

APPENDIX G

TO: UBCM MEMBERS
FROM: UBCM Executive
DATE: October 1, 1997
RE: 1997 ENVIRONMENT ACTION PLAN

ITEM # 5(a)

October 22, 1997

*B.C. COMMUNITIES
AGENDA*

PURPOSE

The purpose of the Environmental Action Plan is to:

- identify the major environmental issues that are under consideration;
- describe the current status of the issue; and,
- establish a plan of action.

The plan provides a vehicle for the Environment Committee to report on the activities it has undertaken in the past year and an opportunity for the Annual Convention to approve the directions to be pursued in the upcoming year.

UBCM ENVIRONMENT COMMITTEE

The Environment Committee performs three basic functions:

- advocates changes in federal and provincial environmental policy to assist local government in solving environmental concerns at the local level.
- represents local government in the development of environmental policy at the federal and provincial level.
- promotes and shares information on solutions to environmental problems which local governments have implemented.

The Committee membership is:

Mayor John Ranta, Cache Creek, Chair
Director Jim Abram, Comox-Strathcona R.D.
Mayor Greg Halsey-Brandt, Richmond
Councillor Pat Wallace, Kamloops

REVIEW OF ACTIONS

The Committee was consulted on and reviewed a number of legislative, regulatory and policy actions initiated by the provincial and federal government during 1996/97, including the following:

Provincial Government

Legislation

- Fish Protection Act

Regulation

- Contaminated Sites
- Solid Waste Management
- Beverage Containers
- Household Hazardous Waste
- Automotive Recycling
- On-site Sewage Disposal
- Paint Stewardship
- Beehive Burners

Consultation

- Green House Gas Forum
- Environmental Assessment Review
- Pesticide Management Policy
- Private Sewage Disposal - Draft Regulation
- Flood Hazard Management Discussion Paper
- Stream management
- Waste Permit Fees
- Bear Management Policy
- Water Quality

Federal Government

- Endangered Species Legislation

1996 ACTION PLAN: POSITIVE PROGRESS REPORT

The Environment Committee in 1996/97 identified the following two issues as its top priority:

- Water Stewardship
- Beverage Containers

The Committee has been successful in getting both of its environmental priorities addressed by the province, as well as a broad range of other environmental changes it has requested.

The provincial government in 1997 introduced four major pieces of legislation containing a number of environmental changes:

- Bill 14 - Environment, Lands and Parks Amendment Act
- Bill 25 - Fish Protection Act and Supporting Statutes Act
- Bill 26 - Local Government Statutes Amendment Act
- Bill 46 - Local Government Statutes Amendment Act (No. 2)

The changes introduced responded to a number of environmental concerns identified by local government. Under the auspices of water stewardship, local government identified three issues: groundwater management, community watersheds and stream stewardship. The legislative changes attempt to deal with various aspects of groundwater management and stream stewardship. Local government is provided with the:

- legislative framework under water management plans to protect groundwater resources, where this is identified as a problem by the community;
- ability to identify and protect unique environmental areas in the community;
- tools needed to provide riparian protection for streams in accordance with the circumstances in the local community;
- ability to protect water quality in local streams;

- authority to deal with non-point source pollution caused by run-off water from private lands.

Other environmental problems also identified by local government that were addressed by these amendments are the:

- environmental appeal process - changes ensure that only those directly affected can appeal a permit once it is issued;
- cost of cleaning up environmental spills - changes provide a way of recovering the costs faced by local government;
- ability to request an environmental assessment - changes ensure that environmental issues related to subdivision developments are retained within local government land use planning initiatives.
- administration of contaminated sites - changes limit local government liability when assisting in the management of contaminated sites.

On the regulatory side the province has introduced a number of changes supported by local government as part of its product stewardship policy. New regulations have been introduced or amended in the following areas:

- beverage containers - expanded the deposit-refund system to a broader range of beverage containers;
- household hazardous waste - required that industry develop a plan to deal with the collection of solvents/flammable liquids, gasoline, domestic pesticides and pharmaceuticals;
- paint stewardship - expanded the regulation to include aerosol cans.

Over the past year the Environment Committee has worked with the Ministry of Environment, Lands and Parks on a number of ongoing issues. Issues such as a policy paper on the establishment of a new flood hazard management program and the implementation of regulations to govern pleasure craft pollution. The Committee has reviewed draft regulations related to septic tank policy, automotive recyclers and private sewage disposal facilities, and new policy on the future direction of pesticide management.

As well, the Committee has participated in a Greenhouse Gas Forum established by the province to assist it in developing a provincial policy on greenhouse gas emissions. The Committee is also providing advice to the federal government on an international agreement that is being developed to limit the emission of greenhouse gases on a global basis.

