



Reference: 335757
File: 4606

November 27, 2018

His Worship Mayor John McEwen
and Councillors
Village of Anmore
2697 Sunnyside Road
Anmore BC V3H 5G9

Dear Mayor McEwen and Council:

Thank you for your letter of November 21, 2018, in which you request I rescind the Ministerial Order dated August 16, 2018.

I understand that the Village of Anmore Council passed a resolution on October 16, 2018, to begin the process of resolving this matter and that the resolution also requested that I rescind the order. You also note in your recent letter that the Village of Anmore Council passed another resolution on November 20, 2018, requesting an extension of the November 30, 2018, deadline to create a Liquid Waste Management Plan should the order not be rescinded.

While I am not prepared to withdraw the order for a Liquid Waste Management Plan, I am prepared to extend the current submission deadline. The order of August 16, 2018, is hereby amended such that the submission date for a Liquid Waste Management Plan is now April 30, 2019. The ministry expects to receive regular progress updates.

ORDER

Pursuant to Section 24(4) of the *Environmental Management Act*, the order of August 16, 2018, is hereby amended such that the submission date for a Liquid Waste Management Plan is now April 30, 2019.

DUTY TO COMPLY

Failure to comply with the requirements of this order is a contravention of the *Environmental Management Act* and may result in legal action. I direct your attention to Section 120(11) of the *Environmental Management Act*, which reads:

(11) A municipality that...(a) fails to submit to the minister a waste management plan as requested or directed by the minister under section 24(2) or (3)... commits an offence and is liable on conviction to a fine not exceeding \$300 000.

...2

Failure to comply with the requirements of this order may also result in an administrative penalty under the Administrative Penalties Regulation (*Environmental Management Act*).

I direct your attention to Section 12(4) of the Regulation, which reads:

(4) A person who fails to comply with an order under the [Environmental Management] Act is liable to an administrative penalty not exceeding \$40 000.

CONTACT

If you have any questions regarding this matter, please contact Mr. Dan Bings, Compliance Operations Manager in the Regional Operations Branch of the Environmental Protection Division, at 250 398-4545 (w) or 250 617-0324 (c) or via email at Dan.Bings@gov.bc.ca.

Sincerely,



George Heyman
Minister

cc: Dan Bings, Compliance Operations Manager, Environmental Protection Division, Ministry of Environment and Climate Change Strategy



November 21, 2018

Honourable George Heyman
Minister of Environment and Climate Change Strategy
Room 112 Parliament Buildings
Victoria, BC
V8V 1X4

VIA EMAIL: env.minister@gov.bc.ca

Re: Ministerial Order – Request to Rescind

Dear Minister Heyman:

In your Ministerial Order issued on August 17, 2018 you gave the Village a deadline of November 30, 2018 to develop a full Liquid Waste Management Plan. In other words you gave us three and half months to develop a full plan, including the required public consultation. This was an unreasonable and unrealistic timeline, yet the Village has tried to advance a solution to the ongoing issues of sewerage treatment at Anmore Green Estates.

We asked for additional information that was critical to our efforts to resolve this prior to the issuance of the Ministerial Order. This request was made in writing on July 18, 2018. We heard nothing back through the summer and received assurances from you at our meeting on September 13 at the 2018 UBCM Convention that you would work with your staff to provide the information. We received a two page brush off from the Ministry on October 31, 2018 – three and half months after our request. The Ministry takes three and half months to not answer our simple request for further information yet orders the Village to undertake a full Liquid Waste Management Plan in the same amount of time.

Despite this, Council in good faith passed a resolution at its meeting on October 16, 2018 to begin the process of resolving this matter and in that resolution we requested that you rescind the order. This resolution was provided to the Ministry on October 19. To date, we have heard no response.

Again, Council took responsibility to take the only available action to the Village to resolve this matter and honour the deadline you imposed by passing another



motion at a special Council meeting on November 7, 2018. This motion was provided to the Ministry on November 8. To date, we have heard no response.

The Village is trying to do its best to resolve the situation at Anmore Green Estates but we can't do this if you will not communicate or work with us. The Village has regrettably been forced into a position to request an extension to the deadline that the Ministry imposed on us because of an absence of effort on the Ministry's part.

The Village's preference is for the Ministry to acknowledge the efforts the Village is making to resolve this matter, given the Village's limited capacity and jurisdiction with regards to this matter, by rescinding the Ministerial Order as requested in our motion of October 16. If you are not willing to rescind the Ministerial Order, then the Village requests that you extend the deadline for the completion of a Plan to a reasonable time line to complete a Liquid Waste Management Plan in accordance with your guidelines. Please be advised that if you choose to maintain the Ministerial Order than the Village will cease its efforts to consider membership in the GVS&DD until such time as the Liquid Waste Management Plan is complete.

