

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: JBNA-CRD meeting of January 11, 2017  
**Attachments:** 2017 Wastewater CRD Jan.pdf

**From:** Marg Gardiner, JBNA [REDACTED]  
**Sent:** Saturday, February 11, 2017 8:41 PM  
**To:** [Wastewater@crd.bc.ca](mailto:Wastewater@crd.bc.ca)  
**Cc:** Kristin Quayle  
**Subject:** JBNA-CRD meeting of January 11, 2017

Good evening Kristin,

Upon reviewing the CRD Core Area Liquid Waste Management Committee info package of February 8, I did not find the letter/minute excerpt from the January 11, 2017 JBNA-CRD meeting. I mentioned this to the CRD team on **February 6** (see e-mail below).

Having sent the February 6 e-mail, one would have expected the information to have been forwarded to the Management committee prior to February 8. If it was not in the package **or otherwise provided prior to the February 8 meeting**, we ask to know why the Project team did not include it.

Please ensure that this e-mail, and attachments, are forwarded to all members of the CRD Management committee forthwith.

Thank you for your prompt attention to this matter.

Marg Gardiner  
President, JBNA  
[REDACTED]

CC: JBNA Board

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**From:** Marg Gardiner, JBNA [REDACTED]  
**Sent:** 06 February 2017 10:01 AM  
**To:** Sharon Singh <[REDACTED]>; [dclancy@crd.bc.ca](mailto:dclancy@crd.bc.ca); [shenderson@crd.bc.ca](mailto:shenderson@crd.bc.ca)  
**Subject:** PROBLEM(s) (Sharon - pls pass on to Jane)

Good morning,

We find ourselves in a difficult situation given the events of the past 2 weeks.

Less than 4 weeks ago we had a public meeting, one at which approx 80 residents gathered and spoke clearly at the meeting. As in any public meeting, participants were not all of one voice, but they clearly stated their views regarding what was placed before them and were of common mind on some points.

Since that time, the JB meeting, and messages given at the meeting, seem to have been discounted and the JB meeting represented as a good people count, a meeting which would provide the CRD consultation effort with an acceptable number.

The events which give rise to a disillusionment with our (yours and JBNA) discussion include the following:

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**EVENTS** December 14 - January 11

In brief, the substantive issues identified in December were

1) mitigation of noise/emissions

- 2) the bluffs (vs Sea-bed routing and expert comparison of routes (science and costing))
- 3) JB amenity

As to the "regional" facility at Clover, the facility is NOT considered an amenity for James Bay, and this sentiment was widely expressed at the JB January 11 gathering. When Jane raised the bike track as an amenity she prefaced her offering with a statement that she had been forewarned that it was not acceptable. Esquimalt is receiving \$17M amenity which will be used within their community for projects to benefit the community. CRD has an obligation to treat all residents with the same respect and comparable consideration - it cannot "hide" behind municipalities. In any case, the amenity between CoV and Esquimalt is not equitable.

As residents expressed on January 11, James Bay expects an amenity for James Bay - and not a discussion about the "bike path". That path is not an amenity that will benefit the community in any significant way. Further, the loss of the angle parking would even make it a cost to the community.

### **EVENTS of past 2 weeks**

#### ***Jan 26: CoV Committee of the Whole Meeting***

At this meeting there were 2-3 representatives from the CRD team speaking. The main presenter made no mention of the JB resident requests/expectations expressed at the January 11, 2017, meeting.

When queried, Steve Henderson spoke of amenities being discussed at an earlier period with JB residents - again no mention/disclosure of the discussion of January 11 and the rejection of a bike lane and of a "regional" clover point washrooms being an amenity for Jams Bay.

This was at best a misleading statement. Although Malcolm Cowley and Steve Hutchinson spoke at a JBNA meeting in 2013 about the bike path - there was no disclosure of impacts on James Bay. There was no broad discussion of any kind about amenities - but rather the presentation that the bike trail had been decided. At that meeting concerns were raised about the angle parking and concerns raised about the project in general. THIS WAS OVER 3 years ago.