The Protocol on Sharing Environmental Responsibilities was renewed at the 1996 UBCM Convention for an additional three year period. The Environment Committee has continued to work with the Ministry of Environment, Lands and Parks toward implementation of the vision and principles of the Environmental Protocol. The Environmental Protocol Committee met on several occasions to discuss issues of mutual concern.

Given the adoption of a number of local government initiatives, the Environment Committee has been involved in a number of implementation processes in the past year:

- Joint/Industry Government Contaminated Sites Implementation Committee;
- Post-Consumer Residual Stewardship Advisory Committee;
- Environmental Assessment Stakeholder Committee;
- Beverage Container Management Board;
- Wood Residue Stakeholder Committee;
- Riparian Directive Steering Committee/Working Group.

The Environment Committee recommends following issues be addressed in the 1997 Environment Action Plan:

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RECOMMENDATION:

That the 1997 Environment Action Plan be approved.

ENVIRONMENT STATUS AND ACTION REPORT

ENVIRONMENT ISSUES

Brief status updates on the following topics are included in the report.

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ENVIRONMENTAL LEGISLATION/REGULATIONS

1. FISH PROTECTION ACT

ISSUE: The role of local government in the development and implementation of streamside directives developed under the Fish Protection Act.

STATUS: The Fish Protection Act - Bill 25 (1997) is the cornerstone of the "BC Fisheries Strategy." The four main objectives of the Fish Protection Act are:

- ensuring water for fish;
- protecting and restoring fish habitat;
- focusing on riparian protection and enhancement; and
- strengthening local environmental planning.

The Bill provides for provincial policy directives to be established to protect and enhance riparian areas in settings which may be subject to residential, commercial or industrial development. The Act states that: "*Directives ... may only be established after consultation by the Minister with representatives of the Union of British Columbia Municipalities.*"

Section 12 of the Fish Protection Act states that:

- the province may "establish policy directives regarding the protection and enhancement of riparian areas that the Lieutenant Governor in Council considers may be subject to residential, commercial or industrial development."

- the policy directives “may be different for different parts of British Columbia and in relation to different circumstances as established by the directives.”
- local government “must include in its zoning and rural land use bylaws riparian protection provisions in accordance with the directive” or “provide a level of protection that, in the opinion of the local government, is comparable to or exceeds that established by the directive.”

The Ministry of Environment, Lands and Parks has established a joint Steering Committee and a joint Working Group to oversee the development of the streamside directives. UBCM has appointed two representatives to the Steering Committee (Mayor John Ranta, Chair of the Environment Committee, and Richard Taylor, Executive Director); and two representatives to the Working Group (Ken Vance, Senior Policy Analyst and Paul Crawford, Planner, Langley Township). The UBCM has established a local government working group to assist it in reviewing the process and the development of streamside directives that can be supported and implemented by local government.

The impact of the fish protection directive on local government may be significant depending on how it is implemented and what resources are provided by the federal and provincial government. The UBCM has identified the following needs for local government if it were to implement the directive without any significant impacts:

Legal

- clear legislative authority for local government to facilitate fish protection initiatives;
- clear liability protection (i.e. leave strips, land development, compensation for economic loss etc.).

Policy

- Fish protection directives and management criteria will need to be:
 - practical to implement
 - easily understood
 - developed in consultation with local government
 - regionally defined and clearly identified priority streams;
- Based on a clearly identified partnership between the federal, provincial and local government;
- Based on clearly defined roles of each partner and an integrated policy perspective;
- Based on a flexible approach to local circumstances;
- Based on scientific studies.

Resources

- Mapping and inventory of streams in local watersheds (including priority for protection);
- Technical Assistance (hotline, legal advice, biological advice, landscaping, model bylaws etc.);
- Best Practices Guide - including methods of achieving required leave strips;
- Public Education (private landowner, developers etc.);
- Staff training program for local government;
- Financial Assistance Guide.

Financial Assistance

- Implementation funding for amending OCP's and drafting new bylaws associated with fish protection directive;
- Ongoing funding for maintenance of leave strips;
- Ongoing funding for liability/legal costs associated with leave strips;
- Ongoing funding for community groups to monitor activity around local streams (neighbourhood watch program) and for local governments to enforce regulations;
- Ongoing funding for education and training related to fish protection.

The stream stewardship directive is still under development and it cannot be determined what impact it may have on local government at this time.

UBCM has requested that the provincial government undertake a financial assessment of the costs of implementing the stewardship directive on local government once a directive is developed and before any action is undertaken on it, as outlined in the Environmental Protocol.

Consultations on a draft stewardship directive is to be undertaken:

- clinic at the 1997 UBCM Convention;
- local government workshop in November 1997.

