

**METRO VANCOUVER REGIONAL DISTRICT
ZERO WASTE COMMITTEE**

REGULAR MEETING

November 17, 2021

9:00 am

28th Floor Boardroom, 4515 Central Boulevard, Burnaby, British Columbia

A G E N D A¹

1. ADOPTION OF THE AGENDA

1.1 November 17, 2021 Regular Meeting Agenda

That the Zero Waste Committee adopt the agenda for its regular meeting scheduled for November 17, 2021 as circulated.

2. ADOPTION OF THE MINUTES

2.1 October 15, 2021 Regular Meeting Minutes

That the Zero Waste Committee adopt the minutes of its regular meeting held October 15, 2021 as circulated. *pg. 4*

3. DELEGATIONS

4. INVITED PRESENTATIONS

5. REPORTS FROM COMMITTEE OR STAFF

5.1 Report from Solid Waste Management Plan Independent Consultation and Engagement Panel *pg. 10*

That the GVS&DD Board receive for information the report dated November 9, 2021, titled "Report from Solid Waste Management Plan Independent Consultation and Engagement Panel".

5.2 Solid Waste Management Plan Engagement *pg. 17*

That the GVS&DD Board approve the solid waste management plan public engagement program as outlined in the report dated November 8, 2021, titled "Solid Waste Management Plan Engagement".

¹ Note: Recommendation is shown under each item, where applicable.

- 5.3 Solid Waste Management Plan Public/Technical Advisory Committee** *pg. 43*
That the GVS&DD Board approve the terms of reference for the solid waste management plan public/technical advisory committee with the following key elements:
- i. a single public/technical advisory committee;
 - ii. a broad list of potential sectors/interests with representatives to be included in the committee;
 - iii. personal characteristics to be used to recommend committee members to the GVS&DD Board;
 - iv. a call for applications for committee members, with targeted recruitment of individuals from typically underrepresented or equity-denied communities; and
 - v. Chair and vice-chair positions to be Zero Waste Committee members.
- 5.4 Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws** *pg. 57*
That the GVS&DD Board:
- a) approve the following regionally harmonized approach to municipal single-use item reduction bylaws:
 - i. ban on plastic checkout bags with prescribed minimum fees for recycled paper bags and reusable bags;
 - ii. ban on polystyrene foam service ware containers;
 - iii. ban on plastic drinking straws not required for medical and accessibility needs with alternatives such as paper drinking straws provided only on request by the customer;
 - iv. ban on plastic stir sticks with all other utensils provided only on request by the customer; and
 - b) write the Minister of Environment and Climate Change Strategy requesting that municipalities be authorized to require businesses to charge prescribed minimum fees for single-use cups.
- 5.5 Waste-to-Energy Facility – Primary Economizer Replacement** *pg. 72*
That the GVS&DD Board authorize:
- a) an amendment to the existing contract with Covanta Burnaby Renewable Energy, ULC for the primary economizer replacement project at the Metro Vancouver Waste-to-Energy Facility in an amount of up to \$5,436,568.00 (including PST, but excluding GST), subject to the final review by the Commissioner; and
 - b) the Commissioner and Corporate Officer to execute the required documentation once the Commissioner is satisfied that the award should proceed.
- 5.6 Waste-to-Energy Facility Biosolids Processing System** *pg. 75*
That the GVS&DD Board authorize:
- a) the construction of a biosolids processing system for the Waste-to-Energy Facility at a cost of up to \$22 million; and
 - b) the Commissioner and Corporate Office to execute any necessary documents.

- 5.7 2020 Solid Waste and Recycling Annual Report** *pg. 79*
That the Zero Waste Committee receive for information the report dated November 9, 2021, titled “2020 Solid Waste and Recycling Annual Report”.
- 5.8 Ecowaste Landfill Agricultural Land Commission Application** *pg. 83*
That the Zero Waste Committee receive for information the report dated November 9, 2021, titled “Ecowaste Landfill Agricultural Land Commission Application”.
- 5.9 Manager’s Report** *pg. 116*
That the Zero Waste Committee receive for information the report dated November 8, 2021, titled “Manager’s Report”.

6. INFORMATION ITEMS

7. OTHER BUSINESS

8. BUSINESS ARISING FROM DELEGATIONS

9. RESOLUTION TO CLOSE MEETING

Note: The Committee must state by resolution the basis under section 90 of the Community Charter on which the meeting is being closed. If a member wishes to add an item, the basis must be included below.

10. ADJOURNMENT/CONCLUSION

That the Zero Waste Committee adjourn/conclude its regular meeting of November 17, 2021.

Membership:

Froese, Jack (C) - Langley Township
Hodge, Craig (VC) - Coquitlam
Calendino, Pietro - Burnaby
Elford, Doug - Surrey

Fathers, Helen - White Rock
Fry, Pete - Vancouver
Little, Mike - North Vancouver District
Martin, Gayle - Langley City

McDonald, Bruce - Delta
Morden, Mike - Maple Ridge
Steves, Harold - Richmond
Vagramov, Rob - Port Moody

**METRO VANCOUVER REGIONAL DISTRICT
ZERO WASTE COMMITTEE**

Minutes of the Regular Meeting of the Metro Vancouver Regional District (MVRD) Zero Waste Committee held at 9:03 a.m. on Friday, October 15, 2021 in the 28th Floor Boardroom, 4730 Kingsway, Burnaby, British Columbia.

MEMBERS PRESENT:

Chair, Mayor Jack Froese, Langley Township (arrived at 9:05 a.m.)
 Vice Chair, Councillor Craig Hodge*, Coquitlam
 Councillor Pietro Calendino*, Burnaby
 Councillor Doug Elford*, Surrey
 Councillor Helen Fathers*, White Rock
 Councillor Pete Fry*, Vancouver
 Mayor Mike Little*, North Vancouver District (departed at 9:34 a.m.)
 Councillor Gayle Martin*, Langley City
 Councillor Bruce McDonald*, Delta
 Mayor Mike Morden*, Maple Ridge
 Councillor Harold Steves*, Richmond (arrived at 9:06 a.m.)
 Mayor Rob Vagramov, Port Moody (arrived at 9:07 a.m.)

MEMBERS ABSENT:

None.

STAFF PRESENT:

Paul Henderson, General Manager, Solid Waste Services
 Jerry W. Dobrovoly, Chief Administrative Officer
 Amelia White, Legislative Services Supervisor, Board and Information Services

In the absence of the Chair, Vice Chair Hodge called the meeting to order.

1. ADOPTION OF THE AGENDA

1.1 October 15, 2021 Regular Meeting Agenda

It was MOVED and SECONDED

That the Zero Waste Committee adopt the agenda for its regular meeting scheduled for October 15, 2021 as circulated.

CARRIED

*denotes electronic meeting participation as authorized by Section 3.6.2 of the *Procedure Bylaw*

2. ADOPTION OF THE MINUTES

2.1 September 10, 2021 Regular Meeting Minutes

It was MOVED and SECONDED

That the Zero Waste Committee adopt the minutes of its regular meeting held September 10, 2021 as circulated.

CARRIED

3. DELEGATIONS

No items presented.

4. INVITED PRESENTATIONS

No items presented.

5. REPORTS FROM COMMITTEE OR STAFF

5.1 2022 – 2026 Financial Plan Overview

Jerry Dobrovolny, Commissioner/Chief Administrative Officer and Dean Rear, Chief Financial Officer/General Manager, Financial Services provided a verbal report on the 2022-2026 Financial Plan highlighting the use of reserves, debt amortization, the overall household impact, and the projected operating and capital budgets.

9:05 a.m. Chair Froese joined the meeting and assumed the Chair.

9:06 a.m. Councillor Steves arrived at the meeting.

9:07 a.m. Mayor Vagramov arrived at the meeting.

Presentation material titled “2022-2026 Financial Plan Overview” is retained with the October 15, 2021 Zero Waste Committee agenda.

It was MOVED and SECONDED

That the Regional Planning Committee receive for information the October 8, 2021 verbal report from Jerry Dobrovolny, Chief Administrative Officer and Dean Rear, General Manager, Financial Services/Chief Financial Officer regarding the “2022-2026 Financial Plan Overview”.

CARRIED

5.2 2022-2026 Financial Plan – Solid Waste Services

Report dated October 7, 2021, from Paul Henderson, General Manager, Solid Waste Services, presenting the Zero Waste Committee with the 2022-2026 Financial Plan for the Solid Waste Services for endorsement.

Members were provided a presentation on the 2022-2026 Financial Plan for Solid Waste Services highlighting performance metrics, continuous improvement, operating expenditures, and capital budget.

Presentation material titled “2022-2026 Financial Plan: Solid Waste Services” is retained with the October 15, 2021 Zero Waste Committee agenda.

It was MOVED and SECONDED

That the Zero Waste Committee endorse the 2022 – 2026 Financial Plan for Solid Waste Services as presented in the report dated October 7, 2021, titled “2022 – 2026 Financial Plan – Solid Waste Services”, and forward it to the Metro Vancouver Board Budget Workshop on October 20, 2021 for consideration.

CARRIED

5.3 GVS&DD Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 350, 2021

Report dated October 8, 2021, from Allen Jensen, Project Engineer, Solid Waste Services, seeking the GVS&DD Board’s approval of the amended Tipping Fee Bylaw.

It was MOVED and SECONDED

That the GVS&DD Board:

- a) approve the following amendments to the Tipping Fee Bylaw effective January 1, 2022:
 - I. increase garbage tipping fees by \$4 per tonne to:

Municipal garbage	\$121
Up to .99 tonne	\$155
1 to 7.99 tonnes	\$133
8 tonnes and over	\$107
 - II. reduce the threshold for the large load tipping fee from 9 tonnes to 8 tonnes;
 - III. increase the generator levy by \$6 per tonne to \$54 per tonne;
 - IV. increase the following rates by approximately 2%:
 - i. special handle waste to \$255 per tonne
 - ii. source-separated organic waste, green waste, and clean wood to \$102 per tonne
 - iii. surcharge for loads containing banned materials to \$66 per load
 - V. new recycling fee titled “Municipal Organics” with a fee of \$108 per tonne;
 - VI. deletion of apportionment of recycling depot costs provisions as per the recycling depot funding strategy; and
 - VII. terminology updates and the addition of the Central Surrey Recycling and Waste Centre.
- b) give first, second and third reading to *Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 350, 2021*; and

- c) pass and finally adopt *Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amendment Bylaw No. 350, 2021*.

CARRIED

- 5.4 Solid Waste Services Capital Program Expenditure Update as of August 31, 2021**
Report dated October 4, 2021, from Lynne Vidler, Lead Senior Engineer, Solid Waste Services, updating the Zero Waste Committee on the status of the Solid Waste Services capital program and financial performance up until August 31, 2021.

It was MOVED and SECONDED

That the Zero Waste Committee receive for information the report dated October 4, 2021, titled "Solid Waste Services Capital Program Expenditure Update as of August 31, 2021".

CARRIED

9:34 a.m. Mayor Little departed the meeting.

- 5.5 2021 Single-Use Item Reduction Campaign Results**
Report dated September 9, 2021, from Alison Schatz, Senior Communications Specialist, Corporate Communications and Larina Lopez, Division Manager, Corporate Communications, updating the Zero Waste Committee on the results of the 2021 regional single-use item reduction campaign, "Superhabits".

Members were provided a presentation on the results from the 2021 Superhabits campaign highlighting the placement of advertisements.

Presentation material titled "2021 Single-Use Item Reduction Campaign Results: What's Your Superhabit?" is retained with the October 15, 2021 Zero Waste Committee agenda. Members were shown with a few campaign videos, which are not retained with the agenda.

It was MOVED and SECONDED

That the Zero Waste Committee receive for information the report dated September 9, 2021, titled "2021 Single-Use Item Reduction Campaign Results."

CARRIED

- 5.6 Board Appointment of Solid Waste Bylaw Enforcement Officers**
Report dated September 10, 2021, from Ray Robb, Division Manager, Environmental Regulation and Enforcement, Parks and Environment, seeking the GVS&DD Board's approval to appoint four Metro Vancouver employees as GVS&DD Board-designated officers and rescinding two former employees.

It was MOVED and SECONDED

That the GVS&DD Board:

- a) pursuant to the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996* and the *Environmental Management Act* appoint Metro Vancouver employees Matt Brinkworth, Toby Gritten, Rei Van, and Eugene Lee as officers; and
- b) pursuant to the *Offence Act* appoint Matt Brinkworth, Toby Gritten, Rei Van, and Eugene Lee for the purpose of serving summons under Section 28 of the *Offence Act* for alleged violations under the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*; and
- c) pursuant to the *Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996* and the *Environmental Management Act* rescind the appointment of Rick Laird as Deputy Solid Waste Manager; and Corey Pinder as officer.

CARRIED

5.7 Manager's Report

Report dated October 7, 2021, from Paul Henderson, General Manager, Solid Waste Services, providing the Zero Waste Committee with updates on-going and upcoming initiatives and programs.

Director Froese provided an update on the *Love Food, Hate Waste Campaign*. Members were shown a related Metro Vancouver video presentation, which is not retained with the agenda.

It was MOVED and SECONDED

That the Zero Waste Committee receive for information the report dated October 7, 2021, titled "Manager's Report".

CARRIED

6. INFORMATION ITEMS

No items presented.

7. OTHER BUSINESS

No items presented.

8. BUSINESS ARISING FROM DELEGATIONS

No items presented.

9. RESOLUTION TO CLOSE MEETING

No items presented.

10. ADJOURNMENT/CONCLUSION

It was MOVED and SECONDED

That the Zero Waste Committee conclude its regular meeting of October 15, 2021.

CARRIED

(Time: 10:12 a.m.)

Amelia White,
Legislative Services Supervisor

Jack Froese, Chair

48455898 FINAL

To: Zero Waste Committee

From: Sarah Evanetz, Division Manager, Strategy and Stakeholder Relations, Solid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Report from Solid Waste Management Plan Independent Consultation and Engagement Panel**

RECOMMENDATION

That the GVS&DD Board receive for information the report dated November 9, 2021, titled “Report from Solid Waste Management Plan Independent Consultation and Engagement Panel”.

Report from Solid Waste Management Plan Independent Consultation and Engagement Panel

The attached report from the Solid Waste Management Plan Independent Consultation and Engagement Panel provides an evaluation of the pre-engagement work and responds to staff’s proposed public engagement program.

The Solid Waste Management Plan Independent Consultation and Engagement Panel, established by the GVS&DD Board, was formed in 2020 to act as an independent, third party advising staff and the Board on consultation and engagement. This is the panel’s first report to the Board.

Attachment

“Welcome to Metro Vancouver’s Independent Consultation & Engagement Panel!”, dated, November 9, 2021 (*Orbit # 49066962*)

Welcome to Metro Vancouver's Independent Consultation & Engagement Panel!

The Solid Waste Management Plan Independent Consultation and Engagement Panel (“Independent Panel”) was established to act as an independent, third party to provide advice and recommendations to staff and the Board on issues related to development of an updated solid waste management plan.

Why an Independent Panel?

The update to the plan, which was first created in 2011, is a statutory requirement by the Ministry of Environment and Climate Change Strategy. While the Ministry requires a number of advisory committees and processes as part of the update, the decision to include an Independent Panel is over and above those requirements. It responds to the Board’s desire to ensure that engagement for the updated plan is comprehensive, robust and responds to their emerging engagement priorities including greater engagement with Indigenous Nations and with specific communities which historically have been underrepresented or equity-denied.

Who is on the Independent Panel?

The Independent Panel was established by the Board in July 2020 and officially appointed by the Board Chair in October 2020. We have four members with a wide breadth of experience in government and engagement. These are Cheryl Brooks, Veronika Bylicki, Peter Fassbender and Andrea Reimer (Chair). Director Jack Froese, Chair of the Zero Waste Committee, acts as a liaison to the Independent Panel.

What does the Independent Panel do?

The scope of work defined in the Independent Panel’s [Terms of Reference](#) state that we will advise staff and report out to the Board on engagement during all phases of the solid waste management plan development to ensure consultation is robust and adequate, and feedback is solicited from a variety of interested parties and stakeholders.

To accomplish this, over the course of the past 13 months we have had 11 Independent Panel meetings that covered a wide range of issues and discussions including:

- getting up to speed on waste management in the region,
- providing advice on overarching principles, objectives and methods of engagement,
- providing ongoing advice in the development and implementation of pre-engagement, engagement with First Nations and engagement with communities that have historically been underrepresented or equity-denied,
- providing connections we respectively had to stakeholders in a variety of communities, especially those that are traditionally not well-represented in engagement on Metro Vancouver policy development, and
- acting as a sounding board for approaches to establishing advisory committees mandated by the Ministry of Environment and Climate Change.

In addition to these meetings, we have held two sessions for stakeholders to meet with us directly and presented at two Zero Waste Committee meetings. On behalf of the Independent Panel, the Chair also participated in a Metro Vancouver presentation at the FVRD meeting in May 2021 and has met with Metro Vancouver's Chair of Indigenous Relations and relevant staff to navigate emerging issues related to engagement and the implementation of the provincial *Declaration on the Rights of Indigenous Peoples Act (DRIPA)*.

What is this report for?

This report to the Zero Waste Committee is our first formal report out to the Board and is intended to provide both our evaluation of the pre-engagement work as well as a response to staff's proposed engagement program. Because many of the themes we would like to highlight echo in both of these areas we have decided to structure our report into two sections: (1) What we endorse, and (2) What needs further consideration.

1. What we Endorse

a. Metro Vancouver Staff

We have all been very impressed with the effort that staff put in to both their work with the Independent Panel and the work with stakeholders, communities of interest and Indigenous Nations in the pre-engagement phase and subsequent development of the plan. Despite the substantial engagement challenges presented by COVID, as well as evolving public expectations for engagement, at every step staff have been respectful and clearly are invested in the goals of greatly expanding the audiences and quality of engagement. They have been responsive to our input as well as proactive in seeking it on a wide array of issues that intersect the plan. By being at their best, they have supported the Independent Panel members and everyone else involved in the process to be most effective.

b. The Culture of the Independent Panel

The Independent Panel represents a broad range of experiences, geography, professional backgrounds. In general, differences can create challenges in developing a working relationship that leverages the best of each member of a group. However, we have only found our differences to be strengths that allow us an almost 360 degree view of issues and, more importantly, the ability to identify where we don't have that full perspective. One of the key reasons for this cohesiveness is a shared sense of striving for excellence and a shared responsibility to help create an updated plan that is the result of a meaningful engagement process. Our measure of success is how people feel at the end of the process. Accordingly, each interaction should be the result of thought, care and pushing beyond the traditional approaches which have often left at least some people feeling unheard.

c. Inclusion: No One Left Behind

From the beginning of the Independent Panel's work, we have been guided by the principle of broad inclusion. This is both as a result of the mandate from the Board in regards to underrepresented and equity-denied groups and also from specific areas of expertise that the Independent Panel brings to our work. It manifests in an expanded focus in three areas:

- right relations with Indigenous Nations and people,
- expanding the audiences beyond traditionally engaged institutions and communities, and
- increasing the quality of engagement in order that stakeholders in past processes have a better experience in this one.

While all three of these are a work in progress, through our expertise and networks we've been able to identify challenges and provide some guidance and access to networks to navigate pathways forward (see "What Needs Further Consideration" below).

d. Culture of Trying, Evaluating, Learning...and Trying Again

Throughout the last year we have seen a strong emphasis from staff on pushing this work into new areas. The true value of such an approach isn't the push itself - although that is a pre-requisite - but rather the tolerance for failure that comes along with that push and the commitment to learn from the failure to improve upon the program. We have seen this with staff time and again in both the development and implementation of the pre-engagement and the development of the engagement program itself.

Indeed, the Independent Panel had our own experiences with this. For example, we offered to meet directly with stakeholders as part of the pre-engagement process but miscalculated timing as a result of extra requirements in the online format and a misunderstanding about the total time available. Some stakeholders were upset by this so we offered everyone a chance to meet again. Two stakeholders took us up on this offer and it seemed to increase trust in the process that while we can't promise perfection we can promise to own up to mistakes and work with those impacted to mitigate any perceived harm.

e. Precedent-Setting

From the establishment of the Independent Panel, the development of the updated solid waste management plan represents a very different approach for Metro Vancouver and this has carried through the work over the past year including the extensive and thorough pre-engagement work, pro-active outreach, and deep work on developing an appropriate approach to engagement with Indigenous Nations and people. We recognize that by pushing boundaries there is a high potential to set precedents that have impacts much broader than just one updated plan. In our opinion, staff have been keenly aware of this and have worked with the Independent Panel and other staff and Directors at Metro Vancouver to ensure this is contemplated in the development and implementation of this engagement program. Our hope is that future engagement processes can learn from and build on the successes in this engagement program.

2. What Needs Further Consideration

a. More Engagement Means More Feedback

At a meta-level it's an important thing to consider that the increased commitment to inclusion, both through expanding audiences and also through expanding the transparency of the process for all audiences, means that there will be more challenges identified that need to be worked through. This

doesn't mean that you've created new challenges but rather that you've created a conduit for existing challenges to be resolved.

b. Better Support for Indigenous Engagement

Metro Vancouver has been evolving relationships with Indigenous Nations and people for a number of years. However, the historical approach to engagement on major plans such as the solid waste management plan has been passive at best and created a deficit that will take some time to overcome. Two key considerations will be:

- Directly increasing the capacity of Indigenous Nations and people to engage in the next phases of the plan.
- Understanding that the onus is on Metro Vancouver to make the engagement relevant to Indigenous Nations and people.

c. Anticipating the Future is a Big Shift

The common structure in government is to identify an existing problem and then spend time to develop a current approach to fix the problem. Independent Panel members have observed that in order for the updated plan to be truly successful it needs to be focused on the future, anticipating the demographic, economic, cultural and technological shifts it will be responding to in a time of massive change. Three key considerations in developing the updated plan will be:

- Incorporating accessible information about long term trends into the communication materials.
- Developing new strategies aimed at greatly increasing youth engagement in the development of the plan.
- Conscientiously innovating and expanding reach out to underrepresented and equity-denied communities.

d. Trust

It is likely not a surprise for the Board to hear that some key stakeholders have had historically challenging experiences with Metro Vancouver in relation to waste management policies. These stakeholders have responded positively to new engagement measures in the lead up to the plan including the creation of the Independent Panel, the ability to shape the form of engagement through pre-engagement, proactive outreach and invitation for bi-lateral meetings, and the establishment of advisory committees. At the same time a number of frustrations have been expressed about previous engagement and some solutions offered by the stakeholders that have these frustrations. Two of the more pressing ones to consider in implementing the engagement program:

- Information used in the development of the updated plan – both in outward facing engagement and with the Board – should be objective, timely, easy to access and provide a full view of options. In particular, in external and stakeholder communications information needs to be in plain language and translated when relevant.
- Timelines for feedback should allow for review of materials, any clarifying questions and account for meeting timelines in the cases where Metro Vancouver is looking for formally approved institutional feedback from a board or government.

e. Expanding Who Is Engaged Require New Approaches

We know the Board would like a focus on underrepresented and equity-denied groups and there was very little participation by members of these groups in the pre-engagement. This isn't bad news however – it just shows the limits of relying on the usual distribution channels and speaks to the need for new and novel tactics in the engagement program to ensure that these communities are reached. In addition to the considerations included in the sections above, we would invite the Board to consider:

- It's often the instinct of governments to increase avenues into an engagement process with the hope that it will expand audiences. However, often this gives those already engaged more opportunities...and potentially more frustration at a feeling that they must attend all these additional sessions. A stronger approach is to meet people from communities you are trying to reach where they are already at.
- The diverse range of media available in an online age gives good opportunity to target specific communities noting that per the bullet above, it won't work to expand into new media if you are simply expanding awareness of an invitation to a government-sponsored event that people from a given community are unlikely to attend.
- People coming from underrepresented and equity-denied groups are often economically disadvantaged. In these cases Metro Vancouver should consider providing financial support and/or resources to ensure that this is not the barrier to their participation.

A final word

Thank you for the opportunity to provide this high level feedback to the Zero Waste Committee. We've enjoyed our work over the past year and been challenged (in a good way!) by the emerging complexities of engagement. As Metro Vancouver moves into the implementation phase of the plan we anticipate our role will shift somewhat into more of an oversight role and less hands on. However, as this is a bold experiment we are prepared to try, evaluate, learn, and try again to bring the best support we can to the process of building the next solid waste management plan.

To: Zero Waste Committee

From: Sarah Evanetz, Division Manager, Strategy and Stakeholder Relations, Solid Waste Services

Date: November 8, 2021 Meeting Date: November 17, 2021

Subject: **Solid Waste Management Plan Engagement**

RECOMMENDATION

That the GVS&DD Board approve the solid waste management plan public engagement program as outlined in the report dated November 8, 2021, titled “Solid Waste Management Plan Engagement”.

EXECUTIVE SUMMARY

Regional districts are required by the Province to develop plans for the management of municipal solid waste and recyclable materials. An updated solid waste management plan will guide our region’s policies and collective actions over the next decade and beyond, and engagement is critical to its success. The proposed public engagement program outlines:

- a transparent, inclusive, and responsive engagement
- equitable opportunities for Indigenous peoples, stakeholders, and communities of interest to participate and provide feedback
- methods to increase accessibility and engage underrepresented and equity-denied communities
- an expected timeframe of two to three years

While Indigenous peoples will be invited to participate in all public engagement activities, a separate Indigenous engagement strategy will be implemented. To deliver a robust engagement some new elements have been put in place including an Independent Consultation and Engagement Panel to guide the development and implementation of the public engagement program and a pre-engagement phase to help shape the engagement process.

PURPOSE

The purpose of this report is to seek GVS&DD Board (Board) approval of the public engagement approaches as outlined in this report and the attached solid waste management plan public engagement program.

BACKGROUND

In November of 2019, the Board authorized initiating a solid waste management plan update, as required by the provincial *Environmental Management Act* and according to the provincial guidance document *A Guide to Solid Waste Management Planning*. The current solid waste management plan is the *Integrated Solid Waste and Resource Management Plan* approved by the Minister of

Environment in July 2011. The November 2019 report noted that an engagement plan would follow with details about the approach, audience, and timelines for the engagement process.

On July 3, 2020, the Board received for information the terms of reference for the Solid Waste Management Plan Independent Consultation and Engagement Panel (Engagement Panel) – a group of four engagement experts to guide the development and implementation of a robust and inclusive engagement process, including a pre-engagement phase. This Engagement Panel is a new initiative for Metro Vancouver, unique among regional governments, and goes beyond provincial engagement requirements.

On July 16, 2021, the Board received for information a report on pre-engagement results on the solid waste management plan update.

This report outlines proposed public and Indigenous engagement approaches for the update to the solid waste management plan, including an overview of the attached public engagement program.

INDIGENOUS AND PUBLIC ENGAGEMENT

The solid waste management plan is a long-term strategic plan that guides our region's policies and collective actions over the next decade and beyond. An updated plan will build on the strengths of the current plan, and identify opportunities for accelerated waste reduction and diversion while reducing greenhouse gases and promoting a circular economy. Indigenous and public engagement is critical to its success and Metro Vancouver is committed to a transparent, inclusive, and responsive engagement for the solid waste management plan update. Indigenous peoples, stakeholders, and communities of interest need equitable opportunities to participate and provide feedback into the engagement process. To deliver a robust engagement that goes beyond Metro Vancouver's typical process, exceeds provincial requirements, reaches equity-denied and underrepresented communities and addresses previous industry concerns about engagement, some new elements have been incorporated into this public engagement program. An Engagement Panel was formed to guide the development and implementation of the public engagement program, a pre-engagement phase was introduced to help shape the engagement process, and Metro Vancouver engaged on the development of provincially-mandated public and technical advisory committee(s).

