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## WILDERNESS MOUNTAIN WATER SERVICE COMMISSION

Notice of Meeting on **Thursday, July 30, 2020 at 2:00pm.**

Goldstream Meeting Room – 479 Island Highway, Victoria BC

For members of the public who wish to listen to the meeting via telephone please call **1-833-353-8610** and enter the **Participant Code 1911461 followed by #**. You will not be heard in the meeting room but will be able to listen to the proceedings.

Director Mike Hicks

Martin Lechowicz

Doug Pepino

Dale Tallyn

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### AGENDA

#### 1. APPROVAL OF RESOLUTION

1. That this resolution applies to the Wilderness Mountain Water Service Commission for the meetings being held between July 1, 2020 and December 31, 2020.
2. That the attendance of the public at the place of the meeting cannot be accommodated in accordance with the applicable requirements or recommendations under the *Public Health Act*, despite the best efforts of the Wilderness Mountain Water Service Commission because:
  - a. The available meeting facilities cannot accommodate more than (8) people in person, including members of the Wilderness Mountain Water Service Commission and staff, and
  - b. There are no other facilities presently available that will allow physical attendance of the Wilderness Mountain Water Service Commission and the public in sufficient numbers; and
3. That the Wilderness Mountain Water Service Commission is ensuring openness, transparency, accessibility and accountability in respect of the open meeting by the following means:
  - a. By allowing the public to hear or participate via teleconference or electronic meeting software,
  - b. By providing notice of the meeting in newspaper or local notice Board, including the methods for providing written or electronic submissions,
  - c. By making the meeting agenda, as well as the other relevant documents, available on the CRD website, and directing interested persons to the website by means of the notices provided in respect of the meeting,
  - d. By strongly encouraging the provision of, and subsequently receiving and distributing to members, written correspondence from the public in advance of the meeting, and
  - e. By making the minutes of the meeting available on the CRD website following the meeting.

**Recommendation:** *That the Wilderness Mountain Water Service Commission adopt the resolution as presented.*

#### 2. APPROVAL OF AGENDA

**Recommendation:** *That the agenda approved.*

#### 3. ADOPTION OF MINUTES OF JUNE 15, 2020

**Recommendation:** *That the minutes of June 15, 2020 be adopted.*

#### 4. CHAIR'S REMARKS

#### 5. WM20-03 PROPOSED PROJECTS UPDATE

**Recommendation:** *That the Wilderness Mountain Water Service Commission approve projects #1 and #3 and defer #4 until the 2021 budget.*

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*To ensure quorum, advise Sharon Orr 250-474-9622 if you are unable to attend.*

**6. WM20-04 RURAL AND NORTHERN COMMUNITIES FUND GRANT OPPORTUNITY**

***Recommendation:** The Wilderness Mountain Water Service Commission recommends to the Electoral Areas Committee and the Capital Regional District Board: That staff be directed to prepare and submit an application for an Investing in Canada Infrastructure Program – British Columbia - Rural and Northern Communities Infrastructure.*

**7. WM 20-05 WILLIAM BROOK DAM- DISPOSITION OF IMPROVEMENTS TO LANDS**

***Recommendation:** The Wilderness Mountain Water Service Commission recommends to the Electoral Areas Committee and the Capital Regional District Board:*

- 1. That staff be directed to dispose of the improvements including the William Brook Dam, at the address 5052 Mt. Matheson Road (PID 025 399 268) in Metchosin to the landowner for \$10, and,*
- 2. That the General Manager be authorized to execute any agreements and do all things incidental to finalizing the disposition.*

**8. NEW BUSINESS**

**9. ADJOURNMENT**

**Note:** Next Meeting will be at the call of the Chair.



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**MINUTES OF A MEETING OF THE WILDERNESS MOUNTAIN WATER SERVICE COMMISSION Held Monday, June 15, 2020 in the Goldstream Conference Room, 479 Island Highway, Victoria, BC**

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**PRESENT:**    **Commission Members (Via WebEx):** Director M. Hicks, D. Pepino, D. Tallyn

**Staff:**    I. Jesney, Senior Manager, Infrastructure Engineering; S. Orr (recorder)

The meeting was called to order at 2:00 p.m.

**1. APPROVAL OF AGENDA**

**MOVED** by M. Hicks, and **SECONDED** by D. Pepino,  
That the agenda be approved.

**CARRIED**

**2. ADOPTION OF MINUTES OF JANUARY 17, 2020**

**MOVED** by M. Hicks, and **SECONDED** by D. Pepino,  
That the Minutes of January 17, 2020 be adopted.

**CARRIED**

A discussion took place about the minutes formatting and content.

