



Notice of Meeting and Meeting Agenda Regional Water Supply Commission

Wednesday, January 20, 2021

11:30 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

MEMBERS:

G. Baird; N. Chambers; Z. de Vries; S. Duncan; C. Graham; K. Harper;
M. Hicks; B. Isitt; K. Kahakauwila; G. Logan; J. Loveday; R. Mersereau;
T. Morrison; J. Rogers; T. St-Pierre; C. Stock; L. Szpak; N. Taylor; R. Wade;
E. Wood Zhelka; G. Young; (Victoria – Vacant)

1. TERRITORIAL ACKNOWLEDGEMENT

2. CALL TO ORDER

By Ted Robbins, General Manager, Integrated Water Services

3. ELECTION OF CHAIR

(Pursuant to Section 10 bylaw No. 2539)

Election conducted by General Manager with assistance by Integrated Water Services Manager, Administration Services and Administrative Coordinator.

4. ELECTION OF VICE CHAIR

(Pursuant to Section 10 bylaw No. 2539)

Election conducted by newly elected Chair with assistance by Integrated Water Services Manager, Administration Services and Administrative Coordinator.

5. APPROVAL OF THE AGENDA

6. APPROVAL OF RESOLUTION FOR 2021

6.1 20-809 Approval of Resolution For 2021

Recommendation: That the Regional Water Supply Commission adopt the resolution as presented.

1. That this resolution applies to the Regional Water Supply Commission for the meetings being held between January 1, 2021 and December 31, 2021.
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 Regional Water Supply Commission, because:
 - a. The available meeting facilities cannot accommodate more than (38) people in person, including members of the Regional Water Supply Commission and staff, and
 - b. There are no other facilities presently available that will allow physical attendance of the Regional Water Supply Commission and the public in sufficient numbers; and
3. That the Regional Water Supply 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.

7. ADOPTION OF MINUTES**7.1 [20-808](#) Adoption of November 25, 2020 Minutes**

Recommendation: That the minutes of the November 25, 2020 meeting be adopted.

Attachments: [Draft Minutes November 25, 2020](#)

8. REPORT OF THE CHAIR**9. GENERAL MANAGER'S REPORT****9.1 Water Supply Update****10. PRESENTATIONS/DELEGATIONS**

Presentations and delegations requests can be made online at: www.crd.bc.ca/about/board-committees/addressing-the-board, a printable form is also available. Requests must be received no later than 4:30 p.m. two calendar days prior to the meeting.

11. WATER ADVISORY COMMITTEE REPORT

The Water Advisory Committee has not met since the last report received in October 2020.

12. APPOINTMENT OF COMMISSION REPRESENTATIVE TO THE WATER ADVISORY COMMITTEE FOR 2021**12.1 21-088 Regional Water Supply Commission Representative on the Water Advisory Committee**

Recommendation: That the Vice Chair of the Regional Water Supply Commission represent the Commission on the Water Advisory Committee for 2021.

13. COMMISSION BUSINESS**20-804 2021 Greater Victoria Water Supply Area Mining Access Requests**

Recommendation: That the Regional Water Supply Commission authorize access and special use to the mining tenure holders and their agents (where agency is confirmed) and workers (that hold valid free mining certificates) that meet Capital Regional District insurance requirements, as listed in Tables 1 and 2 of Appendix A, subject to the conditions of their Access Agreement, for the valid mining tenures they hold.

Attachments: [Staff Report: 2021 GVWSA Mining Access Requests](#)
 [Appendix A: Summary of 2021 Mining Access & Special Use Applications](#)
 [Appendix B: Map of 2021 Mining Tenures Requesting Access](#)
 [Appendix C: Template Access Agreement](#)

20-806 Regional Water Supply Service 2021-2025 Capital Budget Amendment

Recommendation: The Regional Water Supply Commission recommends to the Capital Regional District Board:

That the provisionally approved Regional Water Supply Service 2021-2025 capital plan and budget be amended in accordance with the revised plan and budget for Project No. 21-05 as presented.

Attachments: [Staff Report: RWS Service 2021-2025 Capital Budget Amendment](#)
 [Appendix A: Project Segment Drawings](#)

20-807 Water Watch Report

Recommendation: That the January 11, 2021 Water Watch report be received for information.

Attachments: [Report: Water Watch Report](#)

14. NEW BUSINESS**15. MOTION FOR WHICH NOTICE HAS BEEN GIVEN****15.1 21-060 Climate Change Impacts on CRD Water Operations (Commissioner Taylor)**

Recommendation: That the Regional Water Supply Commission request staff to bring forward a report outlining the impacts that climate change is having on CRD Water operations and the CRD's ability to provide water to the region.

16. MOTION TO CLOSE THE MEETING

16.1 20-805 Motion to Close the Meeting

Recommendation: In accordance with the Community Charter, Part 4, Division 3, 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

17. RISE AND REPORT

18. ADJOURNMENT

Next Meeting: February 17, 2021

To ensure quorum, please contact Denise Dionne at ddionne@crd.bc.ca or 250.360.3087 if you or your alternate cannot attend.

Meeting Minutes

Regional Water Supply Commission

Wednesday, November 25, 2020

11:30 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

PRESENT:

R. Mersereau (Chair); G. Baird (Vice Chair); N. Chambers; C. Graham; J. Loveday;
C. Stock; L. Szpak; N. Taylor; G. Young

BY WEBEX:

S. Duncan; K. Harper; M. Hicks; B. Isitt; K. Kahakauwila; G. Logan;
T. Morrison; J. Rogers; T. St-Pierre; E. Wood Zhelka

REGRETS:

Z. de Vries; R. Wade

STAFF:

T. Robbins, General Manager, Integrated Water Services; A. Constabel, Senior Manager, Watershed Protection; I. Jesney, Senior Manager, Infrastructure Engineering; G. Harris, Senior Manager, Environmental Protection; S. Irg, Senior Manager, Water Infrastructure Operations; S. Henderson, Manager, Real Estate Services; T. Duthie, Manager, Administrative Services; T. Urquhart, Communications Coordinator; D. Dionne, Administrative Coordinator; S. Orr (Recorder)

1. TERRITORIAL ACKNOWLEDGEMENT

Commissioner Stock provided the Territorial Acknowledgement.

2. APPROVAL OF THE AGENDA

MOVED by Commissioner Chambers, and **SECONDED** by Commissioner Loveday,

That the minutes of the October 21, 2020 meeting be adopted.

CARRIED

3. ADOPTION OF MINUTES

3.1. [20-764](#) Adoption of the October 21, 2020 Minutes

Attachments: [Draft Minutes October 21, 2020](#)

MOVED by Commissioner Stock, and **SECONDED** by Commissioner Spzak,
That the minutes of the October 21, 2020 meeting be adopted.

CARRIED

4. REPORT OF THE CHAIR

The Chair thanked staff for their services during the pandemic. She stated she was elected as Vice-Chair of the Capital Regional District Board, at their meeting held November 18, 2020. She stated she is willing will step down from the Chair of Regional Water Supply Commission, and encouraged interest from other members to consider the role of Chair. She noted that appointments to the Commission take place at the first meeting in January. She stated it has been an honour to be the Chair of the Commission.

5. GENERAL MANAGER'S REPORT

5.1. Water Supply Outlook

T. Robbins provided an update stating that seasonal weather is raising water levels at the Sooke Lake Reservoir and there are no concerns for water supply during winter months. He noted that the Kapoor Tunnel Inspection will be taking place this winter.

5.2. Tap Sampling Program Update

T. Robbins provided an update stating the program is underway and that sampling will take place early in 2021

He answered questions from the Commission regarding the program.

5.3. Commercial Faucet Aerator Replacement Program

T. Robbins provided an update stating the program is underway to businesses around the region and staff will report back on the results of the program.

5.4. 2021 Commission Chair/Vice Chair Elections

T. Robbins stated that election for Chair and Vice-Chair for the Commission will take place at the first meeting in 2021.

MOVED by Commissioner Stock, and **SECONDED** by Commissioner Taylor,
That the General Manager's report be received for information.

CARRIED

6. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

7. WATER ADVISORY COMMITTEE

There was no report.

8. COMMISSION BUSINESS

- 8.1. [20-636](#) Water Quality Summary Report for Greater Victoria Drinking Water System - December 2019 to May 2020

Attachments: [Staff Report: Water Quality Summary Report - Greater Vic - Dec 2019-May 2020](#)
[Appendix A: Water Quality Summary Report - Greater Vic - Dec 2019-May 2020](#)

G. Harris introduced the report as presented.

MOVED by Commissioner Baird, and **SECONDED** by Commissioner Chambers,

That the Regional Water Supply Commission receive the Water Quality Summary Report for the Greater Victoria Drinking Water System - December 2019 to May 2020 for information.

CARRIED

- 8.2. [20-765](#) Water Advisory Committee Membership

The Chair noted that at their Closed meeting held November 19, 2019 the Commission made a motion to discuss at an open meeting the striking of a nominating committee to appoint members to the Water Advisory Committee.

MOVED by Commissioner Graham, and **SECONDED** by Commissioner Szpak,

That the Regional Water Supply Commission strike a nominating committee consisting of the Commission Chair or Chair's delegate, Commission Vice-Chair, Juan de Fuca Water Distribution Commission representative and Saanich Peninsula Water Commission representative to review the applications and that the nominating committee report back to the Commission, providing its recommendations for appointment.