As to substance of JBNA January 11 meeting - **no disclosure to Council as to substantive issues as raised by residents - and no disclosure to council, as to the extent of impacts on James Bay residents there was also no disclosure to Mayor and Council**

#### ***January 30/31: CRD meeting***

We were not aware of a CRD wastewater meeting early last week. However, I was contacted by a resident who attended the meeting. The resident, whom I had never met with before last week, contacted me and briefed me on the meeting. He informed me that the only mention of the James Bay meeting was in regard to the attendance number. Again, no disclosure of impacts or of the messages provided by residents present at the January 11 meeting.

#### ***January 26 & February 1: Seabed and other routing possibility discussions***

I received a summary statement from Mssrs Gunton and Gallagher re the January 26 discussion with project technical staff re seabed routing and other possible alternate conveyance routings. the report was disappointing at best. Bird Sanctuary ???

The e-mail of February 1, although polite, was a note of dismissal without resolution.

#### ***February 8: CRD meeting***

I have scanned the CRD package for Wednesday's meeting and see no mention of the substantive issues raised at the January 11 JBNA meeting with James Bay residents. Given the cumbersome agenda, I may have missed a document, if any, that deals with the matters. if this has been the case, please provide direct link. If it is not, it may speak to a failure to disclose.

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In conclusion, the 3 issues as raised on December 14 remain unresolved.

I believe that work is being done and may be successful regarding the noise impacts. Other than that, the substantive issues of conveyance routing and amenity, and the issues raised later regarding obligations associated with privately held property remain outstanding, namely zoning and nuisance/activity restrictions.

Should you wish to speak with me today or tomorrow, I am off for a few hours (to hospital) returning mid-afternoon, and will be in and out tomorrow with no specific appointments on my calendar. Should we arrange a meeting, I would then see whom from the JBNA Board might be available at a time to join us.

Regards,

Marg Gardiner

[REDACTED]

cc: JBNA Board



jbna@vcn.bc.ca  
Victoria, B.C., Canada

[www.jbna.org](http://www.jbna.org)

January 23<sup>rd</sup>, 2017

Mayor Helps & Council,  
City of Victoria

**Re: CRD Wastewater Treatment Project**

Dear Mayor and Councillors,

Attached please find the minute excerpt from the January 11<sup>th</sup>, 2017 JBNA General Meeting at which the CRD Wastewater project team provided a high-level presentation of the intended project as it affects James Bay. 75-85 residents participated in the meeting.

Although the JBNA Board had met with the team on December 14, 2016, and provided Wastewater team with expected concerns and impacts on the residents and land-base of James Bay, the JBNA General Meeting was the first opportunity for residents to understand the possible impacts on their lives.

During the past several years, as the debate went forward, we understood that residents of James Bay, not residents of Esquimalt, would see a treatment plant at McLoughlin Point and would receive emissions, if any, due to the prevalent winds (as per previous communications including correspondence of September 12, 2016). However, we had not, until a few weeks ago, understood the impacts of construction on our community.

The JBNA Board, and residents, recognize that:

- time is of essence,
- construction in James Bay would include three significant components of the project,
  - conveyance pipe trenching and installation along Dallas from Cook Street to James Bay Anglers at Camel Point,
  - drilling of a pipe conveyance channel/tunnel from JB Anglers to mid-outer-harbour, towards McLoughlin Point (8-12hrs, 6-days/ week for 12 months),
  - laying and assembly of a 1km pipe along Niagara (a one month project)

Although James Bay lands do not require a rezoning, the expectation of residents is that James Bay will receive mitigation and amenity considerations commensurate with the social and environmental costs residents will bear which will be greater than impacts expected in Esquimalt or Fairfield.