**3. CHAIR'S REMARKS**

The Chair had no remarks.

**4. ELECTION OF CHAIR**

Nominations were called for the Chair of the Wilderness Mountain Water Service Commission for a one-year term.

D. Pepino nominated M. Hicks.  
M. Hicks agreed to stand.

Nominations were called two additional times, and hearing none, M. Hicks was elected as Chair by acclamation.

**5. COMMISSION VACANCY**

The Commission discussed the recent vacancy left by outgoing member Chris Gilbert, with a term set to expire December 31, 2020. The Commission agreed to fill the vacancy as soon as possible and not wait until later in the year for the Annual General Meeting.

**MOVED** by D. Pepino, and **SECONDED** by D. Tallyn,  
That Martin Lechowicz's name be forwarded to CRD Board for appointment to the Wilderness Mountain Water Service Commission for the term ending December 31, 2020.

**CARRIED**

**Wilderness Mountain Water Service Commission**  
**Minutes – Monday, June 15, 2020**

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**6. NEW BUSINESS**

Discussion took place about electronic meeting format, public participation and voting.

**7. ADJOURNMENT**

**MOVED** by D. Tallyn, and **SECONDED** by D. Pepino,  
That the meeting be adjourned at 2:36 pm.

**CARRIED**

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Chair

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Secretary

**REPORT TO WILDERNESS MOUNTAIN WATER SERVICE COMMISSION  
MEETING OF THURSDAY, JULY 30, 2020**

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**SUBJECT     Proposed Projects Update**

**ISSUE SUMMARY**

The Wilderness Mountain Water Service Commission (WMWSC) needs to be updated on a variety of unplanned projects required for ongoing system operation.

**BACKGROUND**

Coming out of the 2019/2020 winter season a number of projects were identified that require resolution prior to the next winter season so operation of the system is not impacted negatively. Projects that have been identified are:

1. A hazardous cedar tree was identified by staff and confirmed by an arborist as requiring removal. Most of the tree will be removed to eliminate the hazard and the remainder will remain as a wildlife tree. This is a health and safety issue. Cost is estimated at \$1,000. Staff recommend that this project proceed.
2. The WMWSC requested that staff get an estimate to cut down a variety of trees in the vicinity of the water intake and treatment buildings for the purpose of keeping leaves out of the Wilfred Reservoir. While prevention of any type of debris falling into the reservoir is preferred, from a water quality perspective, without total removal of the root systems the trees will grow back. Cost for tree cutting and removal, not including root removal, is \$5,000. Staff do not recommend that this project proceed.
3. The access road down to the intake and treatment facility has been eroded extensively by last winter's storms. This erosion caused siltation in the reservoir which resulted in a boil water order during the winter. The road is in need of regrading and having runoff ditches re-established. This is a water quality issue. Cost is estimated at \$4,000. Staff recommend that this project proceed.
4. The two treatment buildings at the lake intake have mold issues and require remediation. Three quotes were requested but only one complete quote was received. This is a health and safety issue that is currently being dealt with by staff using preventative measures to avoid exposure to the mold. Cost is estimated at \$15,000. Staff recommend that this project proceed however, there is not funding currently available to carry it out this year so it will have to be deferred to the 2021 budget or funded by Community Works Funds.

Approval is being requested prior to proceeding.

**ALTERNATIVES**

*Alternative 1*

That the Wilderness Mountain Water Service Commission approve projects #1 and #3 and defer #4 until the 2021 budget.

*Alternative 2*

That this report be referred back to staff for additional information.

**IMPLICATIONS**

## Financial

There is currently approximately \$8,000 in capital reserves. Going ahead with projects #1 and #3 will deplete the reserves to approximately \$3,000 and project #4 will need to be deferred to the 2021 budget year where it can be funded in the operational budget. Funding from operations will have a negative impact to tax requisition and user fees in 2021. Alternatively, Community Works Funds, if available, could be used to fund all three projects.

**CONCLUSION**

A number of projects have been identified that need to be completed prior to the winter season to ensure that system operation is not impacted negatively. A budget of \$20,000 is being recommended and will have to be funded from either capital reserves, 2021 operations or Community Works Funds. Approval is being requested prior to proceeding.

**RECOMMENDATION**

That the Wilderness Mountain Water Service Commission approve projects #1 and #3 and defer #4 until the 2021 budget.