The engagement approaches described in this report and the attached public engagement program reflect input from the pre-engagement process and discussions with the Engagement Panel, and member jurisdiction staff. A summary of how input and feedback received during pre-engagement has shaped the engagement approach is attached to the public engagement program.

Indigenous Engagement

Indigenous peoples¹ will be invited to participate in all public engagement activities. A separate Indigenous engagement strategy will help ensure a collaborative government-to-government engagement approach with Indigenous Nations whose territories include all or part of the Metro Vancouver region as well as a community engagement approach with urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit. The Indigenous engagement

¹ Indigenous peoples include Indigenous (First Nations, Métis and Inuit) Nations and Indigenous communities (including urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit).

strategy is an evolving document that will leverage organization wide initiatives and respond to the interests of Indigenous Nations. Metro Vancouver aims to follow the principles of meaningful engagement laid out in the *Declaration on the Rights of Indigenous Peoples Act*, as well as its own policies and commitments towards reconciliation and engagement.

Public Engagement Objectives, Guiding Principles and Approach

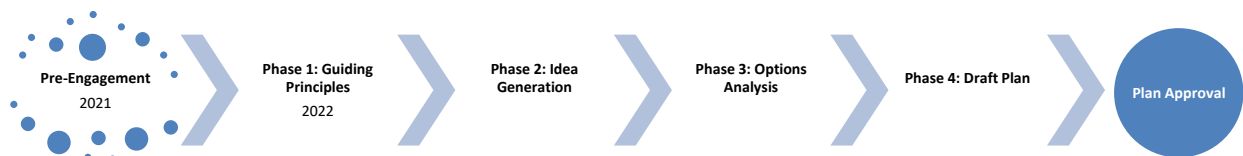
Metro Vancouver is committed to meaningful engagement in the development of all elements of an updated solid waste management plan. Metro Vancouver’s approach will align with the spectrum of public participation from the International Association of Public Participation. Based on this approach, the engagement objectives are to:

- Guide the development of an updated solid waste management plan for consideration by the Metro Vancouver Board and Minister of Environment and Climate Change Strategy
- Learn about a broad range of perspectives from residents, communities of interest, and stakeholders and actively consider how the plan can integrate and respond to the learnings
- Foster an environment where a wide range of voices and perspectives are shared
- Facilitate a process of reciprocal learning where stakeholders and communities of interest can share their knowledge and experiences and learn about the benefits and challenges of the regional solid waste system and zero waste initiatives
- Strengthen and build collaborative relationships
- Come to understand perspectives, priorities, and desired outcomes of stakeholders and communities of interest for waste management across the region, with a specific effort to increase participation by diverse and equity-denied groups, such as youth, urban Indigenous communities, small and independent business owners, and people whose first language is not English

The public engagement program will follow the guiding principles of accountability, equity and diversity, inclusiveness, transparency and openness, commitment, and responsiveness and flexibility, which were adapted from Metro Vancouver’s guiding principles for community engagement. The principles will be returned to and considered as the plan is developed to ensure ongoing integrity of the engagement.

Public Engagement Scope, Timeline and Phases

The solid waste management plan update process is expected to take two to three years over a phased approach with corresponding engagement. Timing is flexible to ensure maximum participation in a robust, transparent, and meaningful process. The scope of engagement has been identified for the overall public engagement program and will be tailored at each engagement phase. Establishing engagement parameters of what is in and out of scope for discussion allows for success in engagement planning and managing audience expectations.



The pre-engagement phase, completed this spring, sought feedback on engagement preferences and information required for informed participation. This early engagement effort was a step beyond Metro Vancouver's typical process and provincial requirements, and aimed to address previous concerns about engagement. Phase 1 engagement on guiding principles, planned for 2022, will invite dialogue around the fundamental values that will guide the plan vision and direction, and position the criteria to evaluate goals, strategies and actions. The principles set out in the BC Ministry of Environment and Climate Strategy's *A Guide to Solid Waste Management Planning* will serve as a foundation, and principles will be adapted and added to reflect our unique regional solid waste and recycling landscape. Details on engagement planned for subsequent phases will be shared as they are developed with Indigenous peoples, stakeholders, the public and communities of interest.

Public and Technical Advisory Committee

Metro Vancouver will form public and technical advisory committee(s), with sub-committees as required, to advise on plan development and report to staff and the Board. The public and technical advisory committee(s) could consist of a variety of representatives: industry, public community groups, and subject matter experts. The public engagement program will be reviewed with the public and technical advisory committee(s) at an early meeting and updated as needed throughout the plan update process. A separate report recommends structure and membership selection criteria for the public and technical advisory committee(s).

Public Engagement Methods, Audiences and Reporting

Metro Vancouver will strive to reach and involve the following audiences who may be impacted by or have an interest in the solid waste management plan development.

- Community, environmental and non-profit groups, non-governmental organizations, youth and students, schools
- Government and regulatory agencies, including Indigenous peoples in BC, provincial and federal governments, member jurisdictions, adjacent regional districts, crown corporations, airport and port authorities, and health authorities
- Industry and business associations, boards of trade and chambers of commerce, professional associations and academic institutions
- Metro Vancouver residents
- Small to medium sized businesses, innovators, employees within organizations, experts in industry and technology
- Waste and recycling industry, including small and large haulers, processors, extended producer responsibility programs, disposal facilities, and waste/recycling industry associations, binner community, reuse and repair organizations and the Metro Vancouver Solid Waste and Recycling Industry Advisory Committee
- Waste producers, including various sectors such as food service and industry, grocery, construction, tourism, office and property management, real estate, retail, residents, and educational institutions
- And others who may be interested

Special efforts will be made to include equity-denied or underrepresented groups not typically involved in Metro Vancouver solid waste processes, including youth, the binner's community, and non-English language speakers.

Metro Vancouver heard through pre-engagement that timely communication and early and continuous engagement opportunities are important. The following methods and channels may be deployed through the plan development based on the engagement objectives of each phase.

- Collaboration with others to host third-party workshops and events, and amplify messages (e.g. RCBC, Binnars' Project, cultural and religious organizations)
- Educational components (e.g. backgrounders, discussion guides)
- Email notifications
- Focus groups
- Focused, sector- and topic-specific discussions; working groups
- In-person meetings, including presentations and discussions at community meeting
- Market research surveys
- Meetings with Engagement Panel
- Multiple language communications where possible and where it serves the audience
- Online engagement platform
- Online meetings
- Open houses and workshops
- Questionnaires (online or hard copy at community locations)
- Press engagement
- Printed materials or packages, to be used by individuals or groups to further engagement among their networks
- Promotional materials tailored to different audiences, in a variety of media outlets
- Social media
- Public and technical advisory committee(s) meetings
- Telephone polling where appropriate
- Updates at existing committee meetings
- Videos
- Webinars
- Website content

Metro Vancouver will make efforts to collaborate with organizations and community groups to host or facilitate engagement events and amplify communications.

Feedback received through meetings, questionnaires, correspondences and other channels will be analyzed and documented. Following each phase of engagement, Metro Vancouver will report back through interim engagement summary reports to the Zero Waste Committee and Board, on the project webpage, and directly to organizations, community groups and committees involved. A final engagement report will accompany the updated solid waste management plan that will be submitted to the BC Minister of Environment and Climate Change Strategy for approval. The report will include details of the outreach and engagement undertaken, audiences involved and input and feedback gathered, including how feedback was considered and incorporated into the solid waste management plan, where possible.

ALTERNATIVES

1. That the GVS&DD Board approve the solid waste management plan public engagement program as outlined in the report dated November 8, 2021, titled “Solid Waste Management Plan Engagement”.
2. That the GVS&DD Board receive for information the report dated November 8, 2021, titled “Solid Waste Management Plan Engagement” and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Activities related to planning for and implementing engagement on the update to the solid waste management plan are covered under the approved Solid Waste Services budget. There are no additional financial implications.

CONCLUSION

The solid waste management plan public engagement program summarized in this report outlines a transparent, inclusive and responsive engagement for the solid waste management plan update. The public engagement program includes engagement objectives, guiding principles, phases, methods, audiences, advisory committees and reporting mechanisms, and outlines equitable opportunities for Indigenous peoples, stakeholders and communities of interest to participate and provide feedback. While Indigenous peoples will be invited to participate in all public engagement activities, a separate Indigenous engagement strategy will help ensure a collaborative government-to-government engagement approach. Special efforts will also be made to include equity-denied or underrepresented groups not typically involved in Metro Vancouver solid waste processes. Indigenous and public engagement is critical to the success of an updated solid waste management plan. Staff recommend Alternative 1.

Attachment

Public Engagement Program, Metro Vancouver’s Solid Waste Management Plan Review and Update (Orbit # 40542169) <https://orbit.gvrd.bc.ca/orbit/llisapi.dll/app/nodes/40542169>

48022390

Public Engagement Program

Metro Vancouver's Solid Waste Management Plan Review and Update

Last updated October 27, 2021

40542169

Contents

1. Introduction	1
Developing an Updated Solid Waste Management Plan	1
Governing Legislation	2
2. Guiding Principles and Objectives of Engagement	3
Solid Waste Management Plan Independent Consultation and Engagement Panel.....	3
Guiding Principles of Engagement	3
Accountability	3
Equity and Diversity	3
Engagement Objectives	4
Engagement Approach.....	5
Engagement Parameters.....	5
3. Engagement Phases, Timeline and Methods.....	5
Methods.....	6
Pre-Engagement (public April 27 – June 28, 2021; Indigenous April 27 – July 2, 2021).....	7
Engagement on Public and Technical Advisory Committee(s) (July 23 – September 15, 2021):	7
Phase 1: Plan Guiding Principles Engagement (Mid-2022).....	8
4. Audiences.....	8
Indigenous Engagement	10
5. Public/Technical Advisory Committee	10
6. Reporting.....	11
Appendix A: Feedback Summary of What We Heard and What We’re Doing	13
Appendix B: Public/Technical Advisory Committee Terms of Reference	15

1. Introduction

Metro Vancouver is updating its solid waste management plan, building on the strengths of the current plan, and identifying opportunities for accelerated waste reduction and recycling while reducing greenhouse gases and promoting a circular economy. Metro Vancouver's current plan, the [Integrated Solid Waste and Resource Management Plan](#), approved by the BC Minister of Environment in July 2011, established goals and targets for waste reduction and the recovery of materials and energy from waste, and supporting strategies and actions for Metro Vancouver and its member jurisdictions.

An updated solid waste management plan will guide our region's policies and collective actions over the next decade and beyond and engagement is critical to its success. The plan update process is expected to take two to three years and will be supported by robust Indigenous and public engagement. Additional emphasis is put on increasing accessibility and engaging underrepresented and equity-denied communities. Metro Vancouver is committed to engaging audiences who may be impacted by or have an interest in the review and update of the solid waste management plan, and will seek input and feedback through a multi-phase engagement approach. This document, informed by a pre-engagement process (a summary of what we heard and what we're doing is included in appendix A), provides an overview of the public engagement program for the update of the solid waste management plan and contains the following elements:

- Guiding principles and objectives
- Phases, timeline and methods
- Key audiences
- Public/technical advisory committee
- Reporting

While Indigenous peoples¹ will be invited to participate in all public engagement activities, a separate draft Indigenous engagement strategy outlines a collaborative engagement approach. Metro Vancouver is guided by the principles of meaningful engagement laid out in the [Declaration on the Rights of Indigenous Peoples Act](#), as well as its own policies and commitments towards reconciliation and engagement.

Developing an Updated Solid Waste Management Plan

The Greater Vancouver Sewerage and Drainage District (GVS&DD) is one of four separate corporate legal entities commonly referred to collectively as Metro Vancouver. For the purposes of this document, Metro Vancouver will be used to describe the GVS&DD.

Metro Vancouver is committed to environmental stewardship and the desire to keep waste management affordable. Metro Vancouver's role in regional solid waste management includes recycling and waste reduction regulation and planning and the operation of a regional network of solid waste facilities.

¹ Indigenous peoples for the purpose of this strategy include Indigenous (First Nations, Métis and Inuit) Nations and Indigenous communities (including urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit).

Responsibilities include ensuring an effective regional regulatory framework, promoting waste reduction, improving reuse and recycling systems, and managing residual waste.

The Metro Vancouver Board of Directors, advised by the Zero Waste Committee, approves policies, bylaws, plans, programs, budgets and issues related to solid waste management, including monitoring the implementation of the *Integrated Solid Waste and Resource Management Plan*. The Board will provide oversight of the plan update process, before considering, endorsing, and submitting it to the BC Minister of Environment and Climate Change Strategy for approval.

The current *Integrated Solid Waste and Resource Management Plan* was endorsed by the Board and member jurisdictions prior to receiving provincial approval, subject to Ministerial conditions, in July 2011. Provincial guidelines recommend initiating a plan review on or before the 10-year anniversary of the current plan's approval. In November 2019, the Metro Vancouver Board authorized initiating an update of the solid waste management plan and notifying the public and Indigenous Nations.

An updated solid waste management plan will draw on opportunities for accelerated waste reduction and diversion, while reducing greenhouse gases and promoting a circular economy. Themes of resiliency, equity, collaboration, climate action, regional growth, innovation, financial sustainability, and system stewardship will be central to the process. The updated solid waste management plan will align and seek linkages with other plans and initiatives including the Canada-wide Strategy on Zero Plastic Waste, the Government of BC's CleanBC and Plastics Action Plans, member municipalities' waste reduction initiatives, adjacent regional district solid waste management plans, and Metro Vancouver's *Board Strategic Plan*, *Resilient Region Strategic Framework*, *Metro 2050*, *Climate 2050*, and *Clean Air Plan*.

Governing Legislation

The provincial [Environmental Management Act](#) outlines local government responsibilities for solid waste management and requires regional districts to develop plans for the management of municipal solid waste and recyclable materials that are subject to approval by the BC Minister of Environment and Climate Change Strategy.

In parallel, municipal governments often have their own bylaws on solid waste, typically for municipally provided recycling and waste services, fees and charges, and proper management of waste in residential and/or commercial settings within the municipality.

The provincial [Greater Vancouver Sewerage and Drainage District Act](#) governs the disposal of garbage and recyclables in Metro Vancouver, including the purchase, construction, operation, maintenance, and administration of facilities for the disposal of all types of waste.

The provincial document [A Guide to Solid Waste Management Planning](#) provides guidance on amending and renewing solid waste management plans, including the planning and consultation processes, which have been incorporated into this public engagement program:

- Initiate the planning process
- Set the plan direction
- Evaluate options
- Prepare and adopt the plan

Before approving an updated plan, the BC Minister of Environment and Climate Change Strategy must be satisfied that there has been adequate public review and engagement during the development of the solid waste management plan. Following Board endorsement, Metro Vancouver will submit an engagement summary and draft updated solid waste management plan to the Minister for consideration.

2. Guiding Principles and Objectives of Engagement

Metro Vancouver is committed to a transparent and inclusive engagement for the update to a new solid waste management plan. To ensure such a process, stakeholders and communities of interest need to have equitable opportunities to participate and provide feedback into the engagement process. To deliver a robust engagement process that goes beyond Metro Vancouver's typical process, exceeds provincial requirements, and addresses previous industry concerns about engagement, a pre-engagement phase was introduced to help shape the engagement process. In addition, an Independent Consultation and Engagement Panel (Engagement Panel) was formed to guide development and implementation of engagement, and Metro Vancouver engaged on the development of a provincially-required public and technical advisory committee(s). A separate Indigenous engagement strategy will outline a separate, collaborative approach with Indigenous peoples, which will take place concurrent with public engagement.

Solid Waste Management Plan Independent Consultation and Engagement Panel

An [Engagement Panel](#), made up of four independent, third-party engagement experts selected by the Metro Vancouver Board Chair, was formed in 2020 to provide advice and recommendations to staff and the Board on engagement. The Engagement Panel reviews and advises on the development and implementation of the public engagement program, and will report to the Board on engagement during all phases of the solid waste management plan development to ensure engagement is robust and adequately solicits feedback from a variety of communities of interest and stakeholders. The panel has played a key role in the development of this engagement plan. Throughout engagement on the solid waste management plan update, opportunities will be created for stakeholders and communities of interest to present to the Engagement Panel to provide feedback on the engagement process.

Guiding Principles of Engagement

The public engagement program will be informed by best practices and regulatory requirements, and will reflect the following guiding principles based upon and adapted from Metro Vancouver's Board Policy on Public Engagement.

Accountability

Metro Vancouver will uphold the commitments it makes to the public and demonstrate that the results and outcomes of the engagement process are consistent with the approved plans for engagement.

Equity and Diversity

Metro Vancouver will implement an accessible and inclusive engagement process that considers equity and diversity at its core and encourages participation by equity-denied groups².

² Equity is the fair distribution of opportunity, privilege and resources to meet the needs of all people, regardless of age, ability, gender, income, education level, culture, geographic location or background. Equity recognizes that services and resources can also be distributed based on need. Adopting an equity-centered approach ensures that

Inclusiveness

Metro Vancouver will make its best efforts to reach, involve and hear from those who are impacted. Plain language will be used in engagement materials and the public engagement program will be designed to promote personal connection, trust and active listening. The public engagement program will include components of education so that audiences have sufficient knowledge of the subject matter to provide meaningful feedback.

Transparency and Openness

Metro Vancouver will provide clear and timely information, and communicate decision-making processes, procedures and constraints clearly. The public engagement program will be open to the ideas of all Metro Vancouver residents and others, with consideration for perspectives and audiences that are not always engaged.

Commitment

Metro Vancouver, within its ability and work plans, allocates sufficient resources for effective engagement.

Responsiveness and Flexibility

Metro Vancouver seeks to understand and be receptive to the public's input. Throughout the engagement process, Metro Vancouver will be flexible to adapt and adjust engagement approaches as new information or perspectives are presented.

The guiding principles are foundational to the engagement approach and will be referenced at each phase and reflected upon following each engagement phase.

Engagement Objectives

Metro Vancouver engages at levels in a [spectrum of public participation](#) adapted from the International Association of Public Participation. For the solid waste management plan, Metro Vancouver is committed to the consult/involve levels of engagement to obtain input and feedback on analysis, issues, alternatives and decisions, and ensure aspirations and concerns are considered and understood during the plan development. Based on the consult/involve levels of engagement, the objectives of the engagement are to:

- Guide the development of an updated solid waste management plan for consideration by the Metro Vancouver Board and Minister of Environment and Climate Change Strategy
- Learn about a broad range of perspectives from residents, communities of interest, and stakeholders and actively consider how the plan can integrate and respond to the learnings
- Foster an environment where a wide range of voices and perspectives are shared
- Facilitate a process of reciprocal learning where stakeholders and communities of interest can share their knowledge and experiences and learn about the benefits and challenges of the regional solid waste system and zero waste initiatives
- Strengthen and build collaborative relationships

equity-denied groups are not disproportionately impacted by Metro Vancouver operations and that initiatives within Metro Vancouver's mandate have the opportunity to contribute to the advancement of equity in the region.

- Come to understand perspectives, priorities and desired outcomes of stakeholders and communities of interest for waste management across the region, with a specific effort to increase participation by diverse and equity-denied groups, such as youth, urban Indigenous communities, small and independent business owners, and non-English language speakers

Engagement Approach

Based on pre-engagement feedback, the phases of engagement will be developed with the following approaches and considerations in mind:

- Early, continuous and iterative engagement and feedback opportunities
- Clearly defined engagement purpose and expectations, including what elements of the plan are open for discussion/consideration
- Respect for time required of busy stakeholders to provide feedback, and sufficient time allowed
- Transparency on how input is used to come to a final decision
- Fair, collaborative tone for engagement that fosters active listening with an open mind, without pre-determined outcomes
- Strategies to increase accessibility and engage underrepresented and equity-denied communities
- Review of baseline regional recycling and waste data and measurement methodologies

A summary of how input and feedback received during pre-engagement has shaped the engagement approach is provided in Appendix A.

Engagement Parameters

It is important to establish the scope of engagement, both what is in and what is out of scope, in order to be able to plan the engagement successfully and to manage expectations.

The scope of this engagement includes the following parameters:

- The solid waste management plan will build on the strengths of the current plan, and identify opportunities for accelerated waste reduction and recycling while reducing greenhouse gases and promoting a circular economy. Alignment with provincial and federal regulation and legislation, and municipal authority will be considered in the plan development.
- The public engagement program will provide opportunities for informed and meaningful engagement with governments, including government agencies, waste and recycling industry, waste producers, businesses, communities of interest, equity-denied and underrepresented groups, and Metro Vancouver residents to guide updates to the plan.

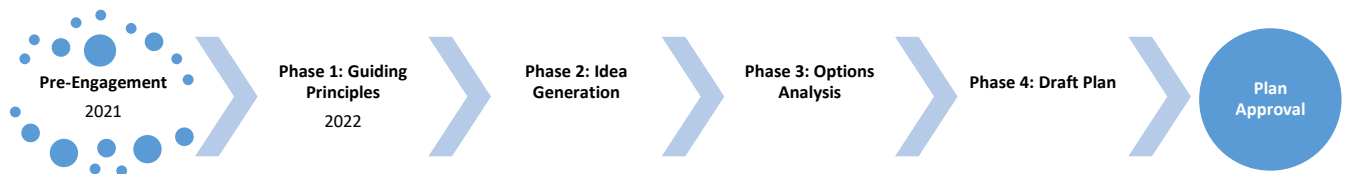
3. Engagement Phases, Timeline and Methods

The public engagement program includes a phased approach that is iterative and flexible. The public engagement program will provide participants with ample opportunity to access sound and impartial information, engage in discussions with Metro Vancouver, and provide input for consideration by Metro Vancouver staff and the Board to help shape subsequent phases of engagement and ultimately the updated solid waste management plan itself. Information on the engagement process and opportunities to provide input will be posted on the Metro Vancouver website as it becomes available. Meetings, feedback forms/questionnaires, correspondence and delegations to the Engagement Panel and Zero Waste Committee will be used as mechanisms to receive feedback on the solid waste management plan

and the engagement process. The public engagement program is flexible and will consider additional interests and issues that emerge during the solid waste management plan review and update.

Due to the ongoing COVID-19 pandemic, all engagement approaches will comply with public health guidelines. Metro Vancouver aims to leverage digital platforms to reach out to more audiences than traditionally possible with in-person meetings and events.

The proposed phases of engagement are outlined below, followed by objectives and methods for pre-engagement (complete) and Phase 1 (in development). Timing is flexible to ensure maximum participation in a robust, transparent, and meaningful process.



Methods

The following are potential methods of outreach and engagement that may be used during any of the phases of engagement and will be adjusted based on the objectives of each phase of engagement:

Engagement	Outreach
<ul style="list-style-type: none"> • Collaboration with others to host third-party workshops and events, and amplify messages (e.g. RCBC, Binners’ Project, cultural and religious organizations) • Focus groups • Focused, sector- and topic-specific discussions; working groups • In-person meetings, including presentations and discussions at community meeting • Market research surveys • Meetings with the Engagement Panel • Online engagement platform – includes options for multiple languages and visual web accessibility tools • Online meetings • Open houses and workshops • Questionnaires (online or hard copy at community locations) • Public/technical advisory committee meetings 	<ul style="list-style-type: none"> • Educational components (e.g. backgrounders, discussion guides) • Email notifications • Multiple language communications where possible and where it serves the audience • Press engagement • Printed materials or packages, to be used by individuals or groups to further engagement among their networks • Promotional materials tailored to different audiences, in a variety of media outlets • Social media • Videos • Website content

- Telephone polling where appropriate
- Updates at existing committee meeting
- Webinars

Through pre-engagement, Metro Vancouver learned from stakeholders that continual communication — often and through a variety of channels — promotes transparency. It was also suggested to work with others to host or facilitate engagement events and amplify communications.

A communications plan has been developed for the solid waste management plan public engagement program, detailing the specific communications tactics required to deliver on each phase of engagement.

Pre-Engagement (public April 27 – June 28, 2021; Indigenous April 27 – July 2, 2021)

- *Description:* Pre-engagement solicits feedback on preferred engagement approaches and asks what people need to know to meaningfully participate. This occurs before formal engagement begins.
- *Objectives:* Understand key stakeholder groups’ preferred communication channels, methods of participation, key information required, and what is needed to make participation easier. Gain insights from stakeholders and communities of interest on how the process can be designed to reach equity-denied groups.
- *Notification and Methods Used:*
 - Email and letter notifications advising that engagement on updated solid waste management plan will begin soon
 - Website content
 - Online questionnaire
 - One-on-one online meetings with interested parties and stakeholder groups
 - Opportunities for stakeholders to present to the Engagement Panel
 - Online workshops and presentations
 - Social media platforms

A full summary of the pre-engagement phase and results is included in the Zero Waste Committee report dated July 16, 2021, titled “Pre-Engagement Results – Solid Waste Management Plan Update”.

Engagement on Public and Technical Advisory Committee(s) (July 23 – September 15, 2021):

- *Description:* Metro Vancouver engaged on the structure and membership criteria prior to drafting the public and technical advisory committee(s) terms of reference. Note that engagement with Indigenous peoples is expected to be coordinated through a separate, collaborative process.
- *Objective:* Receive feedback on the structure, sectors/interests represented, and membership selection criteria for the public and technical advisory committee(s). This information was considered in drafting the terms of reference for the committee(s) (Appendix B).
- *Methods:*
 - Email notification
 - Online questionnaire
 - Invite written comments

Phase 1: Plan Guiding Principles Engagement (Mid-2022)

- *Description:* Guiding principles for the updated solid waste management plan (different from the engagement guiding principles described earlier in this report) reflect fundamental values that guide plan development and implementation. They will cut across all or most goals, strategies, and actions and can be translated into criteria to help evaluate goals, strategies, and/or actions. The BC Ministry of Environment and Climate Strategy's *A Guide to Solid Waste Management Planning* provides eight provincial principles for solid waste management for regional districts to incorporate in the development of their solid waste management plan, to be supplemented with other locally relevant guiding principles.
- *Objective:* Understand the fundamental values of the public, stakeholders and communities of interest to help guide the solid waste management plan development and establish the overarching vision and direction.
- *Potential Methods:*
 - Joint Zero Waste and Climate Action Committee workshop
 - Public/technical advisory committee meetings
 - Online or in-person workshops consisting of presentations, interactive exercises and feedback sessions with all levels of government and stakeholders. May be hosted in collaboration with others (e.g. Recycling Council of British Columbia, Binners' Project, religious and cultural organizations, industry associations)
 - Webinars, presentations and videos
 - Opportunities for stakeholders to present to the Engagement Panel
 - Website content
 - Online questionnaires or feedback forms
 - Additional methods to increase accessibility and engage underrepresented and equity-denied communities

Details for these subsequent phases will follow as they are developed with stakeholders, the public, and communities of interest.

Phase 2: Idea Generation Engagement (Late 2022)

Phase 3: Options Analysis Engagement (Mid-2023)

Phase 4: Engagement on Draft Plan (Early 2024)

After plan approval: Continued engagement during plan implementation (2024 onward)

The public engagement program is an iterative document and will be adapted and updated with each engagement phase as the solid waste management plan is developed.