... 2

The James Bay neighbourhood already carries the highest “burden” in the City in support of urban functions, particularly tourism, that benefit the City/region.

The need for mitigation of noise (85dBA is untenable – see Attachment #2) and disruption, and/or loss of quiet enjoyment of residency, has been discussed with the Wastewater treatment project team. We are sharing information and collaborating in notification and involvement of residents.

As discussions continue with the Wastewater Treatment team, the ‘ask’, indeed the expectation of residents of James Bay, is that Mayor and Council recognize the burden being placed on our community and support our endeavors to seek commensurate considerations.

Yours truly,



Marg Gardiner  
President, JBNA

Cc: Jane Bird, Project Chair  
Dave Clancy, Project Manager  
JBNA Board

Attachments:

1. Excerpt: Minutes of January 11, 2017 JBNA General Meeting
2. Ogden/Camel Point zoning: M-2 Light Industrial District. Sections 1 and 1(g)(n)  
World Health Organization: Community Noise (excerpt)

## Attachment 1 to January 23<sup>rd</sup>, 2017 letter re Wastewater Treatment Project

### Excerpt: Minutes of January 11, 2017 JBNA General Meeting

85-90 in attendance (CoV staff, CRD team members plus 75-85 residents)

#### 5. Wastewater Treatment Plant Project: James Bay sub-projects

Marg introduced the project, providing information about a pre-meeting discussion with the Wastewater team and Bob Vander Steen and Marg on December 14. The team was asked to ensure that residents along Dallas and Niagara receive notification of the meeting. She then clarified the intent of the discussion:

- ~ JBNA Board had provided Wastewater team with expected concerns and impacts which would need to be mitigated – this meeting was opportunity for residents to receive overview of the anticipated construction and to voice their views/concerns.

- ~ the discussion is not to include the treatment plant itself, or the type of treatment

- ~ the discussion is to focus on the social and environmental impacts on residents and the land base of James Bay.

#### Facilitator: Judy Kirk, Kirk&Co

Ernie Maschner – HRP – Engineer lead on project – contract for plant & tunnel under harbour

Jeremy Klarenbach – HRP

Mike Vidomski – Michels Canada – Drilling subcontractor

Bree Milne – Stakeholder Relations – environmental scientist

Dave Clancy – Project Director

Kristin Quayle – Communication Coordinator, CRD

#### Community Meeting presentation:

Preliminary construction plan: Graham Contracting – HRP Architects – Michels Canada the drilling contractor

3 elements to project – the treatment plant, the pipes (in/out), and piping of treated bio-solids to Hartland dump.

Construction at Clover Point will take place to upgrade the current pump station to manage the increased sewage volumes.

Goals – meet prov and fed govt timelines for funding, minimize costs, optimize cost recovering opportunities, reduce greenhouse gases, add value to surrounding community and enhance livability of neighbourhoods

Ernie Maschner, Lead Engineer on project to build plant & tunnel under the harbour, & new ocean outfall off McLoughlin point involved in construction of treatment plant in San Diego. Jeremy Klarenbach, underwater line will run from the James Bay Anglers across harbour to McLoughlin Point

Timeline: 2 weeks to set up equipment at Ogden Point/James Bay Anglers, pile driving will occur - into bed rock. Will drill for approximately 12 months for tunnel, pipe is 48".

Niagara Street will be used to assemble and weld pre-fabricated pipe segments. 4 days for the actual pipe pull after a 2 week preparation period. The pipe-pull would be a 24-hr/day operation.

Drilling work area will be set up to the south east of the JB Anglers club house. Hours of work 7am to 7pm Mon to Fri, Sat 8am to 5pm.

Contact CRD:

Website: [www.crd.bc.ca/wastewater](http://www.crd.bc.ca/wastewater)

Email: [wastewater@crd.bc.ca](mailto:wastewater@crd.bc.ca)

## **Q/A session:**

Q – what is estimate cost of this part of project?