Submitted by	Ian Jesney, P.Eng. Senior Manager, Infrastructure Engineering
Concurrence	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services

**REPORT TO WILDERNESS MOUNTAIN WATER SERVICE COMMISSION  
MEETING OF THURSDAY, JULY 30, 2020**

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**SUBJECT     Rural and Northern Communities Fund Grant Opportunity**

**ISSUE SUMMARY**

The Wilderness Mountain Water Service (WMWS) requires capital funds to implement an upgrade to its potable water system. A grant funding opportunity is available if approval to apply is given by the Wilderness Mountain Water Service Commission (WMWSC).

**BACKGROUND**

As a requirement of Island Health, the WMWS is required to provide another level of treatment to their potable water system. Generally, this will include additional treatment processes as well as an adjustable, mobile water intake system. There are currently no capital funds available to implement the system upgrades required so grant funding is being sought.

As part of the Investing in Canada Infrastructure Program (ICIP), the Government of Canada in partnership with the Government of British Columbia has opened up a second intake of the Rural and Northern Communities (RNC) stream with up to \$87 million in investment available.

For services with less than 5,000 people, there is up to 100% of eligible cost coverage available with 60% coming from the Government of Canada and 40% from the Government of British Columbia. If the grant is successful, the WMWS qualifies. Also, a grant limit has not been specified and the average grant request for the first intake of this program was \$2.07 million.

From a financial perspective, the 2020 Capital Plan shows \$60,000 scheduled to be spent in 2020 to initiate the design process. This is being funded out of the Juan de Fuca Electoral Area Director's Community Works Fund and has not been started yet. Should the WMWSC approve moving forward with the grant application, staff would get the conceptual design and cost estimate done by a consultant prior to the grant application deadline date of October 22, 2020. The consultant information would then inform the grant application, which would be completed and submitted by staff. While the grant would cover eligible costs, non-eligible costs would have to be covered by the WMWS and approved by its residents should the grant application be successful. Details on costing would be provided to the WMWSC once the cost estimate is complete and prior to the grant application being submitted.

Approval is being sought to move forward with the grant application.

**ALTERNATIVES**

*Alternative 1*

The Wilderness Mountain Water Service Commission recommends to the Electoral Areas Committee and the Capital Regional District Board:

That Staff be directed to prepare and submit an application for an *Investing in Canada Infrastructure Program* – British Columbia - Rural and Northern Communities Infrastructure.

*Alternative 2*

That the Wilderness Mountain Water Service Commission declines to move forward with a grant application regarding the *Investing in Canada Infrastructure Program* – British Columbia - Rural and Northern Communities Infrastructure.

**IMPLICATIONS**

Should the WMWSC decline to apply for the grant, then other funding arrangements will be required of the WMWS to carry out the upgrades to its water system.

**CONCLUSION**

The WMWS requires funds to upgrade its potable water system. Grant funding from the Rural and Northern Communities fund is available to cover up to 100% of eligible costs if the application is successful. Approval is being sought to submit an application on behalf of the WMWS.

**RECOMMENDATION**

The Wilderness Mountain Water Service Commission recommends to the Electoral Areas Committee and the Capital Regional District Board:

That Staff be directed to prepare and submit an application for an *Investing in Canada Infrastructure Program* – British Columbia - Rural and Northern Communities Infrastructure.

Submitted by	Ian Jesney, P.Eng. Senior Manager, Infrastructure Engineering
Concurrence	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services
Concurrence	Robert Lapham, MCIP, RPP, Chief Administrative Officer



**REPORT TO WILDERNESS MOUNTAIN WATER SERVICE COMMISSION  
MEETING OF THURSDAY, JULY 30, 2020**

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**SUBJECT**     William Brook Dam- Disposition of Improvements to Lands

**ISSUE SUMMARY**

The William Brook Dam and reservoir are not required as a raw water source to serve the Wilderness Mountain Water Service (WMWS), and the Wilderness Mountain Water Service Commission (WMWSC) wishes to dispose of the dam and related improvements.

**BACKGROUND**

The William Brook Dam and reservoir are located at 5052 Mt. Matheson Road (see location on Attachment 1). The property is owned by Douglas and Carla Funk, legally described as PID 025-399-268, Lot 2 Sections 130 and 131 Sooke District Plan VIP736.

On March 31, 2015 a staff report to the WMWSC concluded that the William Brook reservoir was no longer required as a raw water source. The recommendation at that time was that staff approach the East Sooke Fire Protection and Emergency Response Service Commission (East Sooke Fire) to determine if they desired to own and operate the William Brook Dam and reservoir.

