

**CENTRAL SAANICH WEST
VOTERS ASSOCIATION**

c/o 629 Senanus Drive
Saanichton, BC, V8M 1S6

Mayor and Council
District of Central Saanich
1903 Mt. Newton X Road
Saanichton, BC
V8M 2A9

July 11, 2000

Dear Mayor Hunter and Members of Council:

RE: DEADLY WATER

All across Canada, the Walkerton "wake-up" call has moved local communities to ensure that any suspect water supply is remedied, **except** here in "live on the edge" Saanichton, where the majority of Mayor and Council have decided to gamble with the lives of the citizens they supposedly represent and with those who visit the community.

The residents of Senanus Drive and Mt. Newton X Roads have a very serious, potentially deadly problem. We not only suffer from a lack of water, but have also been advised by the Capital Health Region, not to drink, not to chlorinate, nor boil the water. They have further advised us not to bathe a baby in the water.

The solution, recommended by both the Capital Health Region and the Municipal Engineer, is a straightforward extension of an existing watermain, with the costs to be shared by the 64 property owners in the specified area.

Accordingly, after many years of experiencing deterioration in quantity and quality, particularly during the 90's, and after many years of requesting assistance from Council, the residents presented them with a formal Petition. The Petition was signed by a 2/3 plus majority of the specified area residents, all agreeing to pay up to 50% of the costs of a water line extension. The Petition was predicated on receipt of at least a 50% grant from a senior level of government, the application for which the Municipality has to apply. It is highly significant that there is no monetary contribution required from the Municipality.

Despite the serious threat to the health of their constituents, the recommendations by their own staff and the senior Health authority, and the willingness of the affected residents to pay a sizeable amount of money to improve their daily living conditions, Mayor Hunter and Councilors Habkirk, Haddon and Moen purposely chose to ignore the Petition.

We have observed this Mayor and Council express deep concern over relatively minor issues, yet they have chosen to ignore an extremely serious health and fire threat. We find this stance to be hypocritical and ignorant and are disgraced to have such a Council.

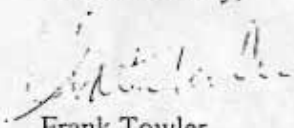
We are putting these individuals on notice that we will hold each of them personally responsible for any problems resulting from the poor quality and quantity of water.

WE DO NOT WISH TO BE WALKERTON WEST. Unfortunately, we have the same risk factors as Walkerton, and more. At least, in Walkerton, the local government cared and did apply for grants in order to help resolve the problem. "Our" Council have precipitated endless delays, shown a callous lack of concern and displayed what we consider to be an abuse of power. They have continued to force us, the residents in this specified area, to risk our lives daily and to experience a reduced quality of life in this prosperous land.

Lest Mayor and the named Councilors believe that we are being unfair to them, we have attached an Appendix which outlines some of the barriers that Council have put in our way since we first **formally** brought this matter to Council's attention in July of 1995. We ask that the Mayor and Council inform us, in writing, as to the reason(s) for their refusal of support.

The community has clearly spoken, for democracy to work they must be heard. **Action, not silence is demanded.**

Yours sincerely,



Frank Towler
President
CSWVA

Copy:

The Right Hon. Jean Chretien, Prime Minister of Canada
The Hon. David Anderson, Federal Minister of the Environment
The Hon. Ujjal Dosanjh, Premier of British Columbia
The Hon. Joan Sawicki, Minister of Environment, Lands and Parks
The Hon. Mike Farnworth, Minister of Health and Minister Responsible for Seniors
The Hon. Cathy McGregor, Minister of Municipal Affairs
Mr. Gary Lunn, MP
Mr. Murray Coell, MLA
Mr. Christopher Causton, Chair, Capital Regional District Board and Board Members
Mr. Jac Kreut, Chair, Capital Health Region Board and Board Members
Mr. Dale Wall, Inspector of Municipalities
Dr. Richard Stanwick, Regional Medical Health Officer, Capital Health Region
Mr. Gary Gibson, Medical Health Officer
Mr. Howard Kushner, Ombudsman
Editor, Times Colonist
Editor, Peninsula Review
Mr. Mel Cooper, CHEK TV
Mr. Ian Haysom, News Director CHEK TV