CARRIED

- 8.3. [20-655](#) Summary of Recommendations from Other Water Commissions

Attachments: [Summary of Recommendations from Other Water Commissions](#)

MOVED by Commissioner Stock, and **SECONDED** by Commissioner Baird,
That the Regional Water Supply Commission receive the Summary of Recommendations from Other Water Commissions for information.

CARRIED

- 8.4. [20-654](#) Water Watch Report

Attachments: [Water Watch Report November 16, 2020](#)

MOVED by Commissioner Graham, and **SECONDED** by Commissioner Stock,

That the Regional Water Supply Commission receive the November 20, 2020 Water Watch report for information.

CARRIED

9. CORRESPONDENCE

9.1. [20-659](#) BC Wildfire Service

Attachments: [Correspondence: BC Wildfire Service](#)

The Chair introduced the correspondence between the Capital Regional District and the BC Wildfire Service regarding wildfire support in the Greater Victoria Water Supply Area.

MOVED by Commissioner Stock, and **SECONDED** by Commissioner Baird,
That the correspondence be received for information.

CARRIED

10. NOTICE OF MOTION

10.1. 20-682 Notice of Motion - Commissioner Taylor

Commissioner Taylor provided the following Notice of Motion:

That the Regional Water Supply Commission request staff to bring forward a report outlining the current impacts and potential future impacts that climate change is having on CRD Water operations and the CRD's ability to provide water to the region.

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

12.1. [20-652](#) Motion to Close the Meeting

MOVED by Commissioner Graham, and **SECONDED** by Commissioner Stock,

That the meeting be closed In accordance with the Community Charter, Part 4, Division 3, 90(1)(e) the acquisition, disposition or expropriation of land or improvements

CARRIED

At 12:17 pm the Commission moved into closed session.

13. RISE AND REPORT

The Commission rose from its closed session at 12:23 pm without report.

14. ADJOURNMENT

MOVED by Commissioner Chambers, and **SECONDED** by Commissioner Taylor,

That the meeting be adjourned at 12:23 pm.

CARRIED

CHAIR

SECRETARY

DRAFT

**REPORT TO REGIONAL WATER SUPPLY COMMISSION
MEETING OF WEDNESDAY, JANUARY 20, 2021**

SUBJECT 2021 Greater Victoria Water Supply Area Mining Access Requests

ISSUE SUMMARY

To seek Regional Water Supply Commission (the Commission) approval for mining tenure holders to access the Greater Victoria Water Supply Area (GVWSA) under the Greater Victoria Water Supply Area Protection Bylaw No. 2804.

BACKGROUND

GVWSA mining access agreements have a one-year term and most existing agreements expire at the end of January. The Capital Regional District (CRD) requires annual application and Commission approval for mining tenure holders to access the GVWSA.

Provincial Legislation

Under the *BC Mineral Tenures Act* and *Mining Right of Way Act*, the CRD is required to allow mining tenure holders and their agents access to their tenures; however, reasonable conditions may be imposed on access. Further, the *Mining Right of Way Act* gives the registered holder(s) of a mining tenure the right to use existing roads on private land to access their tenure for mining purposes.

GVWSA Protection Bylaw and Policy

Under Bylaw No. 2804, the General Manager will seek approval for access and special use of the GVWSA from the Commission. By policy and procedure (*Water Supply Area Access and Special Use Request and Approval Policy and Procedure*), all access requests, except those under prescribed situations (e.g., academic research, CRD contractors), are forwarded to the Commission. Mining access and special use is not a prescribed situation under the Procedure and the applications are therefore presented to the Commission for decision.

Accompanying Agents or Workers

The *Mineral Tenure Act* requires the CRD to provide access to a valid mining tenure holder, their agents and free miners they invite. The purpose of the access for the tenure holder and accompanying persons can only be to conduct mining activities. An agent is defined in common law as a person who is acting under the direction and authority of the tenure holder. A free miner includes anyone who holds a valid free mining certificate issued annually by the Ministry of Energy, Mines and Low Carbon Innovation. Mining work is labour intensive and it is typical in British Columbia for the exploration of minerals and placer mining to bring additional workers to mining tenures. Under the GVWSA Protection Bylaw, the CRD requires all persons entering the GVWSA to be authorized prior to entry.

2021 Mining Access and Special Use Applications

Appendix A, Table 1 lists the one tenure holder who has applied to travel through the GVWSA to reach his tenure on adjacent Kapoor Lumber Ltd. property via Goldstream gate and Kapoor Main. Table 2 lists 20 tenure holders who have applied for access and use of the Leech Water Supply

Area to conduct mining activities on 30 mining tenures. A map of the 2021 mining tenures requesting access is attached in Appendix B.

The applicants must provide evidence of \$3 million liability and \$1 million firefighting insurance (typically through membership with the Vancouver Island Placer Miners' Association). Applicants must submit evidence of vehicle insurance, permission to transit through adjacent Mosaic private forest lands (where transit is required), and sign an Access Agreement (Appendix C) that provides the CRD with a liability waiver and sets out the conditions for access prior to entry.

Tenure holders must provide evidence of agency or valid free mining certification for all accompanying persons, along with adequate insurance for the accompanying person(s) prior to their access authorization.

No access is permitted during extreme fire danger rating as a condition of the Access Agreement.

The redacted access applications (Appendix D) are available in advance or on the day of the meeting by request.

ALTERNATIVES

Alternative 1

That the Regional Water Supply Commission authorize Greater Victoria Water Supply Area access and special use to the mining tenure holders and their agents (where agency is confirmed) and workers (that hold valid free mining certificates) that meet Capital Regional District insurance requirements, as listed in Tables 1 and 2 of Appendix A, subject to the conditions of their Access Agreement, for the valid mining tenures they hold.

Alternative 2

That the Regional Water Supply Commission authorize Greater Victoria Water Supply Area access and special use to the mining tenure holders and their agents (where agency is confirmed) and workers (that hold valid free mining certificates) that meet Capital Regional District insurance requirements as listed in Tables 1 and 2 of Appendix A, subject to the conditions of their Access Agreement with additional conditions.

Alternative 3

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

IMPLICATIONS

Environmental & Climate Implications

Risk/Implication	Access Factors	Mitigation / Conditions
Environmental Wildfire	<ul style="list-style-type: none">Varied fire danger throughout the year	<ul style="list-style-type: none">Condition: No access during extreme fire danger rating or at other times of special concernNo fires permitted, cooking stoves onlyRequirement to carry firefighting tools in vehicles during fire season

		<ul style="list-style-type: none"> • Fire suppression insurance • CRD monitoring through air and ground patrols
Environmental Contamination Sediment Pathogens	<ul style="list-style-type: none"> • Vehicles, people/tools working in or near water • Access and activities outside of current drinking water catchment 	<ul style="list-style-type: none"> • Condition: No pets allowed • No storage of fuel or hazardous materials while not on site • CRD ground patrol monitoring

Risk and Safety Implications

Risk/Implication	Access Factors	Mitigation / Conditions
Safety/CRD Risk	<ul style="list-style-type: none"> • Potential for miner to be injured on CRD property 	<ul style="list-style-type: none"> • Condition: Radio required for travel on Greater Victoria Water Supply Area roads. • Condition: Watershed orientation • Condition: Access Agreement Indemnification and Waiver • Condition: Vehicle and liability insurance

Financial Implications

Risk/Implication	Access Factors	Mitigation / Conditions
Financial	<ul style="list-style-type: none"> • Staff time to administer applications/agreements and field time to patrol 	<ul style="list-style-type: none"> • No Registration Reserve on the Leech WSA caps the maximum number of tenures to the current number.

Intergovernmental Implications

Risk/Implication	Access Factors	Mitigation / Conditions
Inter-Governmental	<ul style="list-style-type: none"> • Entry/access required under provincial Acts 	<ul style="list-style-type: none"> • Condition: Valid tenure held by the applicant and up-to-date Free Mining Certificate

CONCLUSION

The Capital Regional District (CRD) has received notice, under Section 19 of the *Mineral Tenure Act*, as well as by applications for Greater Victoria Water Supply Area (GVWSA) access and special use, from mining tenure holders to transit through the GVWSA and to access and use the Leech Water Supply Area for placer and mineral mining activities. Given the applicants' rights to access the Leech WSA and transit through the GVWSA under the *Mineral Tenures Act* and *Mining Right of Way Act*, CRD approval is not required to enable the tenure holder, their agents and invited free miners access, however reasonable conditions are being imposed on mining tenure holders to protect the GVWSA through Access Agreements.

RECOMMENDATION

That the Regional Water Supply Commission authorize Greater Victoria Water Supply Area access and special use to the mining tenure holders and their agents (where agency is confirmed) and workers (that hold valid free mining certificates) that meet Capital Regional District insurance requirements, as listed in Tables 1 and 2 of Appendix A, subject to the conditions of their Access Agreement, for the valid mining tenures they hold.