At their meeting held February 15, 2016, East Sooke Fire, declined the offer to own and operate the dam and reservoir. Subsequently, at their meeting held March 29, 2016 the WMWSC decided to continue to operate the dam until a new owner could be found.

Aside from a public entity with a beneficial interest in owning the dam and reservoir, such as East Sooke Fire, there is no ownership potential other than the property owners (currently Douglas and Carla Funk) as access to the lands is owned and controlled by the Funks.

The property owners have agreed to take over the ownership of the William Brook Dam and related improvements including all responsibilities and liabilities, current, future and historical, associated with ownership of the dam and improvements. The property owners have also been made aware of the responsibilities and liabilities and have met on site with the Province's Dam Safety Officer and Capital Regional District (CRD) staff. Current dam safety liabilities and requirements include:

- Maintenance activities requiring the routine removal of vegetative growth from the dam structure and spillway
- Monthly site surveillance
- Annual formal inspection
- Preparation of a Dam Emergency Plan
- Preparation of an Operation, Maintenance and Surveillance plan

The consideration payable to the CRD of \$10 will be in exchange for discharging the remaining encumbrances over the property which includes a Covenant, Conservation Covenant and the statutory right of ways (SRW) listed below:

- Water Licenses C125686;C125687;C125531
- Covenant ET42852
- Conservation Covenant ET42850
- Statutory Right of Ways ET42851 and K72768
- Rent Charge ET44602

With regard to the three water licenses referenced above, they would be amended to remove the William Brook water source from CRD licenses. The CRD is currently in discussions with the Province in order to sort out the various water licenses as they are currently linked with another reservoir in the WMWS. The CRD is giving up the water licenses governing the William Brook Dam and Reservoir, as required by the Water Sustainability Act when licenses are not being used. Removal of the CRD will then allow Douglas and Carla Funk to apply for their own water license. Transfer of the dam will not take place until the water licenses are sorted out by the Province, and to the satisfaction of the CRD and property owners.

Covenant ET42852 is in favour of the CRD, and ensures the current landowner's house and driveway were constructed in a way that would retain the integrity of CRD's infrastructure. The Covenant is no longer required if CRD is not going to be responsible for the infrastructure.

The Conservation Covenant ET42850, Statutory Right of Way ET42851, and Rent Charge ET44602 includes the Capital Regional District, the Habitat Acquisition Trust (HAT) and The Land Conservancy (TLC) on the title. These are related to a conservation covenant for flora and fauna that was associated with the CRD's infrastructure. The transfer of the infrastructure to the landowner removes the requirement for CRD to hold these charges, and accordingly the CRD would be removed from holding these charges, and HAT and TLC can remain.

Statutory Right of Way K72768 is in favor of the CRD, and provides the right to access, construct, operate and maintain a dam on the landowner's property. With the CRD no longer having an interest in the dam, this charge would be removed from their title.

To proceed with the disposal, WMWSC and CRD Board approvals are required.

## **ALTERNATIVES**

### *Alternative 1*

The Wilderness Mountain Water Service Commission recommends to the Electoral Areas Committee and the Capital Regional District Board:

1. That staff be directed to dispose of the improvements including the William Brook Dam, at the address 5052 Mt. Matheson Road (PID 025 399 268) in Metchosin to the landowner for \$10, and,
2. That the General Manager be authorized to execute any agreements and do all things incidental to finalizing the disposition.

### *Alternative 2*

That this report be referred back to staff for additional information.

## **IMPLICATIONS**

### *Financial Implications*

With the transfer of the dam and reservoir, there will be a reduction in inspection and maintenance costs that vary between \$1,000 and \$5,000 each year, depending on the requirement for tree and brush removal from the dam structure and the spillway.

## **CONCLUSION**

The William Brook Dam and reservoir are not required as a raw water source to serve the Wilderness Mountain Water Service, and the WMWSC wishes to dispose of the dam and related improvements. The current property owners, Douglas and Carla Funk are agreeable to taking over ownership of the dam and related improvements. WMWSC and CRD Board approval are required.