A – no breakdown – can get back to \$275 million but not on drill piece.

Q – setting pad on McLoughlin side rather than JB side, why can't drilling be done from Esquimalt side, wouldn't impact Niagara St, Ogden Point etc.

A – At a compounded angle to create tunnel – need a kilometre of run room which isn't provided on McLoughlin side

Q – seismic event in harbour bed - how will be mitigated

A – don't have concern about seismic as going in bedrock to bedrock except at entry were a casing will be

Q – pipe from Clover Point to Ogden Point, will it be tunnel.

A – will be trench and cover – will follow Dallas Rd – will not be in centre of road will be weaving mindful of trees/roots.

Q – the pipe to Hartland Road Dump – great distance isn't there a better way

A – concluded best site – Hartland 125 acre site, not full, allows to place a facility not in middle of a neighbourhood, will use existing leeching pipe, doesn't believe another site closer and not able to treat on McLouglin site

Q – cost of pipe to Hartland?

A – no answer now - will respond back

Q – resident - 28 unit co-op at 130/144 Dallas – there was not a mail-drop notification at the co-op. 28 minors in the complex, with half being young children - concerned while people working on project will have ear protection – what about area children? The noise will be compounded by having Helli-jet already.

A – are sensitive to concern will be working with contractor to mitigate noise levels. This isn't the only opportunity for you to talk to us about this.

A – Pipe contractor – working through details – noise at JB Anglers will be significantly diff from that at Montreal and Niagara St – can't provide timelines at this moment – just complete one across street from a daycare – noise attenuation was at an acceptable level.

Q – how is equipment being brought into JB Anglers

A – about 50 truck loads of semi-trucks

Q – period of time and route?

A – about two weeks – not certain about route – still working on

Q – can this not be done by barge

A – looking at all options

Q – virtually no odour – odour isn't virtual – prevailing winds – how can this be assured there is no odour

A – contract requires no odour – within treatment plant it is totally enclosed has odour stacks for treated air from the plant – not accept if odor at fence line

Q – how ensure coordination is managed with clover point alignment and Niagara

A – will be determined on completed design of project

Q – Niagara St, how long is pipe (1 km)

A – toward end of drilling process the pipe will be brought in

Q – will people have access to their driveways?

A – some may be affected

Q – timeline

A – approximately April/May 2018

Q – what kind of amenities for JB for long term hosting of the activity

A – taking the notion the whole community is – Clover Point impact – a larger plaza, a bike way, washroom facility, wheelchair access, for Clover Point – no amenity for JB – will address inconvenience to JB Anglers – prepared to engage members of JB for suggestions.

C – very concerned about seismic and the pipe along Dallas Rd – what happens if it fractures? What about insurance costs, doesn't feel they are addressing the impact to the community

C – concerned about the materials from the tunnel where is going?

A – reclaiming the mud with the rock, making it environmentally stable

Q – treating material on site & trucking to where?

A – will be trucking material from site – approximately 4 trucks per/week

C - neighbour wants it of solid construction

Q – barges should be used – to the city for residential only parking which should be properly policed by city. Amenities – relocate the Heli-port

A – parking piece will discuss with city to resident only for duration of construction

C – noise levels thought about a berm around the area

A – that is a few of the items that are being looked into

Q – particularly concerned about how long will the work on Dallas Rd take place

A – doesn't have that information but should have more information by April 2017 and will hold another meeting with JBNA to offer more detailed information/timelines

C – JB residents are entitled to same consideration as other neighbourhoods

Q – noise concern – understands how load pipe driving is what will the directional drilling be in comparison?

A – pneumatic – generators will be running all the time 85 decibels steady all day sound – currently working on how to mitigate

Q – how much noise for the year? rock-crushing?

A – rock screens will be on rubber mats – states very low vibration and will not be felt at sidewalk

Q – will there be a noise

A – will not create additional noise to that of the generators

Q – will there be vibration from the pile driving?

