Environmental Appeal Board

APPEAL NO. 94/20 - HEALTH

In the matter of an appeal under s. 5 of the *Health Act*, R.S.B.C. 1979, c. 161

BETWEEN:	Douglas Lake Ranch	**APPELLANT**
AND:	Environmental Health Officer	**RESPONDENT**
AND:	Hatheume Lake Resort	**PERMIT HOLDER**

BEFORE: Mr. B. van Drimmelen, Chair
Ms. J. Rysavy, Member
Mr. J. Lapin, Member

DATE OF HEARING: May 15 and 16, 1995

PLACE OF HEARING: Kamloops, BC

APPEARING:

For Appellant
Spokesperson: Mr. J. Gardner

For Respondent
Spokesperson: Mr. K. Christian
Witnesses: Mr. J. Rowlett
Mr. L. Fish

For the Permit Holder
Spokesperson: Mr. S. Power
Witnesses: Mr. J. McMaster
Mr. B. Ledingham

SUBJECT AND DECISION

This is an appeal by Douglas Lake Ranch [the Ranch], as an affected owner of adjacent property, of a decision of the Environmental Health Officer [the Ministry], to issue a sewage disposal permit to Hatheume Lake Resort for District Lot 5835, Kamloops Division, Yale District [the Resort], located between Merritt and Peachland, BC.

The Panel has decided that the appeal should be dismissed, despite the fact that the Appellant raised important issues related to the public interest.

Before the reasoning behind the Decision is explained, it should be noted that the Panel has simplified matters in these reasons to make the Decision readable and its basis understandable. All of the evidence, both oral and written, was carefully

considered by the Panel regardless of whether such evidence is specifically referred to here.

A list of exhibits is included in Appendix A.

FACTS

The sequence of events leading to this appeal is as follows. In late 1994, the Ranch expressed concern to the Ministry that a sewage lagoon operated for some time by the Resort was actually trespassing onto Ranch land. That was confirmed and admitted by the Resort, so the existing lagoon permit was voided by the Ministry in mid-November. That meant that the Resort needed a new permit.

However, the Resort was also in the midst of plans to convert its traditional fishing resort to a larger recreational tourist development. Although the land would continue to be held by one title (and hence not require subdivision), 24 undivided interests in the property were to be created. A developer would keep a single commercial interest and be in charge of bookings of recreational cabins. The remaining 23 recreational interests would each allow personal use of a specified cabin, including rental of the cabin to others. Generally, regulations concerning safety and enjoyment of the resort were to be enacted as bylaws by an "owners' council". The recreational interests would be sold on the open market.

This redevelopment would require the construction of at least an additional 13 cabins beyond 9 already on the site (the evidence was unclear as to whether 21 or 23 cabins are ultimately planned). Thus, the sewage disposal system required considerable modification in any event, regardless of the newly-discovered trespass.

A request to use a lagoon system to service the re-designed resort was denied by the Ministry in late 1994. On January 3, 1995, agents for the Resort agreed to apply for a conventional sewage disposal system. In mid-January, the Resort applied to the Ministry for a sewage disposal system to handle 4,999 gallons of effluent per day. That proposal was initially based on sewage from 30 cabins.

The Ministry reviewed the application and decided that, despite the application's fortuitous reference to 4,999 gallons per day, the effluent would likely exceed 5,000 gallons per day. Under regulation BC 210/94, all applications greater than 5,000 gallons per day would have to be submitted to the Waste Management Branch of the Ministry of Environment, Lands and Parks, not the Ministry of Health. The resort disagreed with the Ministry's flow estimates. Meetings were held to reduce the estimates. Despite those meetings, the Ministry held firm, so the Resort submitted other proposals that reduced the number of cabins to 24. Ultimately, this had the effect of bringing the estimated sewage effluent volume, based on Ministry estimates, below the 5,000 gallon per day threshold. Once again, the proposal was within the jurisdiction of the Ministry.

The proposal, as modified, was framed in a formal application (Exhibit 1, Tab 2) in mid-February. The application was referred to the Waste Management Branch of the Ministry of Environment, Lands and Parks for comment, even though the

application now fit within the Ministry of Health jurisdiction. The Waste Management Branch responded tersely (Exhibit 14), to the effect that the proposed system met the criteria for municipal sewage criteria. On March 7, 1995, the Permit to Construct was issued by the Ministry (Exhibit 1, Tab 2). That issuance is the subject of this appeal.

