



## Notice of Meeting and Meeting Agenda Environmental Services Committee

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Wednesday, June 16, 2021

1:30 PM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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B. Desjardins (Chair), N. Taylor (Vice Chair), D. Blackwell, L. Helps, M. Hicks, G. Holman, J. Olsen, G. Orr, J. Ranns, K. Williams, R. Windsor, C. Plant (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

### 1. Territorial Acknowledgement

### 2. Approval of Agenda

### 3. Adoption of Minutes

#### 3.1. [21-504](#) Minutes of the May 19, 2021 Environmental Services Committee

**Recommendation:** That the minutes of the Environmental Services Committee meeting of May 19, 2021 be adopted as circulated.

**Attachments:** [Minutes - May 19, 2021](#)

### 4. Chair's Remarks

### 5. Presentations/Delegations

- 5.1. **21-507** Delegation - Geoff Krause; Representing Saanich Inlet Protection Society: Re: Agenda Item 6.3.: Biosolids Management - Response to Peninsula Biosolids Coalition
- 5.2. **21-508** Delegation - Dave Cowen; Representing Peninsula Biosolids Coalition: Re: Agenda Item 6.3.: Biosolids Management - Response to Peninsula Biosolids Coalition
- 5.3. **21-509** Delegation - Philippe Lucas; Representing Biosolid Free BC: Re: Agenda Item 6.3.: Biosolids Management - Response to Peninsula Biosolids Coalition
- 5.4. **21-513** Delegation - Nikki Macdonald; Representing Mount Work Coalition: Re: Agenda Item 6.3.: Biosolids Management - Response to Peninsula Biosolids Coalition

### 6. Committee Business

- 6.1.**      [21-471](#)      Repealing the Capital Regional District Recycling Bylaw (Bylaw No. 2290)
- Recommendation:**    The Environmental Services Committee recommends to the Capital Regional District Board:
1. That Bylaw No. 4432, "Capital Regional District Recycling Bylaw No. 2, 1995, Repeal Bylaw No. 1, 2021" be introduced and read a first, second time and third time;
  2. That Bylaw No. 4432 be adopted.
  3. That Bylaw No. 4434 "Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021" be introduced and read a first, second time and third time;
  4. That Bylaw No. 4434 be adopted.
- Attachments:**      [Staff Report: Repealing the CRD Recycling Bylaw \(Bylaw No. 2290\)](#)  
[Appendix A: Recycling Bylaw No. 2290](#)  
[Appendix B: Bylaw No. 4432 \(Repeal Bylaw\)](#)  
[Appendix C: Bylaw No. 4434 \(Amendment Bylaw\)](#)
- 6.2.**      [21-486](#)      Cancellation of the Provincial Climate Action Revenue Incentive Program
- Recommendation:**    The Environmental Services Committee recommends to the Capital Regional District Board:
- That the Board Chair send a letter to: Premier John Horgan; the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and UBCM detailing the impact of cancelling the Climate Action Revenue Incentive Program (CARIP) and requesting that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, with first payments received by local governments in 2022.
- Attachments:**      [Staff Report: Cancellation of Prov. Climate Action Revenue Incentive Pgm.](#)  
[Appendix A: Letter from Ministry of Municipal Affairs \(May 11, 2021\)](#)
- 6.3.**      [21-503](#)      Biosolids Management - Response to Peninsula Biosolids Coalition
- Recommendation:**    The Environmental Services Committee recommends to the Capital Regional District Board:
- That this staff report be received for information.
- Attachments:**      [Staff Report: Biosolids Management - Resp. to Peninsula Biosolids Coalition](#)  
[Appendix A: Letter from Peninsula Biosolids Coalition \(May 28, 2021\)](#)

## 7. Notice(s) of Motion

## 8. New Business

## 9. Adjournment

Next Meeting: July 21, 2021

## Meeting Minutes

### Environmental Services Committee

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Wednesday, May 19, 2021

1:30 PM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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#### PRESENT

Directors: B. Desjardins (Chair), N. Taylor (Vice Chair), D. Blackwell (EP), L. Helps, M. Hicks (EP), M. Richardson (for G. Holman) (EP), G. Orr (EP), J. Ranns (EP), K. Williams (EP), R. Windsor (EP)

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; T. Watkins, Manager Solid Waste Services; S. May, Senior Manager, Environmental Engineering; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: G. Holman, C. Plant (Board Chair, ex-officio)

The meeting was called to order at 1:30 pm.

#### 1. Territorial Acknowledgement

Vice Chair Taylor provided the Territorial Acknowledgement.

#### 2. Approval of Agenda

**MOVED by Director Taylor, SECONDED by Director Helps,  
That the agenda for the May 19, 2021 Environmental Services Committee meeting  
be approved.  
CARRIED**

#### 3. Adoption of Minutes

##### 3.1. [21-438](#) Minutes of the April 21, 2021 Environmental Services Committee Meeting

**MOVED by Director Taylor, SECONDED by Director Orr,  
That the minutes of the Environmental Services Committee meeting of April 21,  
2021 be adopted as circulated.  
CARRIED**

#### 4. Chair's Remarks

The Chair stated the agenda is light but important business and noted the new additions to Solid Waste Advisory Committee. She thanked everyone in attendance.

## 5. Presentations/Delegations

There were no presentations or delegations.

## 6. Committee Business

### 6.1. [21-385](#) Amendment to Hartland Landfill Tipping Fee and Regulation Bylaw (Bylaw No. 3881)

T. Watkins spoke to Item 6.1.

Discussion ensued regarding tipping fees for organics.

**MOVED by Director Taylor, SECONDED by Director Blackwell,  
The Environmental Services Committee recommends to the Capital Regional  
District Board:**

**1. That Bylaw No. 4420, "Hartland Tipping Fee and Regulation Bylaw No. 6, 2013,  
Amendment Bylaw No. 3, 2021", be introduced and read a first, second time and  
third time; and**

**2. That Bylaw No. 4420 be adopted.**

**CARRIED**

**Opposed: Alt. Director Richardson**

### 6.2. [21-384](#) Enerkem Facility Update

S. May spoke to item 6.2.

Discussion ensued regarding:

- waste-to-energy technology
- procurement
- gasification
- waste evaluation

The Committee thanked staff for their work.

**MOVED by Director Taylor, SECONDED by Director Helps,  
The Environmental Services Committee recommends to the Capital Regional  
District Board:**

**That this report be received for information.**

**CARRIED**

## 7. Correspondence

There was no correspondence.

## 8. New Business

There was no New Business.

## 9. Motion to Close the Meeting

### 9.1. [21-439](#) Motion to Close the Meeting

**MOVED by Director Taylor, SECONDED by Director Helps**  
**That the meeting be closed for Appointments in accordance with Section**  
**90(1)(a) of the Community Charter.**  
**CARRIED**

The Environmental Services Committee moved to the closed session at  
1:54 pm.

