for 100 days. The reason it is not known is because there has not been any construction in the 108,000 acres of CRD watershed and directly to the south of their property is 20,000 acres of Sooke Lake wilderness. It was unknown it existed because nobody has ever tested those areas.
 - Will be submitting a letter directly to MoE.
 - Requested that all the additional information he has to provide be included as physiological evidence for the surrounding areas within the analysis.
- Jeff Taylor**
- Appreciated the information and advised that a well on the SIA site is 260 feet deep and produces 120 gallons per minute.
- Dave Hutchinson**
- 2116 Cullin Road
 - Admires SIA for what they want to do and the Consultants they have hired to work for them, but noted that it is difficult for the public to have full trust as they work for SIA. Would like to see and would appreciate a third party independent review of their design.
 - Understands SIA owns the property but it is not the right place as it is located right on Shawnigan Creek.
 - Mistakes do get made as was noted on SIA's webpage on May 31st that stated SIA accepted industrial quality soil and advised he sent a query to the website but he did not get directly answered but noted that wording did get changed quite soon afterwards as it was a mistake. It now states that they cannot accept industrial soils, only residential soils.
 - Another mistake occurred in 2010 which was potentially hazardous waste that was delivered to the property in the watershed.
 - Provincial Government, Federal Government and CVRD should have some effective bylaws to protect the watersheds.
- David Mitchell**
- The webpage was incorrect; it was fixed and apologized for that error.
 - Tests were carried out on that soil that came onto the property and it was determined it was not hazardous waste.
- Dave Hutchinson**
- Just wanted to point out that mistakes do happen.

- Petra Angpao-Durrance**
- 992 Nightingale Road
 - If this is the public consultation process, have the youth been consulted?
 - Why are there 15,000 contaminated sites in B.C. and what has happened to the protection from MoE, Ministry of Mines and SIA?
- Jeff Taylor**
- Almost all of those sites are historically contaminated sites, for example old gas stations, but noted that the reality is they were now cleaning up the legacy of contaminated sites in the country.
- Norm Finlayson**
- 2238 Stowood Road
 - How are they preventing surface water from getting into the site?
- Jeff Taylor**
- Objective would be to use swales and diversion channels as they want water to be diverted and not go onto the site.
- Speaker**
- Surface water would be going through a collection plant before it is discharged and asked how big that plant was and how much water will it hold?
- Jeff Taylor**
- One design element the plant has is it has been designed for 1:200 year rainfall amount so it has sufficient storage capacity.
- Speaker**
- What does 1:200 years mean?
- Jeff Taylor**
- They are design standards that are employed by the regulator for a Design Engineer to say they are designed for a 7.2 magnitude earthquake. Buildings are also designed to those standards.
- Jennifer Young**
- 670 Shawnigan Lake Road
 - Thanked the CVRD for hosting the event.
 - Would this be the only contaminated remediation site on Vancouver Island?
- Jeff Taylor**
- There are some other facilities that can accept very specific types of waste but to be able to accept waste levels of contaminated soils, yes, this would be the only one on the south Vancouver Island region.
- Jennifer young**
- There would be no increase on trucking?
- Jeff Taylor**
- Explained that there would be “x” number of tons of material going out of the quarry during the mine operations and the Mines Permit states that a “x” number of tons has to be put back into the quarry.
 - The mine has to be reclaimed by filling it back up.
- Jennifer young**
- At a previous neighbourhood meeting held at the local coffee shop there was discussion about 50 acres and 25 of those acres is where the remediation site was to be located and asked if that was correct.
- Jeff Taylor**
- Displayed the area that was being mined at present.
- Jennifer Young**
- Does she understand then that the 5-6 truck loads every 5 minutes will not increase?
- Jeff Taylor**
- The same volume of material that comes out of the mine during mining operations has to be replaced regardless of this application.

- If the application is unsuccessful it will continue to be replaced with residential quality soil and if successful it will be replaced with some waste level of soil.
- Jennifer young** ➤ Is he reassuring her that the trucking will not increase?
- Jeff Taylor** ➤ There will be no net change in the volume of material that comes into the site, beyond what would come in, if the application was unsuccessful.
➤ There was no capacity to put more soil in than what they take out.
- Dr. Mackenzie Brooks** ➤ Understood there are some other sites that accept different levels of soils and asked if the Evans site was one of them?
- Hubert Bunce** ➤ Yes, Evans.
- Dr. Mackenzie Brooks** ➤ Are there any hazardous levels of soils being deposited into that facility that is outside of the permit approval?
- Hubert Bunce** ➤ There is a definition of hazardous waste and none of the materials being considered at Evans or SIA is above the hazardous waste level.
- Dr. Mackenzie Brooks** ➤ What he is saying in terms of the permit at Evans, they were in compliance?
- Hubert Bunce** ➤ The permit relates to bringing in the contaminated soil levels and they treat that and then they use it for the site reclamation on their site.
- Dr. Mackenzie Brooks** ➤ Also attended the meeting at the coffee shop and she heard the design was leading edge and what she has heard today it is not.
➤ How many of these facilities have they designed and built and are they monitored now?
- Jeff Taylor** ➤ It is a large facility and there is no other on the South Island but there are 4-5 on the Mainland.
➤ Possibly a dozen each of landfills and containment cells.
- Dr Mackenzie Brooks** ➤ Lots of information has been provided about the facilities and their history, experience and confidence and they are trustworthy and asked how many of the facilities have they designed, built and are now monitoring.
- Jeff Taylor** ➤ Has not designed and built this site but has been involved in the design and build of approximately a dozen landfills and remediation facilities.
- Dr. Mackenzie Brooks** ➤ Are they like this design?
- Jeff Taylor** ➤ They all have similar elements.
- Dr. Mackenzie Brooks** ➤ Can they provide the CVRD with the locations?
- Jeff Taylor** ➤ He could if his clients were willing to disclose that information.
- Dr. Mackenzie Brooks** ➤ SIA has the site and has hired Active Earth to design the facility and that is what they have done.
➤ Would they pick this site for this type of facility?

- Jeff Taylor** ➤ They have believed in the site from the get-go and believe it is a perfect site and that is why they agreed to be involved and put together the technical assessment report that supports the permit application being submitted by SIA.
- Guy Walker** ➤ 1763 Wooden Road, Shawnigan Lake
➤ Is this an industrial grade of contaminated soils?
- Jeff Taylor** ➤ Classified as waste under the Contaminated Sites regulation.
- Guy Walker** ➤ Asked what contaminants would be permitted?
- Jeff Taylor** ➤ Would have to meet the criteria of the Contaminated Sites regulation.
- Guy Walker** ➤ Non leaching facility that contains a collection system and treatment system on site. The chemicals found in the soils are they treatable chemicals and will he and his children drink the water that comes out of it?
- Jeff Taylor** ➤ Water that comes out of the system must meet the standards.
➤ Treatment systems are modular and standardized and are very effective and the quality of the water can be controlled by modifying the elements of the treatment system.
➤ Quite easy to get good quality water.
- Guy Taylor** ➤ Systems require a lot of monitoring and maintenance?
- Jeff Taylor** ➤ Yes, they do require monitoring.
- Marion Watson** ➤ 2125 Wildflower Road
➤ Asked earlier about invoices and the exchange of money for soil and if there was some sort of different prices for what kind of soils a facility is accepting. Would think that by handling contaminated soil the price would be higher than residential soils.
➤ Spot checking of soils is great.
➤ Did SIA get paid a different amount for that contaminated soil that was previously brought on site?
➤ Would MoE consider monitoring not just the soil but the money that is being exchanged between the people bringing the soil and the company because monitoring the soil might not be enough?
- Marty Block** ➤ When the incident happened and the soil was received on the site their employees caught it as there was a very distinct odour. When he contacted the engineer in question the response he received was if they had spread the soil out and let it gas off they would be fine. His response was they would require some money to test the material as they could not take it. Yes, there was more money involved as they had to move and test it three times but noted that they were never paid for that.
➤ Should there be even more monitoring of charges, is digging a little too deep.
- Hubert Bunce** ➤ His Ministry is Environment not the Minister of Finance and have certain levels of expertise relative to soil quality and testing and going into forensic auditing is not something they can do.
- Marion Watson** ➤ Is there not more money in taking contaminated soil over residential soil?

- Marty Block** ➤ Yes, considerable more money.
- Marion Watson** ➤ Concerned about how easy it is to bring the contaminants on site rather than moving them going to a hazardous waste facility.
- Marty Block** ➤ The engineer that brought that material to their site did lose his license and SIA is suing him.
- David Mitchell** ➤ Has never had anyone try to bribe him to ship soil or change a report.
- Speaker** ➤ Can the materials be recycled and reused so other people's materials do not have to be dumped in their watershed?
- David Mitchell** ➤ The facility has incorporated the option to treat some of the soil and in that term it would be recycled.
➤ A lot of sites are now taking better measures to prevent contamination from happening which is called pollution prevention.
➤ Extremely expensive to clean-up a contaminated site.
- Speaker** ➤ Asked if there would be a roof over top of the soil?
- David Mitchell** ➤ Basically that is the design, as it has a liner which is impermeable and there is also a metre of clay over top that which acts as a roof. When it rains the water is diverted away from the soils.
- Speaker** ➤ It takes time to cover and layer and asked if a roof can be put over the soil from preventing it entering into the creeks?
- David Mitchell** ➤ During construction and placement of the soil is done during dry periods as they too do not want any leachate and water getting into the soils. Want to be able to compact the soils to make them stable and place the soils when they are dry. The soils would be covered every season.
- Speaker** ➤ No actual roof over their working area in the soil reception area?
- David Mitchell** ➤ That is being considered.
- Lisa Punnett** ➤ Langtry Road
➤ In the last couple of years there was an application in their neighbourhood where a company bought four residential lots and they are actively mining and noted that it does affect property values.
➤ It cost \$56 million dollars to clean up a site in Victoria but noted that figure could go over \$100 million dollars. If the government was responsible enough to take an application and applied a fair remediation cost to that budget for the probability of what could happen and after 30 years if everything went well an applicant could have that money back. If they asked for \$100 million dollars would SIA be asking for this application today?
- Marty Block** ➤ No.
- Lisa Punnett** ➤ A big advocate of keeping your old garbage in your own neighbourhood and asked why they did not buy a big piece of land in Victoria as that would have helped with the influx of soil being trucked to the site or was the land cheaper on the subject area?