4. Audiences

The following audiences have been identified who may be impacted by or have an interest in the review and update of the solid waste management plan and will be engaged to provide feedback during all phases of engagement:

- Community, environmental and non-profit groups, non-governmental organizations, youth and students, schools

- Government and regulatory agencies, including Indigenous peoples in BC, provincial and federal governments, member jurisdictions, adjacent regional districts, crown corporations, airport and port authorities, and health authorities
- Industry and business associations, boards of trade and chambers of commerce, professional associations and academic institutions
- Metro Vancouver residents
- Small to medium businesses, innovators, employees within organizations, experts in industry and technology
- Waste and recycling industry, including small and large haulers, processors, extended producer responsibility programs, disposal facilities, and waste/recycling industry associations, binner community, reuse/repair organizations and the Metro Vancouver Solid Waste and Recycling Industry Advisory Committee
- Waste producers, including various sectors such as food service and industry, grocery, construction, tourism, office and property management, real estate, retail, residents, and educational institutions
- And others who may be interested

Metro Vancouver has developed and regularly updates a database that includes contact information of individuals and organizations who fall within the categories described above. The public can also sign up to a number of solid waste newsletters and project notification lists, including one for the solid waste management plan update.

Metro Vancouver will strive to facilitate dialogue between jurisdictions and stakeholders with different perspectives and responsibilities, to allow parties to gain a better understanding of other perspectives and discuss interconnected systems and possible partnerships that can support zero waste, environmental health, and circular economy goals.

To reach and involve equity-denied or underrepresented groups not typically involved in Metro Vancouver solid waste processes, specifically youth, the binner's community, and non-English language speakers, efforts will be made to ensure opportunities for meaningful engagement. Possible methods, by group, to deliver this include:

- Youth – Tailor questionnaires, social media and campaigns; partner with influencers, leverage existing communities, communication channels and places of gathering; collaborate with prominent groups
- Binner's community – Collaborate with the Binner's Project to access existing networks and communications channels
- Non-English language speakers – Translate important materials, offer interpretation services, target media promotions

In addition, engagement will be designed to encourage more equal participation geographically across the region. Possible methods to achieve this include:

- Target social media promotions to each jurisdiction individually as the target market
- Host events in strategic geographic locations

- Partner with municipalities to reach out to stakeholders in their respective communities and draw on established networks and relationships
- Work with local community based groups to host small engagement events across the region; or prepare information packages for those local groups to consider at their existing meetings

Indigenous Engagement

While Indigenous peoples will be invited to participate in all public engagement activities, a separate draft Indigenous engagement strategy outlines a collaborative government-to-government engagement approach with Indigenous Nations whose territories include all or part of the Metro Vancouver region as well as a community engagement approach with urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit.

The Indigenous engagement strategy for the solid waste management plan update reflects Metro Vancouver’s commitment to engaging with Indigenous Nations who claim Aboriginal rights in the region, and Indigenous communities. Metro Vancouver aims to follow the principles of meaningful engagement laid out in the *Declaration on the Rights of Indigenous Peoples Act*, as well as its own policies and commitments towards reconciliation and engagement. Metro Vancouver will seek to create diverse and multiple engagement opportunities, to ensure that Metro Vancouver and Indigenous peoples can have a meaningful dialogue on the review and update of the solid waste management plan.

5. Public/ Technical Advisory Committee

The BC Ministry of Environment and Climate Change Strategy’s *A Guide to Solid Waste Management Planning* recommends establishing public and technical advisory committee(s) to assist with the planning process and ensure that diverse views are represented. Metro Vancouver will form a public/technical advisory committee, with subcommittees formed as required based on discussions with the committee, to advise on plan development and report to staff and the Zero Waste Committee. The committee will consist of a variety of representatives: industry, public community groups, and subject matter experts. A Zero Waste Committee member will participate in committee meetings and act as a liaison to the Zero Waste Committee. The public engagement program will be reviewed with the public/technical advisory committee at an early meeting and updated as needed throughout the plan update process. In addition, the public/technical advisory committee will provide input during each stage of the solid waste management plan’s development. Sectors and interests that may be represented on the committee, and personal qualities, perspectives and experiences of members are listed below. A terms of reference for the committee is provided in Appendix B.

Sectors/Interests Represented by Members

- Adjacent regional district elected official
- Agriculture
- Circular economy
- Construction and demolition industry
- Extended producer responsibility programs
- Food service
- Government agencies and health authorities
- Large waste generators (e.g. academic institutions, school boards, transportation hubs, entertainment sector)

- Multi-family residences (e.g. residents, landlords, property management associations)
- Non-governmental/non-profit organizations and environmental stewardship groups
- Organics processing
- Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)
- Recycling industry
- Reduction/repair/refill industry
- Retail/grocery
- Small- and medium-sized businesses and business improvement associations, chambers of commerce, boards of trade
- Tourism and hospitality
- Waste industry
- Workers/unions

Personal Qualities, Perspectives and Experience

- Demonstrates community/committee involvement and the ability to work collaboratively with others (e.g. openness to different/opposing views)
- Demonstrates personal commitment to zero waste/circular economy goals, sustainability, and climate action
- Demonstrates the ability to advance innovation
- Experienced with waste, waste reduction, and recycling (i.e. lived experience, technical expertise, or both)
- Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth, etc.)
- Represents the interests/perspectives of a group of people/sector

6. Reporting

Metro Vancouver documents feedback received during engagement processes through meeting summaries, online comments, feedback forms, questionnaires and correspondence (emails and letters to Metro Vancouver elected officials and staff). Metro Vancouver will use various methods to report back to audiences about how their input has been considered, including:

- Interim engagement summary reports to the Zero Waste Committee and Board, including documents tracking the issues, comments, and questions raised during engagement and the corresponding Metro Vancouver responses
- Regular updates to the project web page
- Responses to feedback received

A summary of feedback gathered through the engagement process will accompany the updated solid waste management plan that will be submitted to the BC Ministry of Environment and Climate Change Strategy for approval. The engagement summary will include:

- A summary of all engagement activities and results, including copies of notifications, advertisements, web content, reports, and meeting summary notes
- Identification of feedback raised during the engagement process

- Metro Vancouver responses to feedback received and how it is being addressed or incorporated in the draft updated solid waste management plan
- Copies of all original written feedback received during the engagement process

Feedback Summary of What We Heard and What We’re Doing

The following summary table shows how input and feedback shared during pre-engagement was considered and incorporated into the engagement approach.

What We Heard	What We’re Doing
Provide early, continuous, iterative engagement, and more notifications	Timely, ongoing and evolving engagement opportunities will consider the preferred channels to receive information and provide feedback shared in pre-engagement
Respect the time required of busy stakeholders	Thoughtful and efficient opportunities to engage online, and in person when safe to do so, will accommodate a variety of engagement preferences and limitations
Clearly define engagement purpose, expectations, and what issues are ‘on the table’	A clear scope and objectives of engagement will outline what is up for discussion at each engagement phase
Ensure transparency on how input was used and reasons for decisions	Timely and transparent reporting back will show how input and feedback affected the decision at each engagement phase
Listen, have an open mind, be fair and collaborative	A fair, collaborative tone for engagement will promote active listening and foster trust, without pre-determined outcomes
Work with partners to host/facilitate engagement events, and amplify/distribute communications	Collaborative relationships formed and strengthened with community groups and organizations will reach and involve their communities, including those not typically engaged
Create space for stakeholders with different interests to hear from each other, gain understanding of different perspectives, and form partnerships; also facilitate focused, sector-specific discussions	An engagement environment of reciprocal learning where a wide range of voices, perspectives and interests are shared, as well as focused, sector-specific discussions, will lead to sustainable decisions
Appreciation for the initial pre-engagement phase, and establishment of the Engagement Panel	A public engagement program guided by the Engagement Panel and informed by input and feedback gathered during pre-engagement will demonstrate continued responsiveness to feedback
Involve equity-denied communities, industry experts, innovators, small to medium businesses, small haulers and small processing facilities, and associations (industry, tourism, building, business improvement)	A plan to reach and involve a broad and diverse audience will ensure all potentially affected by or interested in a decision are heard, including equity-denied communities (youth, urban Indigenous, binners community, non-English language speakers)

<p>Provide information on current solid waste management in the region, the previous solid waste management plan, details on how solid waste is handled in other jurisdictions, and a range of additional topics</p>	<p>Sufficient, clear and sound information provided during engagement will enable informed and meaningful participation</p>
<p>Consider translation and use of graphics, although English language communication is sufficient at this time</p>	<p>A variety of methods (e.g. translation, interpretation, connect via cultural organizations) to reach and involve non-English language speakers will support an equal opportunity to participate, within our ability</p>
<p>Metro Vancouver did not hear distinctly from certain sectors during pre-engagement, such as cultural associations, non-English language speakers, resident community associations, food service, and construction and demolition</p>	<p>Methods to reach and engage these sectors beyond what was offered during pre-engagement will be explored to ensure engagement opportunities are appealing and effective</p>

Solid Waste Management Plan

Public/Technical Advisory Committee

Terms of Reference

November 17, 2021

1. PURPOSE

Over the next two to three years, Metro Vancouver will engage with governments (including Indigenous Nations), government agencies, waste and recycling industry representatives, waste producers, businesses, communities of interest, and Metro Vancouver residents to review and update the current [Integrated Solid Waste and Resource Management Plan](#) (2011). The updated solid waste management plan will build on the strengths of the current plan and identify opportunities for accelerated waste reduction and diversion, while reducing greenhouse gases and promoting a circular economy.

The purpose of the solid waste management plan public/technical advisory committee (committee) is to provide a forum for contribution from individuals from a range of backgrounds to inform the review and update of the solid waste management plan. The purpose of these terms of reference is to describe role of the committee.

2. TIMEFRAME

The committee will exist for the duration of the solid waste management plan update process.

3. SCOPE OF WORK

The committee will receive and review information, and advise on topics related to the development of the solid waste management plan. Committee members will be invited to pose questions, engage in discussion, and provide comments for consideration as the plan is developed. Potential topics for engagement with the committee include the circular economy, waste reduction and recycling, greenhouse gas emissions reduction, residuals management, asset and risk management, innovation, resilience, affordability, and collaboration and engagement.

Representatives of the 10 local Indigenous Nations will be invited to observe committee meetings at their preference. A separate Indigenous engagement strategy will help ensure a collaborative government-to-government engagement approach with Indigenous Nations whose territories include all or part of the Metro Vancouver region as well as a community engagement approach with urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit.

4. MEMBERSHIP

The committee will be composed of members representing a diversity of sectors and interests, who bring a variety of personal qualities, perspectives, and experiences to solid waste and recycling issues.

The following is a list of sectors/interests that could be represented by committee members:

- Adjacent regional district elected official
- Agriculture
- Circular economy

- Construction and demolition
- Extended producer responsibility programs
- Food service
- Government agencies and health authorities
- Large waste generators (e.g. academic institutions, school boards, transportation hubs, entertainment sector)
- Multi-family residences (e.g. residents, landlords, property management associations)
- Non-governmental/non-profit organizations and environmental stewardship groups
- Organics processing
- Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)
- Recycling industry
- Reduction/repair/refill industry
- Retail/grocery
- Small- and medium-sized businesses, and business improvement associations, chambers of commerce, boards of trade
- Tourism and hospitality
- Waste industry
- Workers/unions

The following is a list of possible desired personal qualities, perspectives and experience of committee members:

- Demonstrates community/committee involvement and the ability to work collaboratively with others (e.g. openness to different/opposing views)
- Demonstrates personal commitment to zero waste, circular economy goals, sustainability, and climate action
- Demonstrates the ability to advance innovation
- Experienced with waste, waste reduction and recycling (i.e. lived experience, technical expertise, or both)
- Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth, etc.)
- Represents the interests/perspectives of a group of people/sector

5. SELECTION PROCESS

Membership will last the duration of the solid waste management plan update process. Committee members should be prepared to participate through the full term.

Committee members with the exception of the chair and vice-chair will be filled through a call for applications. Potential committee members who belong to typically underrepresented or equity-denied communities will be identified through targeted recruitment, with support mechanisms put in place to lower barriers to participation.

The call for applications will be promoted publically, and shared with our member jurisdictions and partners. Potential committee members will be asked to specify their sector/interest during the call for applications and an individual could identify more than one sector/interest. Not all sectors/interests will necessarily be represented on the committee, and more than one individual could be selected to represent a sector/interest. Following receipt of applications, the applicants will be evaluated based on

the personal characteristics outlined in the above section on membership. Recommendations for members will be reviewed by the Independent Consultation and Engagement Panel in advance of the recommendations being considered by the Zero Waste Committee and Board in closed meetings, before being released to the public.

6. CHAIRS

The committee chair and vice-chair will be members of the Zero Waste Committee, recommended by the Board Chair and selected by the Board in a closed meeting.

7. ADVISORY ROLE OF COMMITTEE

The role of the committee is advisory to Metro Vancouver. No votes will be held to determine the group's position on issues or recommendations to Metro Vancouver. Where consensus exists, it will be noted; minority opinions will be considered to have merit and will be noted.

8. MEETINGS

- a. Meetings will be held approximately 4–6 times per year for the duration of the solid waste management plan update process.
- b. The meeting dates and times will be determined by the chair and vice-chair in consultation with committee members, and will be scheduled at intervals relevant for the solid waste management plan development.
- c. The chair and vice-chair will work with Metro Vancouver staff to draft meeting agendas and coordinate meeting materials, which will be circulated to the committee in advance of meetings.
- d. The meetings will be structured to encourage dialogue and collaboration on relevant issues within the constraints of the planned agendas.
- e. Meeting minutes and action trackers will be kept for each meeting. Minutes shall not reflect the names of individual speakers or their stance on issues; rather, they shall reflect the issues discussed, significant points of view on the issues and the resolutions or actions to be taken.
- f. Meetings will be held virtually or at Metro Vancouver offices located at 4515 Central Boulevard in Burnaby, British Columbia. If unable to attend a meeting in person, a member may participate via teleconference or videoconference.
- g. A meeting quorum will be 50%+1 of active members.
- h. Meetings will be open to any individual who wishes to observe the discussions either in person or through teleconference or videoconference, although only committee members will be provided standing to participate in the discussion. Non-members may request an opportunity to present to the committee through two weeks' advance written submission for consideration by the chair and vice-chair.
- i. Metro Vancouver staff are not members of the committee, but will attend meetings to provide information on various topics, respond to questions etc.
- j. The committee may invite groups and subject matter experts to present and provide advice and feedback on specific agenda items, at the discretion of the chair and vice-chair.
- k. All committee agendas will be published and publicly available in advance of meetings, and presentations and meetings minutes posted thereafter on Metro Vancouver's website.
- l. Metro Vancouver will coordinate the venue and meeting logistics, invitations, notetaker, refreshments, and all requests received for the committee.
- m. Committee members may be reimbursed by Metro Vancouver for reasonable, out-of-pocket expenses associated with participating in meetings.

9. WORK PLAN

An annual work plan for the committee will be developed by Metro Vancouver staff based on deliverables in the solid waste management plan development. The work plan will be reviewed annually by the committee, and will guide development of meeting agendas.

10. CODE OF CONDUCT

This code is intended to serve as a framework to guide the spirit and intent of how members are expected to deliver on the committee's purpose and objectives in an ethical and respectful manner.

- a. *Respect and Collaboration*: Discussions and debates shall take place in an atmosphere of mutual respect and solutions-oriented collaboration, recognizing the value of different perspectives and seeking to understand the interests and needs of all affected parties.
- b. *Transparency*: It is expected that all members speak honestly and transparently, engaging in good-faith dialogue and sharing information openly to encourage fact-based dialogue.
- c. *Treatment of other Members*: Members have a duty to treat other members with respect during committee meetings. Specifically, members have a duty to avoid:
 - disrupting meetings by making continual interruptions or whispered asides
 - making offensive or abusive remarks directed at other members
 - impugning the motives of other members or supporting staff
 - ignoring the legitimate direction of the chair or vice-chair

Members who object to the behaviour of another member as identified in this code of conduct are asked to identify their concerns immediately to the committee chair and vice-chair. A member whose behavior repeatedly does not meet the code of conduct requirements may be asked to resign or be removed from the committee by the chair or vice-chair.

11. MEMBERSHIP RESIGNATION

Members wishing to resign from committee membership should provide written notice of their intent to resign, including the effective date of their resignation, addressed to the committee chair and vice-chair.

12. BUDGET AND RESOURCES

Funding for general meetings is provided by Metro Vancouver. Any additional funding for special projects or studies is subject to Metro Vancouver approval.

13. MEDIA PROTOCOL

Media requests will be directed to Metro Vancouver's media relations team. Individual members will not speak on behalf of the committee, unless it has been discussed and approved by the committee chair and vice-chair in advance.

The committee chair and vice-chair will be the chief spokespeople on behalf of the committee. For high profile issues, the role of spokesperson rests with the Board chair, vice-chair or the chair of the Zero Waste Committee. On technical matters or in cases where an initiative is still at the staff proposal level, a senior staff member is the appropriate chief spokesperson.

14. DECLARING CONFLICT OF INTEREST

Committee and subcommittee members must declare any conflicts of interest, real or perceived, at the outset of the process or as soon as it becomes known to the member.

To: Zero Waste Committee

From: Sandy Young, Public Engagement Coordinator, Strategy and Stakeholder Relations,
Solid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Solid Waste Management Plan Public/Technical Advisory Committee**

RECOMMENDATION

That the GVS&DD Board approve the terms of reference for the solid waste management plan public/technical advisory committee with the following key elements:

- i. a single public/technical advisory committee;
- ii. a broad list of potential sectors/interests with representatives to be included in the committee;
- iii. personal characteristics to be used to recommend committee members to the GVS&DD Board;
- iv. a call for applications for committee members, with targeted recruitment of individuals from typically underrepresented or equity-denied communities; and
- v. Chair and vice-chair positions to be Zero Waste Committee members.

EXECUTIVE SUMMARY

The provincial guideline for the development of solid waste management plans requires either a combined technical and public advisory committee or separate committees. To maximize transparency and strengthen the process, Metro Vancouver engaged via a questionnaire on the structure of the committee(s), sectors/interests represented on the committee(s), and desired personal characteristics of committee members. Staff recommend a single committee be formed to simplify communications and enhance engagement. Additional sectors/interests and personal characteristics beyond those originally proposed were added considering engagement feedback. The criteria will be used to evaluate potential candidates. Committee member positions will be filled through a call for applications, with targeted recruitment of individuals from typically underrepresented or equity-denied communities. The committee chair and vice-chair will be Zero Waste Committee members. Recommendations for committee members will be reviewed by the Independent Consultation and Engagement Panel prior to consideration by the Zero Waste Committee and GVS&DD Board in a closed meeting.

PURPOSE

The purpose of this report is to seek GVS&DD Board (Board) approval of the proposed solid waste management plan public/technical advisory committee structure and desired characteristics of members.

BACKGROUND

In November of 2019, the Board authorized initiating an update of the regional solid waste management plan. In July 2021, a report to the Zero Waste Committee on the solid waste management plan pre-engagement results outlined plans to engage on the structure and composition of the provincially required solid waste management plan public and technical advisory committee(s). The July report included a list of potential sectors/interests as well as personal characteristics for engagement. This report describes the engagement feedback and provides recommendations for the structure and composition of the public/technical advisory committee.

PUBLIC/ TECHNICAL ADVISORY COMMITTEE

The solid waste management plan public/technical advisory committee is a critical component in the development of a solid waste management plan.

According to the Province of B.C.'s *Guide to Solid Waste Management Planning*:

The role of the advisory committees is to advise the regional district on matters pertaining to solid waste management planning, typically including but not limited to the design and implementation of the consultation process, the development of guiding principles, terms of reference for any planning studies, review of reports from each planning step and the draft plan.

The public/technical advisory committee will be in place for the duration of the solid waste management plan development.

Engagement Feedback

Consistent with Metro Vancouver's efforts to be fully transparent and consider as many perspectives as possible throughout the solid waste management plan development, engagement on the structure and membership selection criteria of the public and technical advisory committee(s) was initiated following receipt of the pre-engagement feedback by the Zero Waste Committee.

A questionnaire, open from July 23 to September 15, 2021, sought feedback on whether there be a single combined committee or separate public and technical committees, what sectors and interests should be represented by members, and what personal qualities and experience members should have. Written submissions were also invited in addition to or instead of completing the questionnaire.

A total of 76 respondents provided 184 responses to four open-ended questions. No separate written feedback was received. The questions posed in the questionnaire as well as a summary of feedback is included as Attachment 1. Questionnaire feedback was shared with the Independent Consultation and Engagement Panel for discussion.

Committee Structure

Questionnaire respondents were divided on whether one or two committees is preferred. Thirty-eight respondents preferred a single committee and 37 preferred two committees. One respondent did not answer the question. Feedback suggested a single committee would promote knowledge and information sharing, collaboration, and hearing diverse perspectives. Feedback also indicated two

committees would ensure public considerations are not overshadowed by technical discussions, leverage particular expertise, and potentially include more voices in the committee(s) structure.

The Independent Consultation and Engagement Panel also considered the question of one or two committees. Similar to questionnaire feedback, Independent Consultation and Engagement Panel members had diverse opinions on whether one or two committees is appropriate, but noted that either structure could work if effective and timely processes for communication and collaboration were established.

Under one or two committees, subcommittees to examine specific topics will be important to the success of the process.

Sectors/Interest Represented on the Committee

Questionnaire respondents suggested additional sectors/interests be added to the list proposed during engagement. Additions to the list of potential sectors/interests, bolded below, were made based on the frequency the suggestion appeared and gaps identified through the feedback. No sectors/interests have been removed, although multiple respondents suggested removing adjacent regional district elected official as a sector/interest, and excluding waste industry lobbyists.

The following is a list of sectors/interests that could be represented by committee members:

- Adjacent regional district elected official
- **Agriculture**
- Circular economy
- Construction and demolition
- Extended producer responsibility programs
- Food service
- Government agencies and health authorities
- Large waste generators (e.g. academic institutions, **school boards**, transportation hubs, entertainment sector)
- Multi-family residences (**e.g. residents, landlords, property management associations**)
- Non-governmental/non-profit organizations and environmental stewardship groups
- **Organics processing**
- Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)
- Recycling industry
- **Reduction/repair/refill industry**
- Retail/grocery
- Small- and medium-sized businesses **and business improvement associations, chambers of commerce, boards of trade**
- **Tourism and hospitality**
- Waste industry
- **Workers/unions**

Qualities, Perspectives and Experience of Members

Questionnaire respondents suggested some additions to the personal characteristics proposed during engagement. Additions to the proposed list of desired qualities, perspective and experience of members, bolded below, were added based on gaps identified through the feedback. Some respondents suggested omitting the criterion of belonging to a community that is typically underrepresented, and representing the interests/perspectives of a group of people/sector.

The following is a list of possible desired personal qualities, perspectives and experience of committee members:

- Demonstrates community/committee involvement and the ability to work collaboratively with others (**e.g. openness to different/opposing views**)
- Demonstrates personal commitment to zero waste, circular economy goals, **sustainability, and climate action**
- Demonstrates the ability to advance innovation
- Experienced with waste, **waste reduction** and recycling (i.e. lived experience, technical expertise, or both)
- Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth, etc.)
- Represents the interests/perspectives of a group of people/sector

Participation of Equity-Denied Communities

To advance equity and inclusion in the committee, potential committee members who belong to typically underrepresented or equity-denied communities will be identified through targeted recruitment, with support mechanisms put in place to lower barriers to participation.

Chair and Vice-Chair

The committee chair and vice-chair will be members of the Zero Waste Committee, recommended by the Board chair and selected by the Board in a closed meeting.

Indigenous Nations Participation

A collaborative government-to-government engagement approach with Indigenous Nations whose territories include all or part of the Metro Vancouver region as well as a community engagement approach with urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit, will be coordinated through a separate Indigenous engagement strategy. Representatives of the 10 local First Nations will be invited to observe meetings of the committee at their preference.

Terms of Reference

The draft terms of reference for the committee is included as Attachment 2. The terms of reference outlines the structure and membership of the committee as described in this report, as well as information on elements such as the advisory role, work plan, and meetings.

Committee Application Process

Committee member positions will be filled through a call for applications. Potential committee members will be asked to specify their sector/interest during the call for applications and an

individual could identify more than one sector/interest. Not all sectors/interests will necessarily be represented on the committee, and more than one individual could be selected to represent a sector/interest. Following receipt of applications, the applicants will be ranked based on the personal characteristics outlined in this report. Recommendations for members will be reviewed by the Independent Consultation and Engagement Panel in advance of the recommendations being considered by the Zero Waste Committee and Board in closed meetings.

ALTERNATIVES

1. That the GVS&DD Board approve the terms of reference for the solid waste management plan public/technical advisory committee with the following key elements:
 - i. a single public/technical advisory committee;
 - ii. a broad list of potential sectors/interests with representatives to be included in the committee;
 - iii. personal characteristics to be used to recommend committee members to the GVS&DD Board;
 - iv. a call for applications for committee members, with targeted recruitment of individuals from typically underrepresented or equity-denied communities; and
 - v. Chair and vice-chair positions to be Zero Waste Committee members.

2. That the GVS&DD Board receive for information the report dated November 9, 2021, titled “Solid Waste Management Plan Public/Technical Advisory Committee” and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Funding for general meeting and secretariat expenses can be carried out within the approved Solid Waste Services budget.

CONCLUSION

Provincial guidelines require the formation of a combined public and technical advisory committee or separate committees to inform the development of solid waste management plans. To surpass the typical process and exceed provincial requirement, Metro Vancouver engaged on the draft committee structure and desired personal characteristics of members. Following consideration of feedback received through a questionnaire and the Independent Consultation and Engagement Panel, staff recommend a single committee to simplify communications and enhance engagement. Proposed sectors/interests and personal qualities, perspectives and experience presented during engagement have been supplemented following the engagement process. Individual committee members will be selected by the Board in a closed meeting following recommendations for committee members made by staff and reviewed by the Independent Consultation and Engagement Panel.

Attachments (*Orbit #48766917*)

1. Feedback Summary of What We Heard and What We’re Doing
2. Solid Waste Management Plan Public/Technical Advisory Committee Terms of Reference

Feedback Summary of What We Heard and What We’re Doing

The following summary table shows how feedback shared on the public and technical advisory committee(s) structure and personal characteristics was considered and incorporated into the membership criteria.