## **10. Rise and Report**

The Environmental Services Committee rose from the closed session at  
1:57 pm and reported on the following item:

### **2.1. - Solid Waste Advisory Committee - Appointments**

That Dennis Thran be appointed as the solid waste technology representative  
and Jordan Rintoul be appointed as Waste Management's representative to the  
Solid Waste Advisory Committee.

## **11. Adjournment**

**MOVED by Director Taylor, SECONDED by Director Helps,**  
**That the May 19, 2021 Environmental Services Committee meeting be adjourned**  
**at 1:57 pm.**  
**CARRIED**

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Chair

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Recorder

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, JUNE 16, 2021**

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**SUBJECT**     **Repealing the Capital Regional District Recycling Bylaw (Bylaw No. 2290)**

**ISSUE SUMMARY**

To repeal Bylaw No. 2290, "Capital Regional District Recycling Bylaw No. 2, 1995".

**BACKGROUND**

In March 1995, the Capital Regional District (CRD) Board adopted Bylaw No. 2290, "Capital Regional District Recycling Bylaw No. 2, 1995", for the purpose of preventing scavenging of materials by establishing the CRD as the owner of residential recyclable materials placed out for collection in the curbside blue box program. As of May 2014, the CRD has been providing the curbside blue box program under contract to the stewardship agency Recycle BC. Under this contract, all recyclable materials are owned by Recycle BC, and not the CRD. With this change, Bylaw No. 2290 (Appendix A) became obsolete and remains unused. The repealing Bylaw No. 4432 is provided for information as Appendix B.

As a result of the repealing of Bylaw No. 2290 as outlined above, Bylaw No. 1857, "Capital Regional District Ticket Information Authorization Bylaw, 1990", will need to be amended to reflect this change and is attached as Appendix C.

**ALTERNATIVES**

*Alternative 1*

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4432, "Capital Regional District Recycling Bylaw No. 2, 1995, Repeal Bylaw No. 1, 2021" be introduced and read a first, second time and third time;
2. That Bylaw No. 4432 be adopted.
3. That Bylaw No. 4434 "Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021" be introduced and read a first, second time and third time;
4. That Bylaw No. 4434 be adopted.

*Alternative 2*

That this report be referred back to staff for more information.

**IMPLICATIONS**

*Legal Implications*

Bylaw No. 2290 has never been utilized. Most individuals engaging in scavenging from curbside bins either lack financial means to pay fines, meaning there is no deterrent to this activity, or do

so in a way that does not attract complaints to CRD bylaw services or local police. In discussions with local police departments, there is no public interest in prosecuting under this bylaw. Most residents concerned with scavenging delay putting out valuable recyclables until near collection time.

As the CRD no longer owns the recyclables, it is appropriate to repeal this bylaw.

### **CONCLUSION**

Bylaw No. 2290 was established for the purpose of preventing scavenging of materials from the curbside blue box program. The bylaw has not been used since May 2014, when Recycle BC became responsible for the program and ownership of the recyclable materials. Bylaw No. 2290, and associated reference in the Ticket Information Authorization Bylaw, are now therefore obsolete and should be repealed. Adopting Bylaw No. 4432, Capital Regional District Recycling Bylaw No. 2, 1995, Amendment Bylaw No. 3, 2021” and Bylaw 4434, “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021” is recommended.

### **RECOMMENDATION**

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4432, “Capital Regional District Recycling Bylaw No. 2, 1995, Repeal Bylaw No. 1, 2021” be introduced and read a first, second time and third time;
2. That Bylaw No. 4432 be adopted.
3. That Bylaw No. 4434 "Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021" be introduced and read a first, second time and third time;
4. That Bylaw No. 4434 be adopted.

Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

### **ATTACHMENTS**

- Appendix A: Capital Regional District Recycling Bylaw No. 2, 1995 (Bylaw No. 2290)  
Appendix B: Capital Regional District Recycling Bylaw No. 2, 1995 Repeal Bylaw No. 1, 2021 (Bylaw No. 4432)  
Appendix C: Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021 (Bylaw No. 4434)

## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 2290

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**A BYLAW FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE USE  
OF RECYCLING CONTAINERS AND THE COLLECTION OF RECYCLABLE MATERIAL  
WITHIN THE CAPITAL REGIONAL DISTRICT**

\*\*\*\*\*

WHEREAS by Supplementary Letters Patent, dated 4th October, 1973, the Capital Regional District was granted the function of Refuse Disposal under Division X of its Letters Patent;

AND WHEREAS the Capital Regional District by Bylaw 1903 converted the function of solid waste disposal to a local service for all of the Capital Region;

AND WHEREAS the Board of the Capital Regional District has deemed it expedient and in the public interest to institute a system for the recycling of solid waste within the Capital Region and to provide the opportunity for persons within the Capital Region to participate in the voluntary system for the segregation and disposal of recyclable material;

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled, ENACTS AS FOLLOWS:

**SECTION 1 - DEFINITIONS**

In this bylaw unless the context otherwise requires:

"BLUE BOX" means the multi-material recycling container, as more particularly described in Schedule A of this bylaw, provided by or on behalf of the Capital Region for the deposit of Recyclable Material under the recycling program of the Capital Region.

"CAPITAL REGION" means the Capital Regional District.

"COLLECTOR" means any Person under contract to the Capital Region to collect Recyclable Materials on behalf of the Capital Region.

"DROP BOX" means a metal, weather-proof container, as more particularly described in Schedule B of this bylaw, provided by or on behalf of the Capital Region for the deposit of Recyclable Material under the recycling program of the Capital Region.

"DWELLING UNIT" means one or more rooms connected together providing facilities for living, cooking and sleeping, and constituting an independent housekeeping unit.

"MULTI-FAMILY DWELLING" means each residential Dwelling Unit in complexes of five or more Dwelling Units.

"PERSON" means an individual, a body corporate, a firm, partnership, association or any other legal entity or an employee or agent thereof.

"RECYCLABLE MATERIAL" means marketable material that includes, but is not necessarily limited to, newspaper, ledger and computer paper, envelopes, magazines, catalogues, glossy paper, telephone directories, corrugated cardboard, boxboard, paper bags, plastic food and beverage containers, ferrous and non-ferrous metals, and glass food and beverage containers.

"RECYCLING CONTAINER" means Blue Boxes, Wheeled Containers and Drop Boxes.

"SINGLE FAMILY DWELLING" means each residential Dwelling Unit in complexes of four or less Dwelling Units, Dwelling Units in bare land strata subdivisions, and mobile homes in mobile home parks.

"WHEELED CONTAINER" means wheeled carts or containers, as more particularly described in Schedules C and D of this bylaw, provided by or on behalf of the Capital Region for the deposit of Recyclable Material under the recycling program of the Capital Region.