- Marty Block** ➤ Part of it has to do with zoning for a quarry and this was found to be a suitable site.
- Dennis Broughton** ➤ 3215 Cobble Hill Road
➤ Understands the impermeable layer of bedrock and knows that quarries go down deeper and deeper.
- Jeff Taylor** ➤ Base elevation of the quarry has already been predetermined in the Mines Permit.
- Dennis Broughton** ➤ If the quarry was drilling holes 20-40 feet deeper and it was making a larger impact were there fears of opening a wall and changing the direction of surface and water flows?
- Jeff Taylor** ➤ It would make their lives much easier in terms of mining and aggregate if they could let one blast that loosened all the bedrock in the area. They have had a lot of experience with blasting the site over the past 5-6 years and they have not seen any evidence in the core bedrock or anything opening up.
- Bill Savage** ➤ 1470 Mahon Road, Shawnigan Lake
➤ Has anyone from the Ministry of Mines, MoE or SIA paddled or witnessed a dead lake?
- Jeff Taylor** ➤ Yes.
- Hubert Bunce** ➤ There are number of conditions that make a dead lake and he has not canoed on one but has a perception of it.
- Bill Savage** ➤ On a dead lake nothing was happening on it. There were no birds, fish or boaters or anyone having fun on a dead lake.
➤ Property values are what keep a lake going as it is an active lake.
➤ How will the property owners at Shawnigan Lake be compensated if they have a dead lake?
- Hubert Bunce** ➤ Purpose of the decision making process is to avoid a dead lake and they will have monitoring programs in place with warnings.
- Bill Savage** ➤ Sits as a member on the Shawnigan Lake Parks Commission and asked if SIA dumped soil on CVRD parkland at the south-end of Shawnigan Lake which is adjacent to the SIA site?
- Hubert Bunce** ➤ Did hear claims of that but it was not part of their application and that question would have to be directed to SIA as to what they have done with soil that has come onto their site.
➤ He is considering an application for a proposal that was being presented at the meeting.
- Bill Savage** ➤ Did SIA dump soil or have soil run-off onto parkland at the south-end of Shawnigan Lake?
- David Mitchell** ➤ Was hired to design the facility and that was what they could discuss.
- Bill Savage** ➤ Asked the owner of SIA has any soil encroached onto parkland at the south-end of Shawnigan Lake?

- Marty Block** ➤ Yes, in 2009 some soil did go over the property line and that matter was taken to the CVRD Parks Manager and a solution was to remove the soil and re-seed the slopes which were remediated as soon as it happened.
- Bill Savage** ➤ When did this carry out?
- Marty Block** ➤ 2009.
- Bill Savage** ➤ When was the property remediated?
- Marty Block** ➤ As soon as it happened in 2009 and 2010 and the issue went through the CVRD Parks Manager.
- Gary Horwood** ➤ President of the Shawnigan Resident's Association and thanked the CVRD for taking the initiative for the meeting.
- Information has been gathered at the meeting and it will take some time to have an independent person advise them as to the attributes of the proposal. Strongly encouraged the CVRD to hold a second meeting where there would be the same people in attendance plus the Ministries of Health and Transportation to hear the passionate concerns of the people in the area.
- Is there currently any situation in the Province where there is a contaminated waste site in a drinking watershed where people draw drinking water directly from it?
- Hubert Bunce** ➤ There are landfills all over the Province located in watersheds upstream and downstream from where people draw water.
- Gary Horwood** ➤ Contaminated waste sites?
- Hubert Bunce** ➤ A municipal landfill is in the same type of category as far as water qualities and would not limit it to contaminated sites.
- Gary Horwood** ➤ If he requested in a letter where those sites are would he receive that information?
- Hubert Bunce** ➤ They could request for the authorizations for discharges in the Province.
- Director Gerry Giles on behalf of Yvonne Mather** ➤ Asked a question from the Question Forum Blue Sheet - If the application is allowed and at some point the water is treated and found to be contaminated how will this be fixed and at that time it is too late for Shawnigan Lake residents that will be ill from this, how will that contamination be fixed?
- David Mitchell** ➤ All water before it leaves the site is tested to ensure it is clean.
- Director Gerry Giles on behalf of Yvonne Mather** ➤ Has not answered the part - If it is found to be contaminated how does that get fixed for Shawnigan Lake residents?
- David Mitchell** ➤ If the water that goes through the water treatment system is found to be contaminated that water would be re-treated and before the water is discharged it would have to be clean.
- Scott Overhill** ➤ 2091 Cullin Road**40**

- Is their professional opinion that the watershed is safer with this site or without the site?
- David Mitchell** ➤ The facility is designed to be safe and not cause a problem or a risk.
- Scott Overhill** ➤ Not what he asked.
- Jeff Taylor** ➤ Could answer it the way he does not want him to answer it and say that it could result in a net improvement to the projection of your watershed through the remediation of contaminated sites within your watershed that are actively in crown water resources.
- Scott Overhill** ➤ Did not want an opinion of what he believes.
- Jeff Taylor** ➤ Does not have any way of predicting the outcome of how many sites might get cleanup in the watershed as that is the net benefit that he would have to weigh against the construction of this facility in order to give his assessment of whether or not it resulted in a net benefit or not. That is hypothetical and he is unable to answer at this point.
- Scott Overhill** ➤ Net volume of soil is not going to change and asked if the frequency of trucking will increase if the permit application were approved?
- Jeff Taylor** ➤ Cannot predict that as it is also contingent on market conditions.
- Marty Block** ➤ Depends on market conditions and right now market conditions are very soft and there are very few trucks.
- Director Lori Iannidinardo on behalf of Jim Wisnia** ➤ 555 Kilmau Road, Mill Bay
➤ Asked a question from the Question Forum Blue Sheet - If the application were approved and the monitoring program were put in place, appropriate for the contaminants accepted at this site, how and where would the monitoring take place?
- Hubert Bunce** ➤ There would be monitoring of the actual discharge from the treatment facility to confirm it was meeting the standards as set out in the authorization and also receiving environmental monitoring requirements to confirm groundwater quality around the site.
- Director Lori Iannidinardo on behalf of Jim Wisnia** ➤ How far downstream from the site?
- Hubert Bunce** ➤ Does not know the specifics of that but there were sites further away from the site and that level of detail would be outlined in the final document, should it be issued.
- Director Lori Iannidinardo on behalf of Jim Wisnia** ➤ At the mouth of Shawnigan Creek in Mill Bay, he lives along the bay shore from the creek mouth and due to coliform counts he is allowed to swim in the bay but not to harvest filtered feeding shellfish. He is hoping the coliform problem will be resolved in the long term but what about heavy metals? Will monitoring programs include testing of shellfish in Mill Bay for heavy metals?
- Hubert Bunce** ➤ The testing of shellfish in marine waters is not his expertise, that is carried out by the Federal Government and that could be something that could

happen in the future but would not be a specific requirement to the subject application to test shellfish in Mill Bay.

Doug Strachan

- 1948 Cornwall Road, Shawnigan Lake
- The Minister of Mines & Resources has asked that the quarry be filled with soil that is contaminated or uncontaminated that would be trucked in and noted he does not understand how they can get away with filling up the Utah Mine located in the North Vancouver Island with water instead of soils and asked why that cannot be done elsewhere?

Eddy Taje

- That mine is a different situation.

Doug Strachan

- Risk level to him is too high for them to accept that contaminated waste is the right answer for the quarry.
- Wants to know how the Minister will respond and assure the people of Shawnigan Lake who do not want a contaminated site in the area?

Hubert Bunce

- He will be making the decision, as that has been delegated to staff and not the Minister of Environment.
- Prior to making a decision he will be considering the concerns raised and comments received, along with reviewing the engineering received and they will determine what the requirements will be or not and will decide in favour or against the application. If someone is unhappy with the decision there is a potential to appeal.

Doug Strachan

- Asked what he needs to do to ensure this does not take place?

Hubert Bunce

- Requested that concerns be put forward in writing to him and he will review everything prior to making a decision on the application.

Angela Auchincloss

- 1254 Merridale Road
- Where are the inorganic filters and sediments getting disposed?

Jeff Taylor

- Objective of treating inorganic contaminants is dissolved in the water and the produced sludge would likely be managed on site.

Angela Auchincloss

- Will the water treatment plant run 24 hours per day and what kind of noise does it generate?

Jeff Taylor

- Plant is activated through film switches and when the water builds up to a certain level the switch is triggered and the pumps start working their cycle. There is very little noise that is produced.

Angela Auchincloss

- What is preventing SIA from altering their permit and moving to a stronger level of contamination?

Hubert Bunce

- If a permit is issued there would be specific conditions that would need to be followed and if they wanted to amend those conditions and introduce new contaminants they would have to go through the public consultation process.

Guy Walker

- 1763 Wooden Road, Shawnigan Lake
- Would like his previous question answered which was, would the qualified professionals and their children drink the water that came out of the clean end of the treatment plant?

- Jeff Taylor** ➤ If he was to drink the water he would design a system that would meet drinking water standards and, yes, he would drink the water.
- David Mitchell** ➤ Has swam in Shawnigan Lake for years noting he can smell the gasoline from motorboats in the water and if he knew he could treat his own water he would do that and also drink the water.
- Sheila Brenton** ➤ 3215 Cobble Hill Road
➤ If the application is approved do they have the intention of running the operation until he dies or do they plan on selling in the future and asked if it is sold who then takes on the responsibility.
- Marty Block** ➤ Has no intention of selling.
- Sheila Brenton** ➤ If they do sell in the future and somebody else takes over the 50-year plan, who would then be responsible if there was a mess left by SIA?
- Marty Block** ➤ Would assume the new owner would be responsible.
- Sheila Brenton** ➤ Wants a guarantee that they never brought contaminants onto that property.
- Marty Block** ➤ Yes, contaminants have been on the property.
- Sheila Brenton** ➤ Wants a guarantee as her life is on the line as she drinks the water that there would be no more slip-ups or mistakes.
- Marty Block** ➤ It was a good thing they caught that slip-up as it has been dealt with.
- Speaker** ➤ Other than the general public who else has input into MoE on the application?
- Hubert Bunce** ➤ First Nations and other Government Agencies along with the general public all have input into the application. Public Notice was also placed within a local newspaper for notification.
- Speaker** ➤ Thanked the CVRD for holding the meeting, Ministry officials for attending, SIA and their engineers for their information provided and the people who showed up at the meeting, as without them there would be no voice heard.
➤ The reason they are not dumping in the CRD is because they do not let them and does not understand how the CVRD does not have the same option to say no dumping near drinking water.
- Chair Hutchins** ➤ There are only two jurisdictions in British Columbia that have managed to protect the complete watershed and one is the Capital Regional District and the other is the Greater Vancouver Regional District.
➤ In his hometown of Ladysmith the vast majority of their watershed is located on private land and their second smaller watershed has been purchased by the Town of Ladysmith and CVRD.
- Graham Ross-Smith** ➤ 2410 Barton Road, Shawnigan Lake
➤ The facility is being built to withstand a 7.2 magnitude earthquake and asked if an 8.0 magnitude earthquake occurred what is their best guess of what the impact will be on the water quality for Shawnigan Lake?
- Jeff Taylor** ➤ Hypothetical question that was difficult to predict.