ACTION: UBCM await development of the stream stewardship directive and the consultation with local government before adopting a position.

2. ENVIRONMENTAL ASSESSMENT

ISSUE: The role of local government in the determination of environmental assessments. There are two specific areas of concern:

- the nature and type of local government projects which will come under review;
- the nature of local government involvement in project reviews.

STATUS: The Environmental Assessment Act (Bill 29) was approved by the Legislature of British Columbia in 1994 and the legislation was proclaimed and the regulations implemented in 1996.

The Act establishes a process for the identification of any potential impacts of major projects, including the evaluation of economic and social benefits and measures to prevent or mitigate adverse environmental impacts or other impacts. The legislation is intended to provide certainty and balance for environmental interests, business interests, local government and the public. UBCM was involved in extensive consultations on the Environmental Assessment Act and the regulations.

The thresholds established in the regulations are designed to capture major projects. The regulation will only affect local government projects which are very large (e.g. solid waste facilities the size of Cache Creek, new sewage treatment facilities designed for a community with over 10,000 population).

The impact of the legislation on local government has not been significant so far. No local government project has been large enough to fall under the Environmental Assessment process. There is concern however that some of the major transportation initiatives in the GVRD could be subject to review.

A review of the provincial Environmental Assessment Act was undertaken in the past year to determine the extent to which the legislative, regulatory, policy and procedural framework have met the stated framework of the legislation and the expectations of the various parties who have been involved in project reviews. The report which looks at the workability of the threshold levels, scope of the project reviews, timelines, project committees, First Nation involvement, public involvement and other factors in the process is expected to be released in the fall of 1997.

At the request of local government the province in 1997 introduced legislative amendments (Bill 26-Local Government Statutes Amendment Act) which will allow local government to designate in their Official Community Plans areas or circumstance for which a development approval information may be required and identify the policies and procedures for making this request [Section 920.1]. Under a development approval information local government will be able to request from the developer a report on the anticipated impact of a proposed activity or development, on such issues as:

- a) transportation patterns including traffic flow,
- b) local infrastructure,
- c) public facilities including schools and parks,
- d) community services, and
- e) the natural environment of the area affected [Section 920.1].

ACTION: UBCM continue to work with the Environmental Assessment Office in the implementation of the environmental assessment legislation and regulations.

3. CONTAMINATED SITES

ISSUE: Local governments' role in the identification and approval of development on property identified as having contaminated soil.

STATUS: The province in 1993 passed Bill 26 which set the framework for the management of contaminated sites. The legislation set the parameters for determining whether or not a site was contaminated, identified the responsible persons, the remediation standards to be met and how the problem of orphan sites were to be addressed. The province undertook a lengthy consultation process in developing the regulations.

On December 17, 1996 the provincial cabinet passed an Order in Council concerning the management of contaminated sites in British Columbia. Effective April 1, 1997, the Order in Council brought the:

- Contaminated Sites Regulation into force,
- Waste Management Amendment Act, 1993 (Bill 26) into force,

The regulation provides for an evaluation within three years to determine whether changes are needed based on initial experiences with implementing the regulation, advances in science, the law and the management of contaminated

sites. The Ministry of Environment, Lands and Parks has established a Joint/Industry Government Contaminated Sites Implementation Committee, which the UBCM is involved in, to review the implementation of the contaminated sites regulation.

The regulation gives local government the ability to determine whether or not it wants to participate in the administration of site profiles. A total of thirty-six local governments have written to the Minister of Environment, Lands and Parks indicating that they do not want to participate in the review of site profiles.

In 1997 the provincial government, at the request of the UBCM, introduced amendments to the Waste Management Act which expanded the scope of the liability protection provided to local government - Bill 46-Local Government Statutes Amendment Act (No. 2). The amendment expanded the scope of protected person to clarify that approving officers, municipal public officers and elected officials are covered by the legislation. The change extended the liability protection to cover any "act, advice, including pre-application advice or recommendation" that a local government official may provide or fail to provide in attempting to assist a person in dealing with a contaminated site problem.

ACTION: UBCM continue to monitor the implementation of the contaminated sites legislation and regulations.

ENVIRONMENTAL POLICY DEVELOPMENT

4. SOLID WASTE MANAGEMENT

ISSUE: The responsibility of local government in the development of solid waste management plans, the operation of landfill sites and the financial costs associated with the collection and disposal of recycled goods.

STATUS: The Waste Management Act requires that all of the regional districts have solid waste plans completed and approved. Under the waste permit fee regulation a regional district is exempt from the implementation of tipping fees if it has an approved solid waste plan, however, if it does not have an approved plan in place a 50 cent per ton tipping fee will be charged for all waste disposed of at each of the solid waste facilities in the regional district. All regional districts have submitted a plan to the Ministry of Environment, Lands and Parks for review, however, not all of the plans have been approved. The province has set a target of reducing the amount of garbage collected by 50% by the year 2000.

