



Tsartlip First Nation
P.O. Box 70, #1 Boat Ramp Road
Brentwood Bay, BC V8M 1R3
Phone 250.652.3988 - Fax 250.652.3788



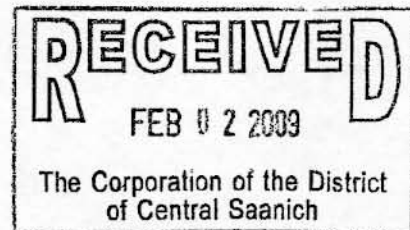
January 30, 2009

Late Hem
Feb. 2109

Mayor and Council

Hand Deliverd

District of Central Saanich
1903 Mount Newton Cross Road
Saanichton, BC
V8M 2A9



Re: First Nations Consultation – Senanus Water Main

Dear Mayor and Council,

It has come to the attention of the Tsartlip First Nation that a project is proposed for our Traditional lands. We were not informed by you of this project. We have received copies of documents from Western Economic Diversification Canada, indicating that you were supposed to have consulted with us on this project.

WSANEC, or Saanich, is home of LAUWELNEW referred to by you as Mount Newton, is our sacred mountain. The location of Senanus Drive on Henderson Point, is our sacred place. It contains remains of our ancestors. No work or plans of any kind on LAUWELNEW or Henderson point is to move ahead unless we are informed and have the opportunity to ensure that our sacred sites and our ancestors are in no way disturbed as a result of your activities there.

We understand that you are in the process of bringing forward ByLaws to forward this project. We have not been consulted as required, and therefore ask that no further reading of bylaws or any other action be taken on this proposal until the required consultation process occurs. If you choose to proceed, we will take action accordingly.

Sincerely,

Tsartlip Chief & Council

Western Economic
Diversification Canada

Diversification de l'économie
de l'Ouest Canada

Mailing Address:
Suite 700 - 333 Seymour Street
Vancouver, B.C. V6B 5G9
Street Address:
Suite 600 - 333 Seymour Street
Vancouver, B.C.

Address postale:
333, rue Seymour, bureau 700
Vancouver (C.-B.) V6B 5G9
Adresse civique:
333, rue Seymour, bureau 600
Vancouver (C.-B.)

Project No.: 17304

June 27, 2007

The Corporation of the District of Central Saanich
1903 Mt. Newton Cross Road
Saanichton, B. C.
V8M 2A9

RECEIVED

JUN 29 2007

LOCAL GOVERNMENT SERVICES
AND INFRASTRUCTURE
MINISTRY OF COMMUNITY SERVICES

Attn: Nirmla Bhattacharya
Municipal Engineer

Dear Mr. Bhattacharya:

**Re: Senanus Watermain, The Corporation of the District of Central Saanich
Canada/British Columbia Municipal Rural Infrastructure Fund**

Western Economic Diversification Canada (WD) has completed a preliminary review of the environmental assessment information submitted with your application for funding under the Canada/British Columbia Municipal Rural Infrastructure Fund (MRIF) for the above project.

Based on this preliminary review, WD requests the Corporation of the District of Central Saanich (Central Saanich) to provide an Environmental Assessment Document (EAD) that will assist us in completing an evaluation of the potential environmental effects associated with the Senanus Watermain project.

The request for an EAD is based on our understanding that the proposed works involve the following:

- Installation of approximately 3km of watermain along existing roadways to deliver potable water to 64 residences.

If the above summary does not represent the proposed project accurately, please provide WD with a written clarification on the actual scope of works that will be funded through MRIF.

General Requirements for the Environmental Assessment Document:

The information below provides general guidance in developing an EAD:

- The EAD must be a stand-alone document and must consider the factors outlined under Section 16(1) of the *Canadian Environmental Assessment Act*. These factors have been incorporated into the preferred *Table of Contents* (see Attachment 1). The preferred *Table of Contents* summarizes the major headings/topics to be covered in the EAD and the subject matter to be discussed under each section/heading. Please refer to the preferred

Canada

Telephone: (604) 666-6256
Facsimile: (604) 666-2353

Téléphone : (604) 666-6256
Télexcopieur : (604) 666-2353

Toll free: 1-888-388-9378
<http://www.wed.gc.ca>

Aucun frais : 1-888-388-9378
<http://www.dbo.gc.ca>

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Table of Contents when preparing your EAD. Additional guidance on preparing your EAD can be obtained from the Canadian Environmental Assessment Agency website at http://www.cesa-acee.gc.ca/index_e.htm.

- Please ensure that the project description included in the EAD is an accurate representation of all works that will be undertaken using funds accessed through the MRIF. If the works funded by MRIF are part of a larger project, there must be a clear distinction between those components of the project that will be completed under the MRIF, and those that will be funded through other sources. The EAD must focus on the project components that will be completed using funding from MRIF.