What We Heard	What We’re Doing
<p>Committee Structure</p> <ul style="list-style-type: none"> • 38 respondents prefer a single overarching committee; 23 open-ended question responses were received from these respondents • 37 respondents prefer separate committees; 21 open-ended question responses were received from these respondents • Feedback suggested a single committee would promote knowledge and information sharing, collaboration, and hearing diverse perspectives • Feedback suggested two committees would ensure public considerations are not overshadowed by technical discussions, leverage particular expertise, and potentially include more voices in the committee(s) structure • Under one or two committees, regular meetings and subcommittees are supported • Independent Consultation and Engagement Panel members had diverse opinions on if one or two committees is appropriate 	<p>Staff recommend a single committee be formed to simplify communications and enhance engagement. As suggested in the feedback, a single committee would promote knowledge transfer, collaboration, and sharing of diverse perspectives. Subcommittees will be formed to examine specific topics.</p>
<p>Sectors/Interests Represented by Members</p> <ul style="list-style-type: none"> • 59 open-ended question responses were received relating to the proposed list of specific sectors/interests • Respondents expressed confirmation for six of the criterion • Respondents suggested 10 criterion be removed; this included multiple respondents suggesting to remove adjacent regional district elected officials, and exclude waste industry lobbyists • Nearly 10% of respondents who answered the question were satisfied with the proposed list of sectors/interests 	<p>Eight additions to the proposed list of sectors/interests, bolded below, were made based on the frequency the suggestion appeared and gaps identified through the feedback:</p> <ul style="list-style-type: none"> • Agriculture • Large waste generators (e.g. academic institutions, school boards, transportation hubs, entertainment sector) • Multi-family residences (e.g. residents, landlords, property management associations) • Organics processing • Reduction/repair/refill industry • Small- and medium-sized businesses and business improvement associations, chambers of commerce, boards of trade • Tourism and hospitality

	<ul style="list-style-type: none"> • Workers/unions <p>No omissions of sectors/interests were made based on the feedback.</p>
<p>Personal Qualities, Perspectives and Experience</p> <ul style="list-style-type: none"> • 41 open-ended question responses were received relating to the proposed list of personal qualities/perspectives/experience • Respondents expressed confirmation for two of the criterion • Respondents suggested two of the criterion be removed; this included multiple respondents suggesting to remove the criterion of belonging to a community that is typically underrepresented, and representing the interests/perspectives of a group of people/sector • Nearly one quarter of respondents who answered the question were satisfied with the proposed list of qualities/perspectives/experience 	<p>Three additions to the proposed list of desired qualities, perspective and experience of members, bolded below, were made based on gaps identified through the feedback:</p> <ul style="list-style-type: none"> • Demonstrates community/committee involvement and the ability to work collaboratively with others (e.g. openness to different/opposing views) • Demonstrates personal commitment to zero waste, circular economy goals, sustainability, and climate action • Experienced with waste, waste reduction and recycling (i.e. lived experience, technical expertise or both) <p>No omissions of qualities/perspectives/experience were made based on the feedback.</p>
<p>Other Considerations</p> <ul style="list-style-type: none"> • 40 open-ended question responses were received relating to other considerations for the public and technical advisory committee(s) • Responses included suggestions such as clear communication to committee members on if/how their advice was considered and/or incorporated 	<p>Feedback will be considered as the public/technical advisory committee and terms of reference are reviewed, and incorporated where feasible.</p>

The following are the questionnaire questions, followed by a summary of responses. Numbers in parenthesis represent the number of responses containing the summarized feedback, beyond one.

1. Committees Structure

<p><i>Questions: What is your preference for the committee(s) structure?</i></p> <p><i>a. Single overarching committee</i></p> <p><i>b. Separate public and technical committees</i></p> <p><i>What, if anything, would you like to tell us about the committee(s) structure?</i></p>
<p>38 respondents prefer a single overarching committee. 23 open-ended question responses were received from these respondents (some responses included multiple ideas):</p> <ul style="list-style-type: none"> • If separate, committees should inform each other and meet regularly (4) • A single committee allows knowledge sharing and joint decision making (3) • A single committee is more effective toward consensus/solutions (3) • A single committee is better for communication, trust, relationships, and information sharing (2) • A single committee is better for the public members to understand technical matters

- A single committee with subcommittees is preferred
- Larger committees are less efficient
- Separate committees may conflict
- Subcommittees should develop proposals for the committee
- The committee and subcommittee should meet together
- The committee should hear presentations from experts
- The structure depends on size
- Other comments related to sectors/areas of interest (8)

37 respondents prefer separate committees. 21 open-ended question responses were received from these respondents:

- Area of interest/sector-specific subcommittees will be effective (4)
- Technical and public members will have separate perspectives (3)
- Technical experts should advise the public (3)
- Technical matters should be handled by experts (3)
- Separate committees allow for enhanced dialogue/deliberation between committees
- Separate committees should meet
- Small, focused groups are preferred
- Technical and public members may have unbalanced technical expertise
- Other comments related to sectors/interests (4)

1 respondent did not answer

2. Sectors/Interests Represented by Members

Question: Below is an initial list of sectors/interests that could be represented by members of the advisory committee(s). Which sectors/interest, if any, should be added to or removed from this list?

- | | |
|---|---|
| • <i>Adjacent regional district elected official</i> | • <i>Non-governmental/non-profit organizations and environmental stewardship groups</i> |
| • <i>Circular economy</i> | • <i>Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)</i> |
| • <i>Construction and demolition industry</i> | • <i>Recycling industry</i> |
| • <i>Extended producer responsibility programs</i> | • <i>Retail/grocery</i> |
| • <i>Food service</i> | • <i>Small- and medium-sized businesses</i> |
| • <i>Government agencies and health authorities</i> | • <i>Waste industry</i> |
| • <i>Large waste generators (e.g. academic institutions, transportation hubs, entertainment sector)</i> | |
| • <i>Multi-family residences</i> | |

59 open-ended question responses relate to the specific sectors/interests (some respondents commented on more than one sector/interest):

- *Adjacent regional district elected officials* (6): remove (5), add adjacent regional districts policy staff
- *Circular economy* (2): confirm, remove
- *Construction and demolition industry* (6): confirm; add: architects, builders, construction representative, developers, engineers
- *Extended producer responsibility programs*: remove
- *Food service*: add single-use item packaging companies

- *Government agencies and health authorities* (3): remove, remove health authorities; add port authority
- *Large waste generators (e.g. academic institutions, transportation hubs, entertainment sector)*: no feedback received
- *Multi-family residences* (5): add landlords (2), property management companies/associations (2), residents
- *Non-governmental/non-profit organizations and environmental stewardship groups* (2): remove, environment should have multiple representatives
- *Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)* (8): confirm (3), community/residents associations (2), cultural segments, youth; remove
- *Recycling industry* (13): confirm, remove; add organics processing/composting (4), compostable packaging, food waste solution providers, organic waste/biosolids management, reclaimed wood industry, reduce/repair/refill, textile sorters/graders; limit representation
- *Retail/grocery*: remove
- *Small- and medium-sized businesses* (4): confirm; add businesses impacted by COVID-19, Chamber of Commerce, BIAs, Boards of Trade; remove
- *Waste industry* (27): confirm, remove; add workers/unions (16), incineration/energy producers (2), waste processors (2), biomedical waste, household hazardous waste, landfill, post-collection service providers; limit representation
- *Add other* (14): agricultural sector (4), Indigenous Nations (2), academics, design industry, industry associations, local economy, school boards, tourism and hospitality, water quality specialists, zero waste
- *Do not include/limit* (5): lobbyists (3), duplicate representation, lawyers and private industry
- I am satisfied with the proposed list of sectors/interests (5)
- I cannot answer

3. Personal Qualities, Perspectives and Experience

Question: Below is an initial list of personal qualities, perspectives and experiences of advisory committee members.

- | | |
|--|--|
| <ul style="list-style-type: none"> • <i>Demonstrates community/committee involvement and the ability to work collaboratively with others</i> • <i>Demonstrates personal commitment to zero waste/circular economy goals</i> • <i>Demonstrates the ability to advance innovation</i> | <ul style="list-style-type: none"> • <i>Experienced with waste and recycling (i.e. lived experience, technical expertise or both)</i> • <i>Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth etc.)</i> • <i>Represents the interests/perspectives of a group of people/sector</i> |
|--|--|

41 open-ended question responses relate to the personal qualities/perspectives/experience (some respondents commented on more than one criterion):

- *Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth etc.)* (9): remove (6), confirm youth, add BIPOC and diversity, prioritize
- *Experienced with waste and recycling (i.e. lived experience, technical expertise or both)* (3): confirm lived experience; add community member affected by disposal, experienced in waste reduction

- *Demonstrates community/committee involvement and the ability to work collaboratively with others (2):* add demonstrated ability to work collaboratively in multi-stakeholder environment and openness to different/opposing views, open-mindedness
- *Demonstrates the ability to advance innovation (2):* difficult to evaluate
- *Represents the interests/perspectives of a group of people/sector (2):* remove
- *Demonstrates personal commitment to zero waste/circular economy goals:* difficult to evaluate
- Add other (11): action-oriented, resourceful, practical, belongs to a community impacted by waste mismanagement, commitment to sustainability and climate change, desire to learn technical skills, expertise from other jurisdictions, holistic environmental and economic perspective, involvement with occupational health and safety, knowledge of regulatory environment and governance, social marketing and behavior change expertise
- I'm satisfied with the proposed list of qualities/perspectives/experience (9)
- Other comments related to sectors/interests (5)
- Other comment related to structure

4. Other Considerations

Question: What else, if anything, should Metro Vancouver consider when forming the advisory committee(s) for the solid waste management plan update?

40 open-ended question responses relate to other considerations for the public and technical advisory committee(s); a sampling of responses is as follows:

- Allow adequate time for committee members to explore, question and reach decisions
- An independent facilitator may be useful
- Bold actions and timelines needed
- Clarify ability of advisory committee to influence decisions by other teams/organizational bodies
- Committee members should be diverse and broad in scope
- Ensure output from committee(s) is available in multiple languages
- Feedback needed on if/how advice of advisory committee incorporated
- Provide education/onboarding for committee members new to solid waste
- Provide term of committee members, process for election of chair, and clarity on conflict of interest
- Trust must be built up after engagement challenges with previous plan

A record of all 184 open-ended question responses edited for consciences, clarity and confidentiality is available on request of Metro Vancouver staff.

Solid Waste Management Plan

Public/Technical Advisory Committee

Terms of Reference

November 17, 2021

1. PURPOSE

Over the next two to three years, Metro Vancouver will engage with governments (including Indigenous Nations), government agencies, waste and recycling industry representatives, waste producers, businesses, communities of interest, and Metro Vancouver residents to review and update the current [Integrated Solid Waste and Resource Management Plan](#) (2011). The updated solid waste management plan will build on the strengths of the current plan and identify opportunities for accelerated waste reduction and diversion, while reducing greenhouse gases and promoting a circular economy.

The purpose of the solid waste management plan public/technical advisory committee (committee) is to provide a forum for contribution from individuals from a range of backgrounds to inform the review and update of the solid waste management plan. The purpose of these terms of reference is to describe role of the committee.

2. TIMEFRAME

The committee will exist for the duration of the solid waste management plan update process.

3. SCOPE OF WORK

The committee will receive and review information, and advise on topics related to the development of the solid waste management plan. Committee members will be invited to pose questions, engage in discussion, and provide comments for consideration as the plan is developed. Potential topics for engagement with the committee include the circular economy, waste reduction and recycling, greenhouse gas emissions reduction, residuals management, asset and risk management, innovation, resilience, affordability, and collaboration and engagement.

Representatives of the 10 local Indigenous Nations will be invited to observe committee meetings at their preference. A separate Indigenous engagement strategy will help ensure a collaborative government-to-government engagement approach with Indigenous Nations whose territories include all or part of the Metro Vancouver region as well as a community engagement approach with urban Indigenous organizations, off-reserve and non-status First Nations, Métis and Inuit.

4. MEMBERSHIP

The committee will be composed of members representing a diversity of sectors and interests, who bring a variety of personal qualities, perspectives, and experiences to solid waste and recycling issues.

The following is a list of sectors/interests that could be represented by committee members:

- Adjacent regional district elected official
- Agriculture
- Circular economy

- Construction and demolition
- Extended producer responsibility programs
- Food service
- Government agencies and health authorities
- Large waste generators (e.g. academic institutions, school boards, transportation hubs, entertainment sector)
- Multi-family residences (e.g. residents, landlords, property management associations)
- Non-governmental/non-profit organizations and environmental stewardship groups
- Organics processing
- Public members-at-large (e.g. youth, seniors, and multicultural, accessibility, and resident/community associations)
- Recycling industry
- Reduction/repair/refill industry
- Retail/grocery
- Small- and medium-sized businesses, and business improvement associations, chambers of commerce, boards of trade
- Tourism and hospitality
- Waste industry
- Workers/unions

The following is a list of possible desired personal qualities, perspectives and experience of committee members:

- Demonstrates community/committee involvement and the ability to work collaboratively with others (e.g. openness to different/opposing views)
- Demonstrates personal commitment to zero waste, circular economy goals, sustainability, and climate action
- Demonstrates the ability to advance innovation
- Experienced with waste, waste reduction and recycling (i.e. lived experience, technical expertise, or both)
- Belongs to a community that is typically underrepresented (e.g. women, LGBTQ2S+, Indigenous persons, immigrants, visible minority, persons with disabilities, youth, etc.)
- Represents the interests/perspectives of a group of people/sector

5. SELECTION PROCESS

Membership will last the duration of the solid waste management plan update process. Committee members should be prepared to participate through the full term.

Committee members with the exception of the chair and vice-chair will be filled through a call for applications. Potential committee members who belong to typically underrepresented or equity-denied communities will be identified through targeted recruitment, with support mechanisms put in place to lower barriers to participation.

The call for applications will be promoted publically, and shared with our member jurisdictions and partners. Potential committee members will be asked to specify their sector/interest during the call for applications and an individual could identify more than one sector/interest. Not all sectors/interests will necessarily be represented on the committee, and more than one individual could be selected to represent a sector/interest. Following receipt of applications, the applicants will be evaluated based on

the personal characteristics outlined in the above section on membership. Recommendations for members will be reviewed by the Independent Consultation and Engagement Panel in advance of the recommendations being considered by the Zero Waste Committee and Board in closed meetings, before being released to the public.

6. CHAIRS

The committee chair and vice-chair will be members of the Zero Waste Committee, recommended by the Board Chair and selected by the Board in a closed meeting.

7. ADVISORY ROLE OF COMMITTEE

The role of the committee is advisory to Metro Vancouver. No votes will be held to determine the group's position on issues or recommendations to Metro Vancouver. Where consensus exists, it will be noted; minority opinions will be considered to have merit and will be noted.

8. MEETINGS

- a. Meetings will be held approximately 4–6 times per year for the duration of the solid waste management plan update process.
- b. The meeting dates and times will be determined by the chair and vice-chair in consultation with committee members, and will be scheduled at intervals relevant for the solid waste management plan development.
- c. The chair and vice-chair will work with Metro Vancouver staff to draft meeting agendas and coordinate meeting materials, which will be circulated to the committee in advance of meetings.
- d. The meetings will be structured to encourage dialogue and collaboration on relevant issues within the constraints of the planned agendas.
- e. Meeting minutes and action trackers will be kept for each meeting. Minutes shall not reflect the names of individual speakers or their stance on issues; rather, they shall reflect the issues discussed, significant points of view on the issues and the resolutions or actions to be taken.
- f. Meetings will be held virtually or at Metro Vancouver offices located at 4515 Central Boulevard in Burnaby, British Columbia. If unable to attend a meeting in person, a member may participate via teleconference or videoconference.
- g. A meeting quorum will be 50%+1 of active members.
- h. Meetings will be open to any individual who wishes to observe the discussions either in person or through teleconference or videoconference, although only committee members will be provided standing to participate in the discussion. Non-members may request an opportunity to present to the committee through two weeks' advance written submission for consideration by the chair and vice-chair.
- i. Metro Vancouver staff are not members of the committee, but will attend meetings to provide information on various topics, respond to questions etc.
- j. The committee may invite groups and subject matter experts to present and provide advice and feedback on specific agenda items, at the discretion of the chair and vice-chair.
- k. All committee agendas will be published and publicly available in advance of meetings, and presentations and meetings minutes posted thereafter on Metro Vancouver's website.
- l. Metro Vancouver will coordinate the venue and meeting logistics, invitations, notetaker, refreshments, and all requests received for the committee.
- m. Committee members may be reimbursed by Metro Vancouver for reasonable, out-of-pocket expenses associated with participating in meetings.

9. WORK PLAN

An annual work plan for the committee will be developed by Metro Vancouver staff based on deliverables in the solid waste management plan development. The work plan will be reviewed annually by the committee, and will guide development of meeting agendas.

10. CODE OF CONDUCT

This code is intended to serve as a framework to guide the spirit and intent of how members are expected to deliver on the committee's purpose and objectives in an ethical and respectful manner.

- a. *Respect and Collaboration*: Discussions and debates shall take place in an atmosphere of mutual respect and solutions-oriented collaboration, recognizing the value of different perspectives and seeking to understand the interests and needs of all affected parties.
- b. *Transparency*: It is expected that all members speak honestly and transparently, engaging in good-faith dialogue and sharing information openly to encourage fact-based dialogue.
- c. *Treatment of other Members*: Members have a duty to treat other members with respect during committee meetings. Specifically, members have a duty to avoid:
 - disrupting meetings by making continual interruptions or whispered asides
 - making offensive or abusive remarks directed at other members
 - impugning the motives of other members or supporting staff
 - ignoring the legitimate direction of the chair or vice-chair

Members who object to the behaviour of another member as identified in this code of conduct are asked to identify their concerns immediately to the committee chair and vice-chair. A member whose behavior repeatedly does not meet the code of conduct requirements may be asked to resign or be removed from the committee by the chair or vice-chair.

11. MEMBERSHIP RESIGNATION

Members wishing to resign from committee membership should provide written notice of their intent to resign, including the effective date of their resignation, addressed to the committee chair and vice-chair.

12. BUDGET AND RESOURCES

Funding for general meetings is provided by Metro Vancouver. Any additional funding for special projects or studies is subject to Metro Vancouver approval.

13. MEDIA PROTOCOL

Media requests will be directed to Metro Vancouver's media relations team. Individual members will not speak on behalf of the committee, unless it has been discussed and approved by the committee chair and vice-chair in advance.

The committee chair and vice-chair will be the chief spokespeople on behalf of the committee. For high profile issues, the role of spokesperson rests with the Board chair, vice-chair or the chair of the Zero Waste Committee. On technical matters or in cases where an initiative is still at the staff proposal level, a senior staff member is the appropriate chief spokesperson.

14. DECLARING CONFLICT OF INTEREST

Committee and subcommittee members must declare any conflicts of interest, real or perceived, at the outset of the process or as soon as it becomes known to the member.

To: GVS&DD Board

From: Karen Storry, Senior Engineer, Solid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws**

RECOMMENDATION

That the GVS&DD Board:

- a) approve the following regionally harmonized approach to municipal single-use item reduction bylaws:
 - i. ban on plastic checkout bags with prescribed minimum fees for recycled paper bags and reusable bags;
 - ii. ban on polystyrene foam service ware containers;
 - iii. ban on plastic drinking straws not required for medical and accessibility needs with alternatives such as paper drinking straws provided only on request by the customer;
 - iv. ban on plastic stir sticks with all other utensils provided only on request by the customer;and
- b) write the Minister of Environment and Climate Change Strategy requesting that municipalities be authorized to require businesses to charge prescribed minimum fees for single-use cups.

EXECUTIVE SUMMARY

A harmonized approach to single-use item reduction bylaws is important to reduce confusion for residents and improve efficiencies for businesses. A proposed regionally harmonized approach includes:

- bans on plastic checkout bags, stir sticks, drinking straws (except straws required for medical or accessibility needs), and foam service ware containers;
- minimum fees that the businesses keep for recycled paper bags and reusable bags;
- alternatives to plastic straws and all utensils only provided on a by-request basis; and
- reporting on the distribution of regulated bags on a by-request basis.

The regionally harmonized approach was developed through iterative engagement with member jurisdiction staff and industry stakeholders. Various revisions to the harmonized approach were made following feedback from municipal staff and industry. Both municipal staff and industry were supportive of a regionally harmonized approach.

Staff recommend that the GVS&DD Board write to the Minister of Environment and Climate Change Strategy requesting municipalities be authorized to require businesses charge a minimum fee for single-use cups, which the businesses would keep.

PURPOSE

The purpose of this report is to report back to the GVS&DD Board (Board) on a harmonized approach to municipal single-use item reduction bylaws.

BACKGROUND

In spring 2021, Metro Vancouver received letters from City of New Westminster, City of Delta and City of Coquitlam asking Metro Vancouver to lead the harmonization of municipal bylaws in the region. On May 28, 2021, the Board approved the following motion:

That the GVS&DD Board direct staff to collaborate with member jurisdictions, the B.C. Ministry of Environment and Climate Change Strategy and other stakeholders on the development of a standard for municipal single-use item reduction bylaws for the Board's consideration.

This report recommends an approach to municipal single-use item reduction bylaws and that the Board write the Minister of Environment and Climate Change Strategy requesting municipalities be authorized to require businesses charge a minimum fee for single-use cups.

HARMONIZED APPROACH TO MUNICIPAL SINGLE-USE ITEM REDUCTION BYLAWS

A harmonized regulatory approach for single-use items across the region benefits both residents and businesses. Metro Vancouver does not have the authority to regulate the sale or distribution of single-use items. The primary regulatory tool used in the region is municipal single-use item reduction bylaws.

Existing Single-Use Item Reduction Bylaws

A number of local communities have bylaws to reduce single-use items. In general, the bylaws are similar but not identical. Therefore, a regionally harmonized approach would help facilitate consistency between the municipal bylaws in the region. See Attachment 1 for a summary of existing and pending municipal single-use item bylaws.

Provincial Actions

The Minister of Environment and Climate Change Strategy signed *Ministerial Order No. M309-2021* (Ministerial Order) on July 26, 2021. This Ministerial Order allows local governments to enact certain single-use item reduction bylaws without seeking approval from the Minister of Environment and Climate Change Strategy. While the Ministerial Order allows for increased overall harmonization, municipalities may select different approaches for some items and provide different exemptions. Therefore, a regionally harmonized approach that aligns with the Ministerial Order will help reduce the potential for a patchwork of single-use item reduction bylaw requirements in the region.

On October 26, 2021, the Ministry of Environment and Climate Change Strategy announced updates to the provincial regulatory framework that will allow province-wide bans. The first phase of new regulations is expected in early 2023. A regional approach supports municipalities that want to enact bylaws in advance of province-wide regulations.

Input from Member Jurisdictions

Metro Vancouver hosted a member jurisdiction staff workshop on June 22, 2021, to review bylaw options. Workshop participants supported a regional approach including bans on plastic checkout bags, plastic stir sticks, plastic straws not required for medical or accessibility needs, and polystyrene

foam service ware containers. Most participants also supported additional measures to avoid simply swapping out banned plastic items for alternatives. These include providing utensils and alternatives to plastic straws only on request by the customer, and fees for recycled paper bags and reusable bags that the business keeps. Participants also suggested that a regionally harmonized approach should include exemptions and clarifications.

Following the workshop, a proposed harmonized approach to municipal single-use item reduction bylaws was developed and shared with member jurisdiction staff. Presentations on the approach were sequentially provided to the Municipal Waste Reduction Coordinators Committee, Regional Engineers Advisory Committee Solid Waste Subcommittee, Regional Engineers Advisory Committee, and Regional Administrators Advisory Committee. Revisions were made to the approach following feedback from those committees. There was general support for a harmonized approach at each of the staff committees.

A key update made following feedback from municipal staff was adding a requirement for businesses to keep records of the number of bags distributed, and the ability for municipalities to request data on the number of single-use bags distributed by businesses. This data would assist in understanding the extent of reduction in distribution of single-use bags over time, and would be based on financial data (fee data) that businesses typically collect and retain.

Some municipal staff suggested that a regional harmonized approach should go beyond what is allowed under the Ministerial Order, for instance, including a requirement for fees on single-use cups. Municipal bylaws with provisions not included in the Ministerial Order would require approval by the Minister of Environment and Climate Change Strategy, which at a minimum would delay implementation. Some municipal staff also suggested Metro Vancouver provide guidance on enforcement. Once municipal bylaws are in place, Metro Vancouver would work with municipalities to share information and support best enforcement practices.

Municipal staff requested that Metro Vancouver advocate for municipal authority to require prescribed minimum fees for single-use cups without specific Minister of Environment and Climate Change Strategy bylaw approval. Municipal staff suggested the Board write to the Minister of Environment and Climate Change Strategy to advance this request.

Feedback from Industry and Other Stakeholders

Metro Vancouver held a webinar on October 13, 2021, for industry and other stakeholders to provide input and feedback on the harmonized approach to municipal single-use item reduction bylaws. An online questionnaire was posted on the single-use items web page from September 28 – October 25, 2021 asking how the respondents' organization would be affected by regional harmonization, and if there was anything Metro Vancouver should consider when developing a regionally harmonized approach.

The majority of respondents supported the idea of a regionally harmonized approach. Common themes from the feedback included:

- support for harmonized approach to single-use items bylaws;
- request for clarification on current exemptions in existing bylaws;

- concerns over requirement for businesses to report the number of bags distributed;
- concerns that the proposed regional approach is not stringent enough and needs to include more items; and
- harmonizing fees on bags.

Reporting of bags distributed would be on an as-requested basis and with reporting based on the fees collected by the businesses.

Businesses asked for sufficient lead time to comply with bylaws. Under the Ministerial Order, a mandatory six-month minimum transition period following bylaw adoption is required prior to bylaw requirements taking affect.

Further modifications and clarifications to the proposed approach were made following feedback from industry and other stakeholders. For instance, one fee for single-use bags is included in the proposed approach rather than an initial lower fee increased after a transition period. Fee adjustments by retailers would result in costs each time the fees changed, for administration and reprogramming point of sale software.

Attachment 2 includes a summary of the input and feedback received from industry representatives and other stakeholders and Metro Vancouver's response to the feedback received.

Proposed Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws

Table 1 summarizes the proposed regionally harmonized approach to municipal single-use item reduction bylaws, which is based on the following principles:

- existing single-use item reduction bylaws in the region;
- approaches allowable under the Ministerial Order; and
- input from member jurisdiction staff and stakeholders.

Table 1 Summary of the Proposed Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws

Approach		Items
Ban		Plastic bags, plastic straws (not required for medical or accessibility needs), plastic stir sticks, and polystyrene foam service ware containers
Minimum fees		\$0.25 for recycled paper bags, \$2.00 for reusable bags
Only on request by the customer		All utensils regardless of material, alternatives to plastic straws
Reporting		The number of recycled paper and reusable bag distributed in the past 12 months on an as-requested basis based on the value of fees collected

The proposed regional approach also includes definitions, exemptions, and scope clarifications. The proposed Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws is included in Attachment 3.

ALTERNATIVES

1. That the GVS&DD Board:
 - a) approve the following regionally harmonized approach to municipal single-use item reduction bylaws:
 - i. ban on plastic checkout bags with prescribed minimum fees for recycled paper bags and reusable bags;
 - ii. ban on polystyrene foam service ware containers;
 - iii. ban on plastic drinking straws not required for medical and accessibility needs with alternatives such as paper drinking straws provided only on request by the customer;
 - iv. ban on plastic stir sticks with all other utensils provided only on request by the customer; and
 - b) write the Minister of Environment and Climate Change Strategy requesting that municipalities be authorized to require businesses to charge prescribed minimum fees for single-use cups.
2. That the GVS&DD Board receive the report dated November 9, 2021, titled “Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws”, for information and provide staff with alternate direction on regionally harmonized approaches to single-use item reduction.

FINANCIAL IMPLICATIONS

Municipalities would ultimately be responsible for implementing bylaws within their communities. Metro Vancouver’s role of facilitating the harmonization of bylaws can be completed within the current Solid Waste Planning budget.

CONCLUSION

Metro Vancouver worked with member jurisdiction staff and industry stakeholders to develop a regionally harmonized approach to municipal single-use item reduction bylaws. Staff recommend the Board approve the attached harmonized approach for municipal single use item reduction bylaws.

Attachments *(Orbit #49096173)*

1. Summary of Existing Bylaws
2. Feedback Summary of What We Heard and What We’re Doing
3. Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws

References

1. [Ministerial Order M306-2021](#)

48021045

Summary of Existing Bylaws

Table 1 summarizes the proposed and adopted single-use item reduction bylaws in the region. It also includes a summary of other bylaws in B.C. considered in the development of the Regional Approach to Municipal Single-Use Item Reduction Bylaws. And it provides a summary of the regulations proposed by the Government of Canada.