Submitted by:	Annette Constabel, M.Sc., R.P.F., P.M.P., Senior Manager, Watershed Protection
Concurrence:	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services
Concurrence:	Robert Lapham, M.C.I.P., R.P.P., Chief Administrative Officer

ATTACHMENTS

Appendix A: Summary of 2021 Mining Access and Special Use Applications

Appendix B: Map of 2021 Mining Tenures Requesting Access

Appendix C: Template Access Agreement

Appendix D: *Available upon Request* - Access and Special Use Request Application Form and Landowner Notification (redacted)

Summary of 2021 Mining Access and Special Use Applications

Table 1. Mining Access Applications to Transit through the GVWSA to Mining Tenures on Kapoor Lumber Ltd. Property

Tenure Holder	Accompanying Agents/Workers	Placer Tenure	Mineral Tenure	Date Tenure Issued*	Tenure Renewal Date*	Tenure Size (ha)
Ken Jamieson	John Halusiak Richard Myerscough Bryan Rozon Paul Larouche	1028824	-	2014-06-08	2021-12-31	22.4
					Total	22.4

* Date Issued / Renewal Date information from the BC Mineral Tenures Online database as of December 11, 2020. Due to the COVID-19 pandemic, the Chief Gold Commissioner provided a blanket extension to all claims extending renewal dates to at least December 31, 2021.

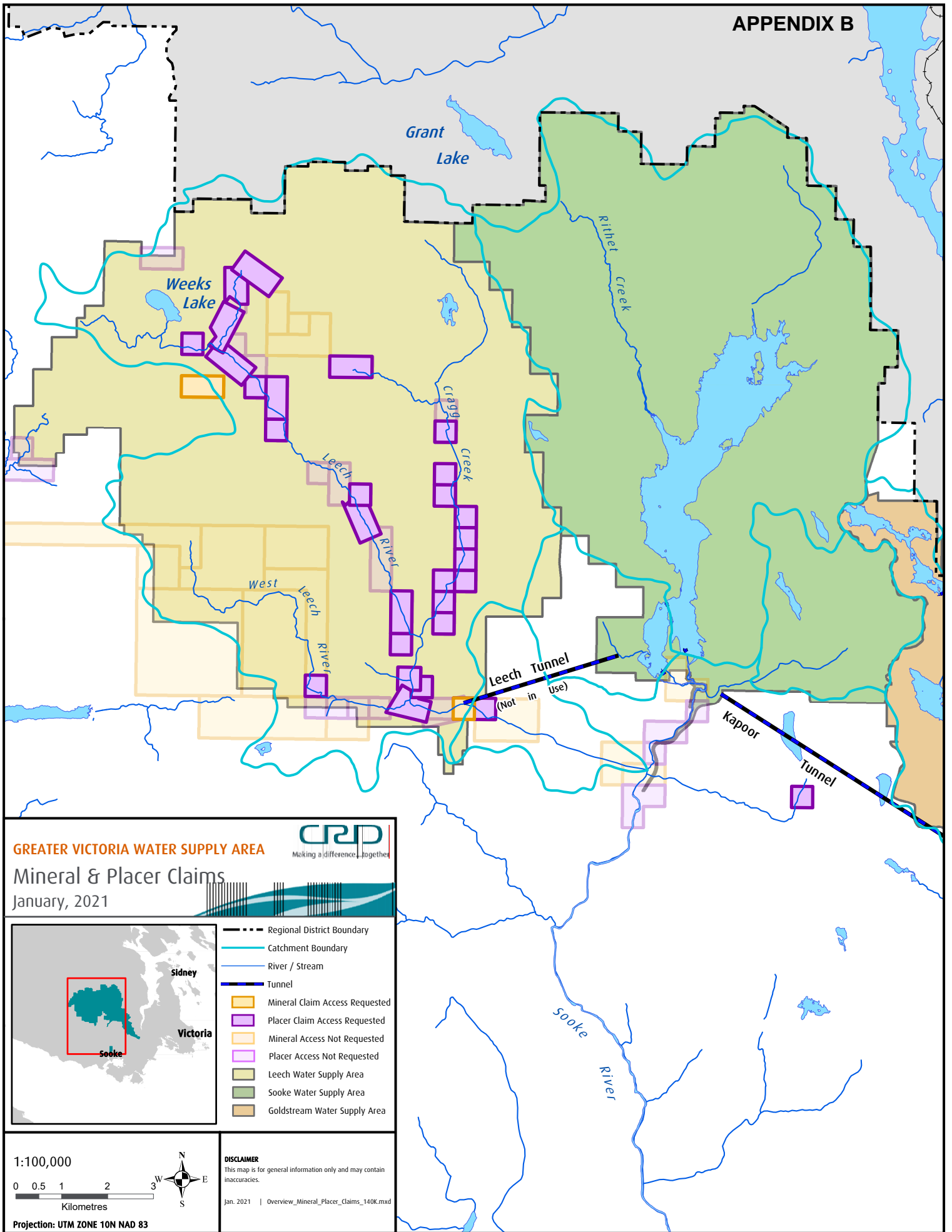
Table 2. Mining Access and Special Use Applications – Leech Water Supply Area

Tenure Holder	Accompanying Agents/Workers	Placer Tenure	Mineral Tenure	Date Tenure Issued*	Tenure Renewal Date*	Tenure Size (ha)
Bryan Jefferies Paul Larouche		570771		2007-11-26	2021-12-31	42.8
Gilbert Gutfreund Edmond Guillet		1045815		2016-08-07	2022-08-07	21.4
Gilbert Gutfreund Edmond Guillet		632303		2009-09-10	2021-12-31	21.4
Gilbert Gutfreund		846563		2011-02-15	2023-02-15	21.4
James Wagner		1031769		2014-10-23	2021-12-31	21.4
John Halusiak	Keith Halusiak Calvin George	1044020		2016-05-08	2023-09-03	21.4
John Halusiak	Keith Halusiak Calvin George Roland Bernardin	1046940		2016-09-27	2021-12-31	21.4
Ron Walton		334679		1995-04-02	2025-08-30	50.0
Ron Walton		404706		2003-08-26	2025-08-26	50.0
Ron Walton		339876		1995-09-19	2025-09-19	50.0
Barry Waters Timothy Waters		269548		1989-03-24	2022-03-24	50.0
Barry Waters Timothy Waters			1032297	2014-11-19	2021-12-31	42.8
Timothy Waters		803442		2010-06-29	2021-12-31	21.4
Barry Norman	Marilyn Piercy	861347		2011-06-28	2021-12-31	21.4
Dennis Lee		1013037		2012-09-19	2022-06-12	21.4

APPENDIX A

Tenure Holder	Accompanying Agents/Workers	Placer Tenure	Mineral Tenure	Date Tenure Issued*	Tenure Renewal Date*	Tenure Size (ha)
Dennis Lee Bryan Rozon		1013416		2012-10-01	2022-05-27	21.4
Dennis Lee		1014809		2012-11-26	2021-12-31	21.4
Dennis Lee		1028825		2014-06-05	2023-03-25	21.4
Stephen Abercrombie		309726		1992-05-30	2021-12-31	50.0
Ken Jamieson Bryan Rozon	John Halusiak Richard Myerscough Paul Larouche	1024025		2013-11-27	2027-06-20	21.4
Ken Jamieson Bryan Rozon	John Halusiak Richard Myerscough Paul Larouche	1013369		2012-09-30	2027-06-20	21.4
Ken Jamieson Bryan Rozon	John Halusiak Richard Myerscough Paul Larouche	1018420		2013-04-09	2027-06-20	21.4
Ken Jamieson	John Halusiak Richard Myerscough Bryan Rozon Paul Larouche	1050551		2017-03-04	2021-12-31	42.8
Ken Jamieson	John Halusiak Richard Myerscough Bryan Rozon Paul Larouche	523131		2005-12-01	2021-12-31	21.4
Ken Jamieson	John Halusiak Richard Myerscough Bryan Rozon Paul Larouche	411639		2004-06-24	2021-12-31	50.0
Andrew Barry	Jennifer Gunn	1044026		2016-05-09	2021-12-31	42.7
Aneil Haere	Calvin George Garry Sutton John Pineau Bryan Rozon Michael Mullen John Vroom	411639		2004-06-24	2021-12-31	50.0
Stephen Smid	Shaydynn Smid Elena Maria Cruz Jackie Vander Vlugt	556138		2007-04-10	2021-12-31	42.8
Stephen Smid	Shaydynn Smid Elena Maria Cruz Jackie Vander Vlugt		1078932	2020-09-29	2021-12-31	21.4
Bill Johnston Karolyn Cowell		1046696		2016-09-15	2021-09-31	21.4
					Total	949.1

* Date Issued / Renewal Date information from the BC Mineral Tenures Online database as of December 11, 2020. Due to the COVID-19 pandemic, the Chief Gold Commissioner provided a blanket extension to all claims extending renewal dates to at least December 31, 2021.



This AGREEMENT made in duplicate as of: Day: ____ Month: _____ Year: _____

BY AND BETWEEN:

CAPITAL REGIONAL DISTRICT

625 Fisgard Street
Victoria, BC V8W 1R7
(Hereinafter called the “**CRD**”)

AND:

Name:
Street Address:
City:
Province:
Postal Code:

(Hereinafter called the “**Permittee**”)

Permittee claims to be accessed: [List claims owned or co-owned that are found wholly or partially within the Greater Victoria Water Supply Area that are to be accessed.]

