

DATE: April 12, 2018**FILE:** 5600-00**TO:** Chair and Members
Black Creek/Oyster Bay Services Committee**FROM:** James Warren
Acting Chief Administrative Officer

Supported by James Warren Acting Chief Administrative Officer <i>J. Warren</i>

RE: Black Creek Oyster Bay water local service area – new water supply development

Purpose

To update the Black Creek Oyster Bay services committee on challenges related to installation of additional water supply infrastructure.

Recommendation from the Chief Administrative Officer:

1. THAT the Comox Valley Regional District send a letter to the Strathcona Regional District Board requesting approval to complete installation of a new production well in the Oyster River Nature Park by March 31, 2019 to ensure the Clean Water and Wastewater Fund grant can be fully utilized, and the current water capacity concerns can be resolved prior to summer 2019.
2. THAT should the hydrological work currently underway to assess the capacity of Oyster River Nature Park groundwater conclude that there is sufficient water to supply Northern Electoral Area D without compromising the sustainability of the Black Creek Oyster Bay water service, Comox Valley Regional District staff support the Strathcona Regional District to evaluate the potential of supplying the Northern Electoral Area D water service with Oyster River Nature Park groundwater.

Executive Summary

The BCOB water system treats and distributes water from two different water sources to properties north of the Oyster River in Area D of the Strathcona Regional District (SRD) and south of the Oyster River in Puntledge Black Creek (Area C) of the Comox Valley Regional District (CVRD). The first water source is ground water wells (two in the Oyster River Nature Park (the Park)) and the second is an infiltration gallery in the Oyster River. These water sources are typically rotated seasonally depending on system demand and turbidity. Historically, the operating strategy has been to have only one source in service at a time, however the BCOB system has seen a decline in source water capacity, particularly in river infiltration gallery, over the last few years that has occasionally required the CVRD to operate multiple water sources concurrently.

In March 2017 the CVRD received approximately \$540,000 from the Clean Water and Wastewater Fund (CWWF), or 83 per cent of the total estimated cost, to install a new production well in the Park to complement the two existing wells. As the grant funding required that the production well be installed by March 31, 2018 the CVRD immediately started design of the system and initiated contact with the SRD for approval to access the park for drilling of the required test well and production well.

In response to the CVRD's initial request for approval, the SRD indicated that a formal access agreement for CVRD access to BCOB water service infrastructure in the Park would be needed prior to SRD granting approval to proceed. The letters patent issued in 2008 at the split of the old Comox SRD gave tenure of the land to SRD and water infrastructure to the CVRD, but did not explicitly include specific rights of access for CVRD to access water infrastructure. The Crown Grant is subject to the Park continuing to be used for both park and water purposes.

The following is a chronology of the effort by CVRD and SRD staff to come to agreement regarding CVRD access to the Park:

- May 2017:** The CVRD engaged outside legal counsel to draft an access agreement and circulated it to the SRD for review;
- May to August 2017:** CVRD incorporating adjustments requested by the SRD;
- September 2017:** SRD provided approval for CVRD contractors to drill the test well; SRD staff indicated that support for installation of the production well was subject to the results of the test well, and confirming support of the neighboring farmer who relies on the same aquifer for irrigation;
- November 2017:** CVRD completed test well process and forwarded report to SRD;
- December 2017:** SRD rejected request to decouple installation of the production well from approval of the access agreement to allow completion on time;
- January 2018:** CVRD received a letter of support from the neighboring farmer and forwarded to SRD;
- March 2018:** SRD staff indicated that support for the access agreement and installation of the production well is subject to the outcome of an alternate source study for their Northern Electoral Area D water service; CVRD obtained one year extension for the CWWF funding, with final deadline for completion of March 31, 2019.

CVRD staff have engaged a hydrologist to study the total potential water supply capacity of the Park in an effort to demonstrate to the SRD that sufficient water exists to satisfy both service areas should their alternate source study conclude that it is the most cost effective alternative to the Campbell River supply. This study will be complete in early May 2018.

The CVRD remains committed to working in collaboration with SRD staff. However, tying resolution of Northern Area D water service issues to the new production well project significantly reduces the likelihood of delivering this crucial project within the grant program deadline. Failure to meet the grant program deadline will have significant cost implications to all users, north and south of the Oyster River and could result in severe source water shortages.

At a meeting between CVRD and SRD staff in March 2018, it was agreed that the CVRD would take a request directly to the SRD board for approval to install the production well. Staff are recommending that CVRD board send a letter with this request to the SRD board and that the CVRD support SRD staff in their efforts to find a solution to the Northern Area D water service

supply and, should the hydrological study work conclude there is adequate water for both service areas in the Park, possible future connection of that service area to the Park groundwater.

Prepared by:

Concurrence:

K. La Rose

Kris La Rose, P.Eng.
Senior Manager of
Water/Wastewater Services

M. Rutten

Marc Rutten, P.Eng.
General Manager of Engineering
Services