- It would depend on the status of the facility and one benefit of having interlocking cells it contains multiple layers that are tied together to form a strong structure.
- If there was a massive earthquake what is in the ground is earthworks and solid waste and it would only go as far as gravity would take it.

PUBLIC COMMENTS

Chair Hutchins asked for public comments.

Chief Michael Harry, Malahat First Nation

- 1113 Jesken Road, Mill Bay
- Thanked the CVRD for hosting the meeting and people who attended.
- The position they have developed over the past 6-7 weeks of consultation is that they have come to the conclusion that Malahat First Nation will support the application 100 percent in moving forward.
- They are in the Treaty process with some of the lands adjacent to the SIA property and have had a working relationship for approximately 6 years with SIA and they have never had any issues with Michael Kelly or Marty Block during that time and they have committed to everything they have stated. They are committed to also working together with SIA in moving forward.

Georgia Collins

- Shawnigan Lake
- Personally uses the water which seems to be the main issue at the meeting.
- Appreciates Mr. Bunce's comments with regard to MoE's land use planning but would like the decision making authority passed over to the CVRD.
- Encourages the CVRD and all Shawnigan Lake Watershed stakeholders to really take responsibility for the water.
- There is risk attached to every development and it is up to them to consider the outcome.
- Invited everyone to explore the watershed with her and Area Director Bruce Fraser as they were touring the watershed to discuss some of the critical points of it and to also get active participation on a regular basis so they can make informed decisions about it.

Lori Trelor

- 1886 Flicker Road
- Shawnigan is often accused of being anti development but is not necessarily the case. There is a development in the village that the community wants to have happen but due to MoE it is being stalled due to the fact there was a village dump on that site 50-60 years ago and it is not considered a contaminated site. Concerned about the same situation occurring on the subject property in 50-60 years.
- They are being asked to think and plan forward and stated everyone should be doing their utmost to protect Shawnigan Lake as she would also like to see more residential lands in the future.

Gary Horwood

- President of Shawnigan Lake Residents Association
- Appreciates and respects MoE for telling everyone there is a process that is based on facts, science and compelling evidence when the decision will be made in the Nanaimo office. Understands the process in place but advised it is not simply just a process; it is an issue of right and wrong. It is a moral, ethical issue that affects the very essence of the people who live in the area.
- Shawnigan Lake Residents Association will do everything in their power to supply them with compelling, professional evidence to that position but

noted that it is also a political decision.

- They are smart, educated and passionate people who will not accept this type of development in their drinking watershed.

Marion Watson

- Thanked Marty Block for being honest about the issues they have had and that a professional should be protecting them.
- Her concern is that it has been demonstrated at the meeting that there are professionals that are not interested in their accreditation they were interested in the money.
- By only watching the trucks with soil is not going to protect her community.
- There are lots of dirty dirt sites and it is about the money and somebody needs to watch the exchange of money and asked who will protect them.
- How does the system work as it seems to have failed them already?
- Stop watching the trucks and start watching the money.

**Dr. Mackenzie
Brooks**

- 770 Shawnigan Lake Road
- Thanked the CVRD and the community to have the opportunity to come together and have a voice.
- Looks forward to hearing back from the engineers with a list of previous facilities they have built similar to this and the length and time they have been in practice so they can assess the reliability they have brought to the meeting.
- Also looking forward to hearing back from MoE about sites such as Evans where permits have been provided and showing the compliance that exist so then they will know there is credibility and trustworthiness.
- People in the area are the ones who have to live with the water in the next generation.
- Supports the CVRD taking charge of all the water.
- What part of the word "no" do they not understand, it is not whether it is safe, it does not belong there and the people have the responsibility to treat the water as precious.
- Intelligent people want to protect the water, forest and fish for the people who are going to live in the area.

Nikki

- 2739 West Shawnigan Lake Road
- Has spent her summers in Shawnigan Lake her whole life and saw all the signs on the side of the roads so she decided to visit the website to see what was happening.
- Two sides to every story and she did her research to understand the issues. Found two things, people in the Shawnigan Creek protection area are concerned that the future generation needs to be considered and that everyone seems to have been caught up in the issue forgetting the science and facts behind the application and decided that it was just dumping contaminated soil directly into their drinking water.
- She has been an environmental student for the past 5 years and as a member of the next generation she felt it was her responsibility to speak up.
- There are a lot of issues in this world, the country and community that generations have to make a decision about and the future generations are forced to live with them and stated that she felt not a very good job has been done.
- Recent studies in Shawnigan Lake have shown human waste and septic field seepage. Due to the residents in Shawnigan the water is already not as clean as it should be and agrees that she too does not want to see contaminated soil leaking into it as well.
- When people have contaminated soil and a watershed it becomes

understood as a giant problem. The way she sees it is quite the opposite. SIA's proposed application is the solution as it provides a safe, modern facility for the soil to be treated and buried. What happens if the soil is denied as there will still be contaminated soil in the area and it will still require a place to go. An unprotected site leaves leachate runoff extremely high and agreed that it would be great if there was some other site far away from people that it could be taken to, but presently there is not.

- The SIA quarry is the ideal location. She understands the proximity to the watershed and feels that SIA has taken every precaution with regular testing areas for managing and treating soil, trenches and catch basins for leachate control and water monitoring to ensure there would be no harm to the community or the environment.
- Wants to see a rational decision made and noted there is no perfect solution for contaminated soil and SIA's reclamation plant is as good as it is going to get.
- She is going to have to live in the future with the decisions that are made today and hopes that someday she and her children will be able to swim in Shawnigan Lake.
- Supports SIA's application.

Sierra Courtemanehe

- Educational process and things need to change.
- Contaminated soils are being created by gas stations, heating oil and dry cleaning and when the universities and educational systems are created there needs to be critical thinkers and an agenda is required along with MoE focussing on sustainable energy.
- Could keep silent and leave it to the professionals but noted that everyone should be involved and worthy of being a human and being listened to.
- Time to focus on sustainable energy.

Cliff Evans

- 3109 Filgate Road
- Against the application and project and does not think we should be gambling with water.
- A few years ago the CVRD decided to send its garbage to Cache Creek because it was a safe lined site but he saw a video that showed the landfill liner was now leaking and polluting in the Fraser and Thompson Rivers which is also some people's drinking water.
- Did some research on liners and discovered in the U.S.A. the minimum specification for a polyethylene liner is 60 mil and in Shawnigan Lake they were only putting in a 40 mil liner.
- If it ever goes broke it will end up in the bank's hands and it will pollute the Lake.
- Does not support the proposal.

Brian Martin

- 5120 Wild View
- His location is in Saanich and lives approximately 1 km from the Hartland Dump and has raised his children in the Prospect Lake Watershed for 35 years and they drink the well water. They also about Killarney Lake in the CRD which is located right beside the Hartland site and they all get along with it. There is no impact on his property, his neighbours or the Prospect Lake Watershed from it and stated that his assessment and taxes have gone up substantially over the last few years.
- SIA application has a safer degree of checks and balances than the Hartland Landfill.

John Hayes

- Thanked the CVRD for organizing the Public Meeting.
- Owns Prince Island which is located in the middle of the Lake.
- Swims, drinks the water, showers in it and fishes in the Lake and is attending the meeting to defend every aspect of the Lake.
- Everyone has operated in good faith along with the engineers, government officials and SIA.
- All the property owners around the Lake are stakeholders.
- His conscience tells him if there are 2,000 contaminated sites on Vancouver Island why not dump the contaminated waste in one of those sites and not disturb what is now a beautiful, pristine environment.
- Has MoE recently approved a proposal like the subject application outside of a populated watershed?

Hubert Bunce

- Not in the West Coast region that he looks after and could not answer if it has occurred in other regions of the Province.

John Hayes

- Has he approved any projects like this on the Island?

Hubert Bunce

- Personally knows the Evans property and the Pigeon Lake Landfill property in Comox that has an authorized issue and is somewhat similar.

John Hayes

- No matter how qualified the engineers are they have all seen what has happened in the past as they design and build a nuclear plant and what happened there. He was not questioning their integrity or honesty but noted that they are also humans and make mistakes too and people who are going to operate the facility are also human and will make mistakes too and those are mistakes we cannot afford.
- Opposed to the application.

ADJOURNMENT

Chair Hutchins thanked, on behalf of the CVRD Board of Directors, the public who attended the Public Meeting, the Staff at Kerry Park Recreation Centre, and representatives of the Ministries along with SIA for their willingness to be a part of the process.

To be part of the CVRD's submission to the MoE the deadline for submissions to be received at the CVRD office is 4:30 p.m., Thursday, July 19, 2012. After July 19th submissions should be sent directly to Hubert Bunce at the Ministry of Environment.

The Public Meeting closed at 11:21 p.m.



July 19, 2012

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

ATTENTION: General Manager, Planning and Development

REFERENCE: Application for Authorization to Discharge Waste
640 Stebbings Road, Shawnigan Lake, BC

This letter is provided on behalf of South Island Aggregates (SIA), and pertains to their application made to the BC Ministry of Environment for an Authorization to Discharge Waste at 640 Stebbings Road in South Shawnigan Lake. A parallel application is being made to the BC Ministry of Energy and Mines to amend SIA's existing mining permit.

The applications are being made to allow for waste-level, contaminated soil to be used for the reclamation of the existing aggregate mine. The soil will be used to backfill the quarry and will be contained on the Site within engineered cells. Provisions for monitoring surface water, groundwater and air quality are all included as part of the application. Technical information and details of the application are provided on the following website: www.sialtd.com.

