



February 23, 2016

File: 76915-20/D720001-00  
CLIFF x-ref: 219370

Ms. Tracy Samra  
City Manager  
City of Nanaimo  
455 Wallace St  
Nanaimo BC V9R 5J6

Dear Ms. Samra:

**Re: Middle Chase River Dam – Potential Safety Hazard Conceptual Plan Acceptance**

We wish to thank you, other City of Nanaimo (“City”) staff and representatives of the City’s consultant, Golder Associates Ltd. (“Golder”), for coming to Victoria on February 16, 2016 to meet with me and staff from the Comptroller of Water Rights’ office (“Comptroller”) to provide a better explanation of Golder’s December 21, 2015 “Conceptual Plan for Dam Safety Analysis of the Middle Dam” (the “conceptual plan”) for Middle Chase River Dam. Please also extend our thanks to Jeff Solomon, representative for the Colliery Dam Park Preservation Society, for attending.

As noted at the meeting, the City of Nanaimo is to be commended for the progress to date with the Lower Chase River Dam’s auxiliary spillway project as we understand the project is 1 to 2 weeks ahead of schedule.

Regarding the conceptual plan for the dam safety analysis of Middle Chase River Dam; at your earliest convenience, please provide copies of the PowerPoint presentations provided by Golder at the February 16, 2016 meeting as they form part of the record of the meeting and are a necessary supplement to the December 21, 2015 conceptual plan. As noted in the January 13, 2016 letter requesting a meeting, information provided by the City during the meeting may be used in determining whether the conceptual plan meets the requirements of section 2(a) of the Comptroller’s April 29, 2015 Order.

Further to my letter of December 23, 2016 and our February 16, 2016 meeting during which Golder provided the above requested PowerPoint presentations, our office has determined that the five steps outlined in the conceptual plan, as supplemented by the information in Golder’s PowerPoint presentations, meets the requirements of section 2 (a) of the Comptroller’s April 29, 2015 Order. As recommended by Golder in the conceptual plan and clarified during the meeting, the majority of the work contemplated by the conceptual plan is to be carried out once the key components for the Lower Dam remediation have been completed. This recommendation is acceptable to our office.

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Please submit the results of the work outlined in steps 1 through 4 in Golder's conceptual plan (including the City's proposed remediation approach for Middle Dam) to this office by September 30, 2016 for review and decision by this office as to acceptance of the proposed remediation approach for Middle Dam based on the results of the work.

Finally, please also be reminded of the implementation requirements in section 2 (b) of the Comptroller's April 29, 2015 Order, which states that the City must:

- b) Implement the revised plan for Middle Dam, based on the priorities identified in the plan, within a reasonably expeditious time frame but **no later than the end of 2017**, and in accordance with Section 4 and 7.1 of the B.C. Dam Safety Regulation, as applicable to any alteration, improvement or replacement to all or any part of the dam intended to correct a potential safety hazard and which must be implemented in a timely manner.*

Sincerely,

A handwritten signature in black ink, appearing to read 'Glen Davidson', with a long horizontal flourish extending to the right.

Glen Davidson, P.Eng.  
Comptroller of Water Rights

cc. Toby Seward, A/Senior Director of Strategic Operations, City of Nanaimo  
Scott Morgan, Section Head, Dam Safety, Water Management Branch, FLNR