At the Closed Council meeting held on November 20, 2018, Council passed and released the following resolution:

"If the Minister of Environment and Climate Change Strategy is not willing to rescind the Ministerial Order issued to the Village, that Council request an extension of the imposed November 30, 2018 deadline to create a Liquid Waste Management Plan as per the Ministerial Order dated August 16, 2018 to the Village of Anmore and that staff forward such request to the Ministry of Environment and Climate Change Strategy immediately.

Further, should the Ministerial Order remain in place, Council directs staff to cease efforts to pursue membership in the GVS&DD and focus the limited resources of the Village on complying with the Ministerial Order."

Finally, the Village would still like to be provided answers to the questions we asked in our July 18, 2018 letter. Answers to these questions will be essential if we are to move forward with either a Liquid Waste Management Plan or an Official Community Plan amendment to enable GVS&DD membership.



Yours sincerely,

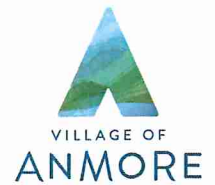
A handwritten signature in blue ink, appearing to read "John McEwen", is written over the "Yours sincerely," text.

John McEwen, Mayor

T 604 469 9877

john.mcewen@anmore.com

cc: Minister of Municipal Affairs and Housing, Honourable Selina Robinson
MLA Rick Glumac
City of Port Moody
Metro Vancouver Regional District,
School District No. 43
Anmore Green Estates Strata



July 18, 2018

David Morel
Assistant Deputy Minister
Ministry of Environment and Climate Change Strategy
Ste 400 – 640 Borland Street
Williams Lake, BC
V2G 4T1

VIA EMAIL: david.morel@gov.bc.ca

Re: Request for On-Site Septic Treatment System Analysis

Dear Mr. Morel:

The Village of Anmore continues to want to work with the Ministry of Environment and Climate Change Strategy (the Ministry) to find an effective solution to the sewage treatment issues at Anmore Green Estates.

While the Village appreciates your offer to put us in direct contact with the engineers who work for Anmore Green Estates Strata (AGE), we are choosing to communicate our concerns and questions directly to the Ministry – as the Ministry has sole jurisdiction and responsibility for ensuring compliance with the permit requirements and administering the permit. Should you need to consult with AGE engineers or consultants to better address our concerns and questions that will be at your discretion.

It is our view that there are two means of solving the issue either by treating the sewage onsite or connecting to regional sewer system.

To date the Village has been made aware of the detailed costs and designs for constructing and maintaining a connection to the regional sewer system, which would involve the Village of Anmore becoming a member of the Metro Vancouver Sewerage and Drainage District (MVS&DD). Though the upcharge that Port Moody would impose on the Village for using their infrastructure remains unknown.

Records indicate that the Anmore Green Estates permit allows for 39 - two bedroom homes and 12 -three bedroom homes to be connected to the system with an allowable 61 m³/day allowable discharge. We understand that the 39 “modular” homes make up the 39 – two bedroom homes. However, could the Ministry confirm the addresses for the additional 12 homes connected to the field? We assume these homes are located on 1 acre parcels. If this is true, has the Ministry reviewed the possibility of removing these 12 homes from the existing septic field in order to reduce the volume of effluent produced?

The engineering reports submitted on behalf of AGE elude to the fact that on-site solutions are not viable. The primary reason is cited as the ground conditions beneath the septic fields are not suitable for disposal, due to permeability of the underlying soil within the septic field’s boundaries. We understand and accept that the current volume of effluent can no longer be “processed” by the existing septic field. However, we would request that the Ministry provide clarity on what volumes of discharge can be achieved, without exposing the public to harmful pathogens. Once this is determined, we would request alternate solutions for disposal of the surplus effluent, complete with cost estimates for each solution. During the previous engineering reviews has the Ministry looked at alternative discharge areas within the Anmore Green Estates Strata common property limits? At present no detailed analysis or costing has been provided regarding an on-site solution.

If the Village is going to give consideration to amending its Official Community Plan and engage our citizens in a discussion regarding joining the MVS&DD as a means to solving the issues at Anmore Green Estates – then we will require a detailed analysis about what the design and cost of an on-site solution would be and why it is not the preferred option.

This would then enable the Village of Anmore to make an informed decision about how best to proceed. Should the solution to these issues involve proceeding with an Official Community Plan Amendment we would then be able to provide this analysis to the public.



We respectfully request that the detailed analysis is provided to the Village no later than Friday, August 31, 2018.

Yours sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "John McEwen".

John McEwen

Mayor

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john.mcewen@anmore.com



Chris Boit, P. Eng

Engineering Consultant, ISL Engineering

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