



SPECIAL SOIL RELOCATON COMMITTEE MEETING

**MONDAY, NOVEMBER 19, 2012
BOARD ROOM
175 INGRAM STREET, DUNCAN, BC**

7:30 AM

AGENDA

PAGES

1. **APPROVAL OF AGENDA**
2. **ADOPTION OF MINUTES**
3. **BUSINESS ARISING FROM THE MINUTES**
4. **DELEGATIONS**
5. **REPORTS**
 - R1 Esquimalt Graving Dock Project – Next Steps 1-4
 - R2 SIA Application Update Verbal Report
 - R3 MOE Soils Testing Update Verbal Report
 - R4 Lund Small Holdings Update Verbal Report
 - R5 Community Representative 5
6. **CORRESPONDENCE**
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**
9. **QUESTION PERIOD**
10. **CLOSED SESSION**
11. **ADJOURNMENT**

Committee Members

Director G. Giles, Chair
Director B. Fraser
Director J. Lefebure
Director L. Duncan

Director M. Walker, Vice Chair
First Nations Representative - TBD
First Nations Representative - TBD

Community Representative - TBD
Community Representative - TBD

From: Jim Milne [<mailto:Jim.Milne@pwgsc-tpsgc.gc.ca>]
Sent: November-10-12 11:35 AM
To: Warren Jones
Subject: Re: Esquimalt Graving Dock Contaminated Soils - draft response to CVRD

Yes by all means.
Jim

From: Warren Jones [<mailto:wjones@cvrld.bc.ca>]
Sent: Saturday, November 10, 2012 08:25 AM
To: Jim Milne
Cc: Kristen Ritchot
Subject: Re: Esquimalt Graving Dock Contaminated Soils - draft response to CVRD

Thank you for your email Mr. Milne. May I share it with concerned citizens I hear from? Thank you.
Warren

Warren Jones
CAO
Cowichan Valley Regional District

On 2012-11-09, at 1:46 PM, "Jim Milne" <Jim.Milne@pwgsc-tpsgc.gc.ca> wrote:

Mr. Jones, we certainly understand the concerns that residences of the Cowichan Valley and yourselves may have with contaminated materials being moved over the Malahat and disposed of in the Valley. Below are the exact clauses in the tender package which has been place on MERX. At no time has the area of concern been discussed as a suitable location for disposal.

Disposal Facility

An existing facility located in Canada where waste is placed in or on land and that is designed, constructed, and operated to prevent any pollution from being caused by the facility outside the area of the facility. The facility must be permitted by provincial law for the disposal of soil or other material that is not suitable for industrial, commercial, urban park, residential, agricultural, wildlands, or any other land use specified in the BC Contaminated Sites Regulation.

The Disposal Facility and Treatment Facility must have a permit issued by the

British Columbia Ministry of Environment or any other approved provincial or federal jurisdiction. The Contractor shall provide documentation acceptable to PWGSC that the materials can be accepted at the Disposal Facility and Treatment Facility. Copies of the Disposal Facility permit, Disposal Facility closure plan, and Treatment Facility permit must be submitted to the Departmental Representative within ten (10) working days of award of the Contract.

The Contractor becomes the owner of, and is responsible for, any soil, sediment, or other material once it is loaded on a vehicle, barge, or other vessel for transport to a final disposal facility or treatment facility permitted by provincial law.

.9 The Contractor shall complete final disposal of all dredged material and debris, and shall submit its Certificate of Disposal to the Departmental Representative within 45 calendar days after the Departmental Representative has accepted that all dredging and debris removal work is complete. The Contractor shall not move waste from one Disposal Facility to another Disposal Facility once the Contractor submits the Certificate of Disposal.

The Contractor shall ensure that sediment and debris offloading, handling, dewatering, segregation, upland transport, treatment (as applicable) and disposal is performed in compliance with federal, provincial, and local laws and regulations including, but not limited to:

.1 *Canadian Transportation of Hazardous Goods Act* – Transportation of Hazardous Goods Regulation, amended May 19, 2010.

.2 *British Columbia Environmental Management Act* – Hazardous Waste

Regulation, BC Reg 63/88, amended April 1, 2009.