The application was made in January 2012 and includes a public consultation process that was initiated in May 2012. The public consultation process has been extended beyond the 30 day minimum and is currently on-going. This letter is to ensure that your organization is aware of the application, has received all necessary information pertaining to the application, and has had an opportunity to provide feedback regarding the application. Further technical details will be provided upon request to:

Active Earth Engineering
4083 Shelbourne Street
Victoria, BC V8N 5Y1
Email: feedback@activeearth.ca

Yours truly,

ACTIVE EARTH ENGINEERING LTD.

A handwritten signature in black ink, appearing to read "Matt Pye", is written over a horizontal line.

Matt Pye, P.Eng.
Principal

CC: Engineering and Environmental Services Department

Langley
Vancouver
Victoria

Mailing Address:
4083 Shelbourne Street
Victoria, BC V8N 5Y1

Telephone: 250-686-9850
Facsimile: 778-430-5475
Website: www.activeearth.ca



C·V·R·D

June 18, 2012



Mr. L. LaChance
Senior Environmental Protection Officer
Ministry of Environment
West Coast Region
2080A Labieux Road
NANAIMO BC V9T 6J9

via email: luc.lachance@gov.bc.ca

Dear Sir:

**Re: South Island Aggregates Waste Discharge Permit Application
460 Stebbings Road, Shawnigan Lake**

I am writing on behalf the Board of the Cowichan Valley Regional District (CVRD) to advise that at its meeting of June 13, 2012, the Board resolved:

"That the CVRD Board requests a moratorium be placed on consideration of the South Island Aggregate (SIA) application or any other similar applications made within the Cowichan Valley Regional District to the Ministry of Environment and that the public consultation process on the SIA application be extended to November 30, 2012; and further

That the CVRD take the initiative to convene a public meeting at its earliest convenience in collaboration with the Ministry of Environment and inviting representatives of SIA, the Ministry of Environment and the Ministry of Energy and Mines to participate; and finally

That a record of the public questions asked, answers given and comments made be prepared and provided to the Statutory Decision Maker of the Ministry of Environment as part of the public submissions regarding the proposed quarry reclamation."

The South Island Aggregate (SIA) Waste Discharge Permit Application continues to receive a great deal of attention in the CVRD particularly in the Shawnigan Lake area. The Board has heard clearly from the community that more opportunities for engagement in the permit application process are necessary. In general, people feel that they have not been heard and their questions and concerns have not been adequately addressed.

In its resolution the CVRD Board directs staff, in collaboration with the Ministry of Environment, to convene a public meeting as soon as possible to provide an additional opportunity for public input into the SIA application. The Board proposes that the public meeting be held on July 12 2012 from 6:00 pm to 10:00 pm at the Kerry Park Arena. There are many meeting arrangements that need to be made so with respect it would be very much appreciated if you could let me know by Wednesday, June 20, 2012 if this date works for the Ministry of Environment and if the Ministry wishes to work with the CVRD on the meeting arrangements or if the Ministry would prefer to be a participant/invitee. To ensure a good exchange of information it is essential that both the Ministry and SIA are able to participate in the meeting.

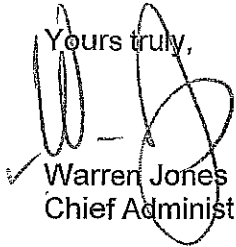
.../2.

June 18, 2012
Mr. L. LaChance

Page 2

Thank you very much for your attention to this matter. I may be contacted at 250.746.2510.

Yours truly,



Warren Jones
Chief Administrative Officer

WJ/ann

pc: J. Hofweber, Executive Director, Environmental Management Branch, Ministry of Environment
(jim.hofweber@gov.bc.ca)
A. McCammon, Manager, Remediation Assurance & Brownfields, Ministry of Environment
(allan.mccammon@gov.bc.ca)
SIA c/o: Active Earth Engineering (feedback@activeearth.ca)
Board of Directors

File: ADMINISTRATOR/Correspondence/Ministries/to MOE SIA Permit Application Public Meeting June 14 2012



June 26, 2012

File: PR-105809

Mr. Warren Jones
Chief Administrative Officer
Cowichan Valley Regional District
175 Ingram Street
Duncan BC V9L 1N8

Dear Mr. Jones:

Re: South Island Aggregates Application for an Authorization to Discharge Waste

We acknowledge receipt of your letter dated June 18, 2012 sent on behalf of the Board of the Cowichan Valley Regional District (CVRD) requesting an extension of the Public Consultation period until November 30, 2012.

Even though the Public Consultation process was initiated on May 10, 2012, South Island Aggregate (SIA) application is still under consideration as of today, June 26, 2012. Additionally, the request made by Dr. Bruce Fraser, Director of electoral Area B of the CVRD, to hold a public meeting on the SIA application following the proponent's Open House of May 31, 2012 has effectively extended the Public Consultation period as the outcomes of that meeting will have to be included in the Consultation Report.

Considering the above information and the fact that the latest draft Technical Assessment Report is not yet available for review, it is very likely that the consultation period will remain open for some time yet.

In regards to the CVRD Board request for a moratorium on the SIA application, the Ministry of Environment (MoE) has no legal authority to place a moratorium on applications and has a legal obligation to consider the application from SIA.

.../2

Ministry of
Environment

West Coast Region
Environmental Protection Division

Mailing Address:
2080A Labieux Rd
Nanaimo BC V9T 6J9

Telephone: 250 751-3100
Facsimile: 250 751-3103
Website: www.gov.bc.ca/env

Mr. Warren Jones
Chief Administrative Officer
Cowichan Valley Regional District

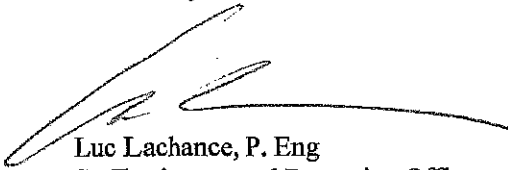
- 2 -

June 26, 2012

MoE will continue to consider requests received from stakeholders, and seek further clarification as needed to ensure the concerns can be addressed through the application process that is currently underway.

Please do not hesitate to contact me as needed at 250 751-7245.

Yours truly,



Luc Lachance, P. Eng
Sr. Environmental Protection Officer
Ministry of Environment

cc: Mr. Jim Hofweber, Executive Director, Environmental Management Branch,
Ministry of Environment (Jim.Hofweber@gov.bc.ca)
Mr. Alan McCammon, Manager, Remediation Assurance & Brownfields,
Ministry of Environment (Alan.Mccammon@gov.bc.ca)
Marty Block, Manager, SIA (marty.sia@shaw.ca)



**ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT
OF MEETING HELD JULY 25, 2012**

DATE: July 26, 2012

To: Chair and Directors of the Cowichan Valley Regional District

Your Engineering & Environmental Services Committee reports and recommends as follows:

1. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of a Water System Service Area and authorizing the borrowing of up to \$50,000.00, be received.
- .2 That Service Establishment and Loan Authorization bylaws for the Woodley Range Water System Service Area be prepared and forwarded to the CVRD Board for consideration of three readings, and, following provincial approval, adoption.
- .3 That, following adoption of the Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Management Bylaw be prepared for the Woodley Range Water System, and that these bylaws be forwarded to the Board for consideration of three readings and adoption.
2. .1 That first stage approval and authorization of staff time be provided to investigate the takeover of the Fairbridge Water System, located in Electoral Area E, as requested by Doug McPhee, operator of the Fairbridge Strata Water Utility, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands with infrastructure works are to be transferred to the CVRD, or, if not possible be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owner;
 - A CVRD review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of the utility be willing to transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
 - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed; and further

- .2 That an assessment of the system be carried out, funded to a maximum cost of \$15,000 from the CVRD Feasibility Study Function and repaid upon establishment of a CVRD function for this water system.
 - .3 That, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.
3. .1 That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Lanes Road Drainage service area be received.
 - .2 That "CVRD Bylaw No. 3078 – Lanes Road Drainage System Service Establishment Bylaw, 2008", be amended to include "PID 001-098-241, Lot 3, Section 4, Range 6, Plan 32129, Cowichan District".
 - .3 That the amended bylaw be forwarded to the Board for consideration of 3 readings and adoption.
4. .1 That a bylaw be prepared to amend "CVRD Bylaw No. 2137 – Electoral Area A - Mill Bay/Malahat Critical Location Street Lighting Service Establishment Bylaw, 2001", to increase the maximum requisition limit from \$2,000 to \$5,000.
 - .2 That the amendment bylaw be forwarded to the Board for consideration of three readings and, following provincial and voter approval, adoption.
 - .3 That voter approval for adoption of the amendment bylaw be obtained through an Alternative Approval Process.
5. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of a Water System Service Area and authorizing the borrowing of up to \$85,000.00, be received.
 2. That Service Establishment and Loan Authorization bylaws for the Shellwood Water System Service Area be prepared and forwarded to the CVRD Board for consideration of three readings and, following provincial approval, adoption.
 3. That, following adoption of the Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Management Bylaw be prepared for the Shellwood Water System, and that these bylaws forwarded to the Board for consideration of three readings and adoption.
6. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of a Water System Service Area and authorizing the borrowing of up to \$50,000.00, be received.
 2. That Service Establishment and Loan Authorization bylaws for the Carlton Water System Service Area be prepared and forwarded to the Board for consideration of three readings and, following provincial approval, adoption.
 3. That, following adoption of the Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Management Bylaw be prepared for the Carlton Water System, and that these bylaws forwarded to the Board for consideration of three readings and adoption.
7. That the CVRD apply a Water Conservation Fee of \$10,000 per connection to properties requesting inclusion into the Shawnigan Lake North Water System Service Area, lying within the Village Containment Area in the South Cowichan Official Community Plan, for the purpose of continued funding of the *Water Conservation, Metering and Backflow Prevention Program*.



**ISLAND SAVINGS CENTRE COMMISSION
REPORT**

OF MEETING HELD JULY 12, 2012

DATE: July 17, 2012

To: Cowichan Valley Regional District Board

Your Island Savings Centre Commission reports and recommends as follows:

1. That the CVRD Board enter a 5 year License of Occupation for parking areas at the Island Savings Centre with the District of North Cowichan and the City of Duncan, beginning July 1, 2012 and ending June 30, 2017 at a fee of \$1 per year;

And further, that the CVRD Board Chair and Corporate Secretary be authorized to sign the License of Occupation.