APPENDICES

1. November 23, 1995: The Municipal Engineer, in a Report to Council, recommended a solution to the water problems and asked the residents to choose to proceed either with a specified area and petition or through a community funded project. The residents chose to proceed with the petition route subject to receiving approval for a cost sharing grant from a senior level of government.
2. April 10, 1997: The residents asked Council to pursue a Federal/Provincial 66% Infrastructure grant.
3. May 5, 1997: Council passed a resolution asking staff to work with the residents to prepare an infrastructure grant submission, so that it could be processed expeditiously once a decision had been reached on Council's first grant priority, the widening of the East Saanich Road. Council also asked the residents to conduct a survey to determine the degree of support amongst impacted property owners. The community was led to believe that a grant request would be submitted in a matter of weeks, probably in June 1997, if the community support were verified.
4. May 28, 1997: The residents wrote to Council informing them that:
 - on the key question, support for the watermain extension was 88%; The detailed survey was attached. The residents had spent many hours conducting door to door interviews and compiling the survey results for Council.
 - on May 26, 1997 the Provincial Government submitted infrastructure grant priorities to Ottawa and thus there was no longer an issue of a possible conflict between the water grant and the East Saanich Road grant.Council was asked to submit the grant application on behalf of the residents.
5. June 16, 1997: Council ruled against a motion to submit the watermain grant application. Council commented that they felt that the survey presented by the residents was biased.
6. June 30, 1997: At the Council meeting, Council again defeated a motion to submit the watermain extension grant application. A motion was passed requesting that staff prepare a report outlining the implications, from a planning and development perspective, of providing the watermain extension.
7. July 15, 1997: Staff submitted their report, indicating that most of the impacted properties are in the ALR, but that there were 4 properties designated RE3 that would, in total be potentially capable of creating 10 extra lots as a result of receiving main's water. Council has since removed this capability. There was no other development potential created as a result of receiving main's water.
8. Summer of 1997: Council repeatedly refused to support the residents and to submit a grant request.
9. August 18, 1997: Council passed a motion asking staff to investigate situating a well on Municipal land for the development of a system to distribute water.
10. October 17, 1997: The Municipal Engineer presented a report on water supply alternatives, and specifically of 6 alternatives. His conclusions were that a Community well would not be feasible and that the extension of the Mt. Newton X Road watermain was the best alternative.
11. October 27, 1997: The Capital Health region (CHR) provided results on the biological activity tests for 11 properties. One had severe fecal coliform problems and many others had high coliform counts.
12. November 3, 1997: Council passed the following resolution:
 1. "That Staff be authorized to submit the infrastructure grant application for the Senatus Drive/Mount Newton Cross Road Waterline Project in one months time ;
(Note that the Infrastructure grant program was due to run out December 31, 1997)

- a) Either no clearer determination of the status of the East Saanich Road Grant application has been obtained from senior levels of government, or a response to the application has been received; and, (Note that the community actively opposed the E. Saanich Road project and had been led to believe that it was no longer being pursued!)
 - b) Other potential alternative grant options (i.e. Local Government Grants program) have been investigated and been determined to be inappropriate."
2. "that it be understood that any submission of the grant application will be subject to the following conditions:
- a) Council to proceed with amendments to the RE-3 Zone provisions of the Land Use Bylaw and appropriate revisions to the Official Community Plan. (as noted earlier, Council went ahead and did this anyway).
 - b) The agreement of the owners of the four RE-3 zoned sites fronting the waterline (that would potentially be capable of subdividing) to enter into Restrictive Covenants to prevent further subdivision. (given (a) residents were at a loss to understand the necessity of (b)).
 - c) The agreement of the proponents to undertake, concurrent with submission of the grant application, an independent third party survey by a qualified professional firm, with costs to be borne by the proponents. The survey questionnaire, financial cost data and process would be subject to prior approval by the District. It be further understood that support for the project among all impacted residents must be in excess of 50% in order for the project to proceed under any circumstances.
 - d) Should the grant application be successful, it be a condition of proceeding with construction that necessary works be undertaken at no cost to the Municipality."