## SECTION 2 - CONDITIONS

### (a) RECYCLING CONTAINERS:

- (i) No Person shall use a Blue Box for any purpose other than the deposit and accumulation of Recyclable Materials as part of the Capital Region recycling program.
- (ii) An owner or occupier of a Single Family Dwelling, to which a Blue Box has been distributed, shall place the Blue Box at curbside in front of the Single Family Dwelling on the day designated for collection by the Capital Region or the Collector and shall remove the Blue Box when emptied by the Collector no later than noon of the following day.
- (iii) Owners or managers of a Multi-Family Dwelling complex, to which Wheeled Containers have been distributed, shall place and maintain on the premises Wheeled Containers for the deposit of Recyclable Material by the residents of each Dwelling Unit within the complex.
- (iv) The Wheeled Containers shall be placed on the land on which the Multi-Family Dwelling complex is situated in a location which is accessible to the residents for the purpose of depositing Recyclable Material and which is accessible for the purpose of collection by the Collector.
- (v) No Person shall use a Recycling Container for any purpose other than the deposit of Recyclable Material.

### (b) RECYCLABLE MATERIAL

- (i) The Capital Region shall be deemed to be the owner of all Recyclable Material placed:
  - (A) in a Drop Box or Wheeled Container; or
  - (B) in a Blue Box which has been set out for collection under paragraph (a) (ii).
- (ii) No Person, except a resident of the Dwelling Unit to which the Blue Box was distributed, shall remove any Recyclable Material from or adjacent to any Blue Box prior to its collection by the Collector.
- (iii) No Person shall remove any Recyclable Material from or adjacent to any Wheeled Container or Drop Box prior to its collection by the Collector.

**SECTION 3 - VIOLATIONS AND PENALTIES**

- (a) No Person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- (b) Every Person who contravenes this bylaw, by doing any act which the bylaw forbids or omits to do any act which the bylaw requires to be done, is guilty of an offence and is liable, upon conviction, to a fine of not less than One Hundred (\$100.00) Dollars.
- (c) The penalties imposed under subsection (b) shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw or any other enactment.
- (d) In the case of a continuing offence, a separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

**SECTION 4 - SEVERANCE**

If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court in competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

**SECTION 5 - SCHEDULES**

Schedules A, B C and D inclusive of the bylaw which are attached to this bylaw form part of this bylaw.

**SECTION 6 - RECYCLING CONTAINERS**

Nothing in this bylaw shall be interpreted as transferring ownership of any Recycling Container from the Capital Regional District to any other person.

**SECTION 7 - REPEAL**

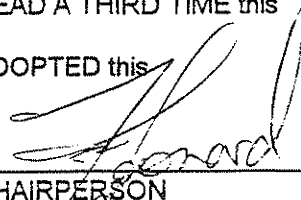
Bylaw No. 1713 is hereby repealed except insofar as it repeals any other bylaw.

**SECTION 8 - TITLE**

This bylaw may be cited as "Capital Regional District Recycling Bylaw No. 2, 1995".

READ A FIRST TIME this	8th	day of	March	1995
READ A SECOND TIME this	8th	day of	March	1995
READ A THIRD TIME this	8th	day of	March	1995
ADOPTED this	8th	day of	March	1995

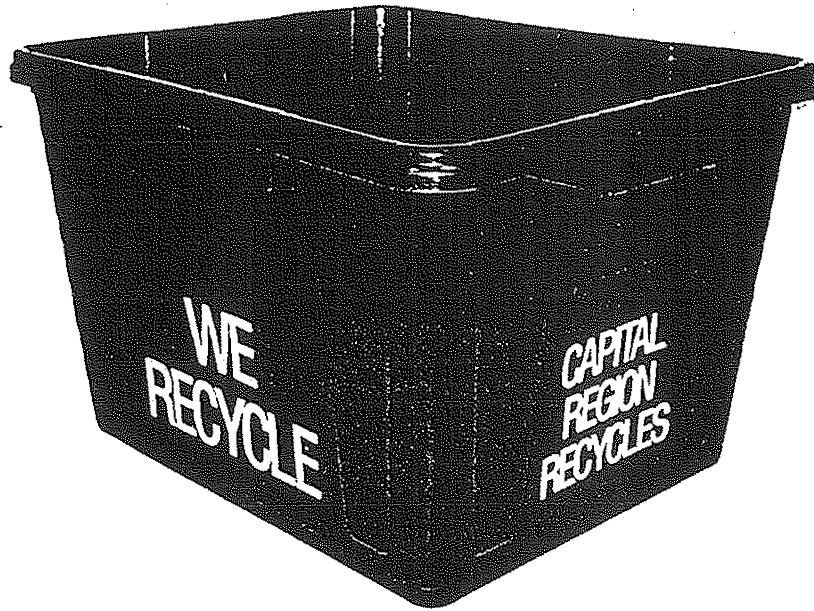
  

  
 CHAIRPERSON

  
 SECRETARY

## SCHEDULE A

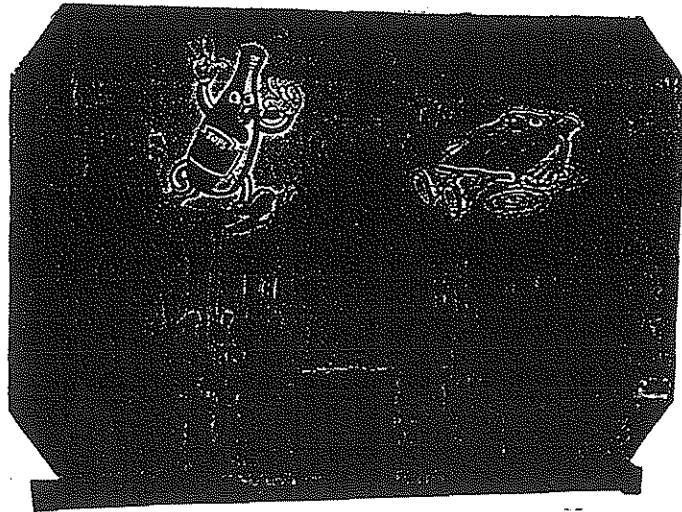
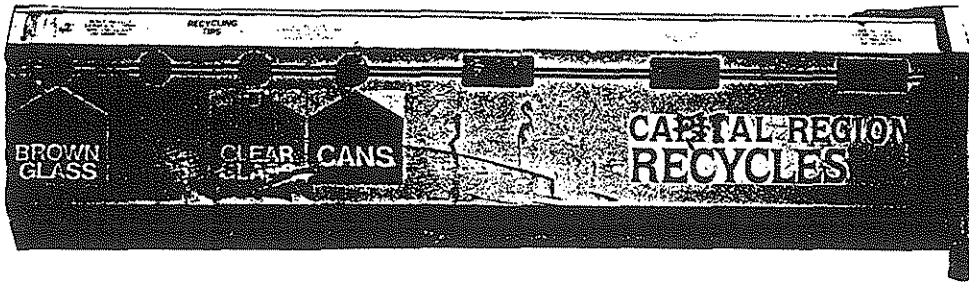
# CAPITAL REGIONAL DISTRICT OWNED BLUE BOXES