SR1

STAFF REPORT

REGULAR BOARD MEETING
of August 1, 2012

DATE: July 18, 2012 FILE NO: 1-F-11RS
FROM: Rachelle Rondeau, MCIP, Planner I BYLAW NO: 3595 & 3596
Planning & Development Department
SUBJECT: Rezoning Application 1-F-11RS (All Sports Lands Ltd.)

Recommendation/Action:

For information.

Relation to the Corporate Strategic Plan: N/a

Financial Impact: (Reviewed by Finance Division: N/A)

Background:

At its meeting of July 11, 2012, the Regional Board received Public Hearing Minutes for proposed amendment Bylaws No. 3595 and 3596. Although the two bylaws were listed on the agenda for consideration of third reading, the following resolution was passed instead:

"That "CVRD Bylaw No. 3595 – Electoral Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (All Sports Lands Ltd., 2012", and "CVRD Bylaw No. 3596 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (All Sports Lands Ltd.) 2012", be referred back to staff; and that staff be directed to provide recommendations on changes to amendment Bylaw No. 3596 to clarify that the slaughter and processing of animals is not a permitted use in the proposed C5 Zone; and that staff be directed to clarify and provide recommendations on whether a marshaling yard would be permitted as an office use."

For the Board's reference, the purpose of Amendment Bylaws No. 3595 and 3596 is to expand the permitted uses to allow a variety of new commercial uses as well as the currently permitted neighbourhood pub and single family dwelling on Lot 14, Section 34, Renfrew District, (Situate in Cowichan Lake District), Plan 40628. The new uses proposed in the C-5 Rural Village Commercial Zone are: bed and breakfast, bus depot, business or commercial private school, convenience store, food processing excluding fish processing and abattoir, hostel, hotel, motel, laundromat, nursery including outdoor storage, office, pub, restaurant, catering, and retail sales.

In regards to the requested clarification regarding food processing and whether the slaughter and processing of animals is excluded as a permitted use in the proposed C5 Zone, staff have drafted language noted below for the Board's consideration. This would clarify that an abattoir and the primary processing of meat products is not permitted in the proposed C-5 Zone.

As noted above, an abattoir is excluded as a permitted use, and the following definition could be added to amendment Bylaw No. 3596 which defines slaughter and primary processing of animal carcasses as an abattoir use (which is not permitted in the Zone).

The definition of abattoir could read:

means the use of land, buildings or structures for the slaughter of livestock, animals, fish, poultry and other fowl and the preliminary processing of animal carcasses.

Potential Recommendations:

If the Board wishes to add a definition of abattoir to amendment Bylaw No. 3596, the following motion would be appropriate during consideration of Third Reading:

"That "CVRD Bylaw No. 3596 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (All Sports Lands Ltd., 2012", be granted 3rd reading as amended by adding the following that would amend Section 1. 3 – Definitions of Bylaw No. 2600:

"Abattoir" means the use of land, buildings or structures for the slaughter of livestock, animals, fish, poultry and other fowl and the preliminary processing of animal carcasses."

In addition, to clearly clarify that abattoir is NOT a permitted use, the following motion would also be timely:

"That "CVRD Bylaw No. 3596 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (All Sports Lands Ltd.) 2012", be granted 3rd reading as amended by deleting the comma after the words "fish processing" in Section 5.19 (1)(e)".

With regards to a marshalling yard being considered an office use, the current definition of office in Zoning Bylaw No. 2600 is:

Means the occupancy or use of a building for the purpose of carrying out business or professional activities, but specifically excludes retail activities and personal service use.

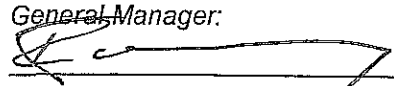
Staff are of the opinion that a forestry-related office would be permitted with adoption of the Amendment Bylaws and this could involve the assembling of employees for transportation to work sites. However, a storage compound for heavy trucks and equipment would not be permitted. At the Board's direction, staff could initiate a Bylaw Amendment to the office definition that would specifically exclude marshalling yards as an associated office use. This could occur at the time when other "housekeeping" amendments are being considered.

Submitted by,



Rachelle Rondeau, MCIP,
Planner I, Development Services Division
Planning and Development Department

RR/jah

<p>Reviewed by: Division Manager:</p> <hr/> <p>Approved by: General Manager:</p> 



SR2

STAFF REPORT

REGULAR BOARD MEETING
of August 1, 2012

DATE: July 24, 2012 FILE NO: 1-A-11TUP
FROM: Dana Leitch, MCIP, Planner II BYLAW NO: 2000 & 3510
Planning & Development Department
SUBJECT: Temporary Use Permit Application 1-A-11TUP (Malahat Holdings Ltd.)

Recommendation/Action:

That the Cowichan Valley Regional District Board issue a Temporary Use Permit to Malahat Holdings Ltd. to allow rock processing on 8.0 ha of District Lot 72, Malahat District Except Those Parts in Plans 518W and 49974 and VIP 86314 for a period of three years in accordance with Section 921 of the *Local Government Act*.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: N/A)

Background:

At its meeting of June 13, 2012, the Regional Board passed the following resolution:

“That the Cowichan Valley Regional District Board intends to issue a temporary use permit to Malahat Holdings (Application No. 1-A-11TUP) to allow rock processing on 8.0 ha of District Lot 72, Malahat District Except Those Parts in Plans 518W and 49974 and VIP86314 for a period of three years in accordance with Section 921 of the *Local Government Act*.”

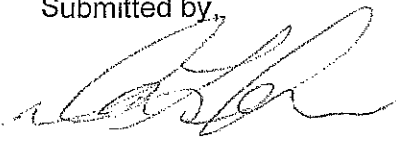
Temporary Use Permit Application 1-A-11TUP was presented to the Electoral Area Services Committee at their April 3, 2012 meeting and the Regional Board at their April 11, 2012 meeting, and a public meeting was held on this application on April 26, 2012. The public meeting minutes were provided to the Electoral Area Services Committee at their meeting on June 5, 2012. Public Notification is required before the CVRD Board can pass a resolution issuing the Temporary Use Permit.

A public notification process has been initiated. To date, we have received no correspondence from the public with respect to the proposed Temporary Use Permit Application. A final check for correspondence will be made the afternoon of the Board meeting on August 1st, and if any correspondence is received, these will be passed on to the Board that evening.

Summary:

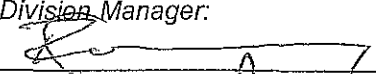
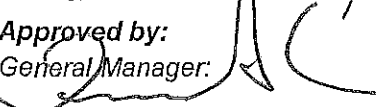
Temporary Use Permit Application is on the August 1, 2012 Board agenda for consideration. Should the Board wish to authorize issuance of the permit, a resolution is required, as suggested.

Submitted by,



Dana Leitch, MCIP,
Planner II, Development Services Division
Planning and Development Department

DL/jah

Reviewed by: Division Manager: 
Approved by: General Manager: 



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

TEMPORARY USE PERMIT

NO: 1-A-11TUP

DATE: _____

TO: Malahat Holdings Ltd (Mark Wyatt)

ADDRESS: PO BOX 246

Mill Bay, BC, V0R 2P0

1. This Temporary Use Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Use Permit applies to and only to those lands within the Regional District described below (legal description):

District Lot 72, Malahat District, Except Those Parts In Plans 518RW And 49974 And VIP86314 (PID: 009-359-320)
3. Authorization is hereby given for the use of the subject property for rock processing in accordance with the conditions listed in Section 4, below.
4. The use shall be carried out subject to the following conditions:
 - No operations will take place outside of the designated Temporary Use Permit Area which is limited to 8.0 ha of the subject property as shown in attached Schedule A;
 - The hours of operation will be limited to Monday through Friday from 9:00am to 5:00pm with no quarry operations occurring on Saturdays or Sundays;
 - No permanent buildings or structures associated with the mining or processing are permitted onsite;
 - The existing access to the site from the Trans Canada Highway will be gated and locked when the site is not being utilized;
 - When the quarry operation is complete, the area occupied by the rock quarry will be covered with clean fill and seeded with grass;
 - The onsite storage of explosives, fuels, lubricants or other dangerous or hazardous materials is prohibited;
 - Water will be sprayed regularly to minimize the impacts of dust on access roads;
 - Compliance with FireSmart Principles is required including regular wetting down of surrounding trees, brush and ground cover during high to extreme fire season as determined by the Coastal Fire Centre; and
 - The existing (approx 500m by 200m) vegetated buffer along the western boundary of the property along the Trans Canada Highway must be retained as shown in Schedule B.
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
6. The following Schedule is attached:
 - Schedule A – Designated Temporary Use Permit Area
 - Schedule B – Vegetated Buffer Area
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning and Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE _____ DAY OF _____, 2012.

Tom Anderson, MCIP
General Manager, Planning and Development

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any rock processing within 3 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Temporary Use Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with MALAHAT HOLDINGS LTD. INC., other than those contained in this Permit.