At about this time, in order to be able to adequately respond to conditions being imposed on the community, such as those above, the community formed the Central Saanich West Voters Association (CSWVA).

13. November 12, 1997: A resident wrote to Council, informing them that legal advice was being sought in order to respond to clauses 2. a,b,c,d from the November 3, 1997 Council meeting. Subsequently the following response (abbreviated) was given:
- 2.a This condition is inappropriate as these powers already reside with council and cannot be transferred to homeowners.
 - 2.b Covenants are not required as council can achieve the same objective through zoning and community planning, which it already controls.
 - 2.c A survey would be a waste of time and money when a petition(s) is required. The residents would support a petition, but not a survey.
 - 2.d The residents (through their previous survey) have already indicated and agreed that they would cover all costs not covered by grants.
14. November 12, 1997: The Public Services Committee recommended that Council forward the grant application. The Mayor noted his opposition to any provision of water to the area, despite health issues. He would not state his reasons.
15. December 1, 1997: Council removed condition 2. B.
16. December 5, 1997: (via fax) The community offered to conduct and pay for a survey through an independent researcher available through the University of Victoria Geography Department.
17. December 12, 1997: Times Colonist printed an article (faxed to council) stating that more people, around the world, die each day from impure water than do from land mines.
18. December 15, 1997: Council defeated a motion to submit a grant application. Council approved a motion to create a "Water Task Force" to study the problem. Residents feared that Council was just putting one more obstacle in their path.
19. December 31, 1997: Infrastructure grant program cut-off date. Nothing submitted by council for this or alternate grant programs that would help resolve the community water issue.

20. March 2, 1998: CSWVA asked Mayor and Council to meet with them to discuss the separation of the CSWVA area from Central Saanich. This letter was referred to the Water Task Force.
21. October 8, 1998: A letter was sent to Council asking for feedback on the report due from the Water Task Force, which was now 5 months late.
22. December 19, 1998: CSWVA wrote to Council asking them to apply for a grant from the newly announced \$50 million Provincial infrastructure grant program.
23. January 15, 1999: Beachcomber headline reads "Health Department Confirms Bad Senanus Water".
24. March 4, 1999: Capital Health Region delivered its independent report, analysis and recommendations concerning water in the Senanus Drive area, resulting from tests and engineering studies conducted in 1998. **CHR condemned the water calling it unfit to drink or cook with and capable of carcinogenic action.** CHR also said that the aquifer the residents rely on is incapable of supplying good water and that the situation will only get worse. CHR recommended the extension of the water main as the only long-term solution to the problem; they provided a brief summary of other alternatives and why they should be discarded.

Some of the statements made in the report submitted by the Capital Health Region, Chief Environmental Officer, are:

"... the groundwater in the Senanus Drive area should not be considered potable, is not palatable and should not be used for drinking water."

"The residents of the area should be advised not to continue to consume that water or to use the water for cooking or beverage preparation without treatment."

"... the residents of the area should be advised to seek other alternatives as their source of domestic drinking water."

"The ultimate solution to the drinking water quality problems in the Senanus Drive area is to allow the extension of the Municipal water service."

Residents cannot even boil or chlorinate (oxidize) their water, usually the first instruction to residents when there is trouble with water, as advised by the Capital Health Region in their report:

"Viewing that the Senanus Road water has high levels of chromium it automatically eliminates the possibility of using chlorination as a primary method of water disinfection."