A – minimal do to the material that will be drilled through – old fill – not sandstone

Q – traffic has become more of a truck route – servicing cruise ships etc – will trucks be community beyond the 7am to 7pm work period?

A – no work activity will be from 7am to 7pm – only personal vehicles of 8-10 site workers coming to and from prior and after work times.

Q – resident of San Jose – concerned about the operation of the facility as it is within the municipality of Esquimalt not Vic and there has been no discussion about amenities for JB.



Concern about the residential parking – does city have necessary by-laws? What are the environmental impact studies for odour for JB? Seems to only be done for Esquimalt.

A – the contract stipulates to the contractor there can be no odours at all to escape the building

Q – noise – pile driving will that be the level of noise that can be expected.

A – will get back

Q – concerned about lack of risk assessment for the 2 communities affected by this project JB and Fairfield and there is the concern of the liquefaction potential for the JB area based on the soil composition. Haven't heard what the actual cost of the project is – we deserve to know as a taxpayer what that is.

A – post disaster all sites have been analysed for earthquake assessment – happy to provide.

A – all cost were outlined in the business class provided in Sept 2016 for a total of \$265 million, didn't bring the full report with us tonight – but is on the website

A – when Dallas Road details are available

Q – request delay in redevelopment of Ogden Point – don't start redevelopment of OP until the work on the sewage pipe construction is completed

C – concerned about noise – already have helicopters,

A – the pile driving will be conducted over a two week period, there will be no rock crushing done on site, only rock screening, the drilling will be done under the water

C – the noise level and other impacts can be considered under “nuisance” and isn't there a nuisance bylaw

A – will see

Q – marine environmental impact?

A – there are endangered species vegetation along the shoreline and the bird sanctuary – trying to be as mindful as can be – very mindful of the foreshore marine and vegetation.

Seabed will be unaffected with exception at the entry of the drill site. Reason going through bedrock rather than laying pipe on seabed which would have had a more invasive marine impact.

Final Comments: Marg

Housekeeping:

- need e-mails to keep informed (CRD will share list)

- direct link from CRD website to the Core Sewage treatment project needed

Question:

- utilities under Dallas – how much lower than utilities will trench go along Dallas

A – will get back with answer

Comment:

~ “Regional” benefit is not well accepted in James Bay as that has been the rationale forwarded as the dismissal used for over a decade to OK pollution and health impacts in JB while the region benefits

~ CoV Noise bylaws are worthless, WHO guidelines suggest 1hr@85dBA causes hearing impairment

~ Ogden including Camel Point has a nuisance clause in its zoning bylaw. CoV has not enforced. The Ogden Point MasterPlan proposal suggests deleting the nuisance clause.

## Attachment 2 to January 23<sup>rd</sup>, 2017 letter re Wastewater Treatment Project

### Ogden/Camel Point zoning:

<http://www.victoria.ca/assets/Departments/Planning~Development/Development~Services/Zoning/Bylaws/7.2.pdf>

M-2 Light Industrial District. Sections 1 and 1 (g) (n) state

*1. The following uses are permitted, provided they are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard:*

*(g) docks, wharves and piers . . .*

*(n) light industry, including manufacturing, processing, assembly, testing, servicing and repairing;*

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### World Health Organization: Community Noise

General 21 page document:

<http://www.ruidos.org/Noise/Comnoise-1.pdf>

Same study/guidelines but fleshed out more:

<http://www.who.int/docstore/peh/noise/guidelines2.html>

The following table is from this link:

<http://www.who.int/mediacentre/factsheets/fs258/en/>

### WHO RESPONSE

WHO has responded in two main ways: by developing and promoting the concept of noise management, and by drawing up community noise guidelines. The field is marked by a scarcity of literature, especially for developing countries. Some 20 years after its last publication on noise, WHO has issued Guidelines for Community Noise. This publication, the outcome of a WHO expert task force meeting in London in March 1999, includes guideline values for community noise (listing also critical health effects ranging from annoyance to hearing impairment), for example: (ref Guidelines p. XVIII)