The provincial government has established more rigorous criteria for the operation and management of landfill sites.

At the start of solid waste planning process in 1990 a Sustainable Environment Fund was created. This fund is made up of levies from waste permit fees, scrap tires, batteries and diapers. The Ministry of Environment, Lands and Parks initially provided local government with planning grants and financial assistance for recycling programs out of this fund. Currently the ministry provides no financial assistance to local government for the implementation of solid waste management. The money collected from the Sustainable Environment Fund, that

is not re-directed back to the industry involved, is used to fund ministry programs and administration related to solid waste management.

The industry stewardship programs currently being developed by the Ministry of Environment, Lands and Parks are not designed to provide any new financial resources to the management of solid waste programs.

The impact of the changes in solid waste management on local government has been to:

- increase the cost of operating and managing landfill sites;
- reduce the number of rural landfill operations;
- increase the number of transfer stations;
- reduce local government flexibility in the location and operation of landfill sites;
- reduce local governments' long term liability for landfill operations;
- place the full cost of implementing solid waste management plans on local government.
- increase the overall cost of solid waste management in urban and rural areas;
- place the cost of collection and market development for recycled goods on the shoulders of local government rather than the manufacturer of the products. The concept of cradle-to-grave responsibility for products and user pay appears to have disappeared in the determination of who pays for the disposal of products in the waste stream.

ACTION: UBCM request financial assistance for:

- development of markets for recycled goods;
- transportation of recyclables to markets so as to ensure that the program is province wide;
- implementation of solid waste plans (recycling, infrastructure, education, etc.).

UBCM request the introduction of legislation/regulations to address:

- post-consumer content requirements to promote the development of markets for recycled goods;
- increased penalties and increased enforcement against littering and illegal dumping.

UBCM request the province recognize the need for flexibility in solid waste management planning. Provincial government policy recognize the differences between urban and rural areas in the operation of landfill sites - financial constraints, proximity to markets and other factors - in meeting the goals and objectives that are to be achieved.

5. PRODUCT STEWARDSHIP PROGRAMS

a) Beverage Containers

ISSUE: The impact on local government of an expanded deposit system to promote industry stewardship and reduce local government recycling costs.

STATUS: Local government has requested that the province expand the deposit system to include a wider range of beverage containers (carbonated beverages, mineral water, liquor and wine bottles etc.) on numerous occasions - a total of 15 resolutions since 1990.

On April 5, 1997 the Minister of Environment, Lands and Parks announced that the beverage container deposit system would be expanded to include all ready-to-drink beverages except milk and milk substitutes and containers larger than 5 litres.

Beverages requiring a deposit under the new system will include - soft drinks, beer, cider and coolers; carbonated drinks and non-carbonated drinks (Koala, Clearly Canadian, etc.); thirst quenchers/sports drinks, bottled water; fruit and vegetable drinks and wine and spirits.

The new deposit system will focus on the creation of an expanded, province wide depot network. The intent is to move away from the existing return-to-retail system, with private industry providing the consumer with a variety of new one-stop depot operations and other methods to conveniently dispose of the beverage containers they collect.

The province has created a Container Management Board to administer the expanded deposit system made up of beverage producers, depot operators, retailers, provincial and local government officials. UBCM currently has two representatives on the Container Management Board.

Under the proposed regulation brand-owners will be required to have an approved stewardship plan in place by April 1, 1998.

ACTION: UBCM continue to support the development of an expanded deposit-refund system which will enhance the recovery of recyclable containers, such as the implementation of a deposit on all liquor and wine bottles.

b) Paint Stewardship

ISSUE: The role of local government in an industry operated and funded paint stewardship program.

STATUS: The provincial government on September 1, 1994 passed a Post-Consumer Paint Stewardship Regulation which required that all brand-owners who sell or distribute paint in the province have an approved stewardship program in place by January 1, 1995.

Under the regulation the stewardship program is required to do one of the following:

- provide return-to-retail;
- provide depots to return the paint;
- "contract, with a person who operates a return collection facility, for the use of that facility" to return paint.

Collection facilities are to be located within 4 or 10 kilometres of a seller's premises depending on whether the depot is located in an urban or a rural area.

The largest paint stewardship program is operated by the Paint Care Association (49 members), which was created by the major brand-owners and retailers of paint in the province to implement an approved stewardship program. The Paint Care Association (PCA) stewardship program is a voluntary program designed to work collectively with local government and to use local facilities in the collection and disposal of post-consumer paint. It represents over 100% of B.C.'s paint industry, encompassing paint manufacturers, distributors, small retailers and large chain stores.