- Model Type:** A-1 Products Corporation Model No. 9732
- Dimensions:** 484 mm X 403 mm X 313 mm (19<sup>1/16</sup>" X 15<sup>7/8</sup>" X 12<sup>5/16</sup>")  
(L X W X H)
- Colour:** dark (royal) blue with white lettering
- Weight:** 1.8 kg (4 lbs)
- Features:**
- anti-slide bottom pattern to resist wind blow away
  - enclosed handles for safety and cleanliness

## SCHEDULE B

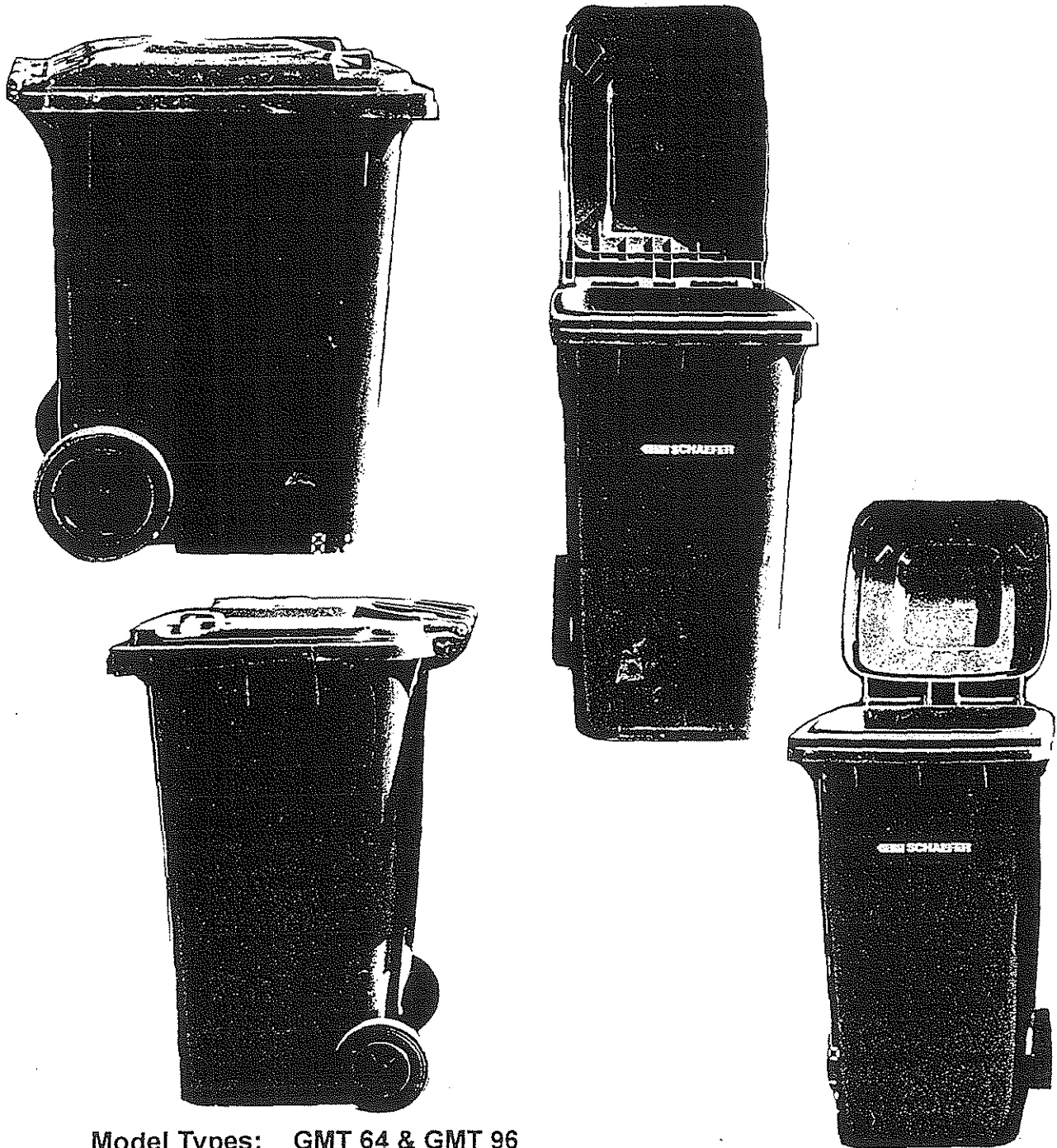
# CAPITAL REGIONAL DISTRICT OWNED DROP BOXES



<b>Model Type:</b>	C.R.D. 89982
<b>Dimensions:</b> (L X W X H)	6.1m X 2.07m X 1.02m (20' X 6' 9 1/2" X 3' 4")
<b>Colour:</b>	white with decals
<b>Weight:</b>	N/A
<b>Features:</b>	4.58 m <sup>3</sup> (6 cubic yards) non compacting multi-material storage bin

## SCHEDULE C

# CAPITAL REGIONAL DISTRICT OWNED RECYCLING CONTAINERS



**Model Types:** GMT 64 & GMT 96

**Dimensions:** GMT 64- 736mm X 584mm X 1066mm (29" X 23" X 42")  
(D X W X H) GMT 96- 889mm X 610mm X 1092mm (35" X 24" X 43")