Placer Claim Tenure Number(s)

Mineral Claim Tenure Number(s)

RECITALS

- A. The CRD holds title to the area described as the Greater Victoria Water Supply Area (the “**GVWSA**”). It is the intention of the CRD to manage the GVWSA to provide for water supply for the residents of Greater Victoria. As such, the CRD manages the GVWSA in the general interest of protecting and enhancing environmental values and specifically, minimizing risk to water quality from stressors such as wildfire, erosion and introduction of hazardous materials or pathogens. In addition, the CRD conducts all operations in the interest of ensuring safety of employees and other Water Supply Area users authorized for access.
- B. The Permittee holds Placer Claim Tenure Number(s) – as listed above – and Mineral Claim Tenure Number(s) – as listed above –, (the “**Claims**”) granted by the Province of BC. The Permittee intends to access and operate the Claims, which are located within the GVWSA.

The CRD and Permittee, in consideration of their mutual duties and responsibilities to one another as hereinafter set forth, enter into an agreement on the following terms (the “**Agreement**”):

ARTICLE 1 – ACCESS

- 1.1 The CRD hereby grants the Permittee access to the Claims by way of:
 _____ gate(s)
 _____ road(s)
(Each Permittee will be given a prescribed gate to enter and road to access their claim),
 for a period of one year, commencing on the date of signing this Agreement. The granted access does not include access for the purposes of general prospecting.
- 1.2 The CRD reserves the right to temporarily lift the permission or make alterations to the route for access granted under Article 1.1 in the event of emergency, fire hazard or other operational reason.
- 1.3 The CRD reserves the right to deactivate, rehabilitate and close roads as part of watershed management operations. Where this affects the Permittee's access under 1.1, CRD will communicate any changes in writing.
- 1.4 Nothing in this Agreement shall be construed as permitting use of lands or waterbodies within the GVWSA for any activities outside of mining activities on the claim(s) referenced above or for access to the claim(s) referenced above.
- 1.5 Nothing in this Agreement shall be construed as permitting access across any lands not held by the CRD. If crossing the lands of a third party is required in order to access the Claims, it is the responsibility of the Permittee to obtain all necessary permissions for access directly from the third party.

ARTICLE 2 – PROCEDURES

- 2.1 The Permittee hereby covenants and agrees that prior to entry onto the GVWSA, the Permittee will:
- a) On an annual basis apply to the CRD Watershed Protection Division ("**Watershed Protection**") by completing an External Applicant Access and Special Use Request Form for the GVWSA.
 - b) Attend a watershed orientation in which the Security Chargehand or designate will review the GVWSA Policies and procedures including the following:
 - Use of keys/radios and roads
 - Health and sanitation
 - GVWSA entry and registration procedures
 - Use of petroleum products, transportation of hazardous goods
 - Spill response
 - Preventing and responding to wildfires
 - Reporting vandalism, trespass or other threats to water quality
 - General conduct and conditions
 - c) Obtain a Dashboard Advisory Card from the CRD, which the Permittee shall display in plain sight on the dashboard of any vehicle the Permittee uses while parked on GVWSA lands.

- d) Abide by the following restrictions:
- The Dashboard Advisory Card is valid only for the mining purposes of the Permittee. Keys and Dashboard Advisory Cards are **non-transferable** and may not be loaned to a third party.
 - Keys must not be duplicated. Permittees are responsible for the security of their keys. Lost keys or Dashboard Advisory Cards must be reported to the CRD immediately and may not be replaced.
 - Gates must be kept locked at all times, with the exception of the Goldstream gate which is kept open during business hours (07:00 to 16:30 Mon-Fri).
 - Vehicles used by the Permittee require a VHF radio with CRD Watershed Road Direct Frequency Channel 4.
- e) Provide a deposit for any keys to be issued and proof of insurance subject to Article 6. Key deposits are refundable, subject to the key and any other equipment being returned to Watershed Protection in good working condition.
- f) Any keys supplied for the purposes of this agreement are to be returned within 90 days of the expiry of this agreement, unless reassigned. Keys may be reassigned upon granting a subsequent agreement or for another purpose.

ARTICLE 3 – ROAD USE

- 3.1 The Permittee will use the roads in a manner that does not interfere with the CRD's use of the roads, and will advise the CRD at least two days in advance of any equipment movement on the roads.
- 3.2 The CRD reserves the right to fully close road access in the event of high or extreme fire hazard and/or other extreme weather conditions.
- 3.3 The CRD does not assure vehicle access to the Permittee at all times. Vehicle access may be blocked for indefinite periods as a result of storms (e.g. snowfall, windfall, etc.) or for the operational requirements of the CRD.
- 3.4 The Permittee will under no circumstances alter, modify, repair, maintain, extend or construct roads on the GVWSA without the prior written approval of the CRD.
- 3.5 The Permittee will compensate the CRD for any Permittee caused damaged to GVWSA roads or roaded infrastructure including culverts, bridges and signs. All damage must be immediately reported to the CRD.
- 3.6 Radio call-in procedures must be followed when using roads in the GVWSA.

ARTICLE 4 – GENERAL CONDITIONS

The Permittee agrees to adhere to the following requirements:

- 4.1 To attend a watershed orientation (Article 2.1(b)) prior to entering the Lands, unless accompanied by Watershed Protection staff.
- 4.2 To adhere to the CRD Water Supply Protection Bylaw #2804 at all times while in the GVWSA.
- 4.3 To adhere to the notice given to CRD under Section 19 of the Mineral Tenure Act including notification within 7 days of any substantial change to the planned mining activity.
- 4.4 No firearms will be brought onto the GVWSA. For the purposes of this section, 'firearm' has the meaning set out in the *Firearm Act* (British Columbia), and includes any gun using, as a propellant, compressed air, explosives or gas.
- 4.5 The Permittee is prohibited from erecting any temporary or permanent shelters within the GVWSA and shall not overnight on GVWSA lands. The CRD may, upon application, provide written authorization for specific overnight stays for mining purposes only. Application must be made well in advance of the dates of planned activity.
- 4.6 The Permittee is prohibited from storing equipment, fuel or other items within GVWSA lands. The CRD may, upon application, provide written authorization for storage for mining purposes only. Application must be made well in advance of the dates of planned activity.
- 4.7 The Permittee will not cut down any trees within the GVWSA for any purpose without the prior written approval of the CRD.
- 4.8 No waste of any type can be discharged into streams, or onto watershed lands.
- 4.9 Domestic animals are not allowed within the GVWSA at any time.
- 4.10 The Permittee is responsible for all damage incurred to the CRD's property or facilities.
- 4.11 If, prior to the expiry date of this agreement, the CRD and the Permittee enter into another access agreement, the terms of that agreement shall govern in the event of any conflict of terms.
- 4.12 This Agreement may be cancelled by either party for any reason with 30 days written notice to the other party.
- 4.13 An 'Additional Applicants Application' Form must be submitted to the CRD and approved for accompanying person(s) well in advance of entry. Accompanying persons must sign a CRD waiver, and; hold insurance coverage as per Article 6 below. The Permittee is responsible for the actions and damages caused by any accompanying person while in the GVWSA.

- 4.14 If the Permittee's interest in the Claims is transferred, cancelled, forfeited, or otherwise found to be invalid, this Agreement will be rendered null and void.

ARTICLE 5 – RELEASE AND INDEMNITY

- 5.1 The Permittee covenants and agrees that the CRD, its employees, officers, contractors and agents, will not be liable to the Permittee or any person or entity for incidental, consequential, resulting or special loss or damage of any kind whether foreseeable or not, however caused, arising out of or in any way connected with this Agreement or the Permit hereby granted.
- 5.2 The Permittee covenants and agrees to indemnify and save harmless the CRD, its employee, officers, contractors and agents, from and against all losses, liabilities, claims, damages, costs, fines, fees or expenses of any kind or nature whatsoever made or brought against the CRD, arising from the Permittee's exercise of its rights under this Agreement.
- 5.3 The CRD is under no obligation to facilitate or otherwise assist the Permittee in accessing their claims through the GVWSA.
- 5.4 The Permittee consents to the Capital Regional District sharing, collecting and releasing my personal information, including my contact information, claim number, entry dates, and insurance status, with VIPMA, Mosaic Forest Management and the Province of British Columbia, in order to facilitate my entry to lands held by the above-named parties and safe access to their properties. I understand the above-named parties share information to facilitate access to private and secure lands, including those intended to be used for watershed purposes and for use of private roadways otherwise not available to me, and the sharing, collecting and releasing of this information is necessary for these purposes.

ARTICLE 6 – INSURANCE

The Permittee will obtain and maintain throughout the term of this Agreement:

- (i) Public liability insurance and property damage insurance in the minimum amount of \$3,000,000.00 with respect to death or injuries to persons or property caused by or arising out of or attributable to the exercise of the rights granted hereunder, and firefighting expenses liability insurance in which the limit of liability shall not be less than \$1,000,000.00.
- (ii) Automobile liability insurance covering bodily injury (including passenger hazard) and property damage arising from the operating of owned and non-owned vehicles on the Lands, with inclusive limits of not less than \$2,000,000.00 for any one accident.

Proof of insurance must be received by the CRD prior to entry onto the GVWSA.

