



Reference: 200343

OCT 30 2014

Joe Stanhope, Chair  
and Directors  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo BC V9T 6N2

Dear Chair Stanhope and Directors:

Thank you for your letter of January 30, 2014, with the enclosed Regional District of Nanaimo (RDN) Liquid Waste Management Plan Amendment (Plan) dated January 2014.

I am satisfied that the Plan provides a comprehensive outline of commitments addressing key planning components. The amendment includes initiatives targeted at addressing failing onsite systems, source control, odour control, rainwater management, volume reduction, inflow and infiltration reduction, integrated resource recovery and beneficial use of biosolids. The direction and commitments identified in the proposed amendment are supportable and the public review and consultation process meets this ministry's requirements.

The RDN's commitment to replace the aging outfall at the Greater Nanaimo Pollution Control Centre (GNPCC) by 2015 and to complete treatment upgrades at GNPCC and Nanoose Bay Pollution Control Centre (NBPCC) by revised timelines of 2018 and 2023, respectively, are accepted. The ministry supports upgrading to a minimum of secondary level treatment at both GNPCC and NBPCC. As the level of treatment as well as design of treatment and disposal facilities are informed by environmental impact studies, the RDN will need to address specific regulatory requirements in greater detail and undertake appropriate environmental impact studies in advance of scheduled completion dates for upgrades.

Pursuant to Section 24(5) of the *Environmental Management Act*, I hereby approve the RDN Liquid Waste Management Plan Amendment dated January 2014 with the following conditions:

1. Within 30 days of receipt of this letter, provide terms of reference, plan and schedule for completion of Stages 1 & 2 of an Environmental Impact Study for each of the GNPCC, NBPCC and French Creek Pollution Control Centre (FCPCC) sewage treatment and disposal facilities.
2. By January 31, 2015, provide the Environmental Impact Study for the marine portion of the GNPCC outfall replacement project.

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Please continue to work with Ministry of Environment, Environmental Protection Division, Coast Region staff to address requirements for completion of environmental impact studies.

Please continue your efforts to engage with First Nations regarding any specific concerns with the Plan. This includes consultation pertaining to environmental impact studies and assessment and design of receiving environment monitoring programs. Please take action as necessary to assist in addressing any concerns identified during consultation.

It is noted that the Plan does not anticipate any significant future development to occur within the Nanoose Bay sewer service area over the lifetime of the Plan. As the draft Operational Certificate for NBPCC specifies a maximum discharge rate that is inconsistent with and unsubstantiated by the details of the Plan, I support the RDN's commitment to work in cooperation with ministry staff in the Coast Region to review and refine the details of the Operational Certificate for NBPCC, as well as for Operational Certificates for the GNPCC and FCPCC facilities to ensure alignment with projects and programs detailed in the Plan as well as regulatory requirements and findings of environmental impact studies. I bring to your attention that any significant changes to what is detailed in the Plan would require a plan amendment as well as public and First Nations consultation as appropriate to the nature of the amendment.

I concur with the RDN's commitment to establish a plan monitoring committee to complete annual reviews of the Plan. I understand the plan monitoring committee will make recommendations for revisions and updates to the Plan and prepare an annual audit report. Please forward a copy of the audit report to the regional office, with the first report to be submitted by June 30, 2015, and subsequent reports by June 30<sup>th</sup> of each following year.

In looking forward, I would like to see future plan amendments include specific targets and measures focused on the elimination of sewer overflows and reduction of inflow and infiltration, and give further attention to emerging issues such as climate change and contaminants of concern. I also encourage the RDN to develop bylaws that will assist in achieving goals to reduce wastewater volume and better manage rainwater and cumulative effects.

Approval of the Plan does not authorize entry upon, crossing over or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility of obtaining such authority shall rest with the local government. This Plan is approved pursuant to the provisions of the *Environmental Management Act*, which asserts it is an offence to discharge waste without proper authorization. It is also the RDN's responsibility to ensure that all activities conducted under this Plan are carried out with regard to the rights of third parties and comply with other applicable legislation that may be in force.

Thank you again for your submission.

Sincerely,

A handwritten signature in cursive script that reads "Mary Polak". The signature is written in black ink and is positioned above the printed name and title.

Mary Polak  
Minister

cc: AJ Downie, Regional Director, Coast Region, Environmental Protection Division,  
Ministry of Environment