**Colours:** GMT 64- light blue GMT 96- dark blue

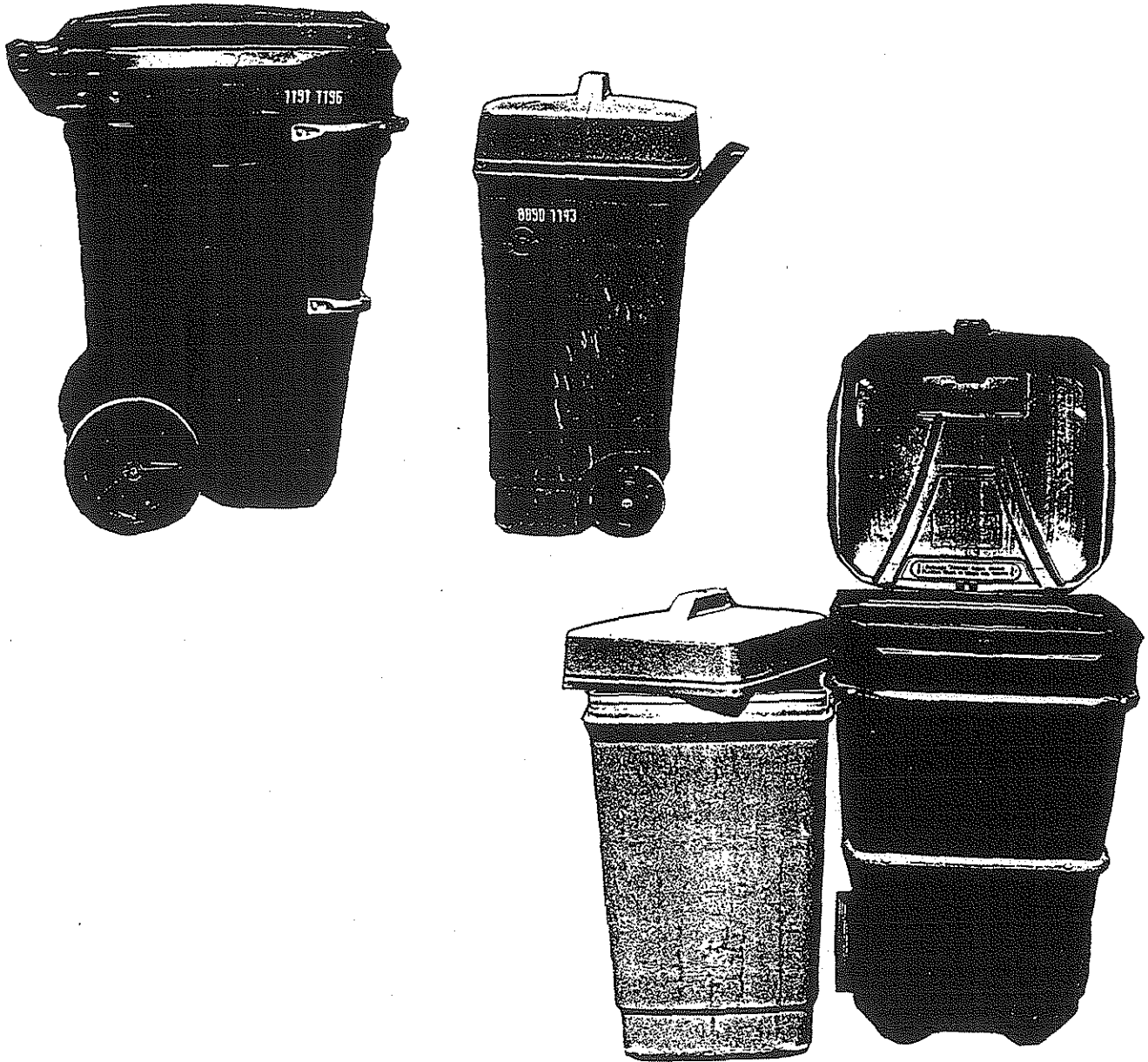
**Weights:** GMT 64- 15.9 kg (35 lbs) GMT 96- 23.13 kg (51 lbs)

**Features:** injection moulded H.D.P.E wheeled recycling containers

**Make:** Schaeffer

## SCHEDULE D

# CAPITAL REGIONAL DISTRICT OWNED RECYCLING CONTAINERS



**Model Types:** 3365 (65 gallons) & 3390 (90 gallons)  
**Dimensions:** 3365- 857mm X 746mm X 990mm (33<sup>3</sup>/<sub>4</sub>" X 29<sup>3</sup>/<sub>8</sub>" X 39")  
(D X W X H) 3390- 857mm X 746 mm X 1194mm (33<sup>3</sup>/<sub>4</sub>" X 29<sup>3</sup>/<sub>8</sub>" X 47")  
**Colours:** 3365- light blue 3390- dark blue  
**Weights:** 3365- 15.42 kg (34 lbs) 3390- 17.24 kg (38 lbs)  
**Features:** blow moulded, H.D.P.E. wheeled recycling containers  
**Make:** Zarn

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4432

\*\*\*\*\*  
**A BYLAW TO REPEAL BYLAW NO. 2290 BEING “A BYLAW FOR THE PURPOSE OF  
 ESTABLISHING REGULATIONS FOR THE USE OF RECYCLING CONTAINERS AND THE  
 COLLECTION OF RECYCLABLE MATERIAL WITHIN  
 THE CAPITAL REGIONAL DISTRICT NO. 2, 1995”**  
 \*\*\*\*\*

**WHEREAS** the Board of the Capital Regional District wishes to repeal Bylaw No. 2290, “Capital Regional District Recycling Bylaw No. 2, 1995”;

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 2290, “Capital Regional District Recycling Bylaw No. 2, 1995”, is repealed.
2. This bylaw may be cited for all purposes as “Capital Regional District Recycling Bylaw No. 2, 1995, Repeal Bylaw No. 1, 2021”.

READ A FIRST TIME THIS	th	day of	2021
READ A SECOND TIME THIS	th	day of	2021
READ A THIRD TIME THIS	th	day of	2021
ADOPTED THIS	th	day of	2021

\_\_\_\_\_  
 CHAIR

\_\_\_\_\_  
 CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4434**

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**A BYLAW TO AMEND BYLAW NO. 1857, CAPITAL REGIONAL DISTRICT  
TICKET INFORMATION AUTHORIZATION BYLAW, 1990**

\*\*\*\*\*

**WHEREAS** the Board of the Capital Regional District, by Bylaw No. 4432, "Capital Regional District Recycling Bylaw No. 2, 1995 Repeal Bylaw No. 1, 2021", repealed Bylaw No. 2290, "Capital Regional District Recycling Bylaw No. 2, 1995";

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990, is amended by:
  - (a) replacing Item 19 in Schedule 1 with the words "Intentionally Deleted – Reserved for Future Use"; and
  - (b) removing Schedule 20 in its entirety.
2. This Bylaw may be cited for all purposes as "Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 72, 2021".

READ A FIRST TIME THIS	DAY OF	2021
READ A SECOND TIME THIS	DAY OF	2021
READ A THIRD TIME THIS	DAY OF	2021
ADOPTED THIS	DAY OF	2021

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, JUNE 16, 2021**

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**SUBJECT**      **Cancellation of the Provincial Climate Action Revenue Incentive Program**

**ISSUE SUMMARY**

To provide the Capital Regional District (CRD) Board with an update on the cancellation of the Provincial Climate Action Revenue Incentive Program (CARIP) and its implications for the CRD and local governments, and proposed next steps.

**BACKGROUND**

On May 11, 2021, representatives from the Ministry of Municipal Affairs announced that the Province was ending CARIP in the 2021-2022 fiscal year. Staff indicated this decision was a direct result of the recently introduced provincial budget. A follow-up letter was sent to BC Mayors and Board Chairs (Appendix A).

CARIP is a provincial grant program that provides funding to local governments that signed the BC Climate Action Charter. The grant was equal to 100 per cent of the carbon taxes that eligible local governments paid each year. CARIP requires local governments to report annually on their greenhouse gas (GHG) emissions and encourages investment in climate action to help the Province deliver on its commitment to carbon neutrality. Since the Climate Charter was launched in 2007, 187 of 190 municipalities, regional districts and the Islands Trust have signed up, providing the Province with a comprehensive database of municipal corporate emissions inventories and corporate and community climate actions implemented at the local level.

By removing the CARIP, the provincial government will retain the carbon tax paid by local governments. The carbon tax was designed to be revenue neutral and a stimulus toward a low-carbon economy. The Province continues to return carbon tax revenue to individuals and businesses.

The Province has indicated there is \$11 million in new funds to be provided to the Union of BC Municipalities (UBCM) to invest in local government plans for “compact, energy-efficient communities.” There was no further information on this future program, except that it is understood not to be a replacement for CARIP. Staff recognize that the grants landscape from the federal and provincial governments is quite strong, but these grants have high barriers to access being that they are specific, competitive, time-bound and require matching funding and internal staff capacity to navigate; therefore, reliable, non-competitive programs such as CARIP are preferred.