ARTICLE 7 – CONTACTS

1. For the Permittee:
Name:
Street Address:
City:
Province:
Postal Code:
Telephone:
Email:
2. For the CRD:
Annette Constabel, Senior Manager
Watershed Protection
Telephone: (250) 391-3556
Email: aconstabel@crd.bc.ca

-Or-

For the CRD:
Patrick, McCoubrey, Security Chargehand
Watershed Protection
Telephone: (250) 391-3551
Email: securitychargehand@crd.bc.ca

Signed and Delivered by or on behalf of
the Permittee (or authorized signatory of
the Permittee)

Signature

Name - Printed

Date

Signed and Delivered by or on behalf of
the Capital Regional District

Ted Robbins, General Manager
Integrated Water Services

Date

Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7, Canada
Telephone: (250) 474-9600
Fax: (250) 474-4012
Email: water@crd.bc.ca

**REPORT TO REGIONAL WATER SUPPLY COMMISSION
MEETING OF WEDNESDAY, JANUARY 20, 2021**

SUBJECT Regional Water Supply Service 2021-2025 Capital Budget Amendment

ISSUE SUMMARY

The 2021-2025 capital plan and budget require amendment as a result of recent confirmation that the Regional Water Transmission Main No. 4 and Saanich Peninsula Water Supply upgrade project was not selected for federal funding.

BACKGROUND

As the Regional Water Supply Commission (Commission) is aware, in July 2020, the Capital Regional District (CRD) submitted a grant application under Canada's Disaster Mitigation and Adaptation Fund (DMAF) program. The application was to complete a seismic resiliency upgrade to the Regional Water Transmission Main No. 4 and portions of the Saanich Peninsula Water Supply System. The scope of the project included replacing vulnerable sections of reinforced concrete cylinder and asbestos cement pipe, constructing supply system interconnections to provided redundancy and constructing direct bulk water connections to three First Nations Reserves.

The total project budget was set at \$87 million, and was to be cost-shared between the Regional Water Supply Service and the Saanich Peninsula Water Service. The grant eligible costs were estimated at \$36.9 million. The project was included in both the Regional Water and Saanich Peninsula Water 2021-2025 capital plan and budgets which received provisional approval by the Commissions and the CRD Board in the fall of 2020. Since then, the CRD has been advised by Infrastructure Canada that the project was not selected for federal funding as part of the summer 2020 program intake. Staff are proposing to revise the scope of the project and the budget, to undertake the highest priority work, funded through the capital reserve funds and planned financing (subject to the successful completion of the loan authorization processes and bylaw adoption). The revised total project budget has been set at \$50.1 million. The following tables summarize the provisional and revised project plans and budgets.

Regional Water Supply Service – Provisional project plan and budget (October 2020)

Proj. No.	Capital Project Title	Total Project Budget	Funding Source	C/F from 2020	2021	2022	2023	2024	2025	5-Year Total
21-11	RWS Supply Main No. 4 Upgrade	\$35,400,000	WU/Reserves	\$0	\$1,800,000	\$7,800,000	\$11,400,000	\$13,500,000	\$900,000	\$35,400,000
21-11	RWS Supply Main No. 4 Upgrade	\$23,600,000	Grant	\$0	\$1,200,000	\$5,200,000	\$7,600,000	\$9,000,000	\$600,000	\$23,600,000

Regional Water Supply Service – Revised project plan and budget (January 2021)

Proj. No.	Capital Project Title	Total Project Budget	Funding Source	C/F from 2020	2021	2022	2023	2024	2025	5-Year Total
21-11	RWS Supply Main No. 4 Upgrade	\$3,300,000	WU/Reserves	\$0	\$1,800,000	\$0	\$0	\$2,400,000	\$900,000	\$3,300,000
21-11	RWS Supply Main No. 4 Upgrade	\$32,100,000	Debt	\$0	\$1,800,000	\$7,800,000	\$11,400,000	\$11,100,000	\$0	\$32,100,000

Saanich Peninsula Water Service – Provisional project plan and budget (October 2020)

Proj. No.	Capital Project Title	Total Proj Budget	Funding Source	C/F from 2020	2021	2022	2023	2024	2025	5-Year Total
21-05	SPW System Upgrade and Expansion	\$14,700,000	Res	\$0	\$1,800,000	\$0	\$0	\$0	\$0	\$1,800,000
21-05	SPW System Upgrade and Expansion		Debt	\$0	\$0	\$2,550,000	\$5,550,000	\$4,500,000	\$300,000	\$12,900,000
21-05	SPW System Upgrade and Expansion	\$13,300,000	Grant	\$0	\$1,200,000	\$3,450,000	\$5,450,000	\$3,000,000	\$200,000	\$13,300,000

Saanich Peninsula Water Service – Revised project plan and budget (January 2021)

Proj. No.	Capital Project Title	Total Proj Budget	Funding Source	C/F from 2020	2021	2022	2023	2024	2025	5-Year Total
21-05	SPW System Upgrade	\$14,700,000	Res	\$0	\$1,800,000	\$0	\$0	\$0	\$0	\$1,800,000
21-05	SPW System Upgrade		Debt	\$0	\$0	\$2,550,000	\$5,550,000	\$4,500,000	\$300,000	\$12,900,000

The revised scope is summarized on the attached drawings (Appendix A) and includes the following:

1. Complete preliminary and detailed designs for all segments in 2021 (design and construction budget estimates for the four segments are noted below):
 - a. Regional Water:
 - i. No. 4 Main (Goldstream/Station) – budget estimate is \$21,975,000
 - ii. No. 1 Main (Humpback/Watkiss/PRV Stations) – budget estimate is \$13,425,000
 - b. Saanich Peninsula Water:
 - i. Bear Hill Interconnect (East Saanich) – budget estimate is \$14,200,000
 - ii. North Saanich/Sidney Supply (Willingdon) – budget estimate is \$500,000
2. Construct Regional Water Service segments between 2022-2025
3. Construct Saanich Peninsula Water Service segments between 2022-2025

ALTERNATIVES

Alternative 1

The Regional Water Supply Commission recommends to the Capital Regional District Board:

That the provisionally approved Regional Water Supply Service 2021-2025 capital plan and budget be amended in accordance with the revised plan and budget for Project No. 21-05 as presented.

Alternative 2

The Regional Water Supply Commission recommends to the Capital Regional District Board:

That staff be directed to revise the 2021-2025 capital plan and budget as directed by the Commission.

IMPLICATIONS

Without completing all of the original scope of work proposed in the grant application, some vulnerable sections of pipe will remain in service. Staff will include the outstanding scope of work not included in the 2021-2025 capital plan, in the 2026-2030 capital plan. Staff will also monitor future intake opportunities under the DMAF and other senior government funding programs. Completing the detailed design for most of the original scope will result in 'shovel-ready' projects which could position them better for future grant opportunities and allow the CRD to secure future pipe alignments with the various municipalities.

The Regional Water Supply Service portion of the project that will be financed falls within the \$46 million loan authorization bylaw recommended by the Commission as part of the 2021 provisional budget approval. The Saanich Peninsula Water Commission will have to consider a loan authorization bylaw to enable financing the service's portion of the project.

CONCLUSION

The 2021-2025 capital plan and budget require amendment as a result of recent confirmation that the Regional Water Transmission Main No. 4 and Saanich Peninsula Water Supply upgrade project was not selected for federal funding. Staff are proposing to revise the scope of the project and the budget, to undertake the highest priority work, funded through the capital reserve funds and planned financing (subject to the successful completion of the loan authorization processes and bylaw adoption). The revised total project budget has been set at \$50.1 million. The outstanding scope of work not included in the 2021-2025 capital plan, will be included in the 2026-2030 capital plan.