Signature

Witness

Owner/Agent

Occupation

Date

Date

18.0 ha Designated Temporary Use Permit Area

Image © 2012 INTCAN
© 2012 Google

48°37'23.50" N 123°32'32.07" W elev. 373 ft



Schedule A

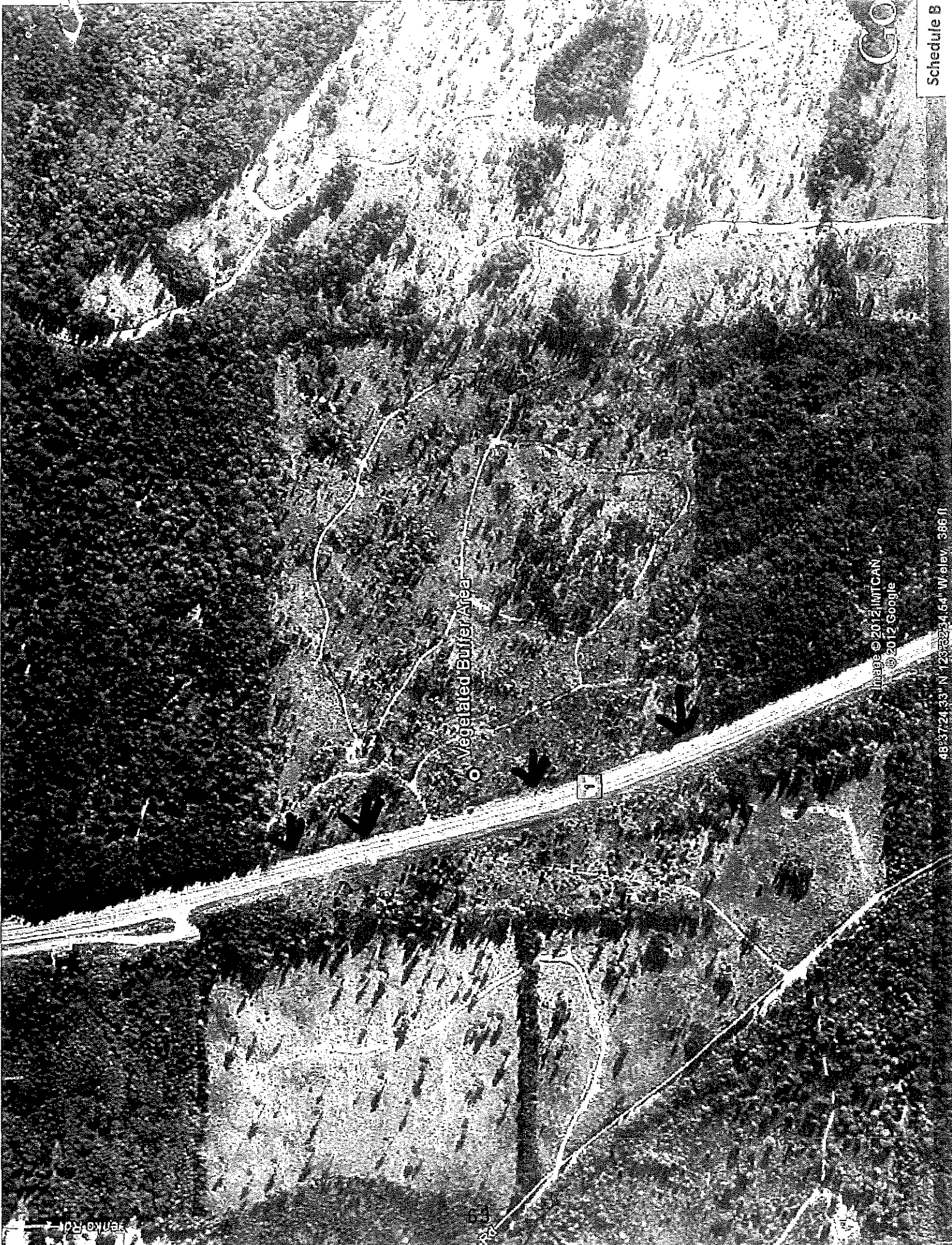


Image © 2012, IMTCAN
© 2012 Google

48° 37' 24.33" N, 123° 38' 14.64" W, elev. 386 ft

GO

Schedule B

Sehko Rd

SEHKO RD

SEHKO RD



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3617

A Bylaw Authorizing the Expenditure of Funds from the
Lambourn Estates Water System Capital Reserve Fund,
 Established Pursuant to CVRD Bylaw No. 3093

WHEREAS as of June 30, 2012 there is an unappropriated balance in *Lambourn Estates Water System Capital Reserve Fund* of Fifteen Thousand Four Hundred Seventy Four Dollars (\$15,474.) that has been calculated as follows:

BALANCE in Reserve Fund as at December 31, 2011:	\$15,387.
ADD: Additions to the Fund, including interest earned for the current year to date.	\$ 87.
	\$15,474.
DEDUCT: Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE in Reserve Fund as at June 30, 2012:	<u>\$15,474.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Fifteen Thousand Dollars (\$15,000.) of the said balance for the purpose of financing upgrades to the Lambourn Estates water reservoir and water treatment system;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3617 – Lambourn Estates Water System Capital Reserve Fund Expenditure (Reservoir and Water Treatment System Upgrades) Bylaw, 2012**".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Fifteen Thousand Dollars (\$15,000.) is hereby appropriated from the *Lambourn Estates Water System Capital Reserve Fund* for the purpose of financing upgrades to the Lambourn Estates water reservoir and water treatment system.
- b) The expenditures to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 12-_____ adopted August 1, 2012.

3. SUMS REMAINING

Should any of the said sum of Fifteen Thousand Dollars (\$15,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

READ A FIRST TIME this _____ day of _____, 2012.
 READ A SECOND TIME this _____ day of _____, 2012.
 READ A THIRD TIME this _____ day of _____, 2012.
 ADOPTED this _____ day of _____, 2012.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3618

**A Bylaw Authorizing the Expenditure of Funds from the
Kerry Park Recreation Centre Reserve Fund,
Established Pursuant to CVRD Bylaw No. 351**

WHEREAS as of June 30, 2012 there is an unappropriated balance in the *Kerry Park Recreation Centre Reserve Fund* of Three Hundred Fifty One Thousand Seven Hundred Sixteen Dollars (\$351,716.) that has been calculated as follows:

BALANCE in Reserve Fund as at December 31, 2011:	\$382,667.
ADD: Additions to the Fund, including interest earned for the current year to date.	<u>\$ 2,049.</u>
	\$384,716.
DEDUCT: Commitments outstanding under bylaws previously adopted.	<u>\$ 33,000.</u>
UNCOMMITTED BALANCE in Reserve Fund as at June 30, 2012:	<u>\$351,716.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Fifty One Thousand Dollars (\$51,000.) of the said balance for the purpose of funding sewer system upgrades to the Kerry Park Recreation Centre;

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

1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3618 - Kerry Park Recreation Centre Reserve Fund Expenditure (Sewer System Upgrades) Bylaw, 2012".

.../2

2. SUM TO BE APPROPRIATED

2.1 An amount not exceeding the sum of Fifty One Thousand Dollars (\$51,000.) is hereby appropriated from the *Kerry Park Recreation Centre Reserve Fund* for the purpose of funding sewer system upgrades to the Kerry Park Recreation Centre.

2.2 The expenditure to be carried out by the funds hereby appropriated shall be more particularly specified and authorized by Board Resolution No. 12-_____ adopted August 1, 2012.

3. SUMS REMAINING

Should any of the said sum of Fifty One Thousand Dollars (\$51,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3616

A Bylaw to Establish a Water Service in a Portion of Electoral Area H – North Oyster/Diamond

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a water service in a portion of Electoral Area H – North Oyster/Diamond;

AND WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS pursuant to Section 797.4 of the *Local Government Act*, the Board of the Cowichan Valley Regional District has received a sufficient "*petition for services*";

AND WHEREAS the Director of Electoral Areas H – North Oyster/Diamond has consented, in writing, to the adoption of this bylaw and Bylaw No. 3623;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3616 – Woodley Range Water System Service Establishment Bylaw, 2012**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the provision, distribution and treatment of water.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area H – North Oyster/Diamond shown outlined in Schedule A of this bylaw. The service area shall be known as the "Woodley Range Water System Service Area".

.../2

4. PARTICIPATING AREA

Electoral Area H – North Oyster/Diamond is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll;
- (b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Thirty Two Thousand Dollars (\$32,000).

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

I hereby certify this to be a true and correct copy of Bylaw No. 3616 as given Third Reading on the _____ day of _____, 2012.

Corporate Secretary

Date

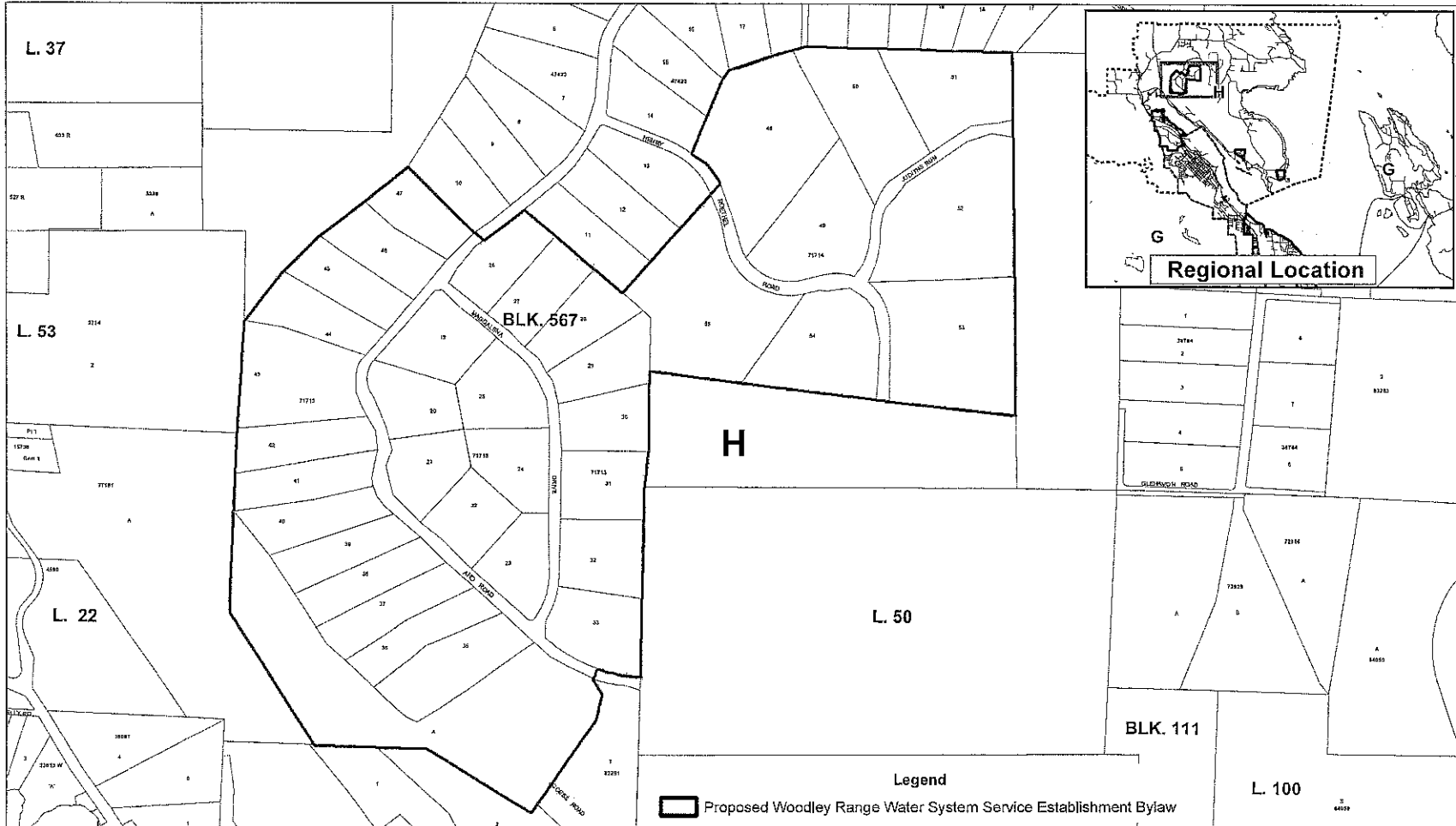
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2012.