Very few facts were actually disputed among the parties to this appeal. The nature of the proposed modifications were agreed (to add 13 new cabins, convert six existing cabins, remove the kitchen, dining room and laundry building and add an office/convenience store). It was agreed that the application for the permit, as written, falls within the jurisdiction of the H*ealth Act*. It was agreed that soil attributes as determined by a site inspection would allow the installation of a conventional septic system. It was agreed that the proposed system would substantially meet the minimum required setback distance from Hatheume Lake and a nearby creek. It was agreed by all that some nutrients would reach Hatheume Lake from the septic field, although the amount and effect were both disputed. It was also agreed that the sewage disposal system was inevitably bound to fail at some time, and that contingency plans, structures and actions were required.

ISSUES

The Ranch, as Appellant, has the burden of convincing the Panel that the permit should be rescinded. The Ranch objected to the issuance of the permit because of many alleged errors by the Ministry. Specifically, the Ranch submitted that:

a) proposed sewage flows relied upon by the Ministry were incorrect;

b) the Ministry should have factored in laundry and kitchen facilities, even if the Resort has promised to remove them;

c) the cabin flows should assume full year-round use, not seasonal use;

d) the flow estimates submitted by the Resort were contradictory;

e) minimum setbacks from Hatheume Lake and a creek should not have been allowed because the land was swampy;

f) no sewage disposal permit should be granted as the Resort had no right to water (no water license);

g) minimum setback from Hatheume Lake and a creek should not have been allowed because the disposal system was not failure-proof;

h) nutrients from the system would reach Hatheume Lake and adjacent lands;

i) the Ministry had not taken into account alleged past errors, system failures and indifferent attitudes by the Resort and its agents;

j) too much land was to be cleared to construct the septic disposal field;

k) there had been insufficient consultation by the Ministry with adjacent landowners; and

l) the Ministry should have at least considered the policies and position of the Regional District regarding sensitivity of the area to development.

All but the last were rejected by the Panel (see the Findings of the Panel below). For the Panel, the central issue in this appeal became the last point; whether the Health Officer could have and should have considered land use plans and policies in deciding whether to issue the permit. Those plans and policies place considerable emphasis on the sensitivity of Hatheume Lake, among others, to deterioration of water quality due to continued development. Those documents make recommendations for considerably greater setback distances and other precautionary measures that considerably exceed the minimums set out under the *Health Act* regulations. It is unknown whether the proposed septic system would have been allowed as applied for if the application fell under the jurisdiction of the Ministry of Environment, Lands and Parks (as it would if the expected sewage flow were slightly increased) or under the Thompson Nicola Regional District (if a subdivision were involved).

THE LAW

The regulation of sewage disposal in the circumstances leading to the appeal falls under the *Health Act*. Section 5 allows Cabinet to make regulations for the control of disease and to protect public health. The Sewage Disposal Regulations (BC Reg. 411/85) do that for sewage disposal. Section 3 of those regulations requires that a health officer inspect the site; Schedule 1 details the tests and measurements that are required. In order to issue a permit, the officer must be satisfied that the operation will comply with the *Health Act* and regulations made under it. A permit may have conditions attached to ensure compliance. Under subsection 4(3), it is a default condition of every permit that no sewage will discharge into any surface water. Section 18 sets out minimum setbacks from water bodies, buildings, etc. Appendix 1 specifies minimum daily sewage flows to be used for a range of buildings and facilities.

Although not raised by the parties, the Panel also took notice of two other features of the *Health Act*, specifically to determine the intent of that Act regarding the general public interest. The conclusions drawn by the Panel by these features will be explained in the section on “Findings of the Panel” below.

THE PARTIES’ POSITIONS

In grossly simplified form, the dispute can be summarized as follows. The Resort claims that the application meets and even exceeds all of the technical legal requirements for issuance of a permit. The Ministry agrees that the application, as modified, meets all of the technical legal requirements and that the Ministry has no authority to apply additional requirements based on land use concerns. The Ranch,

while disputing the accuracy of sewage discharge estimates, is concerned about the past record of the Permittee regarding adherence to the law. Of greater concern are land use plans issued by various provincial agencies that have identified serious concerns about any further development on Hatheume Lake. The Ranch contends that the Ministry has not considered those concerns, focusing exclusively on the narrow technical requirements of the *Health Act*.