**ALTERNATIVES**

*Alternative 1*

The Environmental Services Committee recommends to the Capital Regional District Board:

That the Board Chair send a letter to: Premier John Horgan; the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and UBCM detailing the impact of

cancelling the Climate Action Revenue Incentive Program (CARIP) and requesting that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, with first payments received by local governments in 2022.

#### *Alternative 2*

That this report be referred back to staff for additional information.

### **IMPLICATIONS**

#### *Intergovernmental Implications*

Local governments remain a key partner in achieving CleanBC targets. The timing of, approach to and impacts of the termination of CARIP have caused considerable concern to staff across BC local governments. As CARIP funding was directly carbon tax paid, smaller local governments may not see as much funding returned and are, therefore, less impacted. Others are greatly impacted and the loss is a risk to future efforts. As such, a number of responses are planned or under consideration, including UBCM resolutions. On May 17, the District of Saanich council passed a motion “requesting that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, tied to annual climate reporting and with first payments received by local governments in 2022.” A similar motion was passed by the City of Victoria on May 20 and the District of Central Saanich on May 31.

#### *Financial Implications*

Historically, the CRD has received approximately \$60,000 to \$70,000 annually from CARIP. Funding has been used to supplement the salary of a dedicated corporate climate action staff position.

#### *Service Delivery Implications*

CARIP has been a very valuable source of non-competitive, consistent funding, allowing local governments to take action on climate change by resourcing staff, funding emissions reduction projects and climate adaptation planning activities, undertaking community programs, and leveraging larger climate-related grants. In the CRD’s case, the funds have been allocated to supplement the salary of a dedicated corporate climate action staff position. This position undertakes annual corporate greenhouse gas accounting, provides capacity-building support to staff on both mitigation and adaptation topics, develops and supports corporate climate mitigation and adaptation policies and procedures, facilitates multiple departments in accessing grants and continues to initiate key greenhouse gas reduction projects.

Without a funding replacement, a reduction of service will be required. Staff are actively considering options to maintain service levels through the 2022 budget planning process.

#### *Alignment with Board & Corporate Priorities*

The Board declared a climate emergency in February 2019. Accelerating climate action within the corporation and across the region is embedded into various actions within the 2019-2022 Board Priorities and Corporate Plan.

## **CONCLUSION**

On May 11, 2021, the Province announced the cancellation of the Climate Action Revenue Incentive Program in the 2021-2022 fiscal year. Local governments, including the CRD, have relied on this funding as a consistent source to fund key climate action activities. The financial loss represents risk to future efforts and progress in climate action. Staff recommend that the CRD Board advocate to the Province to work with local governments on a replacement program.

## **RECOMMENDATION**

The Environmental Services Committee recommends to the Capital Regional District Board:

That the Board Chair send a letter to: Premier John Horgan; the Minister of Municipal Affairs; the Minister of Environment and Climate Change Strategy; and UBCM detailing the impact of cancelling the Climate Action Revenue Incentive Program (CARIP) and requesting that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, with first payments received by local governments in 2022.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

## **ATTACHMENTS:**

Appendix A: Letter from Ministry of Municipal Affairs to BC Mayors and Board Chairs regarding Cancellation of the Provincial Climate Action Revenue Incentive Program (May 11, 2021)



May 11, 2021

Ref: 266895

Dear Mayors and Chairs:

I am writing in follow up to a recent update from Okenge Yuma Morisho, Deputy Minister of Municipal Affairs, to Chief Administrative Officers regarding the Climate Action Revenue Incentive Program (CARIP). As you may be aware, 2021 will mark the wind down and final year of grant payments under this program. Budget 2021 also commits new funding to help local governments reduce greenhouse gas emissions through planning for compact, energy-efficient communities. The purpose of this letter is to thank British Columbia's local governments for your continued leadership and to describe how our government continues to work with local governments to achieve our collective climate goals.

Since the 2008 inception of the Climate Action Charter (CAC), almost every local government in B.C. has signed the CAC, committing to take action and develop strategies to achieve the following three goals:

- Work toward becoming carbon neutral in their local government corporate operations
- Measure and report on their community greenhouse gas (GHG) emissions profile
- Create complete, compact, energy-efficient rural and urban communities

As of 2018, the last year of full reporting prior to the pandemic, 187 local governments had signed on to the CAC and were publicly reporting on their progress toward meeting their climate action goals, 147 were measuring and reporting GHG emissions, and 50 local governments had achieved carbon neutrality in their operations. Communities across B.C. both large and small have consistently demonstrated leadership in taking action on climate change, in areas as broad as local food production, renewable energy generation and planning for public transit and active transportation. Thank you for your continued ambition and efforts to reduce greenhouse gas emissions in your corporate operations, and more broadly to inspire and work within your communities to tackle climate change.

Under CleanBC, the Province of British Columbia has put a priority on reducing pollution, boosting energy-efficient solutions and building a low-carbon economy. Local governments will continue to be a key partner in our collective efforts to address the challenges of a changing climate, playing a specific and important role in B.C.'s climate goals.

.../2

Just as local governments' actions on climate solutions have evolved in the past decade, our government is responding to support you with tools and funding programs such as:

- Updating the BC Action Climate Toolkit and the Green Communities Committee Carbon Neutral Framework.
- Investing \$110 million in combined provincial and federal funding to help local governments and Indigenous communities develop energy efficiency and clean energy projects through the Investing in Canada Infrastructure Program CleanBC Communities Fund.
- Working with the federal government to assess the climate impacts of all major infrastructure being funded under the Investing in Canada Infrastructure Program to reduce GHG emissions and increase resilience to climate change, which benefits communities and creates jobs.
- Boosting active transportation infrastructure with \$18 million through the Ministry of Transportation and Infrastructure.
- Making sure commuters can get out of their cars with historic investments in public transit, such as the Broadway Subway Line, and free transit for kids 12 and under starting this September.

Building on record investments in CleanBC, the province will continue to strengthen our work with local governments and support the CAC.

As noted, Budget 2021 commits \$11 million in new funding to help local governments plan for compact, energy-efficient communities, directly supporting the CAC's commitment to create complete, compact, energy-efficient rural and urban communities. I look forward to working with all local governments through Union of BC Municipalities and the Green Communities Committee on how to support greener and more livable communities.

Our government remains committed to working with local governments to reach our climate goals and make life better for people across British Columbia.

Sincerely,



Josie Osborne  
Minister

pc: Chief Administrative Officers

## REPORT TO ENVIRONMENTAL SERVICES COMMITTEE MEETING OF WEDNESDAY, JUNE 16, 2021

**SUBJECT**     **Biosolids Management – Response to Peninsula Biosolids Coalition**

### **ISSUE SUMMARY**

To provide the Environmental Services Committee with an update on Capital Regional District (CRD) biosolids management and address correspondence received from the Peninsula Biosolids Coalition.

