

2015-SEP-04

Province of British Columbia
Ministry of Forests, Lands & Natural Resource Operations
Office of the Comptroller of Water Rights
Water Management Branch
P.O. Box 9340 Stn Prov Govt
VICTORIA, BC V9W 9M1

ATTENTION: Mr. Glen Davidson, P. Eng., Comptroller of Water Rights

Dear Mr. Davidson:

**RE: MIDDLE AND LOWER CHASE RIVER DAMS (COLLIERY DAMS) NANAIMO
COMPLIANCE WITH PROVINCIAL ORDER**

Further to your letter 2015-JUL-24 and the letter from your solicitor, Pamela Manhas, dated 2015-AUG-07, the City forwarded you Golder Associates' (Golder) report of 2015-AUG-10 outlining the schedule for completion of design drawings for the Auxiliary Spillway.

Following is a status update of work being undertaken by the City to substantially complete the Auxiliary Spillway by 2015-NOV-15, as noted on the Order dated 2015-APR-29:

1) Approval of Copcan as Contractor

At its meeting of 2015-SEP-02, City Council approved Copcan Civil Ltd. (Copcan) as the contractor for this project. The City has now entered into a contract with Copcan to undertake this work and they are involved in discussions with Golder and City staff on design, scheduling, permits, etc., to complete this work. Copcan is in the process of planning and mobilizing their equipment to be in position to start work by 2015-SEP-15 or earlier.

2) Review of the Auxiliary Spillway with the Snuneymuxw First Nation (SFN)

On 2015-SEP-02, Mayor McKay and I met with SFN Council to provide an update on the Colliery Dam project, the technical aspects of the Auxiliary Spillway, and request support from SFN for the Auxiliary Spillway. SFN Council members' response to our presentation was that the information provided was very helpful and they would discuss the information raised in the City presentation and contact us once they have further discussion on the project. Information received from SFN will be forwarded to you when it is received.

3) Permits Required for Construction of the Auxiliary Spillway

The City is working with Golder and City staff to complete required permits for the project. Permits that have been reviewed and, where needed, applications processed include: Fisheries, archaeology, culturally modified trees, tree removal plan, bird nesting, contaminated sites, and amendment to the water licence. I believe the Dam Safety Section (DSS) has confirmed that permit applications required have been received and are being reviewed.

4) Detailed Design for Auxiliary Spillway

Further to Golder's report dated 2015-AUG-10 regarding design drawings for the Auxiliary Spillway, Golder provided an updated report dated 2015-SEP-04, which will be forwarded to you today by email. Golder's report references structural design elements from Herold Engineering for the labyrinth weir/box culvert.

Golder, Copcan and City staff are in ongoing discussions regarding various detailed design elements, which will allow construction to commence without completed design elements. The Auxiliary Spillway routing, size, and cross-section details are mostly finalized, with the exception of items such as the depth of excavation (due to bearing capacity of soil/rock and hydrology elements), cut-off wall details (to prevent reservoir water ingress through the soil plug that will temporarily be left in place to allow excavation/labyrinth weir construction) and height/width of the box culvert.

5) Schedule

As noted earlier, Copcan has commenced planning for mobilization and construction on site, starting approximately 2015-SEP-15 or earlier. As Copcan was retained 2015-SEP-03, they have not determined their schedule, however, will work closely with Golder and the City to establish a schedule, focusing on phase one (excavation) immediately, followed by phase two (construction of labyrinth weir/box culvert) as detailed design for these elements are completed by Herold Engineering. We will forward you a construction schedule when it is completed later in September, plus forward you structural designs as they are completed.

6) Strategy for Middle Dam

Once Golder has completed design work on the Auxiliary Spillway, they will be engaged to determine a strategy for the Middle Colliery Dam, as identified in the Order.

7) Regular Updates

The City will provide updates to the Dam Safety Section on a monthly basis and when key milestones are met regarding construction of the Auxiliary Spillway.

If you have any questions, or require further information and/or clarification, I can be reached by telephone at (250) 755-4424 or by email: toby.seward@nanaimo.ca.

Yours truly,



Toby Seward

Acting General Manager

COMMUNITY DEVELOPMENT & PROTECTIVE SERVICES

TS/kb

cc: Wenda Mason, Manager, River Forecast Centre & Dam Safety Section
Scott Morgan, Head, Dam Safety Section
Ted Swabey, City Manager
Ian Howat, General Manager of Corporate Services