DISCUSSION

Findings of the Panel

The findings of the Panel are framed around the allegations of the Appellant, the Douglas Lake Ranch.

a) Whether the proposed sewage flows relied upon by the Ministry were incorrect

There was considerable evidence led on this subject, particularly by the Resort. It is obviously a subject of chronic disagreement between the Ministry and resort developers such as Triple R Land Co., of which Mr. Bruce Ledingham appeared as a witness for the Resort. Ironically, the spectre of having to design for a potentially higher-than-required daily flow caused no concern in the specific case of Hatheume Lake Resort. There is abundant room on the site to locate a larger and more remote effluent field if that were required. Witnesses Ledingham and Power acknowledged that they were using the appeal hearing as a forum to air their concerns as companies in the business of redeveloping resorts, not only as witnesses for the Permittee in the appeal. In fact, the Resort had attempted to bring an appeal of its own of terms and conditions attached to the permit. They were denied standing by the Board due to a legal technicality, and had to make do with full party status in this appeal.

Although the Ministry agreed that the minimum daily sewage flows prescribed in Appendix 1 of the Sewage Disposal Regulations are outdated, making it difficult to set reasonable estimates for non-classified facilities such as seasonal use resort cabins, the Panel was not convinced that there was in fact a problem in terms of regulatory effect. The Ministry, when dealing with unclassified facilities, appeared to tend to use conservative (high) estimates. For example, although the Resort was predicting 100 gallons per unit per day, the Ministry set 250 as a permit requirement (Exhibit 9, page 3). The Panel found that, although proposed sewage flows specified by the Resort may (or may not) have been low, the Ministry's choice of 250 gallons per unit per day was a reasonable figure.

The Panel also found that uncertainty in flow estimates did not, of itself, affect the validity of the permit.

b) Whether the Ministry should have factored in laundry and kitchen facilities, even if the Resort had promised to remove them

The Ranch was concerned that, despite assurances by the Resort, the Resort planned to construct or maintain laundry and kitchen facilities after the permit was issued. In support, the Ranch showed that the Resort had applied for a water license with authorization for a water volume fully three times the volume of the sewage disposal permit. Where was all that extra water planned to go? This question was not completely answered by the Resort, although some water would be used for gardens and such, bypassing the septic field. Ultimately, the Panel found that the Ministry's reliance on the information provided by the applicant in this regard was reasonable. In any event, the permit was issued subject to conditions, including that no laundry and kitchen facilities were to be built. There is provision in the *Health Act* for the imposition of penalties for providing false information in an application.

c) Whether the cabin flow estimates should assume full year-round use, not seasonal use

The Ministry gave evidence that the permit is based on maximum daily estimated sewage flow. Therefore, it is irrelevant to the permit approval whether the cabins are used year-round or seasonally; the permitted disposal system is required to be able to process the maximum daily discharge on a year-round basis. If seasonal use produces less effluent than full-time occupancy, the disposal system will in effect have been over-designed.

This effect was of concern to two of the Resort's witnesses. Both Mr. Power of Urban Systems and Mr. Ledingham of Triple R Land Co. expressed strong concerns that the use of "high" flow estimates prevented re-development of many smaller resorts other than Hatheume Lake. While the presumption of year-round use underlying the flow estimates was actually irrelevant to this particular appeal, the panel was not convinced by the concern of Urban Systems and Triple R Land Co. in this regard. In fact, the Panel considered that basing sewage disposal permits on a year-round rather than seasonal use provides a prudent and valuable safety factor in resort situations.

d) Whether the flow estimates submitted by the Resort were contradictory

As for (a) and (c) above, the accuracy of the flow estimates submitted by the Resort are, in the Panel's view, irrelevant. The Ministry imposed its own generous estimates of daily flow and assumed maximum daily flows, ignoring the seasonal use aspect of the Permittee. The Panel found that the Ministry's use of prescribed flow rates rather than those estimated by the Resort made any contradiction in flow estimates by the Resort irrelevant.

e) Whether minimum setbacks from Hatheume Lake and a creek should not have been allowed because the land was swampy

While there was evidence that the Resort land contains swampy pockets, the evidence proved to the Panel's satisfaction that the site of the permitted field was not located on swampy soil.

f) Whether no sewage disposal permit should be granted because the Resort had secured no right to water (no water license)

The Panel considered this issue irrelevant to the issuance of the permit. The Water Management Branch of the Ministry of Environment, Lands and Parks has the statutory authority to protect the Ranch's prior rights to water from Hatheume Lake. If the Resort cannot acquire rights to water, it will place very low demands on the sewage disposal field for which the permit was issued. Acquisition of those rights is up to the Resort, but should not be a precondition to a sewage disposal permit.

g) Were minimum setbacks from Hatheume Lake and a creek appropriate since the disposal system would fail at some time?

