

DATE: July 6, 2018

FILE: 5330-20/CVWTP

TO: Chair and Directors
Comox Valley Water Committee

Supported by Russell Dyson
Chief Administrative Officer

FROM: Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Comox Valley Water Treatment Project – Fish and Game Land Acquisition and Agreement

Purpose

To provide the proposed path forward for the acquisition of the property required for the raw water pump station for the Comox Valley Water Treatment Project (CVWTP).

Recommendation from the Chief Administrative Officer:

THAT staff be directed to proceed with acquisition of the property and statutory right-of-way's for the Comox Valley Water Treatment Project raw water pump station, marine pipeline, and raw water pipeline from the Courtenay and District Fish and Game Protective Association as outlined in the report dated July 6, 2018.

Executive Summary

As part of the CVWTP, the following are required to convey water to the new treatment plant:

- A marine pipeline in Comox Lake;
- A raw water pump station (RWPS) adjacent to the lake shore; and
- A raw water pipeline along Comox Logging Rd.

The Comox Valley Regional District (CVRD) has worked closely with the Courtenay and District Fish and Game Protective Association (CDFGPA) in regard to the acquisition of a parcel of their land for the RWPS and statutory right-of-way's (SRW) for the aforementioned pipelines and an access road. CDFGPA requested provision of raw water from the RWPS for their proposed hatchery and fire hydrants in lieu of financial compensation for the property arrangements. CVRD have studied the implications of this proposal and at this time do not see any barriers to its implementation.

The CVRD and CDFGPA propose an agreement in principle which includes the following details:

- CDFGPA agree to:
 - The subdivision and transfer of title of a parcel to CVRD for the RWPS;
 - The registration of several SRWs for the CVWTP's required pipelines / access road;
 - Provide laydown and work areas for the CVWTP's construction;
 - Pay their share of maintenance costs of the RWPS (apportioned by the ratio of water use) after 20 years has elapsed (measured from the commissioning of CDFGPA's hatchery); and
 - Own and be responsible for the replacement of all parts for the raw water supply infrastructure required to feed the hatchery and fire hydrants after 20 years has elapsed (measured from the commissioning of CDFGPA's hatchery).

- CVRD agree to:
 - Build the necessary infrastructure to provide raw water to CDFGPA’s proposed hatchery and fire hydrants;
 - Build a new locked gate access road to the RWPS and allow CDFGPA to use it for emergency access to their campground and for the proposed hatchery;
 - Operate the raw water supply infrastructure required to supply CDFGPA services;
 - Provide raw water free of charge to the CDFGPA for hatchery operations and fire protection for 20 years; and
 - To continue supplying water to CDFGPA as long as the CDFGPA meets their obligations and the supply of water does not jeopardize the CVRD’s ability to supply water to the Comox Valley Water System.

The arrangement of the subdivision and SRWs is shown in Appendix A. The subdivision was designed to maintain CDFGPA ownership of the spit and all land west of the bridge.

The value of each component of the agreement were estimated and negotiated, with the duration of free raw water supply adjusted to equate the deal. The value of the infrastructure and raw water provided to CDFGPA as part of this deal is approximately \$300,000, which is well within the amount allocated in the CVWTP budget for RWPS land acquisition.

CDFGPA have already taken the terms of this proposed agreement in principle to their Board and membership, and obtained the required approvals to execute an agreement based on these terms. With Comox Valley Water Committee approval, staff will initiate the required surveys and legal work to create and execute a formal agreement.

Prepared By:

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Stakeholder Distribution (Upon Agenda Publication)

Courtenay District Fish and Game Protective Association.	✓
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Attachments: Appendix A – “Proposed Property Boundaries”

Appendix A - Proposed Property Boundary