RECOMMENDATION

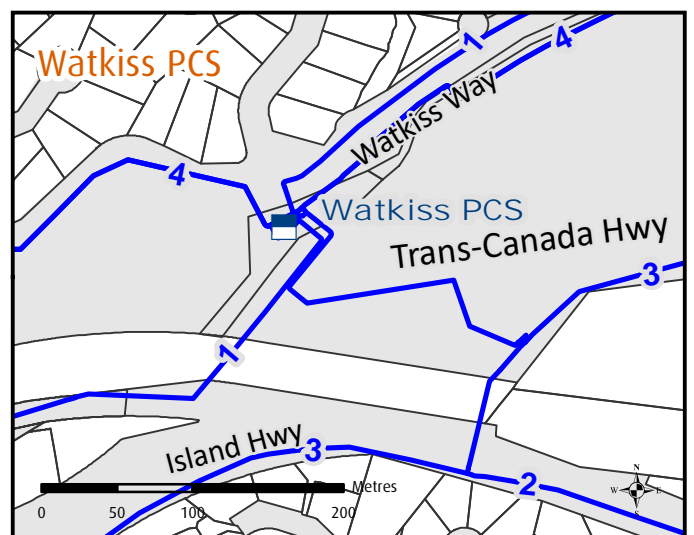
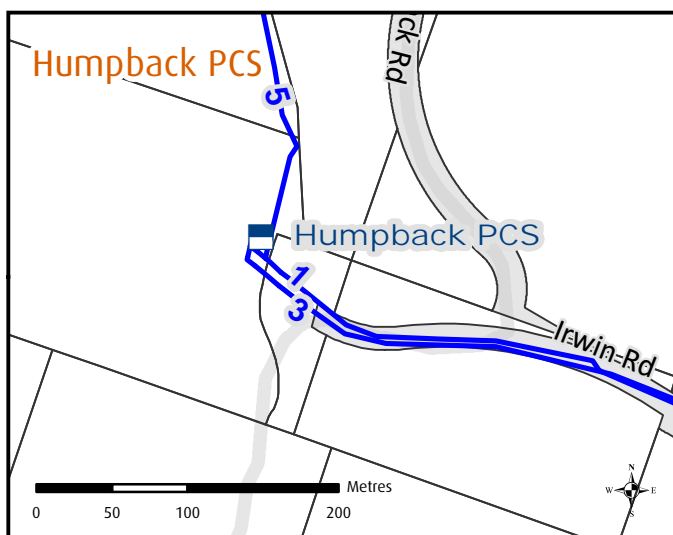
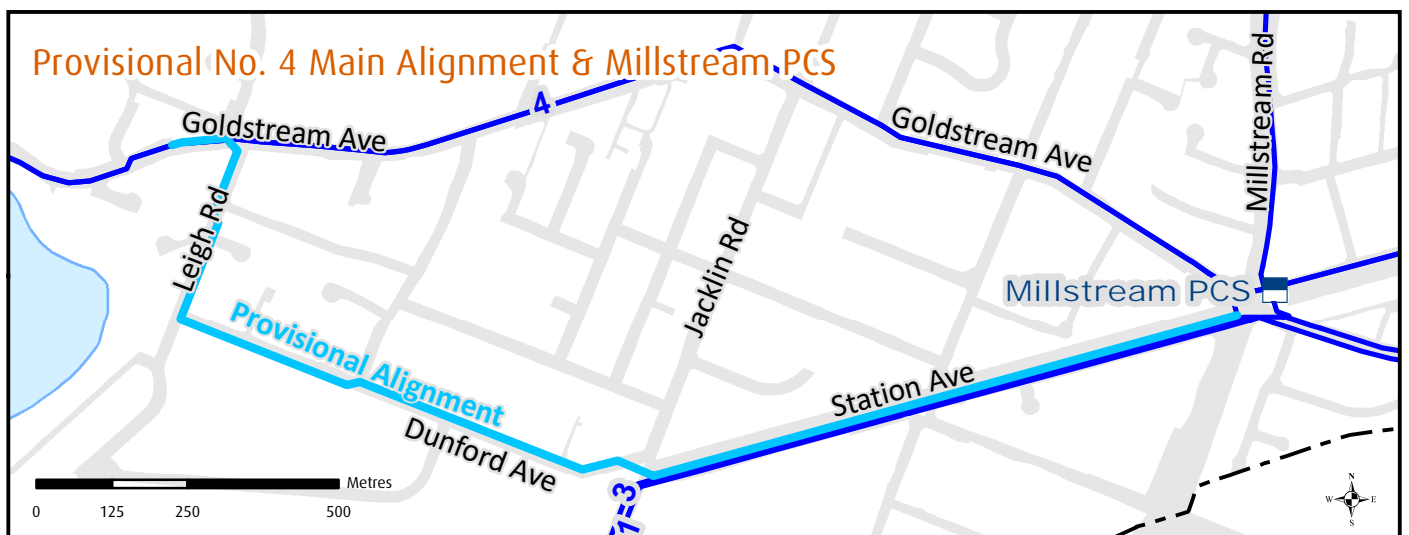
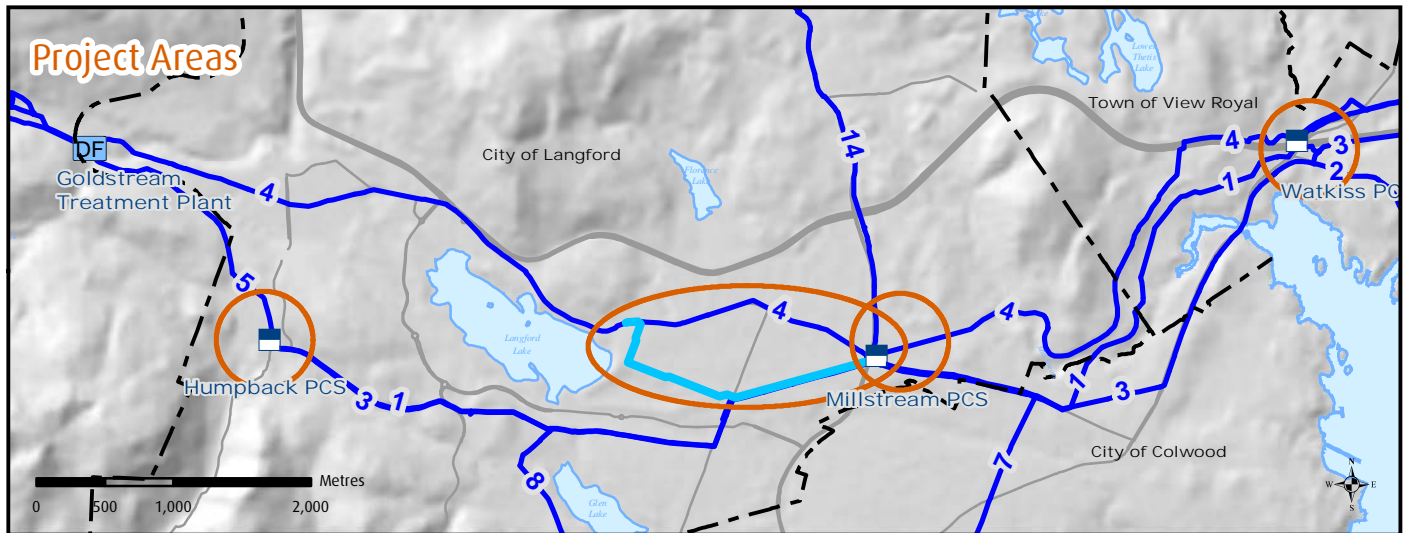
The Regional Water Supply Commission recommends to the Capital Regional District Board:

That the provisionally approved Regional Water Supply Service 2021-2025 capital plan and budget be amended in accordance with the revised plan and budget for Project No. 21-05 as presented.

Submitted by:	Ted Robbins, B. Sc., C. Tech., General Manager, Integrated Water Services
Concurrence:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT

Appendix A: Project segment drawings

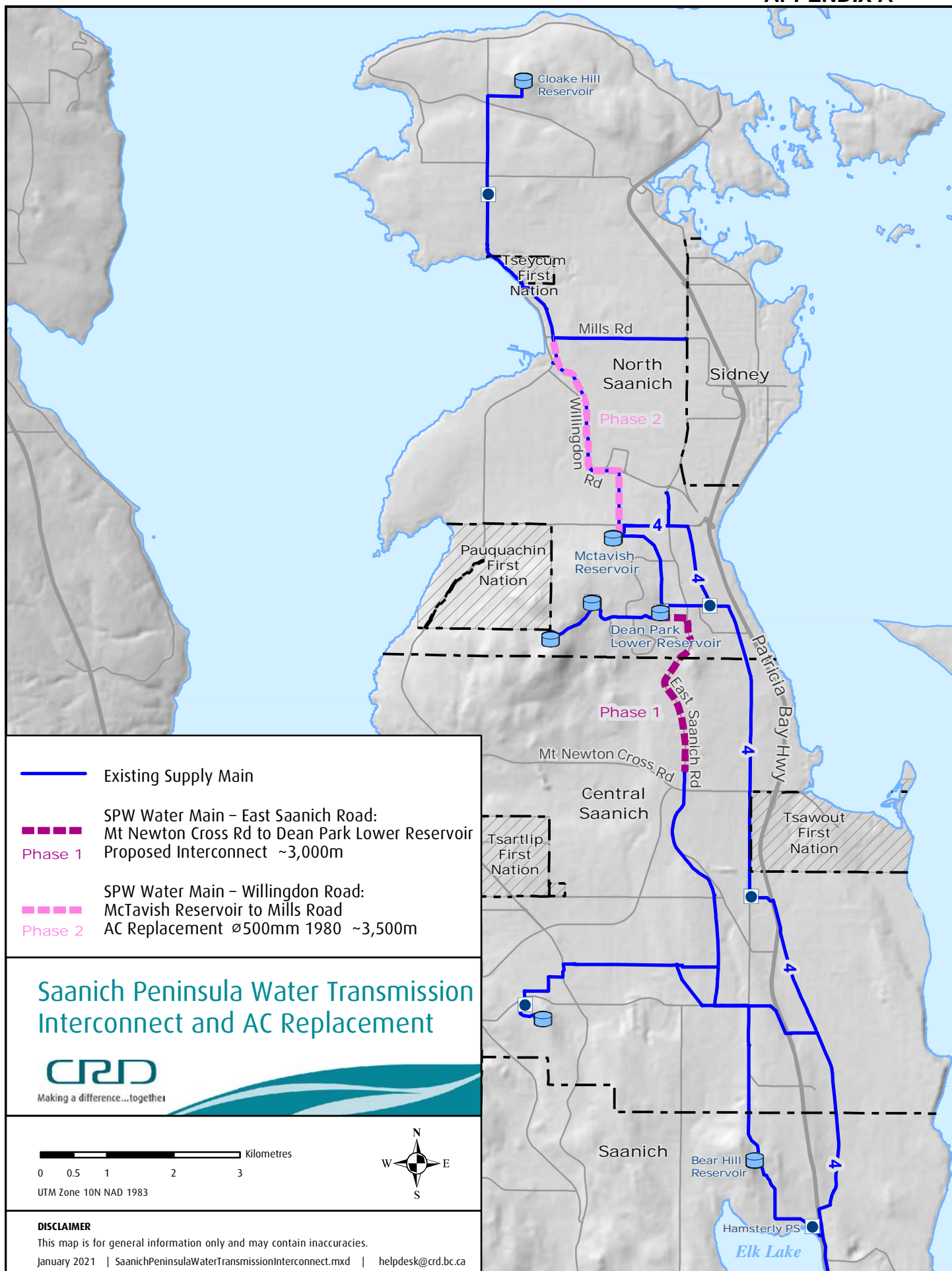


Regional Water Main Replacement and Upgrade



DISCLAIMER

This map is for general information only and may contain inaccuracies.
January 2021 | RegionalWaterMainReplacementUpgrade.mxd | helpdesk@crd.bc.ca