There was no real argument that the application substantially met the basic minimum setbacks stipulated in s. 18 of the Sewage Disposal Regulations. All parties agreed that any system will fail at some time, but it is presumed, in the absence of any evidence to the contrary, that the statutory setbacks were designed with the inevitability of failure in mind. The Panel also heard evidence from the Resort regarding a triple backup for power to the sewage disposal system. The system will be operated by batteries that are recharged by a generator. There will be a backup generator on site. If the batteries and both generators were to fail, a third generator would be available within a half-day from Peachland or Kelowna. Thus, the Panel concluded that the probability of failure of the entire system is low. The mere possibility of eventual failure was not, in the Panel's view, a basis for requiring more than the minimum required setbacks in this case.

h) Whether the fact that nutrients from the system would reach Hatheume Lake and adjacent lands should prevent issuance of the permit

All parties agreed that some nutrients would reach Hatheume Lake. There was no direct evidence to show that nutrients would also reach the Douglas Lake Ranch land beside the Resort. There were strongly contradictory opinions about the magnitude of the effect of the addition of nutrients. The Ranch expressed the opinion that the effect could be severe. There was also a general concern expressed in several land use planning documents (Exhibit 1, Tab 7; Exhibit 2) about the prospect of additional nutrient loading of smaller lakes in the area such as Hatheume Lake. However those concerns deal with water quality, aesthetics and such, not with risk to human health. The Panel's response to those concerns is described below in subsection (I).

The Resort presented evidence that the soils in the sewage disposal field were capable of absorbing much of the phosphorus and a portion of the nitrogen in the effluent before it would reach the lake. It remains unknown whether such nutrient retention capability will become less effective over time or be sustainable. However, the Panel is satisfied that the soils on site have good nutrient absorption capability.

Additionally, the Resort put forward some evidence to indicate that water quality in Hatheume Lake was high, not marginal as suggested in other evidence (Exhibit 1, Tab 6 and 8, Exhibit 2). On this issue, the Panel noted the basis for the Resort's submission was a single water sample taken in April, 1995. The Panel presumed that a single sample taken in the early spring would not be representative of the eutrophication level of Hatheume Lake in late summer, for example. Therefore no weight was given to that submission.

In regard to human health hazards, the Panel found that there was no evidence to indicate that the passage of some nutrients to Hatheume Lake would create a health hazard. In regard to environmental effects of such passage, see subsection (I) below.

i) Whether the Ministry should have taken into account alleged past errors, system failures and indifferent attitudes by the Resort and its agents

The Resort frankly admitted the trespass of its sewage lagoon onto the Ranch's property once it was informed of the problem. The evidence showed there had been some effort made by the Resort to remedy the problem. Although the trespass was characterized by the Ranch as evidence of indifference, the Panel disagrees. The evidence showed that even the Ranch was unaware of the subtle trespass for many years; it was not an obvious problem.

In regard to past errors and system failures, there was evidence presented that the current engineering firm used by the Ranch, Urban Systems, and possibly the developer involved with the Resort, Triple R Land Co., had been involved in the design of a sewage disposition system in another location, Paradise Lake. That system had apparently been built based on low effluent flow estimates; it had failed, presumably when volumes were greater than predicted. Mr. Power of Urban Systems frankly acknowledged the error. Further the Panel understood that the Ministry had issued a permit for Paradise Lake and accepted the low flow estimate, so the failure was partly abetted by the Ministry. Overall, the Panel was not convinced that the Resort or its agents had shown a significant disregard for either its neighbors or the regulatory regime.

j) Whether an excessive amount of land was to be cleared to construct the septic disposal field

The Panel heard evidence that the site selected for the effluent disposal field was chosen on the basis of the coarser-textured soils (as opposed to the finer soils toward the swampy areas). The field was to be placed on a high point, an area well

suited for additional cabin construction. The effect of using this well-drained site was that the field could be smaller than would be the case if it were on finer-textured soils. That implies that the area to be cleared of trees would be minimized.

Additionally, the Panel heard evidence by the Resort that any erosion problems caused by installation could, given the topography, be controlled by use of standard erosion control structures such as berms or settling ponds.