The Paint Care Association has established 103 paint collection depots, mainly in cooperation with the Encorp corporation which collects bottles. The PCA has held approximately 200 one-day events in various communities. The association has established a paint exchange program through the Recycling Council of B.C. in which leftover paint will be offered to non-profit groups and the public.

The Ministry passed a new regulation in 1996 requiring that the paint industry accept all paint cans, advertise the location of their depots on a year round basis in local newspapers and at the retail level, and that they recycle 70% of the paint collected by 1997.

ACTION: UBCM request that the Ministry of Environment, Lands and Parks require all brand owners in the paint industry to fulfil their stewardship requirements in implementing a paint collection program which is:

- fully funded by the industry;
- convenient to the consumer.

c) Household Hazardous Waste Stewardship

ISSUE: The impact on and role of local government in an industry program developed to collect special wastes at the household level.

STATUS: The Ministry passed a regulation on March 26, 1997 requiring brand owners of solvent and flammable liquids, pesticides, and gasoline to prepare a plan within 60 days outlining an industry stewardship program for the collection and disposal of these types of household hazardous wastes and implement the plan within 210 days. The pharmaceutical industry has already adopted a plan that the province has approved and is in the process of implementing it. Pharmaceutical residuals are now being accepted by over 600 pharmacies throughout the province.

Under the program the brand owner will be able to charge the consumer a fee for the administration and implementation of the stewardship program. This is an eco-fee collected by the industry and not a government tax.

In the regulation the Ministry has indicated that industry is not required to take empty containers - this is defined as holding less than 3% of the residual volume. The province has indicated that it will review whether or not empty containers should be included in the program after two years and that the industry has indicated that it will collect empty containers on a voluntary basis in the interim.

The Ministry of Environment, Lands and Parks has approved two different industry stewardship programs, the Consumer Product Care Association (CPCA) and the Product Stewardship Group (PSG), for consumers to return their solvent/flammable liquid, domestic pesticide and gasoline residuals. The CPCA and PSG are expected to begin opening collection depots later this year in accordance with the approved plans.

ACTION: UBCM support the Ministry of Environment, Lands and Parks approved household hazardous waste program.

UBCM request that it be exempt from liability for household hazardous wastes and other special wastes where it chooses to assist in the administration of these stewardship programs.

d) Packaging Stewardship

ISSUE: The impact on local government of a proposed industry operated and funded product and packaging stewardship program.

STATUS: Packaging stewardship, as a component of solid waste management, has been an ongoing concern of local government. The solution to the packaging issue from a local government perspective lies with industry undertaking "cradle-to-grave" responsibility for the products it produces.

The introduction of post-consumer content requirements could have positive impact on local government. The implementation of an industry operated and funded packaging stewardship program would substantially reduce local governments solid waste management costs. Alternatively it could provide a potential \$10 to \$25 million dollars in new funding for local government solid waste collection programs.

ACTION: UBCM request that the Minister of Environment, Lands and Parks require the development of an industry operated and funded packaging stewardship program and that this funding be used for local recycling programs.

UBCM request that:

- industry be required to take 'cradle-to-grave' responsibility for their products and packaging to maximize reduction initiatives and minimize costs;
- legislative changes be introduced to assist in the development of markets for recycled goods by requiring new products to contain a certain percentage of recycled material;
- restrictions be placed on the type of packaging that can be used - mandated refuse reduction, such as requiring standardized containers;
- programs and policies be developed that will provide strong incentives to manufacturers to reduce packaging;

6. WATER STEWARDSHIP

a) Groundwater Management

ISSUE: Local governments role in the establishment of standards and the management of groundwater management areas.

STATUS: Groundwater accounts for 9% of total water use in British Columbia and as much as 40% in rural areas. The largest user of groundwater is industry (55%), followed by municipal and rural use (25%) and finally agriculture at (20%).

In 1997 the province introduced amendments to the Water Act (Bill 25 - Fish Protection Act) which give the Minister of Environment, Lands and Parks the power to designate an area as a water management area where there are conflicts between water users, a shortage of water or risks to water quality and require that a water management plan be developed.

A water management plan may address the allocation of water from a specific water source as well as "surface runoff not in a stream and groundwater". Water management plans are required to take into consideration "the results of Provincial government or local government strategic operational and land use planning processes within the water management area."

These amendments will give local communities some new tools to protect community water supplies, both surface and groundwater. The one area that this new legislation does not apply to is areas governed by the Forest Act, Range Act or Forest Practices Code of British Columbia.