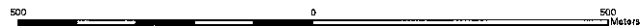
ADOPTED this _____ day of _____, 2012.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No.3616 - Woodley Range Water System
 Service Establishment Bylaw, 2012.



Adopted _____, 2012.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3623

A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the Woodley Range Water System to Municipal Standards

WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS the Board of the Cowichan Valley Regional District established a *Water System Service Area* pursuant to CVRD Bylaw No. 3616 cited as "CVRD Bylaw No. 3616 – Woodley Range Water System Service Establishment Bylaw, 2012", for the provision, distribution and treatment of water within a portion of Electoral Area H – North Oyster/Diamond;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to complete the capital work necessary to upgrade the Woodley Range Water System works to a municipal standard;

AND WHEREAS the estimated total cost of upgrading the works of the Woodley Range Water System is Four Hundred Twenty One Thousand Dollars (\$421,000);

AND WHEREAS the sum to be borrowed is not to exceed Fifty Thousand Dollars (\$50,000.), which is the amount of debt to be created by this bylaw;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which it is adopted;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors for this bylaw and Bylaw No. 3616 in accordance with the *Local Government Act* and *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3623 – Woodley Range Water System Service Loan Authorization Bylaw, 2012**".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to complete the capital work necessary to upgrade the Woodley Range Water System in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing:

- (a) to borrow upon the credit of the Regional District a sum not exceeding Fifty Thousand Dollars (\$50,000.);
- (b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the designing and constructing of the water works.

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 10 years.

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Woodley Range Water System Service Area* established pursuant to CVRD Bylaw No. 3616, cited as "CVRD Bylaw No. 3616 – Woodley Range Water System Service Establishment Bylaw, 2012".

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

I hereby certify this to be a true and correct copy of Bylaw No. 3623 as given Third Reading on the _____ day of _____, 2012.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

Chairperson

Corporate Secretary



C.V.R.D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3624

**A Bylaw to Establish a Water System Service in a Portion of
Electoral Area H – North Oyster/Diamond**

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a water system service in a portion of Electoral Area H – North Oyster/Diamond;

AND WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS pursuant to Section 797.4 of the *Local Government Act* the Board of the Cowichan Valley Regional District has received a sufficient "*petition for services*";

AND WHEREAS the Director of Electoral Area H – North Oyster/Diamond has consented, in writing, to the adoption of this bylaw and Bylaw No. 3625;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3624 – Shellwood Water System Service Establishment Bylaw, 2012**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the provision, distribution and treatment of water.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area H – North Oyster/Diamond shown outlined in Schedule A of this bylaw. The service area shall be known as the "Shellwood Water System Service Area".

.../2

4. PARTICIPATING AREA

Electoral Area H – North Oyster/Diamond is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll;
- (b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Twenty Four Thousand Five Hundred Dollars (\$24,500).

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

I hereby certify this to be a true and correct copy of Bylaw No. 3624 as given Third Reading on the _____ day of _____, 2012.

Corporate Secretary

Date

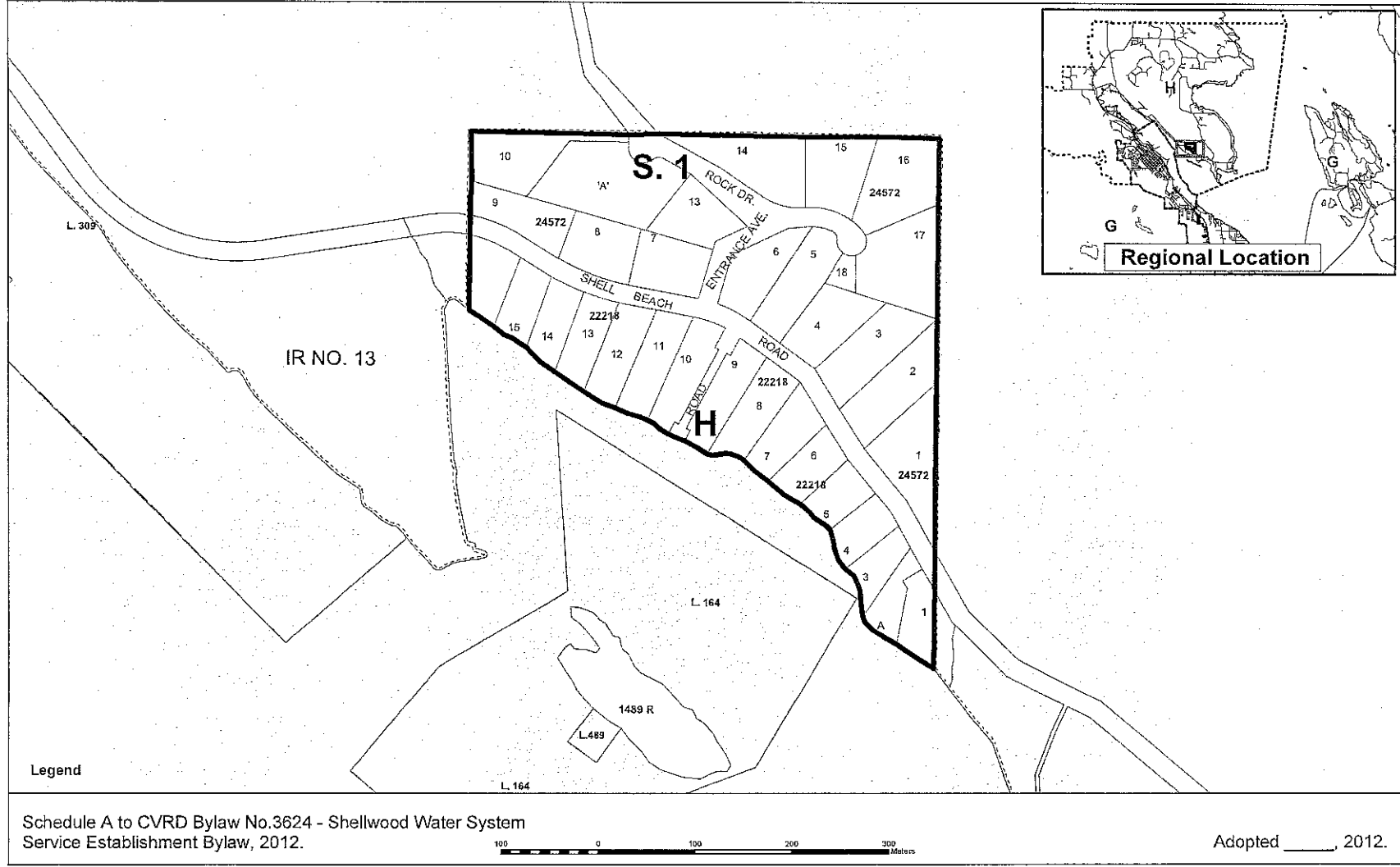
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2012.

ADOPTED this _____ day of _____, 2012.

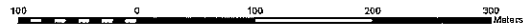
Chairperson

Corporate Secretary



Legend

Schedule A to CVRD Bylaw No.3624 - Shellwood Water System
Service Establishment Bylaw, 2012.



Adopted _____, 2012.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3625

A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the Shellwood Range Water System to Municipal Standards

WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS the Board of the Cowichan Valley Regional District established a *Water System Service Area* pursuant to CVRD Bylaw No. 3624 cited as "CVRD Bylaw No. 3624 – Shellwood Water System Service Establishment Bylaw, 2012", for the provision, distribution and treatment of water within a portion of Electoral Area H – North Oyster/Diamond;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to complete the capital work necessary to upgrade the Shellwood Water System works to a municipal standard;

AND WHEREAS the estimated total cost of upgrading the works of the Shellwood Water System is Four Hundred Thirty Six Thousand Dollars (\$436,000.);

AND WHEREAS the sum to be borrowed is not to exceed Eighty Five Thousand Dollars (\$85,000.), which is the amount of debt to be created by this bylaw;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which it is adopted;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors for this bylaw and Bylaw No. 3624 in accordance with the *Local Government Act* and *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3625 – Shellwood Water System Service Loan Authorization Bylaw, 2012**".

.../2



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3626

A Bylaw to Amend the Boundaries of the Lanes Road Drainage System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Lanes Road Drainage System Service Area* under the provisions of Bylaw No. 3078, cited as "CVRD Bylaw No. 3078 – Lanes Road Drainage System Service Establishment Bylaw, 2008";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to extend the boundaries of the service area to include the following property:

- PID 001-098-241, Lot 3, Section 4, Range 6, Cowichan District, Plan VIP32129;

AND WHEREAS the owner of the above noted property has petitioned the Regional District to have their property included in the service area;

AND WHEREAS the Director of Electoral Area D – Cowichan Bay, has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3626 – Lanes Road Drainage System Service Amendment Bylaw, 2012**".

2. **AMENDMENT**

That Bylaw No. 3078 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

READ A FIRST TIME this _____ day of _____, 2012.

