



December 4, 2021

File No: 2021 Floods

To whom it may concern:

RE: Order to Provide Information Related to Risk of Liquid Manure Overflows

Recent flooding in the Fraser Valley and Lower Mainland has created risk of liquid manure releases from storage systems. This risk has been caused by several factors, including but not limited to, the movement of livestock on an emergency basis to different agricultural operations causing overloading of manure storage systems, disposal of milk in manure storage systems because of disruptions in milk supply chains, and excessive precipitation or floodwaters directly or indirectly entering into liquid storage systems. For those reasons, I have reason to believe that the actions set out in this order are necessary to ensure the minimization of introduction of liquid manure waste to the environment and prevention of adverse impacts on human health and the environment. Therefore, under section 80(2) of the *Code of Practice for Agricultural Environmental Management* I require the persons described in section 1 of this order to provide the information in section 2 of this order in the manner set out in section 3 of this order.

1. This order applies to any person (individual, corporation or partnership) who operates or controls an agricultural operation, if:
 - (a) The agricultural operation is located in the Metro Vancouver Regional District or Fraser Valley Regional District, and;
 - (b) One or more of the following apply to the agricultural operation:
 - i. The agricultural operation received relocated animals from the evacuated areas, which contribute additional liquid manure to the operation's existing manure storage;
 - ii. The operators of the agricultural operation have needed to dispose of milk into their liquid manure storage systems due to disruptions in the milk supply chain, or;
 - iii. Excessive precipitation or floodwaters have entered directly or indirectly into the liquid manure storage system of the agricultural operation, and;
 - (c) As a result of the circumstances described in paragraph (b) the person believes that there is a risk of the agricultural operation's liquid manure storage systems failing or overflowing.

If more than one person owns or operates an agricultural operation, all such persons are responsible for ensuring information is provided in accordance with this order, but only one person is required to supply the information.

2. Persons to whom this order applies must report the following information:

- (a) Name of Agricultural Operation operator or person having control of agricultural operation. (Please use full legal names);
- (b) Address of Agricultural Operation;
- (c) Name of individual submitting information;
- (d) Name of contact for Agricultural Operation if different from (c);
- (e) A summary of how the Agricultural Operation has been impacted by flood events;
- (f) A summary of efforts taken to date to find alternative storage or transport materials to another location, and;
- (g) Whether potential overflow caused by:
 - i. Movement of livestock on an emergency basis to your agricultural operations;
 - ii. Disposal of milk in your manure storage systems because of disruptions in the milk supply chains or movement of livestock to operations on emergency basis;
 - iii. Excessive precipitation or floodwaters directly or indirectly entering into liquid manure storage systems.

3. Persons to whom this order applies must:

- a. Submit the information by December 19, 2021 or as soon as reasonably possible to the director by email to: authorizations.south@gov.bc.ca.
- b. Submit the information in the form attached if reasonably possible.

This information is being provided to allow the Ministry of Environment and Climate Change Strategy to assess the risk of liquid manure storage facilities overflowing, and issue authorizations/orders that allow application of liquid manure to land where the risk to the environment and human health of doing so is less than the risk of not doing so.

Please note that in the absence of an order or authorization allowing discharge of liquid manure to land, operators and those in control of agricultural operations located in high precipitation areas (including all of Fraser Valley Regional District) are prohibited by section 6(2) and (3) of the *Environmental Management Act* from applying liquid manure to land during the period from November 1 to February 1. In the absence of an order or authorization allowing application of manure to land, failure to comply with that prohibition will result in a breach of section 6 (2) and (3) of the *Environmental Management Act* punishable by fines of up to \$1,000,000, as well as possible creation of a health hazard contrary to the *Public Health Act*, punishable by fines of up to \$3,000,000.

Please submit the information required by this order as soon as possible so that the Ministry can process authorizations or orders as quickly as possible, allowing application of liquid manure to

land where the Ministry determines that the risk of doing so is lower than the risk of not doing so.

If you have further questions regarding this letter or AEM Code, please contact the undersigned or Sajid Barlas, Section Head at sajid.barlas@gov.bc.ca.

Sincerely,



Cassandra Caunce
Director, South Authorizations
Cassandra.caunce@gov.bc.ca

Cc: Geneen Russo, HLTH
Mark Raymond, AFF
Fraser Health Authority
First Nations Health Authority
Health Emergency Management BC