ACTION: UBCM work with the Ministry of Environment, Lands and Parks in the implementation of watershed management plans in areas where there are community concerns and where there is an identified water quality related health risk.

b) Community Watersheds

ISSUE: Local governments' role in maintaining quality water in community watersheds where other resource uses are allowed.

STATUS: Community watersheds - identified under the Water Act - are recognized as a 'landscape unit' for planning purposes under the Strategic Planning Regulations developed under the new Forest Practices Code. An area that is given a community watershed designation is subject to the development of a total resource plan before any resource development is undertaken in it.

The protection and rehabilitation of community watersheds is currently dealt with under the Forest Practices Code regulations on crown land and funding to restore watersheds is available under the Forest Renewal Program.

ACTION: UBCM request that community watersheds be recognized as a land use under the Forest Act, Water Act and Municipal Act.

c) Sustainable Stewardship

ISSUE: The role of local government in maintaining a sustainable eco-system in the planning and approval of developments.

STATUS: The provincial government in Bill 26 - Local Government Statutes Amendment Act has provided municipalities with a broad range of new tools to protect and enhance the environment. These changes include the following:

- Planning and Environmental Protection

The legislative changes expand the concept of environmental protection to include “ecosystems and biological diversity” [Section 879(1)] and specifically allows local governments to identify environmental areas that the community wants to protect and include them in the Official Community Plan [Section 878 (1)(d)];

- Riparian Tax Exemptions

Local government will have the ability to encourage riparian area protection where the community wants it. The new provision establishes a system of riparian property exemptions similar to that for heritage property;

- Environment and Community Impact Assessments

Local government will be able to designate in their Official Community Plans areas or circumstance for which a development approval information may be required and identify the policies and procedures for making this request [Section 920.1].

- Screening and Landscaping Control

New provisions allow local government to require landscaping for environmental reasons, and to prevent hazardous conditions [Section 909 (1)].

- Runoff Control

New provisions in the legislation give local government the authority to require landowners who pave or roof an area to manage and provide for the ongoing disposal of runoff. It also provides that local government can establish rules as to the maximum percentage of areas that can be covered by impermeable material in an area [Section 907 (1) and (2)].

- Protection of Streams

New provisions give local government the ability to prohibit the pollution of streams and waterways to ensure water quality [Section 551(a)].

The Ministry of Environment, Lands and Parks is undertaking a number of initiatives:

- non-point source pollution - a non-point source action plan is under development to identify ways of dealing with some of the non-point source pollution which is responsible for water quality problems that have been identified - agriculture, septic tanks and urban development/stormwater sources. It is estimated that in the United States that non-point source pollution is responsible for water quality problems in a large number of water bodies - 45% in estuaries, 76% in lakes and 65% in rivers.
- water quality - a report has been developed to inform local government about the quality of water in a number of rivers and streams throughout the province. The report rates the water quality for drinking, recreational use and the health of the aquatic eco-system.
- water conservation strategy - a working group has been established to assist in the development of a water conservation strategy for the province. Water conservation management is perceived as providing substantial opportunities to reduce and defer the costs of maintaining and expanding water delivery systems; accommodate future development and population growth; and maintain and enhance natural areas and aquatic ecosystems.
- urban salmon habitat program - the Urban Salmon Habitat Program, announced at the 1995 UBCM Convention, is underway and a number of local government have received funding under it. The program has been developed to focus on protecting and restoring salmon habitat in the Georgia Basin area where land has or will be developed, and where planning and development control is primarily a local government responsibility.

ACTION: UBCM request financial and technical assistance to develop and maintain sustainable eco-systems.

7. FLOOD HAZARD MANAGEMENT

ISSUE: Local governments' role in the development of flood hazard management plans.

STATUS: The 1968 Canada-British Columbia Agreement which established the Fraser River Flood Control Program and has provided the major source of funding for dyke construction and maintenance ended on March 31, 1995. There is no agreement concerning flood hazard management on the Fraser River at the present time. Both the federal and provincial government have indicated that they do not intend to renew the agreement. They have proposed instead that a new type of agreement be negotiated that would include the management of both structural and non-structural flood hazard measures and would attempt to coordinate the activities of all the agencies involved in this area.

The Ministry of Environment, Lands and Parks currently has no funding for the maintenance of dykes or flood hazard problems. The only financial assistance available is through the emergency funding program. This financial assistance is available only after a major flood has taken place.

An Intergovernmental Task Force on Flood Hazard Management has been established, under the auspices of the Fraser Basin Management Program, and a draft strategy paper outlining the existing problems and possible solutions was released at the 1996 UBCM Convention (Integrated Flood Hazard Management Strategy). The report identified the overlapping land use management issues that exist between federal, provincial, and local government; the unique problems presented by historic settlements in floodplains; and it proposed an ongoing partnership between all of the parties involved in the management of flood hazards.