Environment	Critical health effect	Sound level dB(A)*	Time hours
Outdoor living areas	Annoyance	50 - 55	16
Indoor dwellings	Speech intelligibility	35	16
Bedrooms	Sleep disturbance	30	8
School classrooms	Disturbance of communication	35	During class
Industrial, commercial and traffic areas	Hearing impairment	70	24
Music through earphones	Hearing impairment	85	1
Ceremonies and entertainment	Hearing impairment	100	4

\*The ear has different sensitivities to different frequencies, being least sensitive to extremely high and extremely low frequencies. (ref Fundamentals of Acoustics p. 19) Because of this varied sensitivity, the term "A weighting" is used: all the different frequencies, that make up the sound, are assessed to give a sound pressure level. The sound pressure level measured in dB is referred to as "A-weighted" and expressed as dB(A). (ref Guidelines p.IX and X).

The guidelines also offer recommendations to governments for implementation, such as extending (and enforcing) existing legislation and including community noise in environmental impact assessments. The role of WHO is to provide leadership and technical support.

**Pamela Martin**

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**From:** webforms@victoria.ca  
**Sent:** Thursday, February 09, 2017 8:43 AM  
**To:** Victoria Mayor and Council  
**Subject:** Sewage rezoning -- amenity request -- underground power

From: Robyn Swanson

Email : [REDACTED]

Reference :

Daytime Phone : [REDACTED]

Hello there,

In your discussions on rezoning Clover Point, please consider the possibility of burying the power lines along the pipeline path through Fairfield and James Bay or portions thereof.

There would be several benefits, from reducing the electrical field to beautifying the neighbourhoods. The Dallas Road scenic drive, for example, would become even more enhanced for pedestrians, cyclists and motorists, something akin to Carmel's Scenic Road that draws thousands of visitors each year. Plus, it would extend the natural vistas enjoyed along Beacon Hill Park between Douglas and Cook streets to the parkland stretching from Cook Street to Clover Point.

Victorians from all neighbourhoods take pride in our oceanfront parks and pathways, so any effort to improve these areas would be welcomed. The upgrade would also be appreciated compensation for the Fairfield and James Bay neighbourhoods that will endure an estimated two years of construction.

While this is, no doubt, a costly request, you have a perfect opportunity to make this part of the amenity package and a prerequisite to rezoning.

Thanks for considering it.

Robyn Swanson

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[REDACTED]

**Pamela Martin**

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**From:** DARREL WOODS [REDACTED]  
**Sent:** Thursday, February 09, 2017 12:46 PM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Ben Isitt (Councillor); Geoff Young (Councillor); Pam Madoff (Councillor); Chris Coleman (Councillor); Margaret Lucas (Councillor); Charlayne Thornton-Joe (Councillor); Jeremy Loveday (Councillor)  
**Subject:** Clover Point rezoning Feb.9

Dear Mayor Helps and Councillors

1. with the rezoning proceeding, should the City also have a *Community Impact Mitigation & Operating Agreement* with the CRD relating to operation of the McLouglin Point, as part of the rezoning, similar to that of Esquimalt? I am not suggesting amenities, rather some ongoing input into limits on & remediation of odour and noise as per Esquimalt's agreement.

2. I attended the Core Area Waste Management Committee meeting yesterday. With the tightened deadlines for completion, are best current technologies being considered? John Gunton's suggestion for a pipeline on the seabed seemed to be worth consideration. Everyone wants the project completed, however is it better to have some delay to achieve best practices and least cost?

The Project Team stated, in response to my questions about accountability, that the CRD maintains responsibility for any changes that affect scope, schedule and budget.

thank you  
regards  
Darrel Woods [REDACTED]