First Nations Consultation

Meaningful consultation with First Nations that may have an interest in the project is a key requirement of the environmental assessment review process. It is advisable to identify the local First Nation(s) and initiate an on-going dialogue on the project at an early stage in completing the EAD.

Drawings included with your application suggest that the project is in the vicinity of the Tsartlip First Nation/South Saanich Indian Reserve. Although the actual works are not located within First Nations lands, it is important to ensure that the project will not have any impact on heritage resources or use of land/resources for traditional purposes by the First Nation. In this context, it is recommended that Central Saanich contact Tsartlip Nation at the earliest to discuss the proposed works. It is also recommended that you identify any other First Nations that may have an interest in your project. The following links may be helpful in this regard:

- Link to BC First Nations Profiles:
http://sdiprod2.inac.gc.ca/FNProfiles/FNProfiles_home.htm
- Link to BC First Nations locations:
http://www.gov.bc.ca/tno/negotiation/bc_first_nations.htm

The EAD must include a detailed discussion on the First Nations consulting process, along with supporting documentation that demonstrates the efforts of Central Saanich towards engaging the First Nations in a meaningful manner. Any concerns identified by First Nations and measures proposed to mitigate those concerns must also be included in the EAD.

Project Contact

The EAD should clearly identify a primary contact responsible for delivering the project, and provide complete contact information for this individual. The primary contact should be familiar with the management of technical and environmental aspects of the project. WD

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6.4 LAND USE

Present land use and activities on the project site and adjacent properties (i.e. industrial, commercial, residential, parkland, forested, undeveloped).

Please identify any noise-sensitive facilities (schools, day-cares, hospitals, senior's residences) in the vicinity of the project site.

6.5 VEGETATION

Include a description of the vegetative cover on and adjacent to the proposed project site. Please attach current site photographs or recent aerial photographs of the area that provide a clear idea of the nature of vegetation cover in and around the project site.

The presence of significant natural vegetation in and around the project may require the completion of field studies/detailed assessment by a qualified professional.

6.6 WILDLIFE

Include a description of wildlife and wildlife habitat present in and adjacent to the proposed project site. As with vegetation, the depth of detail should be based on the site setting (i.e. undeveloped vs. developed lands and proximity to parklands/protected areas or forest zones).

Ensure that the Species At Risk Act (SARA) is considered while compiling information on wildlife that may be present in and around the project area. Details and supporting documentation, as relevant, on the presence/absence of species at risk and habitat that may support such species within and adjacent to the project area should be provided, if applicable.

The presence of potential wildlife habitat in and around the project may require the completion of field studies/detailed assessment by a qualified professional.

6.7 HERITAGE RESOURCES

Identify any archaeological/heritage resources, including First Nations lands, in the vicinity of the proposed development. If none are present, please indicate that.

7 CONSIDERATION OF POTENTIAL ENVIRONMENTAL IMPACTS AND PROPOSED PREVENTATIVE OR MITIGATIVE MEASURES

If there are any sensitive ecosystems or wetlands in the area, please provide detailed information on the effects of the proposed project on these features.

In case of projects involving the extraction of groundwater, please provide confirmation, substantiated by studies completed by a qualified professional, that the proposed extraction of groundwater will not have any impact on wetlands in the area.

7.1 CONSTRUCTION

Include a description on the following aspects, as relevant.

7.1.1 Site preparation

Canada

Canada - British Columbia Municipal Rural Infrastructure Fund
 Briefing Book

Summary Report

Batch Code: A001F - BC -1 Member of Projects factored in Batch: 16

Project #	Project Title	Name of Applicant	Project Start Date	Project End Date	Fiscal Year	Max. Eligible Costs	Federal Share (%)	Provincial Share
17051	North Thompson Regional District (North Peace) Water Extension	Regional District of Kamloops	2007-06-23	2010-05-31	2008-09 2009-10	257,000.00 7,949,000.00 5,999,000.00	85.667.00 947,333.00 1,033,000.00	85,667.00 947,333.00 1,033,000.00
Total								
17052	Central Okanagan - Simonsen Watermain	Regional District of Okanagan Simonsen	2007-06-23	2010-05-31	2008-09 2009-10	840,000.00 830,000.00 1,670,000.00	280,000.00 283,333.00 563,333.00	280,000.00 283,333.00 563,333.00
Total								
17180	Loop Lake Wastewater System Upgrade	Thompson-Nicola Regional District	2007-06-23	2010-05-31	2008-09 2009-10	22,749.00 12,501.00	22,916.00 4,167.00	22,916.00 4,167.00

Summary Report page 5 of 8

MRIF Infrastructure Grants planning context worksheet for applications from Urban Growth Regions

Use this form for applications from local governments in the following regional districts:

- | | |
|---|---|
| <ul style="list-style-type: none"> o Capital Regional District o Central Okanagan RD o Comox-Strathcona RD o Cowichan Valley RD o Fraser Valley RD o Greater Vancouver RD | <ul style="list-style-type: none"> o Nanaimo RD o North Okanagan o Okanagan Similkameen RD o Squamish Lillooet RD o Thompson Nicola RD |
|---|---|

Local Government: CENTRAL SAANICH RD: CRD

Project name: SEMANUS WATERMAIN

MRIF project number: 17304

Points allocated by: BRENT MUELLER date: MAR. 14 / 07

Criteria:	Possible points	Awarded pts
Applicant is in a RD that has an adopted Regional Growth Strategy or is currently developing an RGS	2	2
Applicant has an OCP covering the area to be served by the infrastructure proposal	1	1
The OCP is < 5 years old (or less than 5 years since the last major update)	2	0
Applicant municipality has an approved (by the RD Board) and adopted regional context statement in its OCP	1	1
Applicant has a zoning bylaw in place for the area to be served	1	1
Bonus points* (explain): <i>see attached note</i>	1-3	0
Total points		5

* Up to 3 bonus points can be awarded for additional planning exercises or integration that provides a planning context for the infrastructure proposal (e.g., liquid waste management plan, groundwater protection plan, planning/project involvement by a first nation).

Other comments:

March 14, 2007

NOTE TO FILE

Planning Context - MRIF Application - District of Central Saanich, Senanus Watermain, 17304

Reasons for not awarding bonus points for the planning context:

- The purpose of this project is to extend a water main into a rural residential area of Central Saanich - an area that includes, or is in the vicinity of, ALR land and is not part of the designated residential settlement areas in the District's OCP.
- The area to be served with water is also not within the regional urban containment and servicing policy area of the CRD's regional growth strategy.
 - o The purpose of this policy is to restrict the provision of urban water/sewer services into rural areas to prevent further development (urban sprawl).
 - o Exceptions can be made for pressing human or environmental health regions, or to service agricultural land (see page 7 of the RGS).
- Central Saanich's own regional context statement in their OCP states "The District does not extend urban services such as the sewer and water system into the rural or agricultural areas." (page 80).
- There is some evidence of water quality/quantity issues in the area to be serviced by the new water main; but it is unclear as to whether or not this could be characterized as a "pressing public health issue" as stipulated in the RGS. Further discussion would be needed with the District and the Regional District on this issue.
- It is also unclear whether or not the District would ensure that the provision of water service into the area would not result in further sprawl development and pressure to take land out the ALR.

Respectfully submitted

Brent Mueller, RGS Manager, Vancouver Island, 387-2540

I:\Gov. Relations_Plan_Div\Regional Districts\Capitol\Central Saanich MRIF sp 17304.doc

Darcy
 PIS add to
 comments on MRIF
 database
 Before recommending
 for funding see
 Urban Growth
 Review

Senanus Point Waterline Proposal

Subject: Senanus Point Waterline Proposal
From: "Mackie, Al TSA:EX" <Al.Mackie@gov.bc.ca>
Date: Fri, 13 Jun 2008 16:46:43 -0700
To: <lori@watersbiomedical.com>

Dear Lori Waters:

I have reviewed the captioned waterline proposal in terms of potential to impact archaeological resources. The project will serve at least 7 properties with known archaeological sites on them. The record for this area is old, probably incomplete and likely inaccurate. Given the nature of archaeological resources (buried) it is likely that there are more sites in the area, and that some of the known sites are larger than recorded and thus span additional properties. All of the known sites are along the water's edge and this is where we would expect the majority of sites to occur. However, sites are found (in well studied areas) in a variety of inland locations and there is no reason to think they will not do so in the vicinity of this waterline project and ancillary connections, etc.

Sites are protected under provisions of the *Heritage Conservation Act (HCA)*, whether they are recorded or not. Because there is a fairly high likelihood that this project could conflict with archaeological sites it is recommended that an archaeological overview assessment (AOA) be conducted to ascertain which areas may warrant an archaeological impact assessment (AIA). Such a study should be conducted by a suitably qualified archaeologist and should take into consideration the waterline placement, hookups and any revisions to or new waterlines to service the properties in question. It should also consider the nature of the road construction and the potential for survival of older land surfaces or archaeological materials beneath the roads. Archaeological potential should be identified by accepted methods based on palaeoenvironmental and cultural considerations.

It may be that the AOA will recommend no further work (this office should confirm that such a conclusion is acceptable) is warranted, or may indicate that an AIA is warranted in parts of the area. An AIA would require an HCA permit, issued to a suitably qualified archaeologist.

Sincerely

Al Mackie

Al Mackie | Archaeologist | Archaeology Branch

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