The Fraser Basin Council has released a report entitled "Financing Issues Associated with Flood Hazard Management". The new document is an addendum to the larger paper on integrated flood hazard management released in 1996; it explores a variety of funding mechanisms available to the federal, provincial and local governments for financing capital and operating costs of flood hazard management activities.

ACTION: UBCM request that the federal and provincial government and First Nations work in partnership with local government in the implementation of an integrated flood hazard management strategy.

UBCM request that the federal and provincial government provide financial assistance for:

- floodplain mapping;
- construction of new flood protection works (dykes, rip rap etc.);
- major dyke maintenance projects;
- emergency flood hazard management.

8. AIR QUALITY STEWARDSHIP

ISSUE: Local governments' role in the establishment of standards and the management of local airshed emissions, given the growing importance of clean air to the quality of life in local communities.

STATUS: The Ministry of Environment, Lands and Parks in 1997 prepared an Air Quality Report for British Columbia on Fine Particulate Levels. The report suggested that fine particulate levels were highest in sites in the interior and lowest at sites in southwestern British Columbia.

The provincial government has delegated the authority for airshed management in the lower mainland to the GVRD and the Fraser Valley regional districts at their request in an effort to allow them to develop specific programs to address their air pollution problems and will work with other local governments to develop a similar process on an "as needed basis".

A motor vehicle emission inspection program has been established in the lower mainland in order to reduce air pollution. The provincial government has passed new legislation which will allow it to introduce regulations governing the operation of motor vehicles and wood stoves.

The provincial government has introduced a regulation to assist in buying back old vehicles so that they can be scrapped. The purpose of the program is to reduce the amount of air pollution from motor vehicles.

The province established in July 1997 a Wood Residue Stakeholder Committee to examine the phase out of beehive burners at sawmills and how this issue might be addressed recognizing both the environmental and economic implications.

a) Cleaner Vehicles and Fuels

The Minister of Environment, Lands and Parks introduced new auto emission standards and standards for cleaner fuels in 1995, which require that:

1. emission testing for heavy-duty trucks and buses in the Lower Fraser Valley in 1996;
2. the availability and use of cleaner new-vehicles - 5% of new vehicle sales by 2001 and 10% by 2003;
3. the amount of harmful pollutants in gasoline to be reduced - limits the amount of benzene and sulphur;
4. service stations in the Lower Fraser Valley to recover gasoline vapours from storage tanks.

b) Greenhouse Gas Forum

The provincial government has established a Greenhouse Gas Forum, made up of industry, environment, labour and local government representatives, to assist it in upcoming international negotiations and in developing a greenhouse gas policy in British Columbia.

Canada is one of 150 countries that signed the Framework Convention on Climate Change at the United Nations Conference on Environment and Development in 1992. Under this agreement Canada agreed to stabilize its annual emissions of greenhouse gases at 1990 levels by the year 2000. Canada as

a result of its population growth, its geography and its economic mix is a heavy user of energy and is heavily dependant on the production and export of raw materials and energy-intensive goods, particularly in relation to its major trading partners - U.S., Japan and Europe. Current estimates are that Canada will fall 8% short of its goal of stabilizing emissions at 1990 levels by the year 2000.

A meeting is scheduled for December 1997 in Kyoto Japan to undertake a new round of international negotiations aimed at establishing new policies and measures to deal with greenhouse gas emissions beyond the year 2000. The type of policies adopted at these negotiations could affect future economic growth and development in Canada.

The provincial government has announced a 53 point action plan to stabilize greenhouse gas emissions at there 1990 levels by the year 2000. Under this plan the government will assist communities in becoming more energy efficient, implement a coordinated provincial transportation demand management program, provide funding for infrastructure under the Cycling Network Program, support local actions to develop air quality management plans and assist in the development of regional growth strategies. The Greenhouse Gas Forum is expected to advise the government on the future development and implementation of a provincial greenhouse gas policy.

ACTION: UBCM request that local government be given the legislative authority to become involved in the development of an airshed management plan where there is an identified health risk.

UBCM request that the provincial government under its greenhouse gas policy provide infrastructure funding to local government to assist in reducing greenhouse gas emissions.

UBCM request the provincial government take action on the following issues:

- ethanol/methanol as an alternative fuel;
- expansion of mandatory motor vehicle emissions testing;
- establish the demand for and demonstrate the use of factory designed alternate fuel vehicles and continue the current road tax exemption for alternative fuels.

9. DRAFT MUNICIPAL SEWAGE REGULATION

ISSUE: Local governments' role in the construction, operation and management of sewage disposal facilities.

