

This MEMORANDUM OF UNDERSTANDING is entered into on this 15th day of July, 2013

Between:

COMOX VALLEY REGIONAL DISTRICT

600 Comox Road
Courtenay, BC V9N 3P6

(the 'CVRD')

And:

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

Box 340
2673 Dunsmuir Avenue
Cumberland, BC V0R 1S0

(the 'Village')

WHEREAS:

- A. The CVRD owns and operates the Comox Valley waste management centre (CVWMC or Facility) located within the Village of Cumberland, at 2400 Pidgeon Lake Road, Cumberland, BC,
- B. The CVRD and the Village recognize that the management and operations of the CVWMC will be guided by the following principles:
 - i. Provides a more equitable and fair response to the affected community and its residents;
 - ii. Opens up lines of communication between an affected community, its residents and the decision makers regarding the Facility;
 - iii. Promotes sensitive consideration of the affected residents' concerns;
 - iv. Fosters better and more equal relationships between the affected residents and the decision makers regarding the Facility;
 - v. Provides for shared decisions that are usually more actively supported by the affected community;
 - vi. Directly addresses the fairness of competing interests between those who benefit from the Facility and those who live as its neighbours;
 - vii. Based on the 20 year Comox Strathcona solid waste management plan (CS-SWMP) operational life for the CVWMC and landfill;
 - viii. Provides for post-closure communications between host community and owner of the landfill;
 - ix. Benefits are directly connected to solid waste management plan;
 - x. Must be financially feasible;
 - xi. Considers risk analysis; and
 - xii. Opens up potential economic opportunities.

DATED: February 1, 2013

NOW THEREFORE this Memorandum of Understanding (MoU), which is not intended to, and cannot, create legally binding obligations on the parties, is to serve as the basis for which the parties will work together towards a mutually beneficial wastewater treatment solution and engage in discussions regarding the management and operations of the CVWMC as they relate to the Village.

1.0 Leachate Treatment/Integrated Resource Recovery

The Village and the CVRD recognize the potential economic benefits of shared facility costs for the treatment and management of their respective liquid waste and leachate. The CVRD agrees to work with the Village in exploring the risk and financial assessment of a mutually beneficial solution to a joint sewerage service between the CVWMC and the Village.

The CVRD will explore with the Village the possible uses for any integrated resource recovery from the CVWMC, including exploring the provision to the Village of a first option on the use of any integrated resource recovery.

2.0 Joint CVRD and Village Resources Committee


CVRD and the Village will establish a joint staff-to-staff committee to discuss the resources shared between the parties (Joint Resources Committee). The Terms of Reference for the Joint Resources Committee will include staff meetings twice per year at the CVRD or Village offices to discuss and exchange shared resource ideas and to more fully understand the concerns related to the CVWMC operations, including roadway concerns, litter control, residential complaints, wastewater issues, environmental monitoring (the CVRD will provide a report on compliance update at these meetings) and other issues of common concern. A record of each meeting including the agenda will be forwarded to the Comox Strathcona waste management committee, management advisory committee, and Village of Cumberland for discussion.

The Joint Resources Committee will assist in a feasibility assessment of the Village's preferred wastewater treatment option in relation to a joint wastewater management agreement between Village and CRVD, which agreement would be submitted to the Comox Strathcona solid waste board and the Village council for discussion.

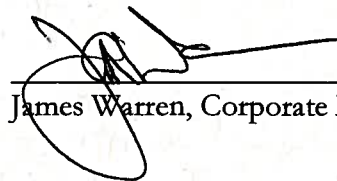
3.0 CVRD will explore the feasibility of ending the operations of the Tervita Bioremediation facility at the CVWMC by January 1, 2014 in support of the concerns expressed by the Village that the CVWMC be a municipal solid waste facility and not an industrial by-product waste site.

The parties have executed this memorandum of understanding as of the day and year first above written.

COMOX VALLEY REGIONAL DISTRICT



Edwin Grieve, Chair



James Warren, Corporate Legislative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND



Leslie Baird, Mayor



Clerk Sundance Topham, Chief Administrative Officer

DATED: February 1, 2013