CAPITAL REGIONAL DISTRICT - INTEGRATED WATER SERVICES

Water Watch

Issued January 11, 2021

Water Supply System Summary:

1. Useable Volume in Storage:

Reservoir	January 31 5 Year Ave		January 31/20		January 10/21		% Existing Full Storage
	ML	MIG	ML	MIG	ML	MIG	
Sooke	92,727	20,400	92,727	20,400	92,727	20,400	100.0%
Goldstream	8,181	1,800	8,272	1,820	9,199	2,024	92.8%
Total	100,908	22,200	100,999	22,220	101,926	22,424	99.4%

2. Average Daily Demand:

For the month of January	101.5 MLD	22.32 MIGD
For week ending January 10, 2021	102.7 MLD	22.59 MIGD
Max. day January 2021, to date:	104.1 MLD	22.90 MIGD

3. Average 5 Year Daily Demand for January

Average (2016 - 2020)	97.6 MLD ¹	21.48 MIGD ²
-----------------------	-----------------------	-------------------------

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

4. Rainfall January:

Average (1914 - 2020):	274.5 mm
Actual Rainfall to Date	164.3 mm (60% of monthly average)

5. Rainfall: Sep 1- Jan 10

Average (1914 - 2020):	877.6 mm
2020/2021	1,098.5 mm (125% of average)

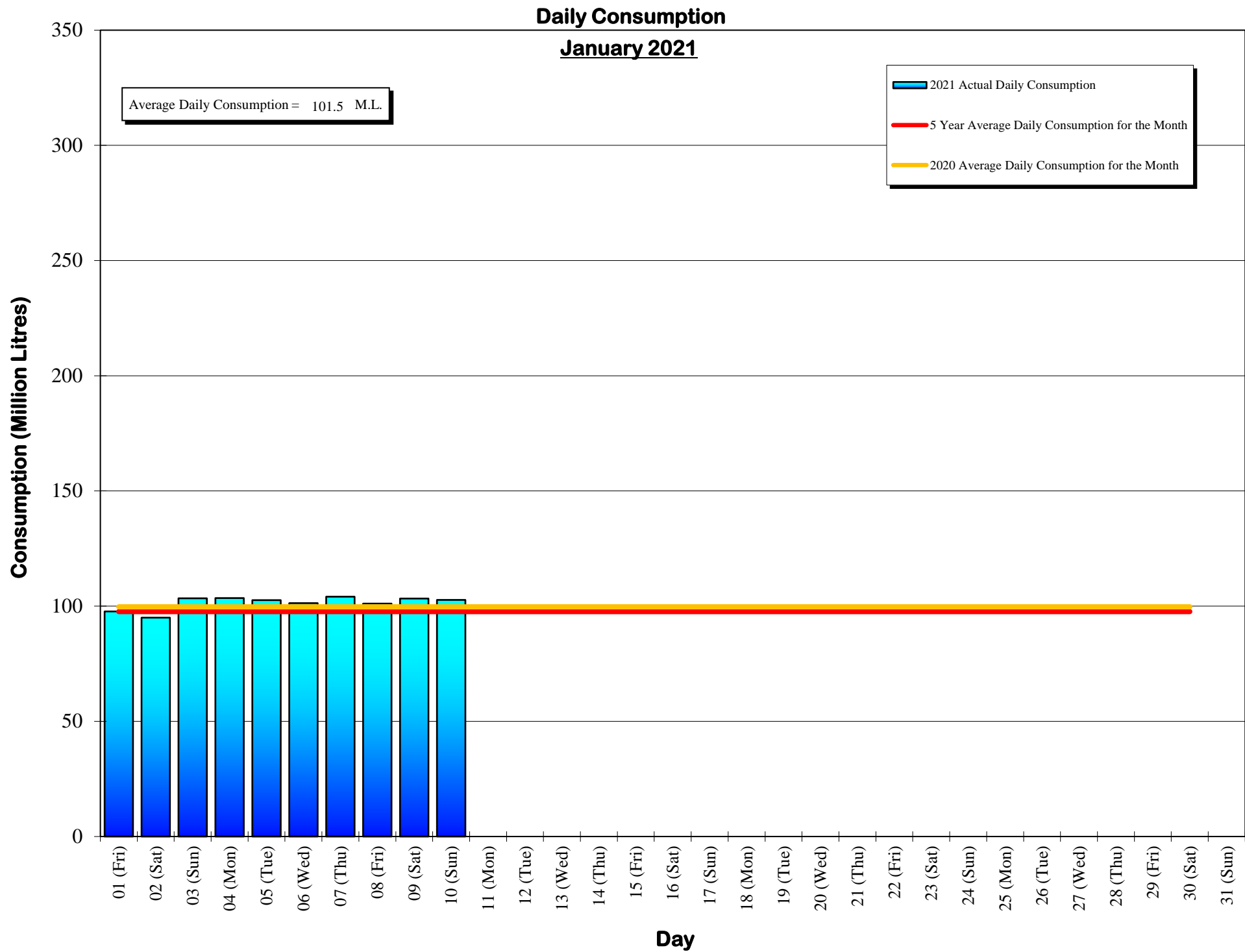
6. Water Conservation Action Required:

To avoid possible leaks this spring, now is the time to winterize your sprinkler system.
Visit www.crd.bc.ca/water for more information.

If you require further information, please contact:

Ted Robbins, B.Sc., C.Tech
General Manager, CRD - Integrated Water Services
or
Glenn Harris, Ph D., RPBio
Senior Manager - Environmental Protection

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



Daily Consumptions: - January 2021

Date	Total Consumption		Air Temperature @ Japan Gulch		Weather Conditions	Precipitation @ Sooke Res.: 12:00am to 12:00am			
	(ML) ^{1.}	(MIG) ^{2.}	High (°C)	Low (°C)		Rainfall (mm)	Snowfall ^{3.} (mm)	Total Precip.	
01 (Fri)	97.7		21.5	9	6	Cloudy / Rain	24.9	0.0	24.9
02 (Sat)	95.0	<=Min	20.9	7	5	Heavy Rain	59.4	0.0	59.4
03 (Sun)	103.4		22.8	8	3	Cloudy / Showers / P. Sunny	10.9	0.0	10.9
04 (Mon)	103.5		22.8	7	3	Cloudy / Rain	21.6	0.0	21.6
05 (Tue)	102.6		22.6	7	3	Cloudy / Rain	30.5	0.0	30.5
06 (Wed)	101.3		22.3	7	3	Cloudy / Showers / P. Sunny	2.3	0.0	2.3
07 (Thu)	104.1	<=Max	22.9	7	2	Cloudy / P. Sunny	0.0	0.0	0.0
08 (Fri)	101.1		22.2	7	1	Cloudy / Showers / P. Sunny	4.1	0.0	4.1
09 (Sat)	103.3		22.7	6	0	Cloudy / Showers	4.3	0.0	4.3
10 (Sun)	102.7		22.6	7	4	Cloudy / Showers	6.3	0.0	6.3
11 (Mon)									
12 (Tue)									
13 (Wed)									
14 (Thu)									
15 (Fri)									
16 (Sat)									
17 (Sun)									
18 (Mon)									
19 (Tue)									
20 (Wed)									
21 (Thu)									
22 (Fri)									
23 (Sat)									
24 (Sun)									
25 (Mon)									
26 (Tue)									
27 (Wed)									
28 (Thu)									
29 (Fri)									
30 (Sat)									
31 (Sun)									
TOTAL	1014.7 ML		223.22 MIG				164.3	0	164.3
MAX	104.1		22.90	9	6		59.4	0	59.4
AVG	101.5		22.32	7.2	3.0		16.4	0	16.4
MIN	95.0		20.89	6	0		0.0	0	0.0

1. ML = Million Litres

2. MIG = Million Imperial Gallons

3. 10% of snow depth applied to rainfall figures for snow to water equivalent.