.3 British Columbia Environmental Management Act – Contaminated Sites

Regulation, BC Reg. 343/2008, with amendments to January 1, 2009.

Thank you for your concern, and if you have further questions do not hesitate in contacting me.

Jim Milne
Director, Directeur
Esquimalt Graving Dock/Cale sèche d'Esquimalt
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Government of Canada | Gouvernement du Canada

From: Warren Jones [<mailto:wjones@cvrd.bc.ca>]
Sent: Friday, November 09, 2012 02:01 PM
To: Kristen Ritchot
Subject: Esquimalt Graving Dock Contaminated Soils

Kristen Ritchot
Project Coordination Officer

Dear Ms. Ritchot,

A recent article in the Victoria Times Colonist has raised concern among people in the Cowichan Valley Regional District (CVRD) about where contaminated soils and materials removed from the Esquimalt Graving Dock (EGD) will be relocated. While the "clean up" is a laudable environmental and economic initiative the CVRD has experienced and continues to experience some unfortunate collateral damage associated with the relocation of contaminated soils from other locations. You are listed on MERX as the contact for the EGD project. If I should be contacting someone else with my enquiry I would appreciate it very much if you would provide me with the appropriate contact.

Over the last many years the Cowichan Valley Regional District has been working to prevent contaminated soils from being deposited in areas believed inappropriate, in particular sensitive ecosystems and areas where people's drinking water might potentially be impacted. The regulation of contaminated soils is a matter of Provincial jurisdiction and we have been working with the provincial government in an attempt to address the significant concerns of people in the Cowichan Valley. Essentially, the Regional District does not have the ability to adequately influence where contaminated soils may be deposited in the Region as it is provincial jurisdiction.

Since the article appeared in today's Times Colonist I have heard from a number of people concerned about where the contaminated materials from the EGD might be taken for disposal. Simply put people

do not want the materials trucked up over the Malahat and dumped in the Cowichan Valley. I was hoping that you might be able to assist me. Has there been a determination of the level of contamination and does the tender specify where the contaminated soils will be deposited? I am hoping that I will be able to provide information to the community to reduce this concern that has arisen and will no doubt quickly grow.

Thank you very much for your assistance.

Regards,
Warren Jones
Chief Administrative Officer
Cowichan Valley Regional District

Warren Jones, Chief Administrative Officer
Cowichan Valley Regional District
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email: wjones@cvrd.bc.ca
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Soil Relocation Committee

Terms of Reference

Establishment: The Board Chair establishes the Soil Relocation Committee. As a Committee of the Board, the role of the Soil Relocation Committee is advisory. Advice, comments or recommendations from the committee will be forwarded to the Board when appropriate.

Composition: The Board Chair appoints the Chair, Vice Chair and members of the Soil Relocation Committee. The committee may form task and project oriented sub-committees and working groups to address specific issues if needed. These sub-committees can involve other stakeholders. As of October 1, 2012 the Board Chair has appointed the following members to the Committee:

Local Government

- Director Gerry Giles, Chair
- Director Mike Walker, Vice Chair
- Director Bruce Fraser
- Director Loren Duncan
- Director Jon Lefebure
- Chair Rob Hutchins

First Nations

- TBD
- TBD

Community Members

- Community Representative TBD
- Community Representative TBD

Goals: The Soil Relocation Committee has two primary goals:

1. To work with stakeholders and the Provincial Government to review and implement regional and provincial policy and regulations to better regulate the deposition of contaminated soils to ensure the protection of drinking water and the environment.
2. To work with the provincial government to identify, investigate, and document illegal soil deposition sites and take appropriate action to ensure that the sites pose no threat to the environment or drinking water

Meetings / Procedures: The Committee will meet at the call of the Chair. The quorum for the committee is five members.

General Matters: Volunteers of the Committee serve without remuneration. The Chair may dissolve the Soil Relocation Committee, remove and appoint members at any time and amend these Terms of Reference. Committee meetings are open to the public; however, a meeting may be closed to the public in accordance with the provisions of the *Community Charter*.