Table 1 Summary of development of Regional Approach to Municipal Single-Use Item Reduction Bylaws

	Bags	Straws	Utensils	Cups	Containers
Government of Canada (Proposed)	Ban	Ban	Ban	Problematic Plastics Ban (Eg. Foam and Black Plastic)	Problematic Plastics Ban (Eg. Foam and Black Plastic)
Chilliwack	Ban + Fees	Ban	Plastics ban + By-Request Only for Alternatives	Foam Ban	Foam Ban
Delta	Ban + Fees			Foam Ban	Foam Ban
Esquimalt	Ban + Fees				
Nanaimo	Ban + Fees				
Port Moody	Ban + Fees	Ban	Stir Stick Ban	Foam Ban	Foam Ban
Richmond	Ban	Ban		Foam Ban	Foam Ban
Rossland	Ban + Fees				
Saanich	Ban + Fees				
Surrey	Ban + Fees + Required Reporting			Foam Ban	Foam Ban
Tofino	Ban + Fees	Ban		Foam Ban	Foam Ban
Ucluelet	Ban + Fees	Ban		Foam Ban	Foam Ban
Vancouver	Ban + Fees + Required Reporting	Ban*	By-Request Only	Foam Ban + Cup Fee + Cup Share Participation or Reporting of single-use cups	Foam Ban
Victoria	Ban + Fees				

*With an accessibility requirement: Flexible plastic straws, individually wrapped in paper, must be stocked by food vendors and provided to customers when requested.

Feedback Summary of What We Heard and What We’re Doing

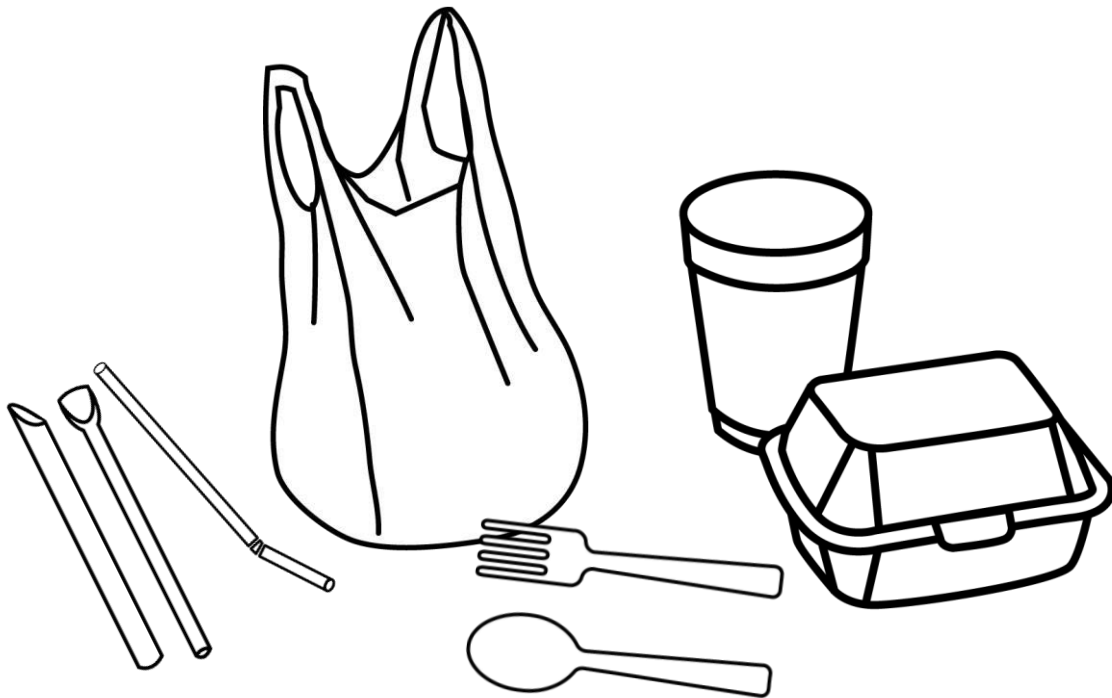
The following summary table shows how the input and feedback shared during the online questionnaire was considered for the harmonized approach.

What We Heard	What We’re Doing
Support for idea of harmonized approach to single-use items bylaws (9)	Support noted and appreciated
Request for clarification on exemptions in bylaws (4): <ul style="list-style-type: none"> • Clarity needed on if donations of used grocery bags are included in the bylaw for fees and reporting • Preference to exempt garment bags 	Clarified that donations of used grocery bags are exempt from both fees and reporting under the Ministerial Order Added to list of out of scope items: <ul style="list-style-type: none"> • single-use garment bags used to protect new garments during shipping; • reusable garment bags used to protect items such as suits and dresses
Concerns over the ability to require businesses report the number of bags distributed (2): <ul style="list-style-type: none"> • Reporting amounts of donated single-use items would be difficult for charitable organizations • The 12-month reporting period is onerous and costly for businesses (especially after COVID-19 pandemic stressors) 	Clarified that reporting would be based on the value of fees collected for regulated bags and not donated bags Concerns on reporting requirements will be passed on to our members, we encourage alignment with the regional approach to simplify the reporting process
Implementation of standardized requirements will make it easier and faster for businesses and municipalities to adopt (2) A harmonized approach will help educate customers and create consistencies to eliminate confusion (2)	Feedback appreciated on harmonization to benefit residents and businesses in the region
The proposed regional approach is not stringent enough and needs to include more items (3): <ul style="list-style-type: none"> • Suggestion to expand items on the banned list to include single-use plastic take out containers • Bylaws need to include more items to reduce restaurant waste • Concerns on the “self-serve” option not minimizing waste 	Feedback appreciated on which single-use items should be prioritized next and will be considered for future work
Quality and performance of products (4): <ul style="list-style-type: none"> • Suggestion to make reusable bags more affordable • Concerns about quality and performance of reusable straws and bags • Suggestion to define what “fabric” means for reusable bags to make them out of recyclable materials so they don’t end up in the landfill 	Working with City of Vancouver to share their Shopping Bag Bylaw Support Plan with member jurisdictions, aimed at minimize impacts on low income residents Looking to innovations that have addressed most performance issues for straws and bags Municipalities must align with the definition of “reusable bags” in <i>Ministerial Order M309-2021</i> for compliance
Harmonizing fees on bags (2): <ul style="list-style-type: none"> • Suggestion to eliminate phased-in fees on paper and reusable bags 	Updated the regionally harmonized approach to exclude optional introductory period with lower fees for the first 12 months

<ul style="list-style-type: none"> • Having one fee across all member jurisdictions makes it more cost efficient for businesses and easier for customers to understand 	
<p>Resources for businesses (5):</p> <ul style="list-style-type: none"> • Advocating for lead-in periods to be a minimum of 26 weeks for all single-use items bylaws • Allow for education and training time for businesses to implement changes • Allow for businesses to go through current stock of single-use items • Alleviate financial stressors on businesses as much as possible • Support businesses to promote using reusable items 	<p>Ministerial Order requires that municipalities set a date that is at least 6 months after the date the bylaw is adopted by council</p> <p>Encourage member jurisdictions to engage with businesses to understand any temporary exemptions needed to address supply chain challenges</p> <p>Provide resources through the superhabits campaign to encourage residents to bring reusable items</p>

Numbers in brackets represent the number of responses containing the summarized feedback.

Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws



November 2021

Metro Vancouver Solid Waste Services

This Document is Not a Substitute for Legal Counsel

The regionally harmonized approach to municipal single-use item reduction bylaws outlined in this document does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available in this document are for general informational purposes only. The regulation of single-use items is an evolving area. Information in this report may not constitute the most up-to-date legal or other information. Member jurisdictions should work with legal counsel to obtain advice with respect to the drafting and implementation of bylaws.

Introduction

A harmonized regulatory approach for single-use items across the region benefits both residents and businesses. Table 1 summarizes the regionally harmonized approach to municipal single-use item reduction bylaws. The overall goal of single-use item reduction bylaw approaches outlined in this document is to reduce single-use items overall. This means not just swapping single-use plastic items out for alternatives such as single-use paper and wood. The goal is to move up the waste hierarchy towards reusable, durable products. Therefore, where possible, approaches avoid swapping of one item for another.

Table 1 Summary of the Proposed Regionally Harmonized Approach to Municipal Single-Use Item Reduction Bylaws

Approach	Items
Ban	Plastic bags, plastic straws (not required for medical or accessibility needs), plastic stir sticks, and foam service ware containers
Minimum fees	\$0.25 for recycled paper bags, \$2.00 for reusable bags
Only on request by the customer	All utensils regardless of material, alternatives to plastic straws
Reporting	The number of recycled paper and reusable bags distributed in the past 12 months on an as-requested basis based on the fees collected

Definitions

“accessible straw” means a drinking straw made wholly of plastic that is not compostable or biodegradable, has a corrugated section that allows the straw to bend and maintain its position and is individually wrapped in paper;

“checkout bag” means a paper or plastic single-use supplementary bag;

“item” means the applicable of the following:

- (a) a bag;
- (b) a service ware container;
- (c) a utensil;
- (d) a drinking straw;

“plastic” includes compostable and biodegradable plastic;

“polystyrene foam”, when used in reference to an item, means an item made primarily of polystyrene foam;

“recycled paper bag” means a paper checkout bag that contains at least 40% recycled paper content, and has a reference printed on the outside of the bag to the applicable amount of recycled content with the word “recyclable”;

“reusable bag” means a bag that is designed and manufactured to be used and machine-washed at least 100 times;

“service ware container” means a container that is ordinarily provided for service of prepared food or beverages and includes a cup, plate, bowl, tray, carton or lidded container;

“single-use”, when used in reference to an item, means the item is provided for a single use or a short-term purpose;

“small paper bag” means a paper bag that is less than 15 cm by 20 cm when flat;


“stir stick” means an item that is designed and manufactured to stir beverages;

“supplementary”, when used in reference to an item, means an item that is provided to a customer by a business to facilitate the transport of a purchase from the business, or consumption of a product, including prepared food that is purchased for take-out or delivery;

“used bag” means a checkout bag or a reusable bag that has been previously used and is being reused;

“utensil” includes a spoon, fork, knife, chopstick or stir stick.

Checkout Bags

	Regionally Harmonized Approach to Reduce Single-Use Checkout Bags
	<ul style="list-style-type: none"> Ban on plastic checkout bags Prescribed fees (see Table 2) for recycled paper bags and reusable bags; Reporting on the number of recycled paper and reusable bags distributed in the past 12 months on an as-requested basis based on the fees collected.

Minimum Fee Levels

The minimum fees set out in Table 2 are to be kept by the businesses.

Table 2 Fees for checkout bag bylaws

	Item	Minimum Fee
Regionally harmonized minimum fee levels	Recycled Paper Bag	\$0.25
	Reusable Bag	\$2.00

The following bags are exempt from fees:

- used bags;
- small paper bags;
- recycled paper bags for privacy of prescription drugs and medical devices; and
- paper and reusable bags used to distribute items such as food and clothing to those in need.

Exemptions and Clarifications on Scope


Exempt plastic checkout bags include:

- large bags used to protect linens, bedding or other similar large items.

The follow list of checkout-bag-like and plastic wrapping that are out of scope:

- package loose bulk items such as fruit, vegetables, nuts, grains, or candy;
- package loose small hardware items such as nails and bolts;
- contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
- wrap flowers or potted plants;
- protect prepared foods or bakery goods that are not pre-packaged;
- transport live fish;
- carry home belongings from a hospital or care facility;
- protect newspapers or other printed material intended to be left at the customer's residence or place of business;
- protect clothes after professional laundering or dry cleaning;
- plastic garment bags used to protect new garments during shipping; and
- reusable garment bags used to protect items such as suits and dresses.

Foam Service Ware Containers

	<p>Regionally Harmonized Approach to Reduce Single-Use Service Ware Containers</p> <ul style="list-style-type: none">• Ban on foam service ware containers
---	---

Exemptions and Clarifications on Scope

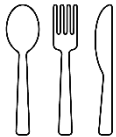
Foam service ware containers not included in the scope of food service ware containers include:

- Foam trays used for uncooked meat, poultry, seafood, or other food that requires further preparation are not part of the foam food service ware ban.
- Items packaged and sealed outside the jurisdiction of the bylaw.

Exemptions to banned foam service ware containers include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple item.

Utensils and Stir Sticks

	<p>Regionally Harmonized Approach to Reduce Single-Use Utensils and Stir Sticks</p> <ul style="list-style-type: none">• Ban on plastic stir sticks• Utensils (regardless of materials) available only on request by the customer.
---	---

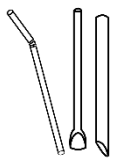
Exemptions and Clarifications on Scope

Self-serve stations are a form of only on request by the customer.

Exemptions to banned plastics stir sticks and utensils available only on request by the customer include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple item.

Drinking Straws

	<p>Regionally Harmonized Approach to Reduce Single-Use Drinking Straws</p> <ul style="list-style-type: none">• Ban on plastic drinking straws not required for accessibility and medical needs• Alternatives such as paper straws only provided by request
---	--

Guidance Regarding Accessibility and Medical Needs

It is important that any restrictions on plastic drinking straws consider accessibility and medical needs by:

- clarifying in all communications that the plastic drinking straw ban does not apply to accessible straws required for accessibility or medical needs;
- explaining to stakeholders why these straws are needed and encouraging businesses to stock accessible straws for those that need them; and
- including persons with disabilities and medical needs in engagement activities.

Exemptions and Clarifications on Scope

Exemptions to banned plastic drinking straws not required for accessibility or medical needs include:

- Hospital and care facilities under the Community Care and Assisted Living Act.
- The sale of single-use items that are sold as a product, ordinarily in sets of multiple items.

To: Zero Waste Committee

From: Chris Allan, Director, Solid Waste Operations, Solid Waste Services
Roy Moulder, Director, Purchasing & Risk Management, Financial Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Waste-to-Energy Facility – Primary Economizer Replacement**

RECOMMENDATION

That the GVS&DD Board authorize:

- a) an amendment to the existing contract with Covanta Burnaby Renewable Energy, ULC for the primary economizer replacement project at the Metro Vancouver Waste-to-Energy Facility in an amount of up to \$5,436,568.00 (including PST, but excluding GST), subject to the final review by the Commissioner; and
- b) the Commissioner and Corporate Officer to execute the required documentation once the Commissioner is satisfied that the award should proceed.

EXECUTIVE SUMMARY

The Metro Vancouver Waste-to-Energy Facility was commissioned in 1988 and consequently regular replacement of infrastructure is required for continued efficient operation of the facility. The primary economizers (key components of the energy recovery system) were installed in 2006 and their replacement is required to ensure the facility continues to maximize waste processing and power production, while minimizing downtime due to mechanical issues. Staff recommend amending the existing contract to include the primary economizer replacement project at a cost not to exceed \$5,436,568.00 (including PST, but excluding GST) to Covanta Burnaby Renewable Energy, ULC (Covanta). The existing agreement allows for Covanta to undertake maintenance and replacement work for the upkeep of the facility. The Covanta process meets the rigorous requirements of the Metro Vancouver procurement process and has resulted in a preferred proponent that provides best value to the corporation. Funding for the work is included in the Solid Waste Services 2022 capital budget.

PURPOSE

This report is to advise the Zero Waste Committee of the results of the competition undertaken by Covanta for the primary economizer replacement project at the Metro Vancouver Waste-to-Energy Facility and to recommend an amendment to the existing contract in an amount of up to \$5,436,568.00 (including PST, but excluding GST).

BACKGROUND

Pursuant to the *Officer and Delegation Bylaw No. 247, 2014* (Bylaw) and the *Procurement and Real Property Contracting Authority Policy* (Policy), procurement contracts which exceed a value of \$5,000,000 require the approval of the GVS&DD Board (Board). This report is being brought forward to consider a recommendation to the Board to authorize amendment of the existing contract with

Covanta for the replacement of the primary economizers. The primary economizers are part of the energy recovery system at the Waste-to-Energy Facility and the existing units require replacement.

PRIMARY ECONOMIZERS

The primary economizers are located in front of the air pollution control equipment and reduce the temperature of the flue gases before the gases enter the dry reactor used to control acid gases and mercury emissions. The existing primary economizers are 15 years old, and have reached the end of their operating life. This work was identified in the 2016 condition assessment performed by an independent consultant, and is included in the capital budget for the Waste-to-Energy Facility. The existing tubes are difficult to repair, and frequent failures are resulting in a loss of processing capacity at the Waste-to-Energy Facility. Over the past year, approximately 15% of the unscheduled downtime at the facility was due to tube leaks in the primary economizers. This has a direct impact on the waste processing capacity and electricity production of the facility.

As allowed for under the existing agreement, and to ensure uninterrupted operation of the Waste-to-Energy Facility, Covanta is best suited to manage the work, as construction work needs to be integrated with facility operations activities. In addition, as Covanta is responsible for the operation and maintenance of the installed works, there is greater accountability if Covanta acts as general contractor during construction. To ensure third parties procuring on behalf of Metro Vancouver and its legal entities adhere to the Policy, Covanta posted the project in two parts on BC Bid.

Proposals were received from the following companies:

<u>Design/Build</u>	<u>Removal/Installation</u>
Boiler Tube Company of America	Combustion Solutions Inc.
Combustion Solutions Inc.	
E-Tech Heat Recovery Systems	

The proposals for both design/build and removal/installation of the economizers were reviewed, and the preferred proponent, Combustion Solutions Inc., located in Squamish, BC, was selected. Combustion Solutions Inc. had the lowest priced bid for fabrication of the primary economizers, and was the only company to bid on installation of the new infrastructure. Selecting this proponent ensures best value for Metro Vancouver. The overall value of the work including Covanta’s contract specified mark-up is \$5,436,568.00 (including PST, but excluding GST) for the project.

ALTERNATIVES

1. That the GVS&DD Board authorize:
 - a) an amendment to the existing contract with Covanta Burnaby Renewable Energy, ULC for the primary economizer replacement project at the Metro Vancouver Waste-to-Energy Facility in an amount of up to \$5,436,568.00 (including PST, but excluding GST), subject to the final review by the Commissioner; and
 - b) the Commissioner and Corporate Officer to execute the required documentation once the Commissioner is satisfied that the award should proceed.

2. That the Zero Waste Committee receive for information the report dated November 9, 2021, titled “Waste-to-Energy Facility Primary Economizer Replacement Project Contract Award” and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

If the Board approves Alternative 1, a contract amendment with Covanta will be issued for the primary economizer replacement project at a cost not to exceed \$5,436,568.00 (including PST, but excluding GST). Funding for this project exists in the approved 2022 capital budget.

The Board has the choice not to proceed with Alternative 1; however, staff will need further direction in relation to the project. If the primary economizer replacement project does not proceed, the availability of the Waste-to-Energy Facility would be impacted as the existing equipment has reached the end of its operating life.

CONCLUSION

The existing primary economizers (key components of the energy recovery system) have reached the end of their operating life. Staff recommend Alternative 1, amending the existing contract with Covanta Burnaby Renewable Energy, ULC to include the primary economizer replacement project in an amount of up to \$5,436,568.00 (including PST, but excluding GST), under the terms and conditions of existing Contract 98106. If Alternative 2 is selected, the reliability of the Waste-to-Energy Facility would be impacted by the necessity for ongoing repairs.

47776570

To: Zero Waste Committee

From: Sarah Wellman, Senior Engineer, Solid Waste Operations, Solid Waste Services
Lillian Zaremba, Program Manager, Utility Residuals Management, Liquid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Waste-to-Energy Facility Biosolids Processing System**

RECOMMENDATION

That the GVS&DD Board authorize:

- a) the construction of a biosolids processing system for the Waste-to-Energy Facility at a cost of up to \$22 million; and
- b) the Commissioner and Corporate Office to execute any necessary documents.

EXECUTIVE SUMMARY

Using the Waste-to-Energy Facility to process up to 25,000 tonnes per year of biosolids will help diversify options for biosolids management as quantities increase with the development and upgrading of regional wastewater treatment plants. Managing biosolids at the Waste-to-Energy Facility will increase its processing capacity and electricity production, and improve operations.

Covanta, the Waste-to-Energy Facility operator, would construct the biosolids system to ensure coordination with facility operations. Covanta would use transparent procurement processes with oversight by Metro Vancouver. The capital and operating cost of processing biosolids will be paid by Liquid Waste Services on a cost recovery basis. The project capital cost, including biosolids management systems along with additional Waste-to-Energy Facility improvements to be completed in parallel, are up to \$22 million. The cost of managing biosolids at the Waste-to-Energy Facility is comparable to other options for biosolids management, and is included in the Liquid Waste and Solid Waste capital and operating financial plans.

PURPOSE

The purpose of this report is to seek GVS&DD Board (Board) approval to construct a biosolids processing system at the Waste-to-Energy Facility. A parallel information report was received for information by the Liquid Waste Committee at their November 4, 2021 meeting.

BACKGROUND

The *Integrated Liquid Waste and Resource Management Plan* directs Metro Vancouver to use liquid waste as a resource, and recover nutrients and energy from biosolids. New options for biosolids management are required because the annual biosolids production in the region is projected to increase from roughly 55,000 tonnes per year currently, to 100,000 tonnes per year in the next five years, and 150,000 tonnes per year by 2050. Land application of an additional 100,000 tonnes per year of biosolids would be challenging as land application projects are vulnerable to fluctuations in customer markets and public concern. On October 4, 2019, the Board endorsed biosolids drying as a

management option. The report dated September 13, 2019, titled “Biosolids Management Strategic Direction” also noted that Metro Vancouver was exploring the use of the Waste-to-Energy Facility to manage up to 25,000 tonnes per year of biosolids, and that processing of biosolids at the Waste-to-Energy Facility would not impact the business case for the development of a biosolids dryer.

BIOSOLIDS PROCESSING AT THE WASTE-TO-ENERGY FACILITY

Processing of biosolids at the Waste-to-Energy Facility would complement land application of biosolids and the planned regional biosolids drying facility. Land application recovers valuable nutrients, builds healthy soils, and sequesters carbon. The biosolids drying facility will recover energy and nutrients, which both fulfill the direction of the *Integrated Liquid Waste and Resource Management Plan*. Processing biosolids at the Waste-to-Energy Facility is slightly better than energy-neutral and has lower transportation emissions than disposal at distant landfills. The intent is to run the biosolids processing system at a minimum one-third capacity (8,500 tonnes per year) and to use the additional capacity of up to 25,000 tonnes per year as a contingency if biosolids land application sites become unavailable. Contingency use of the Waste-to-Energy Facility will avoid landfilling of biosolids, which is not a beneficial use, does not recover energy or nutrients, and results in greenhouse gas emissions.

Over the period 2017 to 2019, Metro Vancouver conducted testing of biosolids processing at the Waste-to-Energy Facility. Testing determined that up to 25,000 tonnes per year of biosolids can be processed at the Waste-to-Energy Facility (an increase of approximately 10% in overall facility capacity) with only minor impacts on waste quantities processed, and no impacts on air emissions or ash quality. Results of the testing program were submitted to the Ministry of Environment and Climate Change Strategy, and on March 31, 2021 the Ministry of Environment and Climate Change Strategy approved processing up to 25,000 tonnes per year of biosolids at the Waste-to-Energy Facility.

Process Details

Biosolids processing at the Waste-to-Energy Facility would involve the installation of storage tanks and appropriate pumping and conveyance infrastructure. Feed chute injectors have been installed already as part of replacement of the refuse feed chutes, work previously planned and now complete. With the injection of biosolids directly into the refuse feed chutes, there is no odour potential, and facility equipment, such as the refuse cranes, does not contact the biosolids, minimizing potential worker concerns. A similar system is in place at the waste-to-energy facility in Oahu, Hawaii, and has been operating successfully for a number of years with no odour complaints.

Capital and Operating Costs and Project Development

A third party engineering study estimated the capital costs of developing a biosolids processing system at the Waste-to-Energy Facility at \$19.8 million including contingency and escalation. Of the total cost, approximately \$16.4 million is dedicated equipment for the biosolids processing system and \$3.4 million is combustion air management upgrades that provide co-benefits to overall Waste-to-Energy Facility operations. On top of the \$19.8 million estimate, an additional \$2.2 million is included in the budget as supplemental contingency to ensure the project can be completed within budget.

The incremental operating cost to receive biosolids has been calculated at \$45 per tonne on top of capital costs. This includes labour, lost garbage processing capacity, ash management, and other operating and maintenance costs.

For projects that are integrated into the Waste-to-Energy Facility operations, such as the biosolids processing system, Metro Vancouver contracts with Covanta, the facility operator, to construct the project. Covanta undertakes procurement in a similar manner as Metro Vancouver, with opportunities advertised through BC Bid and proposals evaluated with the same level of rigor as Metro Vancouver. Metro Vancouver also engages third party engineering consultants to review proposed capital and operating costs to ensure they are reasonable.

As per the report dated September 13, 2019, titled “Biosolids Management Strategic Direction”, the cost of managing biosolids through land application and landfilling ranges from \$140 to \$160 per tonne. When the cost of carbon is included according to the *Carbon Price Policy*, those costs rise to \$155 to \$265 per tonne of biosolids. The effective cost of processing biosolids at the Waste-to-Energy Facility will depend on the amount of biosolids received at the facility, given the fixed capital costs. Based on a throughput ranging from 8,500 tonnes per year to 25,000 tonnes per year, the unit cost of processing biosolids is \$195 to \$100 per tonne, which is in a similar range as other options.

Benefits

The Waste-to-Energy Facility achieves several benefits from processing biosolids. Adding biosolids increases the overall utilization of the facility because the high moisture content of the biosolids means that five tonnes of added biosolids only reduces garbage processing capacity by one tonne. Recent decreases in the organics content in the municipal solid waste stream, due to the organics disposal ban and proportional relative increases in plastic content, have increased the energy value of the waste stream, reducing throughput for the facility. Electricity production at the Waste-to-Energy Facility is estimated to increase by 3% through the addition of biosolids. Pilot trials showed improvements in process controls with the addition of biosolids, as the consistent moisture content of the biosolids improves the overall consistency of the input materials to the facility.

The Waste-to-Energy Facility provides a local, reliable, low-risk and cost-effective option for managing biosolids. From a greenhouse gas perspective, the primary benefit of processing biosolids at the Waste-to-Energy Facility is reduced transportation emissions compared to trucking biosolids to distant landfills when disposal is required. For an input stream of up to ten percent biosolids at the Waste-to-Energy Facility, no supplemental natural gas is required to process the biosolids due to the high energy value of the municipal solid waste, resulting in no increase in greenhouse gas emissions at the facility. The 3% increase in electricity production from the addition of biosolids results in limited greenhouse gas benefits, as it is mainly displacing clean hydropower electricity. In the future, once heat recovery for district energy is in place at the Waste-to-Energy Facility, heat generated by the addition of biosolids would help displace natural gas use in district energy systems and reduce greenhouse gas emissions.

ALTERNATIVES

1. That the GVS&DD Board authorize:
 - a) the construction of a biosolids processing system for the Waste-to-Energy Facility at a cost of up to \$22 million; and
 - b) the Commissioner and Corporate Office to execute any necessary documents.

2. That the Zero Waste Committee receive for information the report dated November 9, 2021, titled "Waste-to-Energy Facility Biosolids Processing System" and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

If the Board approves Alternative 1, Solid Waste Services will proceed with the construction of the biosolids processing system in the amount of up to \$22 million. Of the total \$22 million, approximately \$16.4 million would be funded as Liquid Waste Services Capital and \$5.6 million as Solid Waste Services Capital. Since the project would be undertaken by Solid Waste Services, the Liquid Waste Services portion of the cost would be fixed. Solid Waste Services would report back to the Board following detailed design if the expected costs for the project exceed \$22 million. The Board would have the option to cancel the project if expected costs exceeded \$22 million in accordance with the stage gate process being implemented across the organization. Funding for this project is included in the 2022–2026 5-Year Financial Plan.