The Panel concluded that, while some deforestation would be required regardless of the location of the field, the permitted location would result in the minimum practical clearing.

k) Whether there had been insufficient consultation by the Ministry with adjacent landowners

The Panel heard no evidence of any legal obligation on either the Ministry of the Resort to consult with adjacent landowners. Further, it appeared during the hearing that the parties knew each other reasonably well; the Panel presumed that there had been some ongoing dialogue, if not formal consultation, among all parties. As it was the Ranch that first raised the issue of trespass problems with the Resort's existing sewage lagoon, the Panel presumes that the Ranch should reasonably have anticipated that some sewage disposal work would occur on Resort lands. Therefore, the Panel gave little weight to this argument. In any event, the Panel was not shown that failure to consult sufficiently would provide a legal basis for rescinding the permit.

l) Whether the Ministry should have considered the policies and position of the Regional District regarding sensitivity of the area to development into account

This was the Ranch's main concern as expressed in the hearing. Mr. Gardner included two documents in his exhibits - a Lake Study Policy produced in 1984 (and updated in 1991) by the Thompson/Nicola Regional District and a Pennask Land and Resource Use Plan (Exhibit 1, Tabs, and respectively). The former was taken by the Panel to represent the general public interest as perceived by the local government. The latter was taken to reflect the public interest as perceived by a range of provincial government agencies, timber licensees and environmental resource users. Both documents stress the sensitivity of lakes in the area, including Hatheume Lake, to over-development and increased nutrient loading. A letter from the Regional District to the Resort (Exhibit 1, Tab 8) shows clear opposition by the local government; the letter opposes further development at Hatheume Lake but (reluctantly) concedes that present zoning does not completely rule out such redevelopment. That letter also passes on similar concerns of the Ministry of Environment, Lands and Parks.

The Panel concluded that the public interest demands that special scrutiny must be given to any development or redevelopment proposal that may either increase public use of Hatheume Lake's shores or add nutrients to an already eutrophic Lake.

Although not conclusively proven at the hearing, it seemed likely that the public interest compelled the consideration of more than merely human health in issuing the permit. In this respect, the Panel supported the Ranch's concern.

The problem, however, was whether the Ministry had legislative authority to consider the general public interest in terms of regional land use and environmental issues. Mr. Christian, as the voice of the Ministry in this appeal, categorically stated that no such authority existed. In his opinion, it would be going beyond the Ministry's authority to bring in such factors and a permit application rejected on that basis would be overturned.

It was stated earlier that regulations under the *Waste Management Act* required that any sewage disposal application in excess of 5,000 gallons per day must be authorized by the Ministry of Environment, Lands and Parks. Any such application would be referred to other land use agencies, so land and resource use concerns would at least be considered in such larger applications. However, for any project based on 4,999 gallons per day (as the original application for the permit under appeal was) would be judged on human health protection criteria only.

However, there is no specific legislative authority in the *Health Act* and its regulations to consider environmental sensitivity or broad land use concerns. Neither is there a general power to consider the general public interest. In fact, the Panel found only one dubious and ambiguous reference to any concern for environmental sensitivity. Subsection 5(r) of the Act allows Cabinet to make regulations to prevent the pollution, fouling or discoloration of lakes. Unfortunately, the Panel found no evidence that such regulations had ever been passed.

The Panel concluded, reluctantly, that refusal to consider the public interest in the form of land use plans and government policies is not a basis to rescind the issuance of a permit under the *Health Act*, at least for conventional disposal systems. Only health and disease concerns can be considered in such applications.

DISPOSITION

The Environmental Appeal Board has the power to confirm, vary or reverse a decision made under the *Health Act*. In this case, the Panel dismisses the appeal and upholds the issuance of Permit to Construct No. 95-103 to the Resort.

RECOMMENDATIONS AND COMMENTS

Making recommendations is not a formal function of this Panel. However, three recommendations are made by the Panel in the hope of reducing the incidence of the type of disputes that led to this appeal:

1. The Panel recommends that regulations be passed under the *Health Act*, s. 5(r), to give a health officer the discretion to consider potential environmental impacts in deciding whether to approve a sewage disposal permit. Ministry policy can then set, and adjust from time to time, threshold discharge estimates so that very small applications, or

2. Those in insensitive environmental areas need not go through an elaborate interagency referral process.

It was noted in the discussion of the appellant's point (l) that any sewage disposal application in excess of 5,000 gallons per day would be referred to other land use agencies, so that land and resource use concerns would at least be considered in such larger applications. However, for any project based on 4,999 gallons per day, only human health protection criteria can be used. What a difference a gallon can make!

There were three possible explanations for this apparent paradox:

1. The legislature felt that smaller projects could not create significant environmental effects and that 5,000 gallons per day marked the cut off;

2. Mr. Christian was mistaken about his authority under the *Health Act*; or

3. The *Health Act* was outdated, and revisions had simply not kept current on the public's concerns about environmental degradation.

