



BOARD REPORT

TO: Chair and Directors

File No: Policy W-13

SUBJECT: Nicholson Aquifer Water Quality Monitoring Policy

DESCRIPTION: Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated August 1, 2019. Nicholson Aquifer Water Quality Monitoring Policy.

RECOMMENDATION #1: THAT: the Board endorse Policy W-13, Nicholson Aquifer Water Quality Monitoring and approve its inclusion into the CSR Policy Manual, this 15th day of August, 2019.

SHORT SUMMARY:

On January 30, 2019, Interior Health staff met with CSR staff to discuss its concerns with the water quality results at the Nicholson Elementary School. The school’s water source has been on a Do Not Use order for over two years. At this meeting, Interior Health requested that CSR partner with Interior Health on a program to re-evaluate the water quality in the Nicholson Aquifer. At the February 2019 Board meeting, the Board authorized the CSR to partner with Interior Health on this initiative and contribute \$10,000 from the Special Projects budget to help fund a monitoring program for 2019 only.

During discussion at the Board meeting, concerns were raised regarding liability implications should residents in the Nicholson area become ill from the contaminated drinking water associated with the Nicholson Aquifer. CSR staff sought a legal opinion on the CSR’s role in the Nicholson Aquifer, which has resulted in the development of Policy W-13, Nicholson Aquifer Water Quality Monitoring.

VOTING: Unweighted Corporate LGA Part 14 (Unweighted) Weighted Corporate Stakeholder (Weighted)

BACKGROUND:

The Nicholson Aquifer is a source of drinking water for an unincorporated community of approximately 350 residents. It is also the source of water for the local elementary school. The property owners in the area use private groundwater wells to obtain their water from the Aquifer. Between 2005 and 2013, the CSR carried out water quality monitoring of the Nicholson Aquifer and on October 29, 2014, the CSR advised property owners that septic influences were detected in the water.

The CSR has historically funded the Nicholson groundwater monitoring program through the special project fund. In 2014, property owners were advised that in order for the CSR to continue to monitor the aquifer, or to provide any mitigation measures, an informal petition demonstrating broad and sufficient support for the service would be required as a next step in the development of establishing a local service area. At the time, property owners were clearly not interested in establishing a service and the CSR discontinued the monitoring program. To date property owners within the Nicholson Aquifer have not initiated a petition to put in place a service in order to monitor water quality or to treat groundwater to provide safe potable drinking water.

In 2017, the Nicholson Elementary School's water source was placed on a Do Not Use order by Interior Health. In 2019, Interior Health met with the CSRD to request the CSRD contribute to financing two additional sample tests of the Nicholson Aquifer. The CSRD has committed to two rounds of sampling for 2019. Test results from the May 2019 sampling are now complete and the results indicate the Nicholson Aquifer continues to be impacted by septic influences in the groundwater. Results are posted on the CSRD website and affected residents have been notified.

Staff have discussed this ongoing issue with legal counsel to ensure that the CSRD has met obligations to:

- a. protect the CSRD from exposure to legal ramifications should a resident become ill from drinking water from the Nicholson Aquifer;
- b. ensure that residents who utilize the Nicholson Aquifer as a source of water are fully aware of the options available to them to protect themselves from water quality concerns; and
- c. ensure that Provincial agencies responsible for environment and health programming are fully informed of the issues related to the Nicholson Aquifer.

The Nicholson Aquifer Water Quality Monitoring Policy has been developed based on the legal advice provided to the CSRD. The policy recommends a number of steps to mitigate the effects of deteriorating water quality in the Nicholson Aquifer. Legal counsel also provided recommendations to the CSRD, which staff has already addressed, including development of a website to share current and historical monitoring results with the public, and to notify the Ministry of Environment, the Ministry of Health and the Medical Health Officer of the continued concerns with the aquifer's water quality.

Additionally, the attached policy identifies that the CSRD will undertake a feasibility study to identify the costs associated with establishment of a community water system, through the receipt of grant funds.

At the June 20, 2019 Board meeting, the Board endorsed staff's recommendation to apply for an Infrastructure Planning Grant for the maximum available amount of \$10,000 from the Province of BC to conduct a community water system feasibility study for the community of Nicholson. The results of the feasibility study will provide information such as treatment options and costs projections for CSRD staff to bring forward to the community in consideration of establishing a service area to fund a community water system as an option.

The CSRD will apply for senior grants for the development of a community water system upon receipt of an informal petition with a minimum of 60% support from the community that there is interest to move forward. Once capital grant funds are secured, the CSRD will advance a formal assent process to establish the service.

The CSRD will proceed with formal assent of the electors to establish a service for continued groundwater quality monitoring upon receipt of an informal petition with a minimum of 60% support from the community that there is interest to move forward with a groundwater monitoring service.

POLICY:

Currently, there is no CSRD policy or service area established that relates to monitoring the water quality of the Nicholson Aquifer. The monitoring conducted by the CSRD from 2005 - 2013 was done as a special project, which is funded from the entire CSRD tax base. The Ministry of Environment has a water quality monitoring program in place for other water sources within the province. The Public

Health Act further identifies the Province's responsibility for identifying and addressing hazards and impediments to public health. Policy W-13 provides clarification and direction of the CSR's role in continued monitoring of the Nicholson Aquifer only once a local service area has been established, funded by the properties from within the benefiting area.

FINANCIAL:

The policy does not pose any financial impact without an established service area.

KEY ISSUES/CONCEPTS:

The Board endorsement of the Nicholson Aquifer Water Quality Monitoring Policy will ensure the CSR has conducted its due diligence as it relates to water quality issues within the Nicholson Aquifer.

IMPLEMENTATION:

Upon Board approval, Policy W-13, Nicholson Aquifer Water Quality Monitoring will be implemented.

DESIRED OUTCOMES:

The Board approve the Nicholson Aquifer Water Quality Monitoring Policy.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

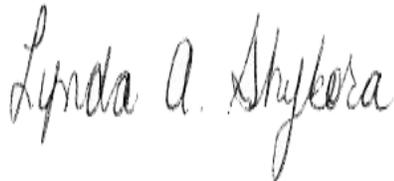
Report Approval Details

Document Title:	2019-08-15_Board_OM_Nicholson_Aquifer_Policy_W-13.docx
Attachments:	- Policy W-13 Nicholson Aquifer Groundwater Monitoring.DOCX
Final Approval Date:	Aug 1, 2019

This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Aug 1, 2019 - 8:24 AM



Lynda Shykora - Aug 1, 2019 - 10:29 AM

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton - Aug 1, 2019 - 10:30 AM