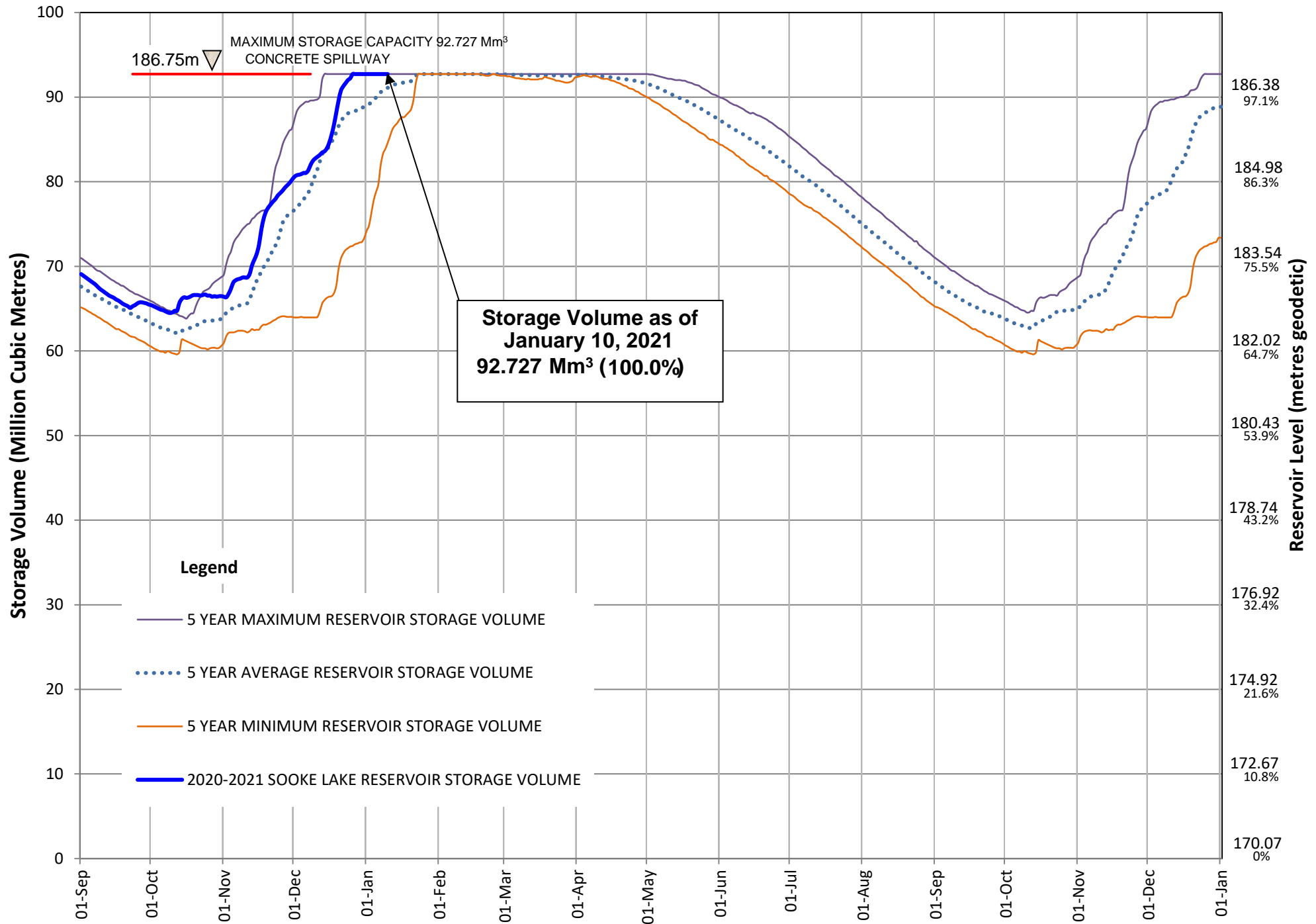
Average Rainfall for January (1914-2020)	274.5 mm
Actual Rainfall: January	164.3 mm
% of Average	60%
Average Rainfall (1914-2020): Sept 01 - Jan 10	877.6 mm
Actual Rainfall (2020/2021): Sept 01 - Jan 10	1,098.5 mm
% of Average	125%

Number days with precip. 0.2 or more
9

Water spilled at Sooke Reservoir to date (since Sept. 1) = 4.29 Billion Imperial Gallons
= 19.50 Billion Litres

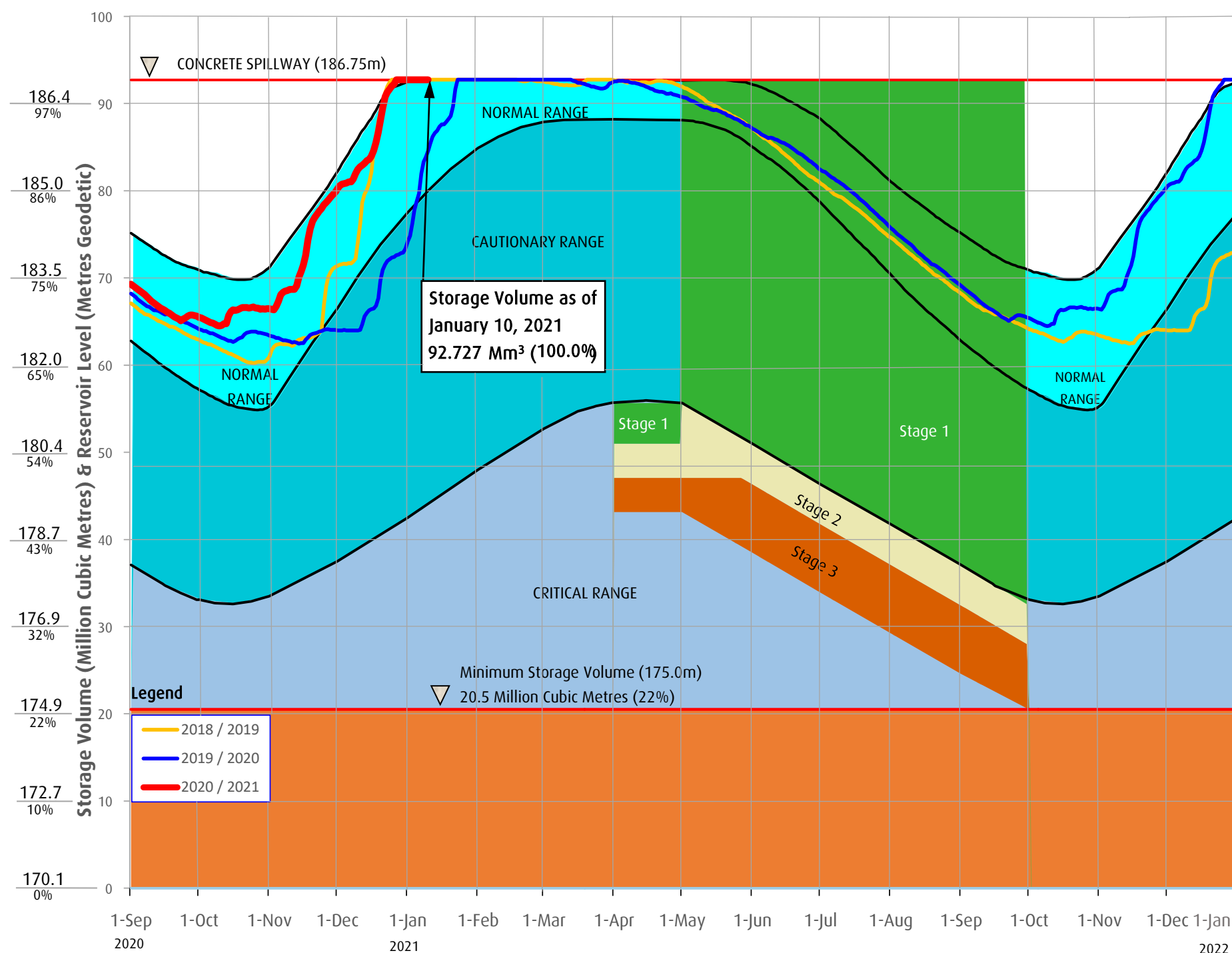
SOOKE LAKE RESERVOIR STORAGE SUMMARY

2020 / 2021



Sooke Lake Reservoir Storage Level

Water Supply Management Plan



FAQs

How are water restriction stages determined?

Several factors are considered when determining water use restriction stages, including,

1. Time of year and typical seasonal water demand trends;
2. Precipitation and temperature conditions and forecasts;
3. Storage levels and storage volumes of water reservoirs (Sooke Lake Reservoir and the Goldstream Reservoirs) and draw down rates;
4. Stream flows and inflows into Sooke Lake Reservoir;
5. Water usage, recent consumption and trends; and customer compliance with restriction;
6. Water supply system performance.

The Regional Water Supply Commission will consider the above factors in making a determination to implement stage 2 or 3 restrictions, under the Water Conservation Bylaw.

At any time of the year and regardless of the water use restriction storage, customers are encouraged to limit discretionary water use in order to maximize the amount of water in the Regional Water Supply System Reservoirs available for nondiscretionary potable water use.

Stage 1 is normally initiated every year from May 1 to September 30 to manage outdoor use during the summer months. During this time, lawn watering is permitted twice a week at different times for even and odd numbered addresses.

Stage 2 is initiated when it is determined that there is an acute water supply shortage. During this time, lawn water is permitted once a week at different times for even and odd numbered addresses.

Stage 3 is initiated when it is determined that there is a severe water supply shortage. During this time, lawn watering is not permitted. Other outdoor water use activities are restricted as well.

For more information, visit www.crd.bc.ca/drinkingwater

CRD
Making a difference...together



Useable Reservoir Volumes in Storage for January 10, 2021