If the Board approves Alternative 2 and the biosolids processing system is not implemented, the diversification of options to handle biosolids will be reduced, increasing the potential for landfill disposal of biosolids.

CONCLUSION

Engineering work is complete for a system to process biosolids at the Waste-to-Energy Facility. Implementing the project would provide capacity for up to 25,000 tonnes per year of biosolids to be managed locally and provides benefits to the operation of the Waste-to-Energy Facility. Staff recommend Alternative 1, proceeding with implementation of a biosolids processing system at the Waste-to-Energy Facility at a cost of up to \$22 million.

46344286

To: Zero Waste Committee

From: Maria Lo, Project Engineer, Solid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **2020 Solid Waste and Recycling Annual Report**

RECOMMENDATION

That the Zero Waste Committee receive for information the report dated November 9, 2021, titled “2020 Solid Waste and Recycling Annual Report”.

EXECUTIVE SUMMARY

In 2020, Metro Vancouver’s solid waste system experienced a shift in waste and recycling from the commercial/institutional sector to the residential sector. These impacts are likely associated with the temporary closure of some businesses and institutions, the shift to online work and learning, and more time spent at home during the COVID-19 pandemic. In 2020 the region’s recycling rate increased 1% from 63% to 64%, while the per capita disposal rate decreased by 0.03 tonnes from 2019 to 0.45 tonnes per capita. The recycling rate rise was primarily due to increased recycling in the residential sector and decreased disposal in the commercial/institutional and construction and demolition sectors.

The COVID-19 pandemic may have also led to an increased use of single-use items including packaging, and plastic products. Recycled tonnages for the material types associated with packaging and paper products increased. Increased quantities of recycled packaging and other single-use products highlight the importance of waste reduction initiatives such as the Superhabits campaign, promoting single-use item reduction, and the Create Memories, Not Garbage campaign.

PURPOSE

The purpose of this report is to update the Zero Waste Committee on progress towards the waste reduction and recycling goals outlined in the *Integrated Solid Waste and Resource Management Plan* for the calendar year 2020.

BACKGROUND

Metro Vancouver is responsible for waste reduction, recycling planning, and the operation of a series of solid waste facilities in the region. Planning for less waste, improving reuse and recycling systems, and managing the remaining waste reflects the public’s expectations of high environmental stewardship and affordable and accessible waste management. Municipal solid waste includes waste generated by residents, commercial/institutional businesses, and construction and demolition activity. It excludes industrial and agricultural waste. Annual reporting allows Metro Vancouver to track progress towards its waste reduction and recycling goals. The report is typically provided at the end of the year for the previous year’s performance because data sources are not available until late in the next year.

ANNUAL SUMMARY

The primary objectives of the *Integrated Solid Waste and Resource Management Plan* are avoiding waste through waste reduction campaigns, programs and policies, and recovering materials and energy from waste that remains. The target for waste reduction is reducing the per capita waste generation rate to 90% or less of 2010 levels by 2020. The diversion (recycling) rate target is 80% by 2020, calculated as the portion of waste recycled as a fraction of the total waste generated. In 2020, the per capita waste generation rate was 89% of 2010 levels, exceeding targets. The recycling rate in 2020 was 64%, a 1% increase from 2019. The table below provides a summary of waste disposed, recycled, and generated, by sector. The full report will be posted on Metro Vancouver’s website at: <http://www.metrovancouver.org/services/solid-waste/about/reports-resources/Pages/default.aspx>

WASTE SECTOR		DISPOSED (tonnes)		RECYCLED (tonnes)		GENERATED (tonnes)		RECYCLING RATE (%)	
		2019	2020	2019	2020	2019	2020	2019	2020
Residential	tonnes	488,218	509,038	571,961	631,627	1,060,179	1,140,665	54%	56%
	tonnes/capita	0.18	0.18	0.21	0.23	0.40	0.41		
Single Family	tonnes	254,516	269,485	439,730	485,419	694,246	754,903	63%	64%
Multi-Family	tonnes	233,702	239,554	132,231	146,208	365,933	385,762	36%	38%
Commercial/Institutional	tonnes	385,073	354,268	289,764	278,507	674,837	632,776	43%	44%
	tonnes/capita	0.14	0.13	0.11	0.10	0.25	0.23		
Construction & Demolition	tonnes	425,713	382,007	1,329,696	1,350,904	1,755,409	1,732,911	76%	78%
	tonnes/capita	0.16	0.14	0.50	0.49	0.65	0.63		
Total	tonnes	1,299,005	1,245,314	2,191,421	2,261,038	3,490,425	3,506,352	63%	64%
	tonnes/capita	0.48	0.45	0.82	0.82	1.30	1.27		
	tonnes/household	1.27	1.16	2.15	2.10	3.42	3.26		

Waste Reduction

The *Integrated Solid Waste and Resource Management Plan* quantifies waste reduction by estimating the change in waste generation over time. Waste generated is the total of the waste disposed and recycled in the region. The total waste generated in 2020 was approximately 3.5 million tonnes or 1.27 tonnes per capita, a 3% drop in per capita generation from 2019. The COVID-19 pandemic affected many aspects of how the region worked, learned, and socialized starting in March 2020. Some businesses closed or scaled back significantly, while others shifted to home-based work and learning. This change shifted some of the waste typically generated in the commercial/institutional sector to the residential sector. The residential waste generation rate increased 0.01 tonnes per capita, while the commercial/institutional waste generation rate decreased 0.02 tonnes per capita.

Reuse

In 2017, Metro Vancouver added the reuse metric, which estimates the amount of material reused rather than recycled or disposed. The data used to estimate reuse include registered charities’ financial statements, extended producer responsibility program annual reports, statistical information, reuse program web pages, and communication with key organizations in the second-hand clothing industry, hospitality sector, food rescue agencies, online marketplace, etc. The COVID-

19 pandemic may have had a substantial impact on the reuse industry, especially in the category of clothing and fashion accessories, which made up the majority of the reuse tonnage in previous years. Starting in March 2020, many charities suspended acceptance of clothing and household item donations while others did not collect or have confident data to report. Conversely, the pandemic may have highlighted the issue of food insecurity, and accelerated the growth of the food reuse sector. The increase in food reuse correlates with Food Banks Canada’s HungerCount 2021 report showing a 20% climb in visits to the food bank. The overall reuse quantities decreased to 61,600 tonnes of material in 2020 compared to 87,500 tonnes in 2019. Reuse tonnage is reported separately from the generation rate and recycling rate calculations, and the methodology used to estimate reuse continues to be refined year after year.

Recycling

Despite the challenges brought on by COVID-19, our region achieved a recycling rate of 64% and recycled approximately 2.3 million tonnes (0.82 tonnes per capita) in 2020, compared to 2.2 million tonnes (0.82 tonnes per capita) in 2019. Materials with the highest recycling quantities were concrete, yard and food, and paper/paper products. The drop in commercial activity correlates with an 11,000 tonne decrease in overall recycling in the commercial/institutional sector. The residential sector experienced an increase of 60,000 tonnes in recyclable material between 2019 and 2020, particularly in material categories associated with single-use items and packaging. This observation echoes that of Recycle BC, the extended producer responsibility program that collects residential packaging and paper products. The COVID-19 pandemic may have also led to an increased use of single-use items and packaging. This data highlights the importance of waste reduction initiatives such as the Superhabits campaign, a behavior change initiative to encourage single-use item reduction, and the Create Memories, Not Garbage campaign.

Concrete recycling decreased and asphalt recycling increased. Data for concrete and asphalt recycling is challenging to collect as facilities voluntarily report the data. The data therefore has more uncertainty than other data collected either through licensed facilities or extended producer responsibility programs. To improve data transparency, Metro Vancouver proposed regulating these facilities as part of an update to the Metro Vancouver’s *Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*. The proposed updates to Bylaw 181 were deferred by the Minister of Environment and Climate Change Strategy.

The table below summarizes the recycled material quantities. Additional materials and quantities are included in the detailed report on Metro Vancouver’s website

MATERIAL TYPE RECYCLED	2019 (tonnes)	2020 (tonnes)
Asphalt	239,711	295,300
Concrete	825,896	802,701
Paper/Paper Products	255,263	313,830
Metal	55,708	73,636
Plastic	38,275	44,587
Wood	161,420	152,487
Yard & Food	412,556	389,732
All Other Materials	202,592	188,765
TOTAL	2,191,421	2,261,038

Disposal

The Vancouver Landfill, Metro Vancouver Waste-to-Energy Facility, and two remote landfills under contract to Metro Vancouver, accept municipal solid waste from residential and commercial/institutional sources. Construction and demolition waste is disposed of at the Vancouver Landfill and private facilities. In 2020, Metro Vancouver disposed of an estimated 1.2 million tonnes of waste or 0.45 tonnes per capita, which is 0.03 tonnes per capita lower than in 2019. While the overall per capita disposal rate decreased, the region experienced an increase in waste disposed by residents at home. This correlates to the slowing economy in 2020 and more time spent at home.

SOLID WASTE MANAGEMENT PLAN UPDATE

Metro Vancouver has initiated a multi-year process to update the solid waste management plan to accelerate waste reduction and diversion, while reducing greenhouse gases and promoting a circular economy that maximizes local benefit. Annual reporting combined with waste composition data provides key information to support decision-making and planning required for the updated solid waste management plan.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

Metro Vancouver's waste reduction and recycling initiatives are implemented within the annual budget for the Solid Waste Services department.

CONCLUSION

While the COVID-19 pandemic affected the way Metro Vancouver residents and businesses work, learn, and live, the region continued to make progress towards its waste reduction and recycling goals. In 2020, the waste generation rate was 1.27 tonnes per capita, while the recycling rate was 64%. Residents, commercial/institutional businesses, and construction and demolition activity generated approximately 3.5 million tonnes of waste, from which 2.3 million tonnes went to recycling, and the remaining 1.2 million tonnes went to disposal. The most significant change in 2020 was the shift of garbage and recycling from the commercial/institutional sector to the residential sector as residents spent more time at home during the pandemic. Metro Vancouver also continued the process of updating the solid waste management plan, which will provide an opportunity to explore new programs to further advance waste reduction and recycling in our region.

47645265

To: Zero Waste Committee

From: Terry Fulton, Senior Project Engineer, Solid Waste Services

Date: November 9, 2021 Meeting Date: November 17, 2021

Subject: **Ecowaste Landfill Agricultural Land Commission Application**

RECOMMENDATION

That the Zero Waste Committee receive for information the report dated November 9, 2021, titled “Ecowaste Landfill Agricultural Land Commission Application”.

EXECUTIVE SUMMARY

Ecowaste Industries Ltd. (Ecowaste) operates a landfill within the Agricultural Land Reserve (ALR) under a non-farm use authorization issued by the Agricultural Land Commission (ALC). Ecowaste is the primary in-region construction and demolition waste disposal facility and is currently permitted to operate within the ALR until 2035. The ALC denied Ecowaste’s application to extend landfill operations to 2055 due to the recent approval of the *Agricultural Land Reserve Use Regulation* prohibiting construction and demolition waste fill within the ALR. The City of Richmond requested a reconsideration of the ALC decision, but that request was denied.

Ecowaste has asked the Ministry of Agriculture to exempt existing permitted landfills from the requirements of the new regulation, and has requested Metro Vancouver support that request. Although the Agricultural Land Reserve (ALR) protects agricultural lands, a goal supported through *Metro 2040*, the regional growth strategy, Metro Vancouver has no authority with respect to ALC decisions, and as such staff recommend that Metro Vancouver take no position with respect to Ecowaste’s request to the Ministry of Agriculture.

PURPOSE

The purpose of this report is to provide more information regarding the Ecowaste application for a 20-year extension of landfill operations within the ALR, which was denied by the ALC.

BACKGROUND

At the July 16, 2021 Zero Waste Committee meeting, a delegation from Ecowaste requested Metro Vancouver express support for their request to the Ministry of Agriculture to exempt permitted landfills from a restriction on depositing construction and demolition waste on lands in the ALR. Staff was requested to report back with more information, including Metro Vancouver’s jurisdiction.

CONSTRUCTION AND DEMOLITION WASTE

Construction and demolition material is generated at construction sites throughout the region and is typically managed by private facilities; however, management of construction and demolition waste is a shared regional responsibility. Strategy 4.2 of Metro Vancouver’s *Integrated Solid Waste and Resource Management Plan* is to “Ensure a disposal site is available for [Construction and demolition] waste” and includes action 4.2.1 stating Metro Vancouver will “Assess long-term disposal of

demolition, landclearing, and construction waste remaining after recycling in collaboration with the private sector, neighbouring regional districts and First Nations communities.” Of the 1.8 million tonnes of construction and demolition material generated in 2019, 79% was recycled.

Agricultural Land Reserve and Metro 2040

The purpose of the ALR is to protect agricultural land for agricultural purposes as defined in the *Agricultural Land Commission Act* and associated regulations. Metro Vancouver’s vision for managing growth to the region, *Metro 2040*, strives to protect the region’s agricultural land base, while recognizing that the ALC has the authority to determine appropriate farm uses.

Ecowaste Landfill

The Ecowaste Landfill is a privately owned construction and demolition landfill located in southeastern Richmond. Ecowaste accepts construction and demolition material including residual material from private transfer stations. Most material received is landfilled; however, Ecowaste has begun to invest in material recycling facilities to recover an increasing fraction of commodities such as clean wood. This investment in recycling infrastructure helps to improve Metro Vancouver’s recycling rate and extends regional landfill capacity, as less material is required to be disposed annually. According to Ecowaste, the business case for these facilities depends on using the landfill for disposal of residual material, typically 20-60% of incoming material, as well as a sufficient operating timespan to reach the project’s payback period.

Ecowaste has operated a portion of its landfill in the ALR since 1993 under the condition that the site ultimately be returned to agricultural use. An application was approved by the ALC in 2015 that allowed for continued operation in the ALR until 2035. According to Ecowaste, due to higher than expected construction and demolition disposal over the past decade, the landfill has less than five years’ capacity remaining.

Agricultural Land Commission Application

On May 10, 2019, Ecowaste submitted an application to the City of Richmond that included a request to extend landfill operations in the ALR from 2035 to 2055. By operating several onsite material recycling facilities to decrease disposal and increase recycling, Ecowaste advises it would be able to maintain compliance with the conditions outlined in their landfill closure plan, approved by the Ministry of Environment and Climate Change Strategy. The City of Richmond endorsed the request and forwarded it to the ALC for a final decision.

On February 22, 2019, the BC Legislature approved the *Agricultural Land Reserve Use Regulation*, which prohibits the use of construction and demolition material as fill within the ALR (Attachment 1). Given Ecowaste’s application for an extension of the non-farm use authorization from 2035 to 2055 was inconsistent with this new regulation, their application was denied by the ALC (Attachment 2). Ecowaste has written to the Ministry of Agriculture suggesting an exemption be granted for operating permitted landfills located in the ALR. Ecowaste is seeking letters of support to include in their correspondence with the Ministry of Agriculture, including from Metro Vancouver.

As an Affected Party as defined in the *Agricultural Land Commission Act*, The City of Richmond submitted a Request for Reconsideration of the ALC's decision in March 2021. Their request was denied in October 2021 (Attachment 3).

Ecowaste has also submitted an application to exclude the landfill site from the ALR to the City of Richmond and the ALC on September 28, 2020. This application is currently under staff review and has not yet been presented to Richmond City Council for consideration. Richmond City Council must consider this application before it would be sent to the ALC for their consideration. If the application is not endorsed by Richmond City Council, it would not be forwarded to the ALC for their consideration.

Jurisdiction

Local governments must consider non-farm use applications originating from within their communities before they are reviewed by the ALC. If the ALC decision is to deny the non-farm use, a Request for Reconsideration can be submitted by an affected party within one year of the decision. Metro Vancouver, unlike municipalities, has no authority with respect to ALC decisions except within electoral areas, where Metro Vancouver takes on the local government role.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

If Ecowaste's request to extend the landfill life until 2055 is not granted, Ecowaste advises it may need to begin landfill closure or limit the tonnage of construction and demolition material accepted to preserve capacity. This may result in increased costs for construction and demolition material generators and other Ecowaste landfill users in the region.

CONCLUSION

Ecowaste applied for an extension of landfill operations within the ALR to 2055. The ALC denied the request based on a recently enacted prohibition on construction and demolition waste fill within the ALR. Ecowaste has written to the Ministry of Agriculture to request approved landfills be exempt from the *Agricultural Land Reserve Use Regulation's* prohibition on construction and demolition waste fill, and is seeking support from Metro Vancouver in this endeavor. The City of Richmond submitted a request for reconsideration of the ALC's decision; however, the request was denied. Metro Vancouver has no authority with respect to ALC decisions and, as such, staff recommend that the GVS&DD Board take no position on Ecowaste's request.

Attachments (*Orbit #48752486*)

1. Information Bulletin 07 – Soil or Fill Uses in the ALR, dated March 22, 2019
2. Ecowaste Non-Farm Use Decision Package, dated October 19, 2020
3. Reconsideration Request, dated October 1, 2021

47874208



INFORMATION BULLETIN 07

SOIL OR FILL USES IN THE ALR

March 22, 2019

Contents

1.	SCOPE OF THIS INFORMATION BULLETIN	2
2.	RECENT CHANGES TO STATUTE AND REGULATIONS	2
3.	PLACEMENT OF FILL OR REMOVAL OF SOIL IN THE ALR	3
	A. Fill Placement or Soil Removal That May Occur Without Authorization	3
	B. Fill Placement or Soil Removal That Requires Authorization	4
4.	REMOVAL OF AGGREGATE.....	4
	C. Aggregate Removal That May Occur Without Authorization	4
	D. Aggregate Removal That Requires Authorization	4
5.	PROCESS TO REQUEST AUTHORIZATION.....	5
	A. Notice of Intent Process	5
	B. Soil or Fill Use Application Process.....	6
	C. Soil or Fill Use Application Considerations.....	7
6.	ROLE OF LOCAL GOVERNMENT	8
	E. Notice of Intent.....	8
	F. Soil or Fill Use Application	8
	G. Consistency with Zoning and Other Bylaws	9
7.	LAND DEVELOPMENT WORKS.....	9
8.	RESIDENTIAL CONSTRUCTION	9
9.	COMPLIANCE AND ENFORCEMENT	10
10.	GLOSSARY	10

1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**), the Agricultural Land Reserve General Regulation (the **ALR General Regulation**) and the Agricultural Land Reserve Use Regulation (the **ALR Use Regulation**), in relation to fill placement or soil or aggregate removal in the agricultural land reserve (**ALR**). The ALCA, the ALR General Regulation and the ALR Use Regulation will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA, the ALR General Regulation and the ALR Use Regulation. All other applicable provincial and federal laws and regulations, as well as applicable local government bylaws, must also be complied with.

2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA has been amended and the ALR Use Regulation has been created. Though many concepts contained in the ALCA and its regulations are unchanged from the past, there have been significant changes in relation to fill placement, soil removal, and aggregate removal. All references in this information bulletin to the ALCA and its regulations are as of February 22, 2019, unless otherwise stated.

The following is a summary of key fill placement, soil removal, and aggregate removal changes to the ALCA and ALR Use Regulation:

- Farm use is no longer defined in any circumstance to include soil removal or fill placement.
- Non-farm use is no longer defined in any circumstance to include soil removal or fill placement.
- Only in very limited circumstances, which are expressly identified in the ALR Use Regulation, can fill placement or removal of soil or aggregate be undertaken without interaction with the Agricultural Land Commission (ALC) via a *Notice of Intent* or a *Soil or Fill Use Application* as outlined in this bulletin.
- Prohibited fill has been defined.

The changes to the ALCA and the regulations mean that previous ALC bylaws, policies and information bulletins in relation to fill placement, soil removal and aggregate removal are superseded.

Anyone who intends to place fill on land in the ALR or to remove soil or aggregate from land in the ALR must comply with the ALCA and its regulations.

3. PLACEMENT OF FILL OR REMOVAL OF SOIL IN THE ALR

A. Fill Placement or Soil Removal That May Occur Without Authorization

See Section 4 of this bulletin for information on Aggregate Removal.

The following fill placement or soil removal activities are permitted uses and are considered “**Exempted Activities**” or an “**Exempted Activity**” and do not require authorization from the ALC:

- constructing or maintaining a structure for farm use OR for a principal residence **if** both of the following conditions are met:
 - (i) the total area from which soil is removed, or on which fill is placed, is 1,000 m² or less; AND
 - (ii) if the area from which the soil is removed, or on which the fill is placed, is in a floodplain, the resulting elevation level is consistent with the minimum elevation level established under all applicable local government enactments and first nation government laws, if any, respecting flood protection in the floodplain;
- See the Section 9 “Glossary”, found at the end of this bulletin, for the definition of “**structure for farm use**” and “**principal residence**”.
- constructing or maintaining berms for producing cranberries, if any fill placed on the area is (i) no higher than 2 m above the natural grade, and (ii) no wider than 10 m at the base;
 - constructing or maintaining flood protection dikes, drainage, irrigation and livestock watering works for farm use, if the total annual volume of soil removed or fill placed is 320 m³/16 ha or less;
 - maintaining an existing farm road, if the total annual volume of soil removed or fill placed is 50 m³ or less;
 - using clean sand as a top-dress for berry production, if the total annual volume of soil removed or fill placed is 100 m³/ha or less;
 - applying soil amendments, if incorporated into the soil to a depth of 30 cm or less. “Soil amendment” means compost, fertilizer, manure, mulch and soil conditioners;
 - conducting soil research and testing, if the soil removed or fill placed is limited to the amount necessary for the research or testing.

For any of the above purposes, fill must not include any of the following, which are defined as **Prohibited Fill** in the ALR Use Regulation:

- (a) construction or demolition waste, including masonry rubble, concrete, cement, rebar, drywall and wood waste;
- (b) asphalt;
- (c) glass;

- (d) synthetic polymers (e.g., plastic drainage pipe);
- (e) treated wood;
- (f) unchipped lumber.

B. Fill Placement or Soil Removal That Requires Authorization

Other than those fill placement and soil removal activities described as Exempted Activities, a person must not place fill on, or remove soil from, land in the ALR without successfully completing one of the following processes:

- **Notice of Intent** – A landowner who wishes to place fill or remove soil in the ALR must submit a *Notice of Intent* to the CEO of the Commission in accordance with the process set out in this bulletin in Section 5.
- **Soil or Fill Use Application** - A landowner is always at liberty to make an application for fill placement or soil removal to be decided by the Commission under s. 25 of the ALCA. If the Commission approves the *Soil or Fill Use Application*, the landowner may proceed with the approved use on the terms of that approval.

If a landowner is unsure as to which type of authorization they should seek, they should contact the Commission staff for guidance at ALC.Soil@gov.bc.ca.

A person who places fill or removes soil from land in the ALR without successfully having completed one of these processes, may be subject to a penalty or order to remediate the land or remove the unauthorized fill.

4. REMOVAL OF AGGREGATE

C. Aggregate Removal That May Occur Without Authorization

If a person engages in aggregate removal within the following parameters, a *Notice of Intent* is not required and the removal will not breach the ALCA (ALR Use Regulation, s. 26) (a "**Section 26 Aggregate Removal**") if:

- the total volume of aggregate removed from any single parcel is less than 500 m³; and,
- regardless of the volume of aggregate removed, the disturbed area is rehabilitated in accordance with good agricultural practice as soon as reasonably practicable after (i) aggregate removal is complete, if the aggregate is removed as part of a single continuous operation, or (ii) each stage of aggregate removal is complete, if subparagraph (i) does not apply; and,
- the cultivable surface layer of soil is salvaged, stored on the parcel and available for rehabilitation in accordance with the bullet point above.

D. Aggregate Removal That Requires Authorization

A person must not remove aggregate from land in the ALR, with the exception of activities related to Section 26 Aggregate Removal, without successfully completing either a *Notice of Intent* or *Soil or Fill Use Application*, as described in this bulletin.

A person who removes aggregate from land in the ALR without successfully having completed one of these processes, may be subject to a penalty or order to remediate the land or remove the unauthorized fill.

5. PROCESS TO REQUEST AUTHORIZATION

If a landowner is unsure as to which type of authorization they should seek, they should contact ALC staff for guidance at ALC.Soil@gov.bc.ca.

A. Notice of Intent Process

If a landowner intends to place fill or remove soil or aggregate for reasons other than an Exempted Activity, the landowner must submit the *Notice of Intent* prior to initiating an activity. The *Notice of Intent* is submitted through the ALC Application Portal along with the prescribed \$150 fee: ALCA s. 20.3(1)(c), ALCA General Regulation, s. 33.1(6). This is the required manner of submission under s. 20.3(1)(c) of the ALCA. Please see www.alc.gov.bc.ca/alc/content/applications-and-decisions on the ALC website for more information.

The purpose of a *Notice of Intent* is to seek authorization prior to lawful placement of fill or removal of soil or aggregate, and not as a mechanism to seek retroactive approval.

I. Receipt of a Complete Notice of Intent

The CEO and employees of the Commission to whom authority is delegated under s. 20.3(6) of the ALCA (together referred to as the CEO as applicable in this bulletin) have certain powers and functions once both the *Notice of Intent* and fee have been received. The CEO will acknowledge the *Notice of Intent* when it has been received in the required form and manner and the fee has been paid. The *Notice of Intent* is not considered to be complete unless it is submitted to the CEO in the required form and manner and the fee has been paid.

The 60 calendar day period for reviewing the *Notice of Intent* does not start running until the *Notice of Intent* has been acknowledged as complete.

II. Additional Information Request from CEO

Upon review of a complete Notice of Intent, the CEO may request additional information from the landowner who submitted the *Notice of Intent*: ALCA s. 20.3(2)(a). The CEO has 60 days from when the *Notice of Intent* (in the form and manner) is found to be complete to request additional information.

Once all of the additional information requested by the CEO is provided, the CEO has 60 days either to:

- approve the placement of fill or the removal of soil or aggregate (either as set out in the *Notice of Intent* or subject to limits and conditions) (the “**CEO Approval**”) or
- issue a written order that the person stop or not engage in placing fill or removing soil or aggregate (the “**CEO Refusal**”): ALCA s. 20.3(2), (4).

The 60 day period for issuing either the CEO Approval or the CEO Refusal does not start running until the CEO has received all of the additional information requested.

If the CEO does not issue either a CEO Approval or a CEO Refusal within the 60 day period from receipt of all the additional information requested, fill placement or removal of soil or aggregate as described in the *Notice of Intent* will not contravene the ALCA or the regulations except if Prohibited Fill is placed on the property.

III. CEO does not request additional information

If the CEO does not request additional information from the person who submitted the *Notice of Intent*, the CEO must within 60 days from receipt of the *Notice of Intent* (in the required form and manner) and fee, either:

- approve the fill placement or soil or aggregate removal activity (either as set out in the notice or subject to limits and conditions)(**CEO Approval**), or
- issue a written order that the person stop or not engage in placing fill or removing soil or aggregate (**CEO Refusal**): ALCA s. 20.3(2), (4).

IV. Compliance with CEO Approval

A landowner who receives a CEO Approval may place fill or remove soil or aggregate in accordance with the terms of that approval. The CEO Approval will indicate terms and conditions of the fill placement or soil or aggregate removal activity.

V. CEO Refusal

If the landowner who receives a CEO Refusal still wishes to place fill or remove soil or aggregate, he or she must submit and have an approved *Soil or Fill Use Application* to the Commission.