STATUS: A draft Municipal Sewage Regulation has been developed to provide a framework so that the Ministry of Environment, Lands and Parks can move away from the existing permitting process to a regulatory process. The intent is to allow the ministry to set a general standard that all sewage treatment facilities must comply with rather issue an individual permit for each facility.

Under the draft regulation local governments "that provide less than secondary treatment or have combined sewer overflows or sanitary sewer overflows" will be listed and these communities will be required to develop Liquid Waste Management Plans (LWMP).

The regulation gives the manager broad powers to:

- require more stringent standards than provided in the regulation;
- require environmental impact studies to be undertaken to determine the impact of sewage discharges on the environment;
- stipulate the standard format of data submission.

Private operators of sewage facilities under the regulation are required to establish a Capital Fund and an Operation Maintenance Fund that is available should the need arise and prepare an annual report.

The financial implications of the draft regulation to local government would be in the following areas:

Planning and Reviews

- liquid waste management plans in all communities that do not have secondary treatment or that have combined sewer discharges;
- environmental impact studies;

Level of Treatment

- secondary treatment of sewage - minimum standard;
- prohibits combined sewer discharges;
- prohibits stormwater systems that may discharge domestic, agriculture or industrial waste.

Monitoring and Standards

- increases monitoring standards - The Capital Regional District has estimated that it will add \$270,000 per year to their monitoring costs;
- increases standards for inflow and infiltration of sewage system (peak flows to two times dry weather flows) - The Capital Regional District has indicated that this standard would be impossible for older systems to meet even when upgraded;
- potentially increases standards for certification and operation of plants in smaller communities.

Regulation and Reporting

- requires municipalities to implement a source control bylaw;
- requires an annual report to be prepared and made available to the public on the operation of the sewage treatment facility;

Fees and Charges

Under the regulation a new fee appears to be charged:

- for combined sewer discharges;
- to certify a sewage treatment plant on an annual basis, if the plant is not certified under the Environmental Operators Certification Program Society.

There is no flexibility in the regulation to allow for a site specific agreement that takes into consideration local circumstances and problems, as is currently done in a liquid waste management plan. The regulation sets a minimum standard that must be met no matter what impact the discharge might have on the receiving environment or the local circumstances.

ACTION: UBCM request that the Ministry of Environment, Lands and Parks undertake a full review of the financial implications of the proposed sewage regulation on local government as required under the Environmental Protocol.

UBCM request that the development of liquid waste management plans be permissive. Where a liquid waste management plan is undertaken that the timeframe for requiring local governments to implement the liquid waste management plan be based on the following factors:

- capacity of the receiving environment;
- population growth;
- public input;
- funding capability.

The liquid waste management plan and the criteria above be used as the basis for determining what type of sewage treatment may be acceptable in the area.

UBCM request financial assistance to local governments for upgrading and improving sewage treatment facilities.

UBCM request clear legislative and regulatory authority to ensure that where it chooses to get involved in the approval of private sewage disposal it does not assume additional financial or liability responsibilities.

10. PLEASURE CRAFT POLLUTION PREVENTION

ISSUE: Local governments role in the designation of lakes and other areas which may require pumping stations for the handling of sewage from pleasure craft. The role of local government in the management and operation of pumping stations.

STATUS: There are currently federal regulations governing the handling of sewage from pleasure craft in designated water bodies. Application of the regulations for any specific water body is controlled by the province in which the water body is located. These regulations are necessary in lakes in order to retain high quality water for fishery, recreation and domestic water supply and to prevent sewage pollution in small and poorly flushed anchorages and marine parks in the Gulf Islands and Desolation Sound.
Currently Okanagan, Mara and Shuswap lakes have been designated under this legislation.

The Ministry of Environment, Lands and Parks has produced a pamphlet on the process for the designation of additional fresh and marine water bodies. The Ministry of Environment, Lands and Parks, in response to requests from local residents and with the support of the local government, has identified an additional 55 water bodies in the province that might be designated under the federal regulation and has requested the federal government to include them under their regulation.

The ministry is reluctant to designate new water bodies unless it has the support of the local government and residents in the area, as it does not have the resources to implement it on a provincial basis.

The impact of implementing this regulation on local government is that it will be requested to assist in managing the sewage from pleasure craft:

- providing alternatives for handling pleasure craft sewage - i.e. establishment of pumping stations;
- bylaws to assist in the process - i.e. specified area bylaw to allow local residences to provide pumping stations etc.;
- cooperation in policing and enforcing the regulations.

ACTION: UBCM work with the Ministry of Environment, Lands and Parks in developing in implementation pleasure craft sewage regulations where there is a need identified and supported by local government.