



STAFF REPORT TO THE BOARD

DATE OF REPORT October 16, 2024
MEETING TYPE & DATE Regular Session Board of October 30, 2024
FROM: Utilities Division
Operations Department
SUBJECT: Interim Letter Agreement with Cowichan Tribes – Cowichan Bay
Sewer Servicing
FILE: 5340-02 CBS

PURPOSE/INTRODUCTION

The purpose of this report is to authorize execution of the Cowichan Bay Interim Letter Agreement with Cowichan Tribes for sewer servicing in Cowichan Bay.

RECOMMENDED RESOLUTION

That the Cowichan Valley Regional District enter into an Interim Letter Agreement with Cowichan Tribes regarding sewer servicing in Cowichan Bay for up to 24 months.

BACKGROUND

At the July 13, 2022 Board meeting, a resolution was passed to authorize approval of a sewer servicing agreement with Cowichan Tribes to provide sewer servicing of Cowichan Tribes lands in the Cowichan Bay area. This Cowichan Bay Agreement would provide for the delivery of sewage services from Cowichan Tribes lands through CVRD Sewer Systems for treatment and disposal at the Duncan-North Cowichan Joint Utilities Board.

Although CVRD and Cowichan Tribes staff have worked towards finalizing the Cowichan Bay Agreement, further discussions are still required to complete the agreement.

In June 2024, Cowichan Tribes began construction work on certain properties that will be serviced under the Cowichan Bay Agreement.

ANALYSIS

To allow additional time to negotiate, finalize and execute the Cowichan Bay Agreement, an Interim Letter of Agreement (Letter Agreement) has been prepared to confirm preliminary commitments regarding sewer servicing by the CVRD for select Cowichan Tribes land (see Attachment A). Under the Letter Agreement, the CVRD confirms sewer services for a maximum of 16 single-family homes and one Long House, and Cowichan Tribes commits to pay the fees and charges in accordance with Schedule A of the Letter Agreement.

The Letter Agreement will terminate when one of the following occurs:

- a. execution of the Cowichan Bay Agreement by Cowichan Tribes and the CVRD;
- b. mutual agreement of the Parties;

- c. the date that is 24 months following execution of this Letter Agreement, in which case Cowichan Tribes and the CVRD will in good faith enter into negotiations for a new or renewed agreement for the continuance of the limited services agreed to under section 1 of this Letter Agreement.

FINANCIAL CONSIDERATIONS

As outlined in Schedule A of the Letter Agreement.

COMMUNICATIONS CONSIDERATIONS

Continued discussions with Cowichan Tribes to finalize the Cowichan Bay Agreement.

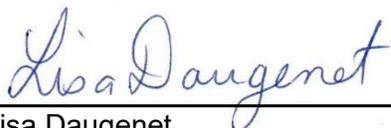
STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Work with local First Nations to develop initiatives that support our shared environmental, social, economic and governance goals.

Referred to (upon completion):

- Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- Operations (*Utilities, Parks & Trails, Recycling & Waste Management*)
- Land Use Services (*Community Planning, Strategic Initiatives, Development Services, Building Inspection & Bylaw Enforcement*)
- Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

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Reviewed for form and content and approved for submission to the Board:

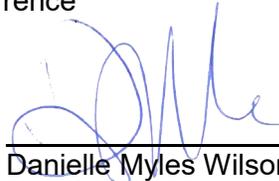
Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

Chief Administrative Officer's Comments / Concurrence



Danielle Myles Wilson
Chief Administrative Officer

ATTACHMENTS:

Attachment A – Interim Letter Agreement with Cowichan Tribes