B. Soil or Fill Use Application Process

A *Soil or Fill Use Application* is a form of "use application" to be decided by the Commission under s. 25 of the ALCA. A *Soil or Fill Use Application* may be made in any of the following circumstances:

- if a landowner in the ALR wishes to seek Commission approval via a use application rather than going through the *Notice of Intent* process;
- if a landowner in the ALR commences but changes their mind before completion of the *Notice of Intent* process and wishes to seek Commission approval via a use application;
- if at the conclusion of the *Notice of Intent* process, the CEO has issued a CEO Approval and the landowner is not satisfied with the terms and conditions of that approval and wishes to have different terms and conditions; or
- if at the conclusion of the *Notice of Intent* process, the CEO has issued a CEO Refusal.

If a *Notice of Intent* and associated fee have already been submitted, the *Soil or Fill Use Application* fee is \$1,350; otherwise the fee is \$1,500: ALR General Regulation, s. 33(1.1).

The *Soil or Fill Use Application* must be submitted through the ALC Application Portal. Please see www.alc.gov.bc.ca/alc/content/applications-and-decisions on the ALC website for more information. This is the required manner of submission under s. 20.3(5) of the ALCA.

On receiving a *Soil or Fill Use Application*:

- the Commission must reject the application if the fill to be placed includes any form of **Prohibited Fill**; or,
- the Commission must do one of the following:
 - (a) refuse permission for the fill placement or removal of soil or aggregate;
 - (b) grant permission, with or without terms or conditions, for the use applied for, or
 - (c) grant permission for an alternative use, with or without terms or conditions, as applicable: ALCA, s. 25(1)(b).

C. Soil or Fill Use Application Considerations

For examples of general considerations that the Commission may take into account in determining a use application, please see www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers.

Among the considerations that the Commission is likely to take into account on a *Soil or Fill Use Application* for soil or fill use are the following:

- Will the fill placement or soil removal aid the farm/farming activity?
- Will the fill placement or soil removal reduce the agricultural capability of the land, degrade soils, or limit the range of crops that can be grown on the subject property compared to the current crop suitability of the land?
- Is fill placement or soil removal the only means available to address implementation of standard agricultural best practices?
- Will the fill placement or soil removal aid in the rehabilitation of agricultural lands severely impacted by past fill activities or other activities that have degraded agricultural land, whether permitted or not permitted?
- Will the fill placement foul, obstruct, or impede the flow of any waterway?
- If fill is required for drainage improvements, will the proposed fill height exceed more than 0.5 metres above the maximum height of the water table (as confirmed by a Qualified Registered Professional) which is equivalent to a Class 1 excess water limitation?

- Will the final finished grade of the subject property complement adjacent landforms and provide for a smooth transition between the land contours and drainage channels on adjacent lands and the reclaimed area?
- How long are fill placement activities expected to last? Generally, the Commission will not consider fill placement activities that would extend beyond two years.

If the Commission approves a *Soil or Fill Use Application*, the fill placement or soil or aggregate removal activity may proceed only in accordance with that approval.

A person who places fill or removes soil or aggregate from land in the ALR without successfully having completed a *Notice of Intent* or a *Soil or Fill Use Application* may be subject to a penalty or order to remediate the land or remove the unauthorized fill.

A *Notice of Intent* may NOT be made for a *Soil or Fill Use Application* that was refused by the Commission.

6. ROLE OF LOCAL GOVERNMENT

The role of local government will depend on the whether the landowner has submitted a *Notice of Intent* or a *Soil or Fill Use Application*.

E. Notice of Intent

Local governments are notified when a *Notice of Intent* is submitted; however they do not have a role in processing or evaluating a *Notice of Intent*, unless the CEO requests their input. Local governments are also copied on decisions once the CEO has rendered them.

The local government must NOT approve or permit fill placement or soil or aggregate removal activities unless:

- the fill placement or soil removal is an **Exempted Activity**; or,
- there is a CEO Approval for the fill placement or removal of soil or aggregate.

F. Soil or Fill Use Application

An application to the Commission asking it to approve a soil or fill use may be submitted through the local government.

Local governments that receive a *Soil or Fill Use Application* under section 34 (4) of the ALCA must:

- (a) review the application, and
- (b) forward to the Commission the application together with the comments and recommendations of the local government or the first nation government in respect of the application

The local government must NOT approve or permit fill placement or removal of soil or aggregate until such time that the Commission has approved the *Soil or Fill Use Application* for the subject property.

For more information on the process for making applications to the Commission, please see the Commission's website at www.alc.gov.bc.ca/alc/content/applications-and-decisions.

G. Consistency with Zoning and Other Bylaws

Any portion of a local government bylaw that intends to allow a use of land in the ALR that is not permitted under the ALCA or the ALR Use Regulation, or contemplates a use of land that would impair or impede the intent of the ALCA or the ALR Use Regulation, is inconsistent with the ALCA or the ALR Use Regulation and has no force or effect: ALCA, ss. 46(4), (5).

The placement of fill or removal of soil or aggregate in contravention of the ALCA or the ALR Use Regulation may be subject to compliance and enforcement action even if the use seems to comply with a local government bylaw.

7. LAND DEVELOPMENT WORKS

Farm use of land in the ALR includes "a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*": ALCA, s. 1. The definition of "farm operation" in the *Farm Practices Act* includes "clearing, draining, irrigating or cultivating land" if "involved in carrying on a farm business". A subset of this category of work is known as "land development works", which includes all of the following:

- (a) levelling and berming agricultural land;
- (b) constructing reservoirs;
- (c) constructing works ancillary to clearing, draining, irrigating, levelling or berming agricultural land and to constructing reservoirs.

Some of these land development works may require fill placement or removal of soil; however, **this does not mean that these activities can occur without authorization of the Commission.** Authorization in the form of a *Notice of Intent* or *Soil or Fill Use Application* **must be obtained** (other than for **Exempted Activities**) before the fill placement or soil or aggregate removal activity associated with land development works is undertaken.

8. RESIDENTIAL CONSTRUCTION

Fill placement or removal of soil or aggregate is permitted for the construction or maintenance of a principal residence if:

- the total area from which soil or aggregate is removed or on which fill is placed is 1,000 m² or less, AND

- the total floor area of the principal residence is 500 m² or less, or the residence has been authorized by a *Non-Adhering Residential Use Application*. See Information Bulletin 05: Residences in the ALR for more information on residential uses.

If the affected area is in a floodplain, an additional condition applies: the resulting elevation level must be consistent with applicable local government or first nation government requirements for flood protection: ALR Use Regulation, s. 35.

Removing soil or aggregate from, or placing fill on, ALR land in connection with other residential uses (such as for the construction of an additional residence, alteration of a residence or where the area affected by a principal residence is greater than 1,000 m²) is not permitted. A landowner seeking to remove soil or aggregate or place fill that exceeds the 1000 m² condition may submit a *Notice of Intent* along with payment of the required fee. The landowner may also apply to the Commission through a *Soil or Fill Use Application* under s. 25 of the ALCA.

Prohibited Fill is not permitted for the construction or maintenance of any residential uses.

9. COMPLIANCE AND ENFORCEMENT

The Commission receives many complaints regarding fill, soil and aggregate-related activities on ALR land. Compliance and enforcement officials of the Commission have a wide range of compliance and enforcement mechanisms available under ss. 49-57 of the ALCA. This includes mechanisms to ensure that the ALCA, regulations and orders are complied with, that land can be rehabilitated where non-compliance occurs, and that violations can be penalized administratively or through the courts.

The purpose of a *Notice of Intent* is to seek authorization prior to lawful placement of fill or removal of soil and aggregate, and not as a mechanism to seek retroactive approval.

10. GLOSSARY

The following key definitions are relevant to this information bulletin:

“aggregate” means sand, gravel, crushed stone, quarry rock and similar materials used in the construction and maintenance of civil and structural projects

“ALCA” means the *Agricultural Land Commission Act*

“ALR” means the Agricultural Land Reserve

“ALR General Regulation” means the Agricultural Land Reserve General Regulation

“ALR Use Regulation” means the Agricultural Land Reserve Use Regulation

“berming” means the construction of dykes;

“CEO” means the Chief Executive Officer of the Commission and, as applicable, such employees to whom powers and duties are delegated under s. 20.3(6) of the ALCA

“**clearing**” means tree and stump removal undertaken to prepare land for cultivation

“**Farm Practices Act**” means the *Farm Practices Protection (Right to Farm) Act*

“**structure for farm use**” means structures used in a farm operation for the growing, producing, raising, or keeping of farm animals or plants, including mushrooms and aquaculture facilities, and the primary products of those plants and animals

“**farm use**” (a) means an occupation or use of agricultural land for (i) farming land, plants, mushrooms, truffles or animals, (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act* or (iii) a purpose designated as a farm use by regulation, and (b) does not include a residential use or a soil or fill use: ALCA, s. 1

“**fill**” means “any material brought onto agricultural land other than materials exempted by regulation”: ALCA, s. 1

“**flood protection requirements**” means the elevation level as established by local government bylaws for flood protection within a defined floodplain

“**levelling**” means reshaping the soil surface within a field or parcel of land to eliminate high and low areas and resulting in a uniform field level (that is, cutting high spots and filling in low spots);

“**non-farm use**” means “a use of agricultural land other than a farm use, a residential use or a soil or fill use”: ALCA, s. 1

“**Notice of Intent**” means a notice of intent submitted to the CEO under s. 20.3(1)(c)(ii) of the ALCA, in the form and manner that the CEO requires

“**placement**” of fill, or “**fill placement**”, means to deposit, place, store, or stockpile directly or indirectly, fill on any land in the ALR, where that fill did not previously exist

“**principal residence**” means the residence permitted under section 20.1(1)(a) of the ALCA

“**Prohibited Fill**” means (a) construction or demolition waste, including masonry rubble, concrete, cement, rebar, drywall and wood waste; (b) asphalt; (c) glass; (d) synthetic polymers; (e) treated wood; (f) unchipped lumber: ALR Use Regulation, s. 36.

“**Qualified Registered Professional**” means a person registered with a professional association including the Association of Professional Engineers and Geoscientists of BC, the Corporation of the Province of British Columbia Land Surveyors, British Columbia Institute of Agrologists or another person who is qualified because of knowledge, training and experience to organize, supervise and perform the relevant services

“**remove**” or “**removal**” means the act of removing soil or aggregate from any land in the ALR, where it existed or stood, which place or location shall include a stockpile or other storage facility

“**reservoir**” means a water impoundment that is used for agricultural water supply.

“soil” includes the entire mantle of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act*: ALCA, s. 1

“soil amendment” means compost, fertilizer, manure, mulch and soil conditioners: ALR Use Regulation, s. 1

“soil conditioner” means organic or inorganic matter that has beneficial effects on the biological, chemical, or physical properties of soil

“soil or fill use” means (a) the removal of soil from, or the placement of fill on, agricultural land, and (b) does not include a farm use or a residential use: ALCA, s. 1

“Soil or Fill Use Application” means an application for permission made for a soil or fill

“stockpile” means a man-made accumulation of soil, fill, or organic materials held in reserve for future use, distribution or removal.

“use application” means an application for permission made under any of the following: (a) s. 20(2) of the ALCA for a non-farm use; (b) s. 20.1(2)(a) for a non-adhering residential use; (c) section 20.3 (5) for a soil or fill use: ALCA, s. 1

“wood residue” as defined by the Code of Practice for Agricultural Environmental Management means wood or a wood product that (a) is chipped or ground, (b) originates from (i) wood processing, (ii) the clearing of land, if the majority of the greenery is removed and no soil is present, or (iii) trimming or pruning activities, (c) has not been treated or coated with chemicals, including preservatives, glues, paints, varnishes, oils or finishing materials, (d) does not contain a foreign substance harmful to humans, animals, or plants when combusted, (e) has not been exposed to salt water, and (f) has not been used for or recovered from construction or demolition activities

“wood waste” includes wood residue, hog fuel, mill ends, bark, and sawdust, but does not include demolition waste, construction waste, tree stumps, branches, logs or log ends, or log yard waste



Agricultural Land Commission
 201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca

October 19, 2020

ALC File: 59139

John Moonen
John Moonen & Associates Ltd.
DELIVERED ELECTRONICALLY

Dear John Moonen:

Re: Reasons for Decision - ALC Application 59139

Please find attached the Reasons for Decision of the South Coast Panel for the above noted application (Resolution #504/2020). As agent, it is your responsibility to notify the applicant accordingly.

Under section 33.1 of the *Agricultural Land Commission Act* (ALCA), the Chair of the Agricultural Land Commission (the "Commission") has 60 days to review this decision and determine if it should be reconsidered by the Executive Committee in accordance with the ALCA. You will be notified in writing if the Chair directs the reconsideration of this decision. The Commission therefore advises that you consider this 60 day review period prior to acting upon this decision.

Under section 33 of the *Agricultural Land Commission Act* (ALCA), a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. Please be advised however that on March 12th, 2020 the ALC Amendment Act (Bill 15 – 2019) was brought into force and effect, changing the reconsideration process.

A request to reconsider must now meet the following criteria:

- No previous request by an affected person has been made, and
- The request provides evidence not available at the time of the original decision that has become available, and that could not have been available at the time of the original decision had the applicant exercised due diligence, or
- The request provides evidence that all or part of the original decision was based on evidence that was in error or was false.

The amendments also propose a change to limit the time period for requesting a reconsideration to 90 days from the date of this decision – this change has not been brought into force and effect yet. As a result, a person affected by this decision will have one year from the date of this decision's release as per ALC Policy P-08: Request for Reconsideration to request reconsideration of the decision or 90 days from the date the legislative change takes effect (date unknown at this time), whichever comes sooner.

Please refer to the ALC's Information Bulletin 08 – Request for Reconsideration for more information.

Please direct further correspondence with respect to this application to
ALC.SouthCoast@gov.bc.ca

Yours truly,



Nicole Mak, Land Use Planner

Enclosure: Reasons for Decision (Resolution #504/2020) .
 Schedule A: Decision Map

cc: City of Richmond (File: AG-19-963866) Attention: Steven De Sousa
59139d1



**AGRICULTURAL LAND COMMISSION FILE 59139
REASONS FOR DECISION OF THE SOUTH COAST PANEL**

Non-Farm Use Application Submitted Under s. 20(2) of the *Agricultural Land Commission Act*

Applicants: Ecowaste Industries Ltd., Inc. No. BC0556788

Agent: John Moonen, John Moonen & Associates Ltd.

Property:

Property 1:

Parcel Identifier: 024-397-423

Legal Description: Lot 2 Section 15 Block 4 North
Range 5 West New Westminster District Plan
LMP40687

Civic: Northeast of 7011 No. 7 Road, Richmond, BC
Area: 7.1 ha

Property 2:

Parcel Identifier: 024-397-407

Legal Description: Lot 1 Section 15 Block 4 North
Range 5 west New Westminster District Plan
LMP40687

Civic: 7011 No. 7 Road, Richmond, BC
Area: 53.7 ha

Panel:

Ione Smith, South Coast Panel Chair
Satwinder Bains
Susan Gimse

OVERVIEW

- [1] The Properties are located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] In 2015, Applications 54043 and 54044 were submitted to the Agricultural Land Commission (the "Commission"). By Resolution #384/2015 and #385/2015, the Commission conditionally approved the proposal to locate four Materials Recovery Facility (MRF) operations (Tervita, Quantum Murray, Yardworks-Arrow, and Urban Wood Recyclers) related to the existing land fill on the Property and to continue the operation of the existing landfill activities (Resolution #173/93) for a period of 20 years until 2035.
- [3] There are four MRF operations located on Property 2 corresponding to the four operations allowed by Resolution #384/2015 and Resolution #385/2015. The MRFs primarily accept materials that originate from demolition, land clearing, and construction activities. The materials consist mainly of wood products (including composite, dimensional lumber, flooring, shakes, shingles, pallets, and saw dust); asphalt; building materials; rubble; plastics, and other materials (including land clearing debris, metal, textiles, soil, paper, carpet, various types of roofing, rubber, aggregate, masonry, concrete, and insulation).
- [4] Pursuant to s. 20(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to:
 - a. Replace "Urban Wood Recyclers" with "Ecowaste Industries Ltd." as the operator of MRF#4; and
 - b. To increase the footprint of MRF #4 from 1.3 ha to 3.3 ha;
 - c. To operate two additional MRFs (MRF #5 and MRF #6), in addition to the four already approved by Resolution #384/2015 and #385/2015; and
 - d. To extend the terms of approval in Resolution #384/2015 and #385/2015 by 20 years to 2055 (collectively referred to as the "Proposal" in this Decision).
- [5] The first issue the Panel considered is whether the replacement of Urban Wood Recyclers with Ecowaste Industries Ltd. as the operator of MRF #4 is substantially compliant with Resolution #384/2015 and Resolution #385/2015.

- [6] The second issue the Panel considered is whether the increase in size of MRF #4 and increase in processing (MRF #5 and MRF #6) would present any additional impacts on agriculture.
- [7] The third issue the Panel considered is whether the Panel can extend the terms of approval in Resolution #384/2015 and #385/2015 by 20 years.
- [8] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA:
- 6 (1) The following are the purposes of the commission:
- (a) to preserve the agricultural land reserve;
 - (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.
- (2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:
- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
 - (b) the use of the agricultural land reserve for farm use,

EVIDENTIARY RECORD

- [9] The Proposal along with related documentation from the Applicants, Agent, local government, and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Agent in advance of this decision.
- [10] A representative of the Panel conducted a walk-around site visit on August 26, 2020 in accordance with the *ALC Policy Regarding Site Visits in Applications*, (the "Site Visit"). A site visit report was prepared in accordance with the *Policy Regarding Site Visits in*

Applications. The site visit report was certified as accurately reflecting the observations and discussions of the Site Visit by the Agent on September 8, 2020 (the “Site Visit Report”).

BACKGROUND

- [11] In 1992, Application 995 was submitted to the Commission to conduct a comprehensive reclamation of the Properties. The proposal involved the extraction of the remaining peat material and then filling the site with inert industrial wastes such as construction demolition, natural land clearing materials, concrete, brick, wood, plastic and other similar materials. The fill would then be capped to an agricultural standard. The Commission conditionally approved the application by Resolution #173/93 for a period of 5 years.
- [12] Subsequently, in 1998, the Commission granted a 10-year extension to Resolution #173/93.
- [13] In 2015, Applications 54043 and 54044 were submitted to the Commission to locate four operations (Tervita, Quantum Murray, Yardworks-Arrow, and Urban Wood Recyclers) related to the existing land fill on Property 2 (Application 54043) and to continue the operation of the existing landfill activities for a period of 20 years (ending in 2035) which will increase the final elevation of the landfill to 18 m (Application 54044). The Commission conditionally approved the applications by Resolution #384/2015 and Resolution #385/2015, respectively.

EVIDENCE AND FINDINGS

- [14] The Application was submitted on May 10, 2019 and was forwarded to the Commission by the City of Richmond on February 27, 2020. Subsequently, on March 12, 2020, the ALCA was amended and changes were made to its regulations. The Applicant was given an opportunity to make written submissions relating to the amendment of the ALCA and changes to its regulations as it relates to this application. The Agent provided additional submissions on March 25, 2020. While the Application was submitted in the context of the former s. 6 of the ALCA, the Panel must consider it under s. 6(1) and s. 6(2) of the ALCA as amended by Bill 15.

Issue 1: Whether the replacement of Urban Wood Recyclers with Ecowaste Industries Ltd. as the operator of MRF #4 is substantially compliant with Resolution #384/2015 and Resolution #385/2015.

[15] In Resolution #384/2015 and Resolution #385/2015, Urban Wood Recyclers was proposed to be the operator of MRF #4, MRF #4 was to be used for the processing of wood waste and non-wood waste. However, after 2015, Urban Wood Recyclers was purchased by Ecowaste Industries Ltd. As Resolution #384/2015 and Resolution #385/2015 specifically names Urban Wood Recyclers as the operator of MRF #4, the Applicant is requesting the Panel allow Ecowaste Industries Ltd. to replace Urban wood Recyclers as the operator of MRF #4. Ecowaste Industries Ltd. proposes to expand the operation by recycling more wood waste and more non-wood waste materials with a focus of producing ground wood for bio-energy users and developing alternate uses for non-wood products. The Panel considered that the materials processed in MRF #4 remain unchanged and that Ecowaste Industries Ltd. owns the Properties, therefore, the Panel finds that replacing Urban Wood Recyclers with Ecowaste Industries Ltd. as the operator of MRF #4 is substantially compliant with Resolution #384/2015 and Resolution #385/2015.

Issue 2: Whether increasing the size of MRF #4 and increasing processing (MRF #5 and MRF #6) would present any additional impacts on agriculture.

[16] As operators of MRF #4, Ecowaste Industries Ltd. wishes to expand the 1.3 ha area that was previously approved by Resolution #384/2015 and Resolution #385/2015 to 3.3 ha. Under Resolution #384/2015 and Resolution #385/2015, MRF #4 was conditionally approved to occupy 1.3 ha and include a 12 m tall building, 0.3 ha for a works yard and 0.3 ha for storage. The Application states that "MRF #4 would extract waste products of value like dimensional lumber, plastics, carpet, various types of roofing and aggregates" in addition to processing waste plastics into pellets. There are currently no structures in the area designated for MRF #4. The Application proposes expanding MRF #4 to 3.3 ha which will accommodate a 17 m tall building, a 1.2 ha paved area for a works yard, and a 1.14 ha area for outdoor storage. The Application submits that the MRFs (including the

buildings) are temporary and will be removed upon completion of landfilling activities. Further, the Application states that the Properties will be rehabilitated for agriculture upon the completion of landfilling.

[17] MRF #5 is proposed to be located on the northwestern corner of Property 2, while MRF #6 is proposed to be located on the southwestern portion of Property 2. The Application submits that MRF #5 and MRF #6 will be used to recycle and recover additional materials that would have been used as fill in the landfill prior to the establishment of MRF #5 and MRF #6. The Application states that no additional materials will be received as a result of the operation of MRF #5 and MRF #6. The additional MRFs will serve to reduce the amount of fill that will be buried in the landfill, resulting in 70-80% reduction in the fill rate of the landfill. At this time, operators have not been identified as the Proposal has not been approved; however, the Applicant submits that MRF #5 and MRF #6 will address the recycling and recovery of wood and construction materials related to deconstruction, plastic grindings, and specialty aggregates. As with MRF #4, any facilities required for MRF #5 and MRF #6 will be temporary and will be removed upon completion of landfilling activities. Further, the Application states that the Properties will be rehabilitated for agriculture upon the completion of landfilling.

[18] Based on the historic and present use of the Properties, and the temporary nature of the proposed facilities, the Panel finds that the expansion of MRF #4 to 3.3 ha and the operation of MRF #5 and MRF #6 would not present any additional impacts on agriculture. Further, the Panel finds that the additional MRFs will divert more materials from the landfill and could serve to reduce illegal fill placement in the ALR.

[19] Although the Commission has previously supported and continues to support reclamation of the Properties for agricultural purposes through previous approvals and conditions, as in Resolution #384/2015 and Resolution #385/2015, the Panel discussed, from a planning perspective, whether the most effective end use of the Properties is agriculture. The Panel considered the landfill use began in 1993 and is approved until 2035 (42 years), the Panel discussed whether the use of the Properties as a long-term landfill site is an appropriate use in the ALR. The Panel made no determinative decision in this regard, but, as in Resolution #384/2015 and Resolution #385/2015, encourages the Applicant along with

the City of Richmond, to consider whether the Properties might be more suited for alternative uses, such as industrial, which may relieve pressure on other lands within the ALR.

Issue 3: Whether the Panel can extend the terms of approval in Resolution #384/2015 and #385/2015 by 20 years.

- [20] The Application submits that the operation of additional MRFs will increase materials recycling and recovery, in turn, this will reduce the amount of material used as fill in the landfilling operation. As such, the Application requests an extension of the terms of approval to allow fill to be continued to be placed on the Properties until 2055 (the “Extension”). The Application states that there will be no change in the final height (18 m) of the landfill. The Panel considered that legislation surrounding fill placement has changed as of February 22, 2019, specifically, the definition of prohibited fill in the Agricultural Land Reserve Use Regulation (the “ALR Use Regulation”) and the requirement in section 23 of the Agricultural Land Reserve General Regulation that the Commission reject an application for permission to place fill on land in the ALR if the fill to be placed includes prohibited fill materials as defined in the ALR Use Regulation.
- [21] The Application states that the materials primarily accepted at the MRFs originate from demolition, land clearing, and construction activities. The materials consist of wood products (including composite, dimensional lumber, flooring, shakes, shingles, pallets, and saw dust); asphalt; building materials; rubble; plastic and other materials (including land clearing debris, metal, textiles, soil, paper, carpet, various types of roofing, rubber, aggregate, masonry, concrete, and insulation). The Application clarified that “of the materials received at the landfill, some will be processed in the MRFs and some will be used for fill as part of the landfilling activities”. The Application states that approximately 80% of the materials received at the Properties are recycled and/or recovered to be sold off the Properties, while less than 20% will be used as fill in the landfill. Further, the Application explained that some of the materials received on the Properties including concrete, yard waste, glass, tile, asphalt millings, and asphalt shingles are used on site as sub-base material and for building of temporary driving surfaces in support of the landfilling operation. During the Site Visit, Tom Land (president of Ecowaste Industries

Ltd.) stated that no clean concrete is landfilled, however, 'dirty concrete' which has insulation embedded/attached to it is more difficult to resell and is, therefore, landfilled. He further explained that plastics and carpet from demolition materials are also disposed of in the landfill.

[22] The Panel considered the definition of fill in s. 1 of the *Agricultural Land Commission Act*:

"fill" means any material brought onto agricultural land other than materials exempted by regulation;

[23] The Panel finds that some of the materials received on the Properties are retained on the Properties for the purpose of raising land as part of the landfill operation. The Panel finds that this meets the definition of fill in the *Agricultural Land Commission Act*.

[24] The Panel then considered s. 36(1) of the ALR Use Regulation:

Prohibited fill

36(1) Except as permitted under subsection (2), the following must not be used as fill on agricultural land:

- (a) construction or demolition waste, including masonry rubble, concrete, cement, rebar, drywall and wood waste;*
- (b) asphalt;*
- (c) glass;*
- (d) synthetic polymers;*
- (e) treated wood;*
- (f) unchipped lumber.*

[25] The Panel finds that, although some materials received at the Properties are removed from the Properties after recycling/recovery, some materials remaining on the Property and used as fill in the landfill such as 'dirty concrete', plastics, and carpeting are considered to be prohibited fill materials as defined in s. 36(1) of the ALR Use Regulation.

[26] Finally, the Panel considered s. 23(1) of the Agricultural Land Reserve General Regulation:

23(1) Subject to subsection (2), the Commission must reject an application for permission to place fill on agricultural land if the fill to be placed includes any of the materials referred to in section 36 of the Agricultural Land Reserve Use Regulation.

[27] The Panel finds that the requested Extension involves the placement of prohibited fill materials as defined in s.36 of the ALR Use Regulation and that the Panel must therefore reject the request for Extension.