The first explanation was possible but, if true, inappropriate. Given the extent of lake water quality problems reflected in the planning documents, even a small sewage disposal project in this area of the province could have a detrimental environmental effect. This would particularly true in a cumulative sense, where many small projects along the shore of a small, already highly eutrophic lake progressively create a significant over-all impact.

The second explanation was very unlikely, given Mr. Christian's long experience in the field. The Panel reviewed the *Health Act* to examine a health officer's discretion and legislative mandate. As expected, Mr. Christian was correct. The Act focuses directly on public health protection and disease control. Section 4 allows the Minister to take cognizance of the public interest in health and life. Wherever the Act or regulations provide discretion to a Health Officer, it is only to satisfy the officer that the Act and regulations will be complied with.

The third possibility was most likely. In its review of the *Health Act*, the Panel noted that several sections showed serious signs of senility. For example, s. 5(t) contains a power to make regulations for the "prevention of pollution by sputum or tram cars". That power brings to mind turn of the century museum photographs of regularly-spaced spittoons; it fits poorly with modern public habits on buses ... The Panel believed that Act was overdue for modernization. Thus, the Panel recommends that legislative amendments be made to give the health officer the discretion of considering environmental and land use

factors in deciding whether to approve permits for small sewage disposal projects.

3. The Panel wishes to endorse the Ministry's apparent practice of basing flow estimates at the high end of what is anticipated. Examples in this appeal were the use of estimated flow rates from larger facilities (from Appendix 1 on the regulations) in preference to those estimated and supported by the Resort. The Panel supports the selection of high estimated flows because such a practice will lead to additional public and environmental safety as disposal systems are "over-engineered" to handle those theoretical higher flows.

4. The Panel wishes to express its appreciation to all parties and witnesses for their work in preparation and presentation in this appeal. However, particular gratitude is reserved for Environmental Health Officer Rowlett for his meticulous daily log notes. The chronology of events leading up to this fast-breaking appeal was laid out precisely and understandably as a result, simplifying the Panel's task considerably.

Ben van Drimmelen, Panel Chair
Environmental Appeal Board

June 30 1995

APPENDIX 1

EXHIBITS

1-A	Argument Reference Book - Hatheume Lake Resort
2-A	PENNASK - L.R.U.P. - Ministry of Forests
3-R	November 18, 1994, Letter to G. Avrill from J. Rowlett
4-R	November 30, 1994, Letter to J. Rowlett from D.E. Pilling & Assoc.
5-R	December 14, 1994, Letter to D.E. Pilling & Assoc. from J. Rowlett
6-R	January 11, 1995, Fax to J. Rowlett from J. Gardner
7-R	Application For Permit to Construct - D.E. Pillings & Assoc.
8-R	January 30, 1995, Letter to B. Ledingham from J. Rowlett
9-R	February 2, 1995, Minutes, Environmental Health Officers' Meeting
10-R	February 14, 1995, Letter to Ministry of Health from Urban Systems
11-R	February 17, 1995, Letter to Urban Systems from J. Rowlett
12-R	February 22, 1995, Memo and Letter to J. Rowlett with attachments from Urban Systems
13-R	February 23, 1995, Letter to G. Fricot from J. Rowlett
14-R	March 2, 1995, Letter to J. Rowlett from G. Fricot
15-R	March 15, 1995, Letter with attachments to J. Rowlett from Urban Systems
16-R	March 29, 1995, Rejection Report
17-R	March 30, 1995, Letter to Urban Systems from J. Rowlett
18-R	January 27, 1995, Hand Written Memo to J. Rowlett from L. Fish
19-R	January 27, 1995. Fax (4 pages) to L. Fish from B. Ledingham
20-R	January 30, 1995, Handwritten note to J. Rowlett

21-R	February 14, 1995, Handwritten note to J. Rowlett from L. Fish
22-R	February 24, 1995, Handwritten note to J. Rowlett from L. Fish
23-TP	Statement of Points - Hatheume Lake Resort Ltd.
24-TP	Page 23 from WasteWater Engineering Metcalf and Eddy Inc.
25-TP	Extract from Residential Water Conservation Projects Summary Report
26-TP	May 25, 1994, Letter to B. Ledingham from Ministry of Environment, Lands and Parks
27-TP	May 10, 1995, Letter to B. Ledingham from NovaTec Consultants
28-TP	Building Permit from Thompson -Nicola Regional District