### **BACKGROUND**

On May 28, 2021, the Peninsula Biosolids Coalition (PBC) submitted correspondence (Appendix A) to the CRD Board Chair outlining concerns regarding the management of core area biosolids at Hartland Landfill under the CRD's short-term biosolids contingency plan.

The CRD is undertaking and implementing biosolids management in accordance with regulatory requirements under the new core area wastewater service. The CRD has obtained provincial approval of short-term biosolids management and contingency plans, and has initiated the planning phase for the development of a long-term management plan for implementation 2025 and beyond.

The move to tertiary wastewater treatment requires management of residual solids previously discharged to the marine environment. The Residual Treatment Facility (RTF) receives these solids and processes them into Class A biosolids. The short-term plan, approved by the Board and accepted by the Province, includes transportation of biosolids to a cement manufacturing facility to be used as an alternative fuel to displace coal. The CRD anticipates there will be short periods (equivalent to approximately 10% of annual production) when the cement facility is closed and cannot receive biosolids. During those periods, the CRD will implement the contingency plan and beneficially utilize the material to either produce a biocover to capture fugitive landfill gases or a biological growth medium to enhance vegetative growth over closed landfill cells. Both of these actions support the organization's climate goals to reduce greenhouse gas emissions associated with CRD operations.

The PBC letter makes a number of assertions regarding risk to human health and the environment posed by land application of biosolids at Hartland Landfill. Health and environmental agencies across North America and Europe have concluded that with appropriate regulation and rates of application, biosolids land application poses a low risk to health and the environment. The PBC letter also recommends that the CRD:

- a) immediately cease land application of biosolids at Hartland;
- b) work to lobby the provincial government to amend the Organic Matter Recycling Regulation (OMRR) and "not insist" on land application where there are significant risks to local health, environment and economy;
- c) provide real-time public access to biosolids monitoring data, and immediately undertake a broad "downwind and downstream" environmental impact study with monthly testing and reporting; and
- d) investigate options for long-term biosolids management including integrated resource management and emerging technologies.

Due to the ongoing commissioning of the RTF, the CRD has not yet implemented the short-term contingency plan of land application at Hartland Landfill for any biosolids products. Rather, all dewatered residuals and dried Class A biosolids have been deposited as controlled waste, and mixed with daily cover (and subsequently covered in municipal solid waste), respectively. The Lafarge cement kiln is prepared to receive the CRD's dried Class A biosolids as soon as the RTF can reliably produce a dried product that meets particle size requirements in the contract.

## **IMPLICATIONS**

### *Environmental & Climate Implications*

The CRD is in full compliance with its regulatory commitments to protect human health and the environment. The beneficial use or disposal of dewatered residuals and biosolids at Hartland Landfill is not anticipated to have any environmental or climate implications because of the environmental controls that are in place to ensure protection of surface and groundwater resources and to ensure collection of landfill gas.

Once normal operations are reestablished at the RTF, the facility will provide regular (monthly) testing of Class A biosolids to ensure regulatory compliance under the OMRR, and provide those results to the CRD for its oversight of the RTF contract. The CRD will report these results in its annual Operating Certificate compliance report to the provincial regulator. A monthly summary of operational data reported by the RTF contractor could be posted to the web without impact to service delivery; however, consolidated review and interpretation of biosolids management under the short-term and contingency plans is only possible on an annual basis.

All material must meet the Class A standard to be received at the cement manufacturing facility or to be used beneficially at the landfill. The Hartland environmental monitoring program meets all regulatory requirements, including monitoring of ground and surface waters at the perimeter of the site. The CRD does not have planning or resources allocated to fund additional environmental studies (downwind/downstream) outside the scope of Hartland Environmental Programs. Furthermore, these studies are not needed to demonstrate regulatory compliance.

### *Intergovernmental Implications*

The CRD is following its commitments under the Core Area Liquid Waste Management Plan submitted to and approved by the Province. The Province did not support the construction of a biocell for biosolids disposal at the landfill but did approve the short-term and contingency biosolids management plans. CRD staff are in regular communication with Ministry of Environment and Climate Change Strategy staff on the status of the wastewater service commissioning, including the landfill disposal of dewatered residuals, and delay of production and beneficial use of Class A biosolids. The CRD and its RTF contractor (Hartland Resource Management General Partnership) are working to address commissioning issues as quickly as possible to implement the short-term biosolids management plan and transport biosolids to the lower mainland under the K'ENES trucking contract.

There is no requirement for land application of biosolids under the OMRR; rather, there is a requirement for beneficial reuse. The CRD's short-term biosolids management plan meets this requirement. Concurrently, staff have initiated the planning and pilot phases to support the development of the long-term management plan required by 2025.

### *Financial Implications*

The CRD's requirement to meet the terms and agreement of the provincial funding agreement includes compliance with the Core Area Liquid Waste Management Plan. Extended non-compliance with provincial requirements for beneficial reuse of biosolids may jeopardize provincial grant funding for RTF construction and operations, as well as expose the CRD to future regulatory enforcement actions by the Province.

### *Social Implications*

The handling and disposal of dewatered wastewater residuals at Hartland Landfill does not pose any risk to the public; however, the activity has resulted in higher production of odour around the RTF. Staff recognize the high level of concern from residents and parks users regarding safe handling and disposal of this material and will continue to engage directly with concerned citizens and post updated information to CRD's website as it becomes available.

## **CONCLUSION**

On May 28, 2021, the Peninsula Biosolids Coalition submitted correspondence to the CRD Board Chair outlining concerns regarding the management of core area biosolids at Hartland Landfill. Due to ongoing challenges completing commissioning of the Residuals Treatment Facility (RTF) and implementing the CRD's short-term biosolids management and contingency plans, wastewater residuals and biosolids produced at the RTF have largely been deposited at Hartland Landfill as a controlled waste. The CRD's contractor and staff are working to reestablish full operation of the RTF, and implement the CRD's short-term biosolids management plan as soon as possible. Once biosolids are being managed in accordance with the CRD's approved short-term plans, staff will concentrate on the preparation and evaluation of options for long-term biosolids management beyond 2025.

## **RECOMMENDATION**

The Environmental Services Committee recommends to the Capital Regional District Board:

That this staff report be received for information.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

## **ATTACHMENT**

Appendix A: Letter from Peninsula Biosolids Coalition to CRD Board Chair regarding Spreading Biosolids at Hartland Landfill (May 28, 2021)

Peninsula Biosolids Coalition  
c/o Mr. David Cowen, CEO  
The Butchart Gardens  
800 Benvenuto Avenue  
Brentwood Bay, B.C., V8M 1J8

May 28<sup>th</sup>, 2021

Mr. Colin Plant  
Chair, Capital Regional District  
625 Fisgard Street  
Victoria, BC, V8W 1R7

By E-Mail

Dear Mr. Plant,

**Re: Spreading Biosolids at Hartland Landfill**

On behalf of the civil society organizations listed at the foot of this letter, collectively known as the Peninsula Biosolids Coalition, and pursuant to our recent meeting with you, I am writing to express our opposition to the continued spreading of biosolids at Hartland Landfill. Our coalition of respected and experienced environmental stewards urgently requests action by the CRD Board to address the serious concerns outlined in this letter.

