

Chair and Board
Regional District of North Okanagan
9848 Aberdeen Road
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September 11, 2024

Sewerage Facilities Assistance Grants: Additional Exemption to 1.0 Hectare Policy

Dear Chair Fowler and Directors,

On August 8th, OBWB held an online information session regarding updates to the Sewer Facilities Assistance Grants program (SFA) Terms of Reference (TOR), including presentations from the Ministry of Municipal Affairs and Ministry of Environment. This session was part of consultation with eligible local governments for our SFA program review which included:

- Advisory committee guided comprehensive program review. Fall 2022 – Spring 2024
- Letter to LGs with draft TOR and 8-week review and feedback period. Mar 26 – May 17
- Letter to LGs with approved TOR and notice of information session. June 12
- Information session and Q&A. August 8
- Follow up with LG staff as needed.

Concerns and new exemption:

Under the Terms of Reference approved in June, the 1.0 Hectare Policy allowed subdivisions only if they are connected to a “sewer system provided as a service by a municipality or regional district.” This policy would have excluded eligibility for local governments that allow small lot subdivisions that connect to private wastewater treatment systems, even if those systems are established under the Municipal Wastewater Regulation. This point was discussed in detail during the program review, and supported by members of the Advisory Committee, noting that many private systems fail and ultimately become a source of water pollution and financial liability for local governments.

Since the information session, some local government staff raised concerns about the effect this update will have on existing areas treated by private systems. OBWB posed this question to the Ministry of Municipal Affairs and received the following response:

“The MWR does not provide all of the benefits of a LWMP, but does provide more oversight (or at least more opportunities to encourage better management if things start to go wrong) for things such as: operating and contingency plans, security and assurance plans, operator qualifications and certification, and monitoring, as compared to what is in place for smaller systems that are too small to trigger the MWR and onsite systems.”¹

¹ The Municipal Wastewater Regulation (MWR) applies to larger wastewater systems generating a minimum of 22.7m³/day.

Based on this response, and to be consistent with provincial granting policy, on September 6th the board approved an additional exemption to the 1.0 Hectare Policy, that reads:

4.8.5 OBWB discourages the creation of new private wastewater systems to serve as community sewer. However, the creation of lots below 1.0 Ha that connect to systems created and managed in accordance with the Municipal Wastewater Regulation will not affect a local government's eligibility for SFA grants.

Best practice to protect community water and reduce local government liability

Where local governments are unable to directly provide sewer systems as a service, the best alternative is an approved Liquid Waste Management Plan (LWMP). These plans provide flexibility to meet community development goals while protecting community water. LWMPs offer several advantages outlined in the Ministry of Environment's presentation on August 8th including:

- Waives the requirement for elector assent to incur debt to finance municipal infrastructure.
- Environmental Assessment Act exemption for projects completed under an approved LWMP.
- Opportunities to review and address any potential problem areas (i.e. failing on-site systems or new developments).
- Can be used to support Official Community Plan objectives.
- Specific bylaws can be developed as part of the process to address source control issues or provide oversight over onsite systems.
- Offers a single planning process to work with multiple stakeholders.

Grants up to \$90,000 are now available through the OBWB SFA program to create or update LWMPs. The new SFA Program Guide, all forms, and a recording of the information session and presentations are now available at <https://obwb.ca/overview-grants/sfa/>

Please contact me if I can provide any further information or be of any assistance.

Yours truly,



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