



October 29, 2012

Ministry of Environment
PO Box 9047 Stn Prov Govt
VICTORIA BC V8W 9E2

Attention: The Honourable Terry Lake, Minister

Dear Minister:

Re: Contaminated Soil in the Cowichan Valley

The Cowichan Valley Regional District (CVRD) would like to thank you for taking the time to come to the Cowichan Valley to obtain a first-hand view of the situation we find ourselves in with soil that is being trucked from the Capital Region to various sites within our Region. We appreciate the effort that you and your staff are devoting to find a resolution to our concerns.

In that regard, the Regional District is disappointed that the Ministry approved the recent CSRA to allow contaminated soil to be relocated from CFB Esquimalt to the Evans Redi-Mix property just south of Duncan. As you saw during our site tour, the proximity of that property to the Koksilah River and Kelvin Creek, cannot help but raise questions as to the suitability of that site for such purposes. The possibility of contaminating the water source for 30,000 residents in the Duncan/North Cowichan area, is simply too great a risk to take.

As per Regional Board resolution 12-458, passed October 10, 2012, I have been directed to inform you that if the Ministry continues to permit movement of contaminated soils into community watersheds by way of approving CSRA's, such as the one noted above, you and your staff are putting the collaborative arrangement that we presently have in jeopardy. The CVRD is willing to work with the Ministry on alternative sites, but we remain adamantly opposed to the continued contamination of community watersheds.

Thank you again for your interest and consideration of our request.

Yours truly,

Robert Hutchins
Chair

TRA/jnl

pc: Alan McCammon, Manager, Brownfields & Remediation Assurance, Ministry of Environment
CVRD Soil Relocation Sub Committee

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October 29, 2012

Ministry of Environment
Land Remediation
Environmental Management
Environmental Protection Division
PO Box 9342 Stn Prov Govt
VICTORIA BC V8W 9M1

Attention: W. David Lockhart, Senior Contaminated Sites Officer

Dear W. David Lockhart:

**Re: Contaminated Soil Relocation Agreement
Canadian Forces Base Esquimalt, Victoria, BC and 4975 Koksilah Road, Duncan, BC**

Further to the above Contaminated Soil Relocation Agreement being approved by the Ministry of Environment, the Cowichan Valley Regional District (CVRD) passed the following Resolution (12-458) at their regular meeting of October 10, 2012:

"That a letter be forwarded to the Ministry of Environment in response to Contaminated Soil Relocation Application referral (Scansa Construction Ltd.), advising of CVRD Board Resolution #12-379 dated August 1, 2012, and noting appreciation for their collaborative approach but reiterating the Board's stance that it is strongly opposed to the deliberate permitting of the use of contaminated soil for land or mine reclamation or other purposes within the public domestic water supply watersheds of the region; and further, that a similar letter be forwarded to the Minister of Environment including a statement that if the Ministry continues to permit movement of contaminated soils into community watersheds in the Regional District they are putting their collaborative arrangement with the CVRD in jeopardy and that the CVRD is willing to work with them on alternative sites but are adamantly opposed to the continued contamination of community watersheds."

Our position on this matter is consistent with our previous Resolution passed on August 1, 2012, which is attached for your information.

The CVRD remains adamant about our objections to allowing contaminated soils to be placed within our community watersheds and request that the Ministry respect our requests.

Yours truly,

Rob Hutchins
Chair

TRA/jnl
Attachment

pc: The Honourable Terry Lake, Minister of Environment
Alan McCammon, Manager, Brownfields & Remediation Assurance, Ministry of Environment
Eivin Hoy, Assistant Manager, Operations Canadian Forces Base Esquimalt
Erin Magee, Quantum Murray LP
CVRD Soil Relocation Sub Committee Members

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IN1 South Island Aggregates Waste Discharge Permit Application

The Public Meeting Minutes re: South Island Aggregates (SIA), Waste Discharge Permit Application and Mining Permit Application, was received for information.

IN2 Active Earth Engineering Ltd. Correspondence re: Application for Authorization to Discharge Waste, 640 Stebbings Road, Shawnigan Lake BC (SIA) was considered.**12-379 It was moved and seconded that:**

WHEREAS the Shawnigan Lake watershed, designated by government in 1995 as a "Community Watershed", is the sole domestic water supply of over 4500 residents with the majority drawing their water from Shawnigan Lake, either directly or through licensed water purveyors; and

WHEREAS the Shawnigan Community has a growing population that is placing ever greater demands on the surface water and aquifers of the area; and

WHEREAS the Shawnigan Basin is predicted to face increasing watershed instability through the balance of this century due to climate change; and

WHEREAS the CVRD is a formal water purveyor that provides lake water to a group of over 2000 Shawnigan residents to whom it is legally responsible for a safe water supply; and

WHEREAS the watershed area is already being extensively used for dumping of soils on private land without effective environmental monitoring or controls; and

WHEREAS the Ministry of Environment is dealing with a current application to use contaminated soils for reclamation of a mine lying within the headwaters of the Shawnigan Community Watershed; and

WHEREAS it cannot be guaranteed that seismic events, major storms or human error will not lead to future contamination of water from even the best current state-of-the art engineering designs; and

WHEREAS there are current examples of hazardous waste reaching unapproved dump sites within the Shawnigan Watershed that have not been immediately rectified; and

WHEREAS the Shawnigan Community bears the ultimate risks to the safety of its public water supply from any incident resulting in water contamination arising from contaminated soils being dumped in the watershed; and

WHEREAS community comment arising from the recent public meeting held by the Regional District on July 12, 2012 clearly indicated extensive concern for the security of the Shawnigan public water supply and the lack of support for taking additional risks; and

WHEREAS the Minister of Environment has acknowledged the seriousness of the contaminated soil dumping issue in his commitment to working collaboratively with the CVRD to address the issue of managing the movement of contaminated soils into the Regional District to ensure the safety of community water supplies;

BE IT RESOLVED that the Cowichan Valley Regional District indicate to the Provincial Government that it is strongly opposed to the deliberate permitting of the use of contaminated soil for land or mine reclamation or other purposes within the public domestic water supply watersheds of the region, including specifically the watershed of the Shawnigan Community; and

BE IT FURTHER RESOLVED that the CVRD indicate to the Ministry of Environment that it is opposed to the granting of a waste management permit to South Island Aggregates for the use of contaminated soil in the reclamation of their Stebbings Road Quarry lying within the provincially designated Shawnigan Community Watershed; and

BE IT FURTHER RESOLVED that the CVRD prepare the necessary bylaw to prohibit dumping of contaminated soil or waste in a designated community watershed that lies within the Regional District; and

BE IT FURTHER RESOLVED that the collaborative working relationship between the CVRD and the Ministry of Environment be employed to determine how the CVRD bylaws and the provincial contaminated soil regulations can be harmonized and strengthened to prevent future risks to community domestic water supplies within the Region.

MOTION CARRIED