On behalf of my own organization, The Butchart Gardens, one of the largest employers in the CRD, and a world-renowned National Historic Site, I would like to underscore my company's strong support for the concerns expressed by the members of the Peninsula Biosolids Coalition (PBC). As a crop-based business that heavily depends on the quality of our soil and water, our Owner and Board are gravely concerned about the CRD's practice of spreading biosolids at the head of the Tod Creek Watershed, and this is why we are a member of this important coalition. In the past we have worked hard with PBC member organizations to restore the fish in Tod Creek and maintain the water quality of Saanich Inlet, and we share their environmental concerns about the spreading of biosolids. Further, as a heavily visited public site with many visitors and a large staff for whom we have a responsibility to maintain a safe environment, we are compelled to go on record, asking that the CRD Board immediately stop spreading biosolids at Hartland.

Moving forward, our coalition is mindful of the history behind the CRD's latest policy decision, whereby in February of 2020 the CRD reversed the decision it made in 2011 and reiterated in 2013 to not permit land application of biosolids in the region. Further, we understand that because of requirements from the provincial government that biosolids produced by the new sewage treatment plant be "beneficially used" rather than stored or landfilled, and out of

concern that provincial funding might be put in jeopardy if the provincial time requirement was not met, the CRD Board made a decision to spread up to 700 tons of biosolids annually at Hartland during the 4-6 weeks per year that the Lafarge Cement facility in Richmond was expected to be closed for maintenance. We also note that for the remaining weeks of the year the biosolids were supposed to be used “beneficially” as fuel for the production of cement in the Vancouver Lafarge plant.

Concerningly, we note that the decision to spread biosolids at Hartland was made on short notice without any public consultation. Since then, the RTF has been completed and is now in operation, producing Class A biosolids from the solids extracted from treated wastewater. However, to date no biosolids have been shipped to the Lafarge plant due to an extended closure for safety reasons and the incompatibility of the biosolid product with the requirements of the cement plant. We further note that the 4-6 week annual capacity of 700 tons has already been exceeded.

Although the land application of biosolids is characterized by CRD as a process that is a “temporary solution”, the science indicates there is nothing temporary about the dangerous effects of the biosolids that are now being applied to the land. The current OMRR fail to capture and test for many of the toxic elements known to exist in biosolids. The CRD owes a duty of care to its residents to exercise due caution and restraint and to be fully transparent in informing the public in real time as to test results on what is being produced at Hartland. What was to have been a short-term measure to cover the annual closure of the plant for maintenance purposes has already exceeded four months, and there is no guarantee that other closures or interruptions will not occur. We also note there is no multi-site ‘downwind and downstream’ testing that is being reported publicly, save for what will be published in the CRD’s annual report. This means that citizens living, working and recreating in Mt. Work Park, Durrance Lake, Willis Point, Central Saanich and throughout the Saanich Peninsula are at risk with no system to detect mobility of components that should be monitored.

In regards to the ongoing uncertainty about the health and environmental effects of the cumulative application of biosolids, especially in light of the limited land surface for application at Hartland, as well as the landfill’s proximity to a major regional park that has heavily used trails and a very popular recreational lake, we believe it is important the CRD Board reverse its earlier decision to spread biosolids at Hartland. Our coalition members are gravely concerned that biosolids are being spread in proximity to numerous residences and farms that depend on wells and Tod Creek water licenses, and are also being spread close to nearby horticultural businesses without the monitoring or testing measures needed to fully understand the risks involved. Finally, we are concerned biosolids are being spread near the headwaters of a sensitive watershed that has undergone extensive restoration over many decades. We maintain that our position on this reflects the lack of documented public support or consultation for the course of action the CRD has chosen and that the CRD Board has no option but to quickly withdraw its authorization of this practice because of the legal and fiduciary responsibilities it has to its residents and businesses in the region. This is all the more important

given the extensive delays already incurred in being able to ship the biosolids produced by the RTF to Lafarge.

Accordingly, we ask that the CRD Board to quickly take action on the following recommendations;

1. Immediately cease land application of biosolids at Hartland and instead safely store or dispose of them through proven landfilling biocell procedures.
2. By July 1<sup>st</sup>, begin working with this Coalition and other municipal representatives to convince the Ministry of the Environment and Climate Change to strengthen the regulations governing biosolids (Organic Materials Recycling Regulations, OMRR) and to not insist on land application anywhere where there are significant risks to local health, environment and economy.
3. Immediately start providing transparent and timely public data on a monthly basis on the volume and chemical composition of the biosolids produced at the RTF, identifying which elements are being tested, the results of the tests in comparison to established provincial standards and a baseline against which future changes can be compared;
  - a. Given the volume of biosolids already spread at Hartland, undertake immediate multi-site 'downwind and downstream' testing on a monthly basis and share the results publicly in a timely fashion.
4. Concurrent with points 1 – 3, actively investigate use of technology, such as IRM, to produce a plan for the safe disposal of biosolids over the longer term and to commit to refraining from land application of biosolids at Hartland in the interim in deference to the precautionary principle. Further, it goes without saying that strong political and operational support by CRD for Esquimalt's IRM pilot program would be an additional and important positive step.
  - a. Given that the development process towards a long-term sustainable solution should be transparent and have public input, commit to an engagement process whereby the public will have full input into the final plan.

In closing, our coalition believes that banning the spreading biosolids at Hartland is the only responsible action for the CRD Board to take. A joint approach between CRD and PBC should be made to the Ministry both to permit the CRD to safely landfill any biosolids not sent to the Lafarge plant and to review the OMRR to ensure they include more pollutants of concern. In the meantime, for the sake of transparency and public confidence, the CRD should immediately instruct staff to make public the results of ongoing monitoring tests on the composition of the biosolids and presence at offsite locations on a monthly basis. Finally, the CRD must play an active role in identifying longer term solutions for disposal of biosolids through application of technology, and ensure the public will have full input into the final plan.

To be absolutely clear, until the final sustainable solution is in place, biosolids in this region must be either shipped to Lafarge for combustion as fuel or safely biocelled in the landfill.

We trust that the Board will have the opportunity to discuss these recommendations at its next meeting. Enclosed please find a slide presentation that outlines some of the facts supporting our serious concern about the land application of biosolids.

Sincerely,

The Peninsula Biosolids Coalition (PBC)

A handwritten signature in black ink, appearing to read "Dave Cowen", is written over a horizontal line.

Per: \_\_\_\_\_  
Dave Cowen  
CEO, The Butchart Gardens  
Chair, PBC

cc:

PBC Member Organizations:

1. Biosolids Free BC
2. Friends of Tod Creek Watershed
3. Mount Work Coalition
4. Peninsula Streams Society
5. Saanich Inlet Protection Society
6. Board Chair, The Butchart Gardens