25. March 15, 1999: Council called for more samples and studies to determine the problem with Senanus Drive and Mt. Newton X Road water. Three members of the Advisory Water Task Force delivered a letter of resignation to Council, pointing out that they support the CHR report, that an essential component of their work is thus done and that they do not see how the personal biases present within the Task Force can lead it to undertake any useful work.
26. March 19, 1999: Times Colonist reported that CRD Water Supply Commission has approved the raising of the Sooke dam, thus ensuring a good water supply for the Capital regional area well into the next millennium.
27. April 1, 1999: CHR wrote to 11 property owners on Senanus Drive advising them that their water exceeds the guidelines for Canadian drinking Water in at least 3 elements, chromium, manganese and sodium; and that the water has extreme hardness, a high pH and high levels of calcium. CHR advised residents not to oxidize (chlorinate or boil) their water and not to drink it.
28. April 9, 1999: A resident advised council that CHR water tests on at least 2 homes were directly from well heads and there was no possibility of chromium or other contaminant introduction, into the water from holding tanks, purification equipment, pipes and other equipment in the home; as had been suggested by other parties.
29. April 19, 1999: Council approved a motion to spend \$1,900 plus GST on further water testing by an "independent body".

30. April 26, 1999: CSWVA wrote to Council objecting to the waste of tax payers money, the further 2 months of delay that would result and the implications that this "independent" consultant was more independent than the CHR, particularly as the members of the Water Task Force who recommended this "independent" engineer were the same people showing extreme biases against the watermain extension.
31. April 28, 1999: One group of the Water Task Force delivered its report (about 10 months late!).
32. April 29, 1999: The other group of the Water Task Force delivered a draft of their report.
33. June 11, 1999: The "independent" engineer delivered his report on June 11, 1999.
34. September 22, 1999: Council conducted an open house on the Senanus Drive/Mt. Newton X Road water problems. Almost 100 people attended, and most strongly expressed their wishes for council to get "off the pot" and get on with the watermain extension.
35. CSWVA requests that now that council has seen the strong neighbourhood support for the resolution of the water problems, that a grant request be submitted and that the Municipality help the residents undertake a Petition.
36. March 2000: CSWVA proceeded with a formal Petition to legally present to council the facts concerning:
 - a) The property owners support for the waterline extension.
 - b) The property owners support for the grant requests.
 - c) The property owner's agreement that they would pay their share of the costs in excess of those covered by the grants.
37. April 7, 2000: The Mayor sent a letter to all residents of the petitioned area advising them that the document being circulated by the then remaining members of the Water Advisory Task Force was being circulated with the knowledge and concurrence of council. This document was in direct opposition to the petition. Of the remaining 4 members on this Task Force, only one is in the specified Petition area.
38. May 26, 2000: CSWVA wrote to the CHR expressing concern over the many similarities between the Walkerton tragedy and the water supply in the CSWVA area.
39. June 5, 2000: CSWVA delivered the completed Petition to council.
40. June 19, 2000: The Petition was declared sufficient and put before council. Councilor Harcombe put forward a motion recommending that council recognize the wishes and problems of a majority of property owners and submit a grant request to the Provincial Government. Councilor Harcombe expressed his concern over the plight of Walkerton residents. **To the utter disgust of the residents, Mayor and Council refused to second the motion.** Thus, no discussion ensued and the matter was dropped. To date, Mayor and Council have not given any formal reason(s) for this treatment of their constituents, who have so clearly and so often defined their problem, the solution, and the support needed for action.
41. June 22, 2000: CSWVA wrote to Prime Minister Chretien asking for advice and support.
42. June 26, 2000: It is reported that **the death count at Walkerton, due to bad water, has risen to 21.**
43. July 3, 2000: The Times Colonist reported that the Capital regional district has one of the most progressive water districts in the world.

Are we waiting for a Possible Future Headline?

44. YY/MM/DD

"DEATH SENTENCE COMES TRUE"

Elderly resident dies and others are sick because of bad water. Children do not read "do not drink" signs. Central Saanich residents hold local Mayor and Council responsible. Legal action expected shortly against the Municipality and other levels of Government.