## **RECOMMENDATION**

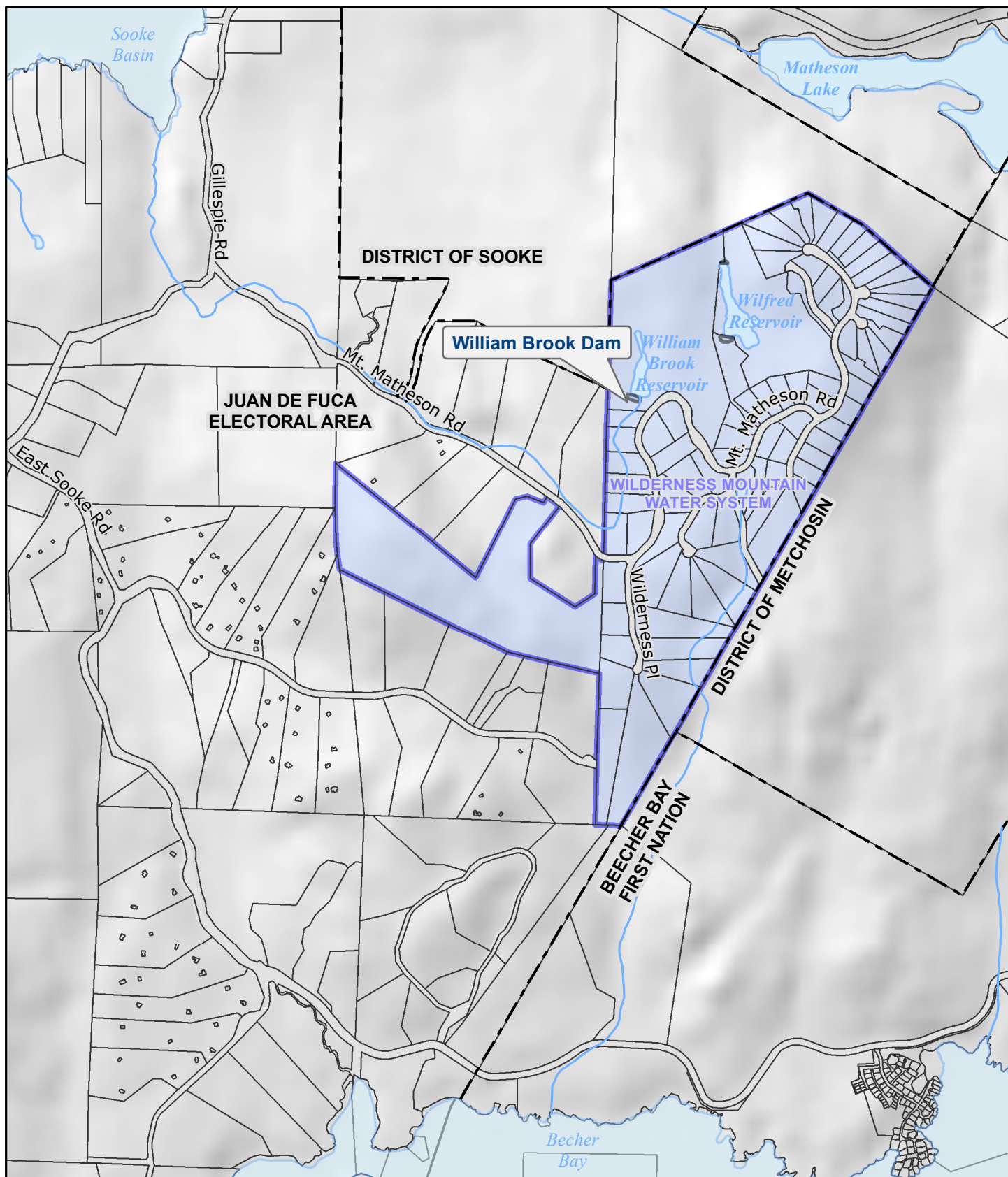
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2. That the General Manager be authorized to execute any agreements and do all things incidental to finalizing the disposition.

Submitted by	Ian Jesney, P.Eng. Senior Manager, Infrastructure Engineering
Concurrence	Stephen Henderson, B.Sc., P.G. Dip.Eng, M.B.A., Manager Real Estate Services
Concurrence	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services
Concurrence	Robert Lapham, MCIP, RPP, Chief Administrative Officer

## **ATTACHMENT**

Attachment 1: William Brook Dam and Reservoir Location Plan



0 50 100 200 300 Metres

UTM Zone 10N NAD 1983



**DISCLAIMER**

This map is for general information only and may contain inaccuracies.

July 2020 | LS\_WildernessMountain\_WilliamBrookLocation | helpdesk@crd.bc.ca

## William Brook Dam & Reservoir



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