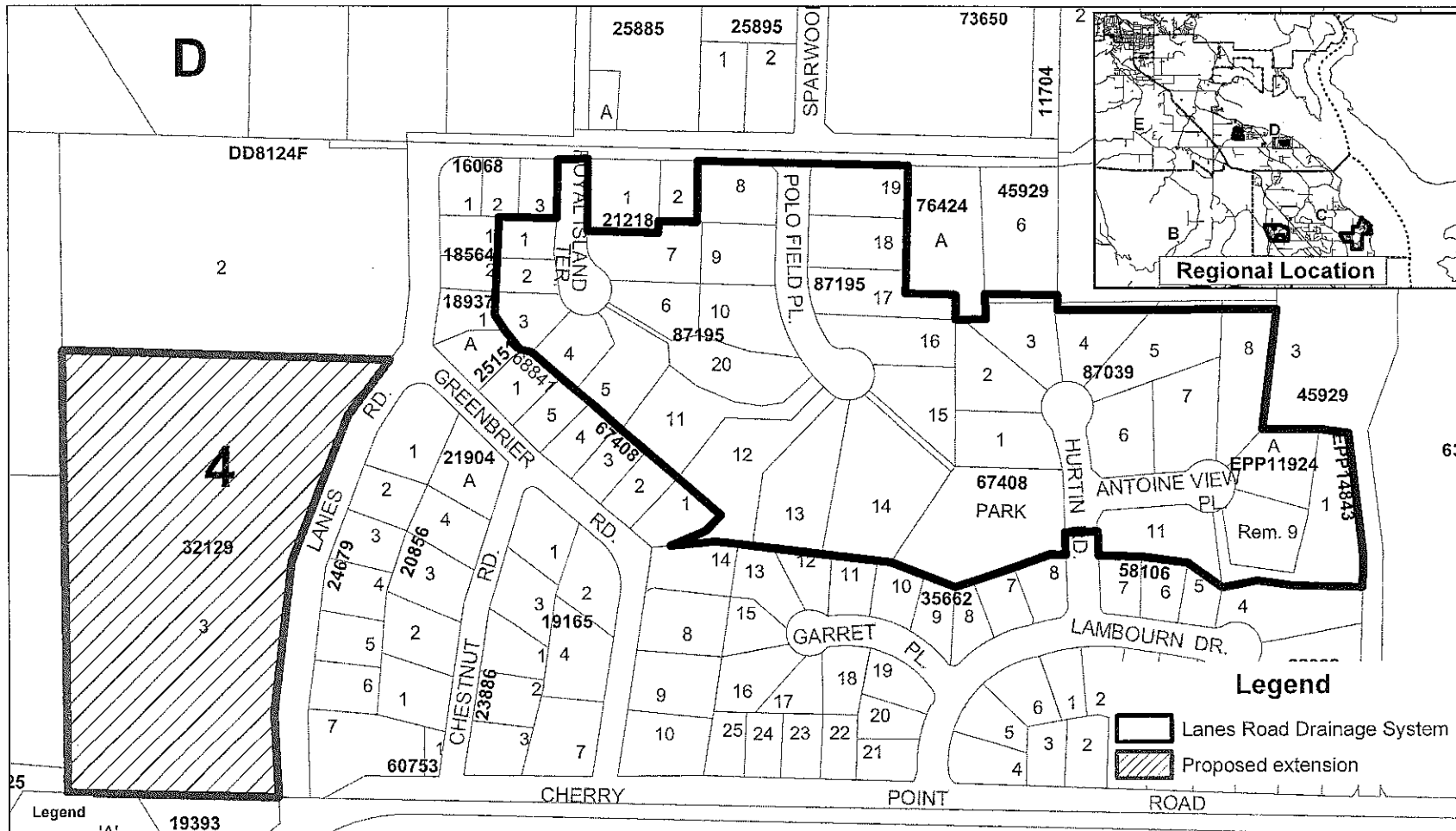
READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

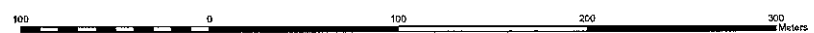
Chairperson

Corporate Secretary



Legend 'A' 19393

Schedule A to CVRD Bylaw No.3078 - Lanes Road Drainage System
Service Establishment Bylaw, 2008.
As amended by Bylaw No. 3626.



Adopted _____, 2012.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3627

**A Bylaw to Establish a Water System Service in a Portion of
Electoral Area B – Shawnigan Lake**

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a water system service in a portion of Electoral Area B – Shawnigan Lake;

AND WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS pursuant to Section 797.4 of the *Local Government Act* the Board of the Cowichan Valley Regional District has received a sufficient "*petition for services*";

AND WHEREAS the Director of Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw and Bylaw No. 3628;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3627 – Carlton Water System Service Establishment Bylaw, 2012**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the provision, distribution and treatment of water.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area B – Shawnigan Lake shown outlined in Schedule A of this bylaw. The service area shall be known as the "Carlton Water System Service Area".

.../2

4. PARTICIPATING AREA

Electoral Area B – Shawnigan Lake is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll;
- (b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Thirty Thousand Dollars (\$30,000).

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

I hereby certify this to be a true and correct copy of Bylaw No. 3627 as given Third Reading on the _____ day of _____, 2012.

Corporate Secretary

Date

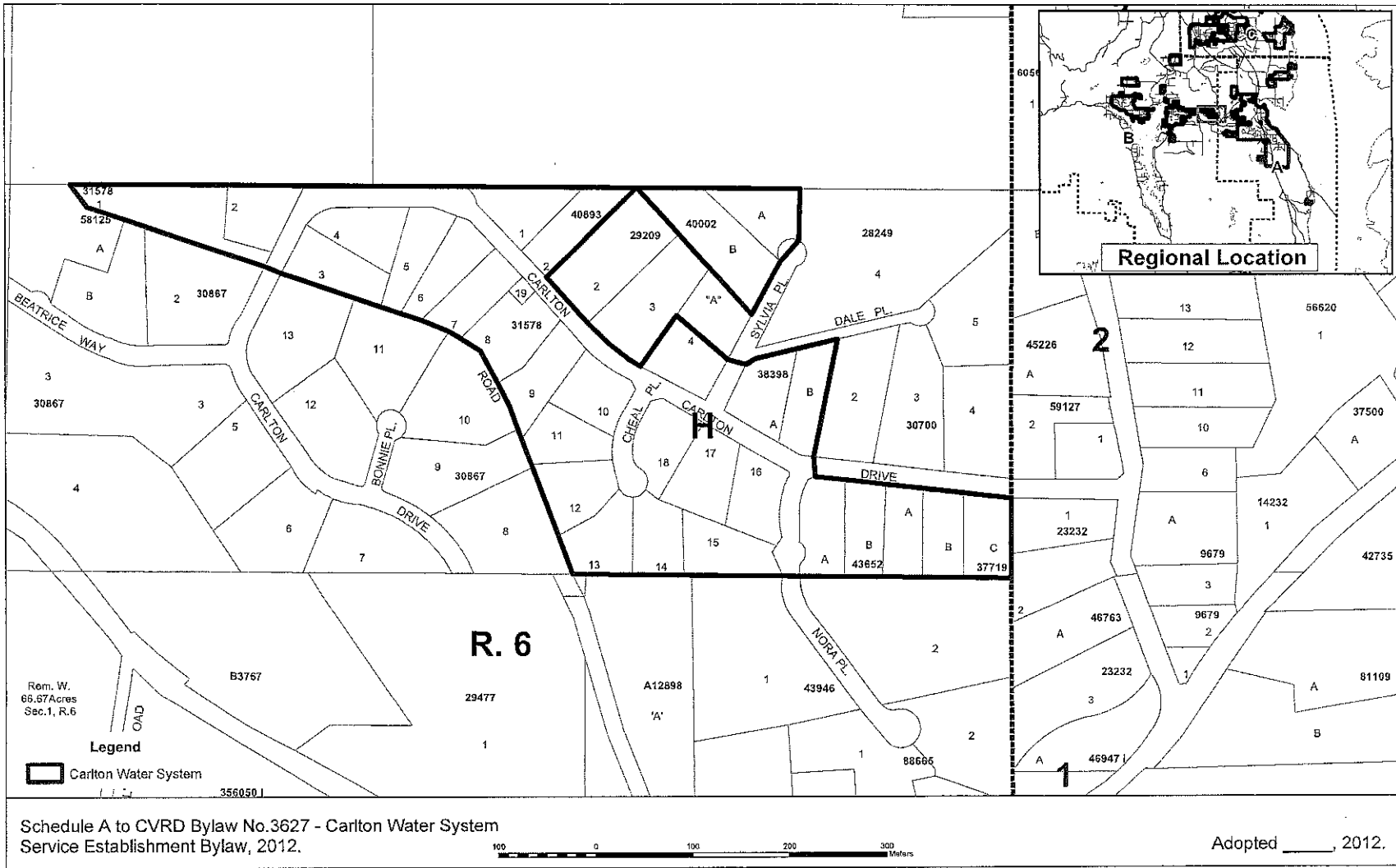
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2012.

ADOPTED this _____ day of _____, 2012.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No.3627 - Carlton Water System
 Service Establishment Bylaw, 2012.

Adopted _____, 2012.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3628

A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the Carlton Water System to Municipal Standards

WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS the Board of the Cowichan Valley Regional District established a *Water System Service Area* pursuant to CVRD Bylaw No. 3627 cited as "CVRD Bylaw No. 3627 – Carlton Water System Service Establishment Bylaw, 2012", for the provision, distribution and treatment of water within a portion of Electoral Area B – Shawnigan Lake;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to complete the capital work necessary to upgrade the Carlton Water System works to a municipal standard;

AND WHEREAS the estimated total cost of upgrading the works of the Carlton Water System is Three Hundred Thirty Nine Thousand Dollars (\$339,000.);

AND WHEREAS the sum to be borrowed is not to exceed Fifty Thousand Dollars (\$50,000.), which is the amount of debt to be created by this bylaw;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which it is adopted;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors for this bylaw and Bylaw No. 3627 in accordance with the *Local Government Act* and *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3628 – Carlton Water System Service Loan Authorization Bylaw, 2012".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to complete the capital work necessary to upgrade the Carlton Water System in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing:

- (a) to borrow upon the credit of the Regional District a sum not exceeding Fifty Thousand Dollars (\$50,000.);
- (b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the designing and constructing of the water works.

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 10 years.

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Carlton Water System Service Area* established pursuant to CVRD Bylaw No. 3627, cited as "CVRD Bylaw No. 3627 – Carlton Water System Service Establishment Bylaw, 2012".

READ A FIRST TIME this _____ day of _____, 2012.

READ A SECOND TIME this _____ day of _____, 2012.

READ A THIRD TIME this _____ day of _____, 2012.

I hereby certify this to be a true and correct copy of Bylaw No. 3628 as given Third Reading on the _____ day of _____, 2012.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

Chairperson

Corporate Secretary