DECISION

[28] While the Panel must reject the request to extend the terms of approval in Resolution #384/2015 and Resolution #385/2015 to 2055 for the placement of prohibited fill material in the ALR, the Panel finds it has jurisdiction to approve the replacement of "Urban Wood Recyclers" with "Ecowaste Industries Ltd." as the operator of MRF#4, the increase in the footprint of MRF #4 from 1.3 ha to 3.3 ha, and the operation of two additional MRFs (MRF #5 and MRF #6), in addition to the four already approved by Resolution #384/2015 and #385/2015, subject to the following conditions:

- (a) The placement of MRF #4, MRF #5, and MRF #6 must be in compliance with Schedule A of this decision;
- (b) Any and all structures and buildings associated with MRF #4, MRF #5, and MRF #6 must not be constructed on a permanent foundation and must be removed upon expiry of the term of approval in Resolution #384/2015 and Resolution #385/2015;
- (c) The operation of MRF #4, MRF #5, and MRF #6 must be in compliance with the Design, Operations and Closure Plan Update (December 2018); and
- (d) The landfilling on the Properties must continue to be in compliance with the conditions outlined in Resolution #384/2015 and Resolution #385 /2015 with the exception of the replacement of Urban Wood Recyclers by Ecowaste Industries Ltd. as one of the four operations.

[29] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[30] These are the unanimous reasons of the Panel.

[31] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.

[32] Resolution #504/2020
Released on October 19, 2020

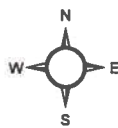
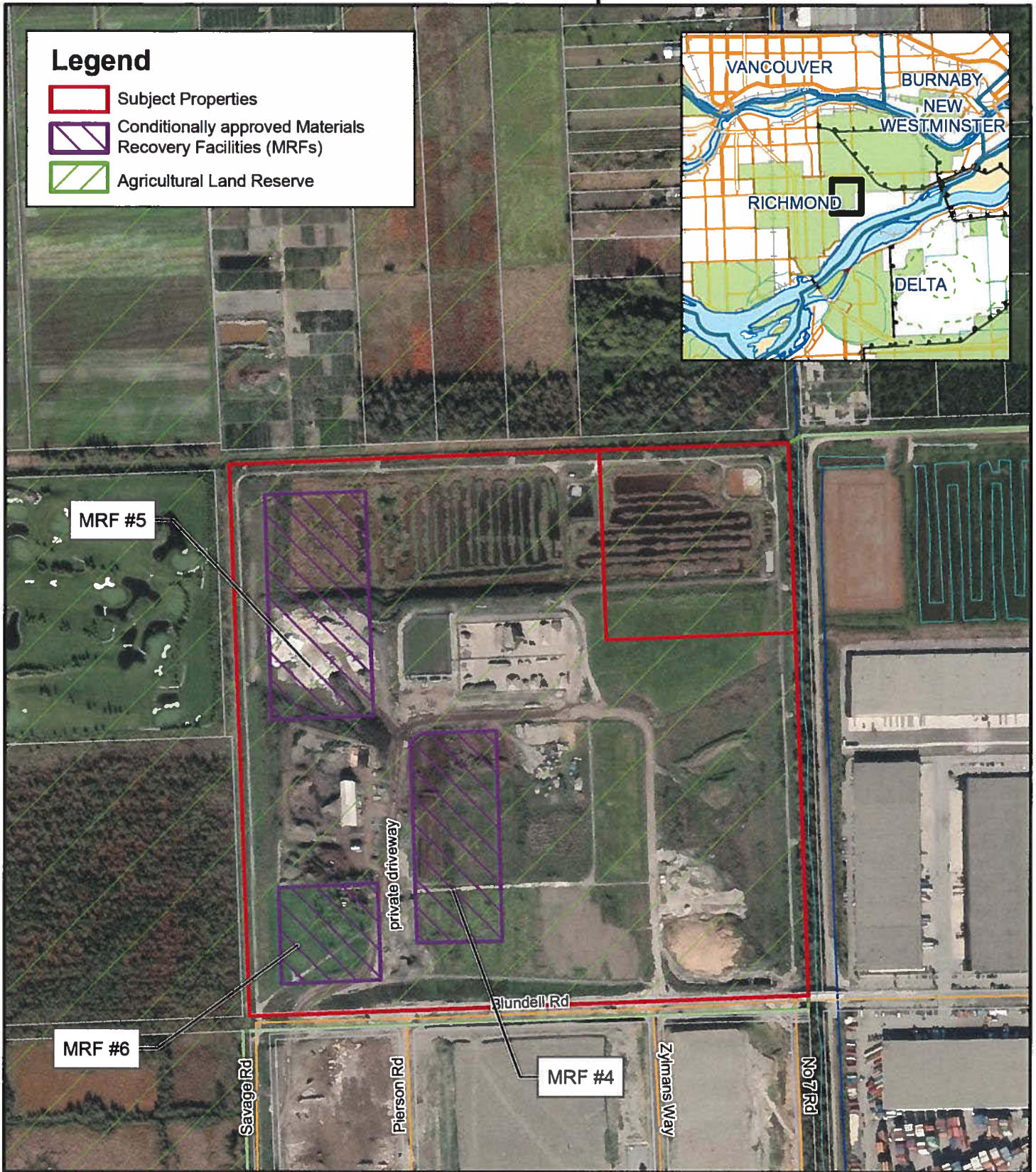


Ione Smith, Panel Chair

On behalf of the South Coast Panel

Legend

-  Subject Properties
-  Conditionally approved Materials Recovery Facilities (MRFs)
-  Agricultural Land Reserve



Schedule A: Decision Map

2018 ESRI/DigitalGlobe Orthophoto

Map Scale: 1:7,500

0 60 120 180 240 300



Meters

ALC File #:	59139
Resolution #:	504/2020
Mapsheet #:	92G.015
Map Produced:	October 18, 2020
Regional District:	Metro Vancouver



Agricultural Land Commission
 201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca

October 1, 2021

ALC File: 59139

City of Richmond
Attention: Wayne Craig and Steven Desousa
DELIVERED ELECTRONICALLY

Dear City of Richmond:

Re: Reconsideration Request – ALC Resolution #504/2020

In 2015, Applications 54043 and 54044 were submitted to the Agricultural Land Commission (the “Commission” or “ALC”). By Resolution #384/2015 and #385/2015, dated November 16, 2015, the South Coast Panel of the Commission (the “South Coast Panel”) conditionally approved the proposal to locate four Materials Recovery Facility (“MRF”) operations (Tervita, Quantum Murray, Yardworks-Arrow, and Urban Wood Recyclers) related to the existing land fill on the property with PID: 024-397-407 and to continue the operation of the existing landfill activities (Resolution #173/93) for a period of 20 years until 2035 on the Properties (PID: 024-397-407 and PID: 024-397-423).

By Resolution #504/2020 (the “2020 Decision”), dated October 19, 2020, the South Coast Panel conditionally approved the replacement of “Urban Wood Recyclers” with “Ecowaste Industries Ltd.” as operator of MRF #4, the increase in the footprint of MRF #4 from 1.3 ha to 3.3 ha, and the operation of two additional MRFs (MRF #5 and MRF #6), in addition to the four already approved by Resolution #384/2015 and #385/2015. The South Coast Panel found that they must reject the request to extend the terms of approval in Resolution #384/2015 and #385/2015 to 2055 for the placement of prohibited fill material in the Agricultural Land Reserve (the “ALR”).

On March 5, 2021, the Commission received correspondence from the City of Richmond (the “City”) requesting reconsideration of the 2020 Decision (the “Reconsideration Request”).

The City sent a copy of the Reconsideration Request to the Agent on March 5, 2021. The Agent was advised that the Applicant may provide submissions on the City’s Reconsideration Request; however, no submission was received by the Commission.

The Commission may reconsider a decision pursuant to s. 33(2) of the *Agricultural Land Commission Act* (the “ALCA”):

33(2) On the written request of a person affected by a decision, or on a decision maker's own initiative, the decision maker may reconsider the decision maker's decision, and may confirm, reverse or vary the decision, if:

(b) no previous request has been made, if reconsideration is on request and not on the decision maker's own initiative, and

(c) the decision maker determines that

- (i) evidence has become available that was not available at the time of the original decision and could not have been available had the person affected by the decision exercised due diligence, or*
- (ii) all or part of the original decision was based on incorrect or false information.*

The Reconsideration Request provides the submissions summarized in the bulleted points below:

Section 36(1) of the Agricultural Land Reserve Use Regulation

- Section 36(1) of the Agricultural Land Reserve Use Regulation (the “ALR Use Regulation”) should not be applied to the consideration of Application 59139 as Application 59139 was submitted as an “amendment to the previous 2015 ALC approval” to request an extension to the time limit approved in Resolutions #384/2015 and #385/2015. Resolutions #384/2015 and #385/2015 previously approved the existing land fill operation including the deposition of demolition, construction and land clearing waste into the landfill.

Application 59139 was submitted as a non-farm use application in 2019 and forwarded to the Commission by the City in 2020.

Application 59139 was not submitted as a request to reconsider and vary Resolution #384/2015 and #385/2015. If it had been, those seeking reconsideration of Resolution #384/2015 and #385/2015 would have had to satisfy the Commission that the requirements for reconsideration under s. 33 of the ALCA had been met. This was not done.

Over and above that, even if reconsideration under s. 33 of the ALCA had been undertaken, the Commission would have needed to be satisfied that the prior approval should have been varied to extend the time.

Even if the City were correct in suggesting that, in relation to an “amendment”, s. 36 of the ALR Use Regulation (coupled with s. 23 of the ALR General Regulation) as it stood at the time of the 2020 Decision would not have required the Commission to reject the relief sought, the Commission would have had to balance relevant considerations and exercise its discretion on whether or not to extend the time frame. The fact that the fill involved in the extended use would include materials that the ALR Use Regulation has identified as unsuitable for placement in the ALR would at least have been a significant factor in the Commission’s consideration. Subject to exceptional circumstances, in determining whether to reconsider a decision even where all or part of the original decision was based on information that was in error or was false, the Commission will

generally not reconsider unless the error or falsity was significant or material enough such that there would be a reasonable probability that the error or falsity will have a material and determining effect on the original decision. That is not the case here even if an error occurred.

The Landfill Operation

- “The landfill operation plays an important role in the City’s and regional demolition and construction waste and recycling program”. The landfill will soon be the only landfill of any type in the region (anticipated in 2028). The extension would allow recycling and repurposing of more material over the life of the landfill.
- “The landfill operation also contributes to the agricultural community, including producing topsoil for use by farmers”

The South Coast Panel finds that this was information available at the time of the 2020 Decision and, in fact, was found in the material submitted by the Applicant (59139 (Ecowaste Industries Ltd.) Site Visit Report (SVR) and (59139 (Ecowaste Industries Ltd.) SRP)) rather than being new information.

Exclusion Application Concerns

- Failure to consider the extension of the landfill use until 2055 and encouraging exclusion is contrary to purposes of Commission.

In the 2020 Decision, the South Coast Panel found that after s. 23(1) of the ALR General Regulation was made, the Commission was required to reject applications for the use of materials listed in s. 36(1) of the ALR Use Regulation. No transitional provisions for soil and fill were provided for in the 2019 ALCA Amendments. Application 59139 was for, in part, the extension of the landfill use until 2055. The landfill use includes the deposition of demolition and construction waste into the landfill. The South Coast Panel followed the legislative framework.

Further, as discussed above, even if the City were correct to suggest that s. 36 of the ALR Use Regulation was not binding on the South Coast Panel, the fact that the ALR Use Regulation speaks specifically of the fact that relevant materials are not seen to be suitable for land that is in the ALR would necessarily be a significant consideration to weigh.

In paragraph 19 of the 2020 Decision, the South Coast Panel considered that the landfill use began in 1993 and is approved until 2035 (42 years), and discussed whether the use of the Properties as a long-term landfill site is an appropriate use in the ALR. The South Coast Panel made no determinative decision in this regard, but encouraged the Applicant and the City to consider whether the Properties might be more suited for alternative uses, such as industrial, which may relieve pressures on the lands within the ALR.

The South Coast Panel's suggestion that alternative uses be considered was consistent with the suggestion of the South Coast Panel in 2015 (Resolutions #384/2015 and #385/2015). To be clear, the South Coast Panel did not require an exclusion application to be submitted and did not commit to approval of an exclusion application if an application is submitted.

The South Coast Panel notes that there is no exclusion application currently before the South Coast Panel for the Properties. The South Coast Panel is aware that an exclusion application was submitted by the Applicant in the ALC Application Portal before September 30, 2020. The South Coast Panel invites the City to consider whether to forward the application to the Commission.

- Potential exclusion of the Properties would remove current requirements for the Properties to be converted into agricultural production at the end of the landfill term as secured through previous 2015 ALC approval. Exclusion would eliminate any future potential for farming of the Properties.
- There are significant land holdings owned by a number of corporations in the area, exclusion of the Properties would create immediate pressure for these other sites to pursue exclusion.

These submissions relate primarily to what would happen on an exclusion application. In particular, they are arguments against the Commission approving an exclusion application if made to it. However, the Applicant's exclusion application has not yet been submitted to the Commission. Further, under the regime still pertaining to the exclusion application submitted to the City prior to September 30, 2020, the City can determine whether or not to forward it to the Commission. If the exclusion application is forwarded to the Commission, the City has the opportunity to make accompanying recommendations and comments, for the Commission's consideration at that time.

Further, the South Coast Panel notes that, within the current legislative framework, exclusion applications after September 30, 2020 must be submitted by the local government. If the City has a concern about exclusion applications being made, it can determine through appropriate planning and consider as to whether exclusion applications should be made.

- Exclusion is contrary to existing City of Richmond Official Community Plan to maintain ALR boundary and not support loss of ALR land and agricultural land use designation of subject site.

The South Coast Panel appreciates the City's dedication to preserving agricultural land. Again, however, this submission is about what the outcome of an exclusion application should be if it comes before the Commission, which has not yet occurred.

After reviewing the Reconsideration Request and the application material associated with the 2020 Decision, the South Coast Panel has determined that will not be reconsidering the 2020 Decision.

Further correspondence with respect to this application is to be directed to
ALC.SouthCoast@gov.bc.ca

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read "Ione Smith". The signature is fluid and cursive, with the first name "Ione" and last name "Smith" clearly distinguishable.

Ione Smith, South Coast Panel Chair

cc: John Moonen (Agent for Ecowaste Industries Ltd.)

59139m1

To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: November 8, 2021 Meeting Date: November 17, 2021

Subject: **Manager's Report**

RECOMMENDATION

That the Zero Waste Committee receive for information the report dated November 8, 2021, titled "Manager's Report".

Recycling and Waste Centre Operating Hours

To ensure consistent high-level service for the public, municipalities and commercial customers using recycling and waste centres, Metro Vancouver is standardizing operating hours at the North Shore and North Surrey recycling and waste centres with the Coquitlam Recycling and Waste Centre (and United Boulevard, once it opens). Previously, North Shore and North Surrey recycling and waste centres closed an hour earlier than Coquitlam from November 1 to February 28.

Year-round hours for Coquitlam, North Surrey, and North Shore recycling and waste centres are now as follows:

- Weekdays: 5:30 am to 6 pm (Recycling depots open at 7 am)
- Saturday: 8 am to 6 pm
- Sunday and Statutory holidays: 9 am to 5 pm (closed December 25 and January 1)

Illegal Dumping Statistics

At the September 10 Zero Waste Committee meeting, committee members were provided statistics on municipally collected data on illegal dumping. Committee members asked whether statistics include homeless encampment clean-up data. Staff have confirmed that member municipalities do not typically include homeless encampment data as part of the reported illegal dumping data.

Recycling and Waste Centre Tours

On September 23, 2021, Solid Waste Services staff provided a guided tour of the United Boulevard Recycling and Waste Centre to municipal staff. Attendees included members of Regional Engineers Advisory Committee, Regional Engineers Advisory Committee Solid Waste Sub-committee and the Municipal Waste Reduction Coordinators Committee plus other member staff with interest in the new facility.

On October 12, 2021, Zero Waste Committee members participated in a tour of the United Boulevard Recycling and Waste Centre as well as the Central Surrey Recycling and Waste Centre. Information sheets provided during the tours are attached to this report.

United Boulevard Recycling and Waste Centre Targeted Opening Date

The United Boulevard Recycling and Waste Centre is nearing completion. To allow an effective transition from the current facility, the United Boulevard Recycling and Waste Centre is targeted to open on January 3, 2022. The current Coquitlam Recycling and Waste Centre will close at the end of day Friday, December 31, and the new facility will open on Monday, January 3. All of Metro Vancouver's recycling and waste centres are closed on December 25 and January 1 each year.

Communications regarding the opening of the new recycling and waste centre will be distributed through the solid waste services mailing list, the text message system, and using signage at the existing site.

2021 Zero Waste Conference

The 11th annual Zero Waste Conference, hosted by Metro Vancouver and the National Zero Waste Council, was broadcast live, October 28, 2021 from Metro Vancouver's multimedia studio at the Annacis Research Centre. With a total of 444 participants for the virtual event, the draw was a compelling program filled with unique perspectives, valuable insights and stimulating speakers and moderators that attracted a diverse audience of individuals from government, business, academia and NGOs engaged in this collective journey to zero waste and circularity. In the midst of a global pandemic and unprecedented economic and social disruption, the need for creative and innovative thinking coupled with a commitment to collaborative effort has never been greater. The program was anchored by six compelling and thought provoking keynotes that inspired solutions that take us to a future where we dream of possibility; a future that invokes shared prosperity, in a carbon neutral circular Canada. Interspersed throughout the day were spotlights on innovators, entrepreneurs and practitioners in zero waste practices and policies. The conference received praise from participants on its content and production, noting the positive dynamics between speakers, and important take-away messages for stakeholders to create an environment for innovation and creativity to thrive. *"This event's production is off the charts, it's unbelievable. Hats off to you and your team. You should be very very proud. The best sign of a perfectly functioning event is when the attendees don't even remember they are in an event, it just flows."* (shared in the chat)

Strategically targeted media outreach resulted in a number of thoughtful, in-depth articles in prominent media outlets, such as the Vancouver Sun (print and online) and CBC, and several of these articles were reprinted elsewhere online. An article about keynote speaker Billy Almon was placed in the Vancouver Sun and The Province prior to the event. The conference also appeared in the Canadian Press/AP calendar.

A fulsome report will be shared with the committee early in the new year.

Procurement Processes Update

As reported in the September 10, 2021 Manager's Report, Metro Vancouver initiated a procurement process for the beneficial use of bottom ash in 2020; however, both proponents identified the need for pilot testing before preparing submissions for a full-scale project. Metro Vancouver has now issued an Invitation for Proposals to Birco Environmental Services Ltd., and GRT Mobile Soil Processing (Canada) Ltd. to conduct pilot testing for use of the bottom ash at a local cement plant. At full scale, the project could divert more than 40,000 tonnes per year of bottom ash from disposal, reducing regional disposal requirements by approximately 5% and reducing greenhouse gas (GHG) emissions associated with mining and transporting raw materials.

Metro Vancouver also released a Request for Qualifications for the Alternative Fuel and Recyclables Recovery Interim Processing Strategy on November 3rd 2021. This project will reduce overall waste disposal, and eliminate up to 20,000 tonnes of GHG emissions through the processing of small load waste received at regional solid waste facilities to remove recyclables and/or create an alternative fuel product to be used in place of fossil fuels.

Finally, Metro Vancouver is releasing the Request for Proposals for operation and maintenance of the new Central Surrey Recycling and Waste Centre to the two shortlisted proponents, GFL Environmental Inc. and Halton Recycling Ltd. (dba Emterra Environmental).

Waste-to-Energy Facility Non-Ferrous Recovery System Greenhouse Gas Offsets

A non-ferrous metal recovery system at the Waste-to-Energy Facility has been operating since the end of 2018. The system recovers non-ferrous metals and additional ferrous metals from the bottom ash at the Waste-to-Energy Facility using magnetic and eddy current separation technology. Recovered metals are sold to a third-party metals recycling company. The system recovers approximately 250-500 tonnes per year of non-ferrous metals and an additional 400-500 tonnes per year of ferrous metals. In addition to recovering ferrous and non-ferrous metal the system has improved the bottom ash characteristics reducing metal concentrations in the ash. The improved ash quality has resulted in reduced testing requirements and allowed the beneficial use of the bottom ash outside of a landfill environment.

Metro Vancouver engaged a consultant to prepare a Carbon Emission Reduction Credit Project Plan for the project, which is in alignment with the existing Provincial Carbon Neutral Local Government Framework. This plan was submitted to the Ministry of Environment and Climate Change Strategy Climate Action Secretariat in November 2021. If approved, based on 2019 and 2020 metals tonnage, the project would result in approximately 750-1,000 tonnes CO₂e reductions per year, which would be applied to offset a portion of Metro Vancouver's Corporate emissions. The annual emission offsets from the project equates to the emissions of approximately 200 automobiles.

Attachments (*Orbit #49029892*)

1. Zero Waste Committee 2021 Work Plan
2. United Boulevard Recycling and Waste Centre Fact Sheet
3. Central Surrey Recycling and Waste Centre Fact Sheet

48705665

Zero Waste Committee 2021 Work Plan

Report Date: November 8, 2021

Priorities

1st Quarter	Status
2020 Create Memories Not Garbage Results	Complete
2020 Waste Composition Data	Complete
2020 Zero Waste Conference Results	Complete
2021 Food Scraps Campaign	Complete
2021 Think Thrice Textiles Campaign	Complete
Alternative Fuel and Recyclables Recovery Procurement Process	Complete
Contingency Disposal Contract Award	Complete
Disposal Ban Inspections Contract Award	Complete
National Zero Waste Council 2020 Accomplishments and 2021 Projects	Complete
North Shore Organics Agreement and Contract Award	Complete
Single-Use Items	Complete
Solid Waste Management Plan Consultation and Engagement Panel Update	Complete
2nd Quarter	
2020 Disposal Ban Inspection Program Results	Complete
2020 Food Scraps Campaign Results	Complete
2020 Waste-to-Energy Facility Environmental Performance Summary	Complete
2020 Waste-to-Energy Facility Financial Summary	Complete
2021 Single Use Item Campaign	Complete
2021 Think Thrice Textiles Campaign Results	Complete
Commercial Organics Management	Pending
Extended Producer Responsibility Programs	Complete
Love Food Hate Waste	Complete
Recycling Depot Funding Strategy	Complete
Reuse and Repair Initiatives	Complete
Solid Waste Services Capital Program Expenditures Update as at December 31, 2020	Complete
United Boulevard Recycling and Waste Centre Opening	Complete
Waste-to-Energy Facility – Bottom Ash Beneficial Use Contract Award	Complete
Waste-to-Energy Facility – District Energy Business Case	Complete
3rd Quarter	
2021 National Zero Waste Council Projects	Complete
2021 Textiles Campaign Results	Complete
2021 Zero Waste Conference Update	Complete
Adjacent Regional District Collaboration Opportunities Including Emerging Technologies	Complete
Central Surrey Recycling and Waste Centre Operations Contract Award	In progress
Illegal Dumping Data and Programs	Complete
Solid Waste Management Plan – Studies	Complete
Solid Waste Services Capital Program Expenditures Update as at April 30, 2021	Complete

4 th Quarter	
2020 Solid Waste and Recycling Annual Report	In progress
2021 Abandoned Waste Campaign Results	Complete
2021 Create Memories Not Garbage Update	Complete
2021 Single-Use Item Campaign Results	Complete
2022 – 2026 Financial Plan – Solid Waste Services	Complete
2022 Tipping Fee Bylaw Revisions	Complete
Solid Waste Services Capital Program Expenditures Update as at August 31, 2021	Complete
Waste-to-Energy Facility – Ambient Air Quality Monitoring	Complete



995 United Boulevard, Coquitlam

United Boulevard

Recycling and Waste Centre

Facility Description

The United Boulevard Recycling and Waste Centre is centrally located and has an important role in Metro Vancouver’s efforts to reduce waste and move to a circular economy.

The United Boulevard facility:

- is replacing the existing Coquitlam Recycling and Waste Centre
- is located < 1km west from the existing Coquitlam Recycling and Waste Centre
- was designed with commercial, municipal, and small vehicle customers in mind
- will operate on 6.2 hectares (15.5 acres) of land; a large footprint that provides flexibility to expand services as opportunities arise
- was constructed and will be operated by Metro Vancouver and its contractors

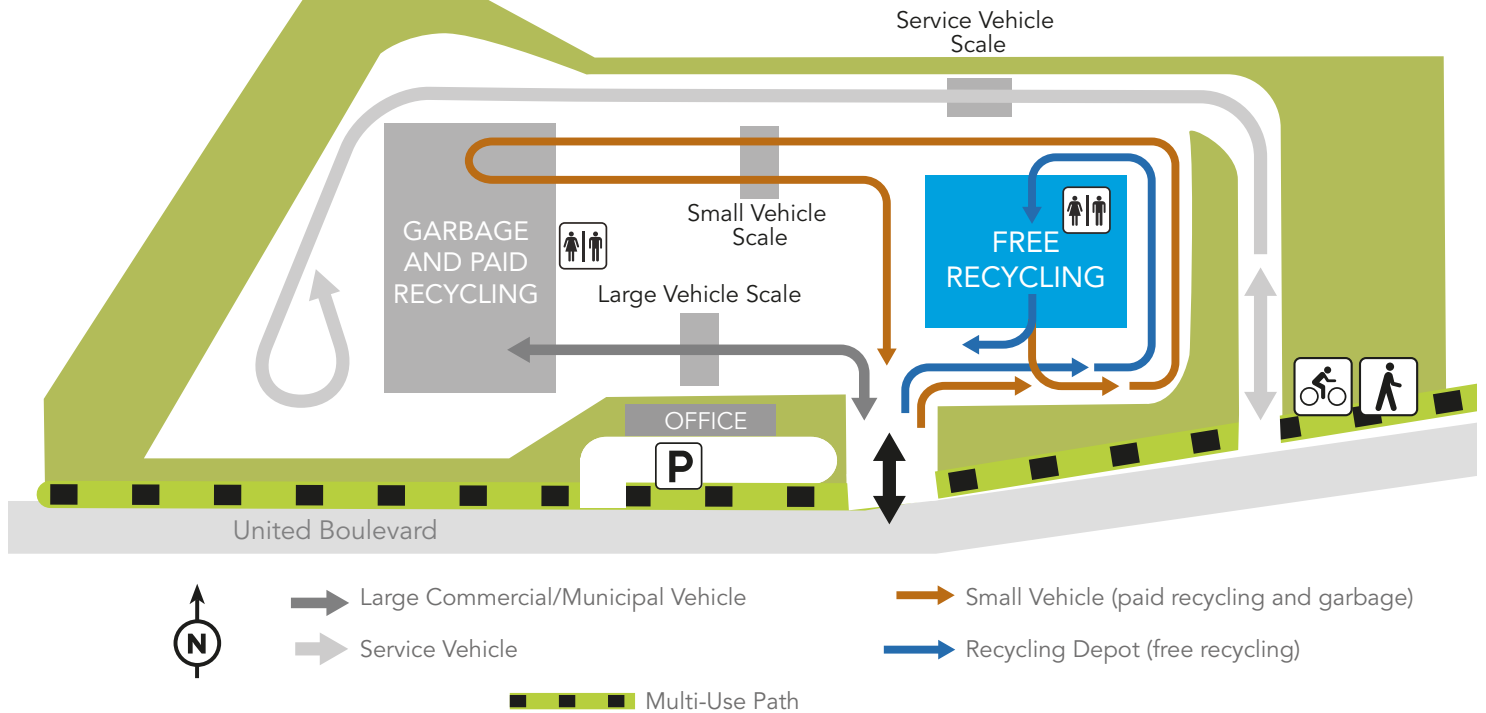
Facility Features

- Reduced wait times as a result of more space, double the number of scales and improved traffic flows designed for increased safety.
- Attended and automated scales, the latter for use by account customers with mechanically unloaded vehicles.

- Designated entrance and traffic corridor for service vehicles picking up recyclables and compacted waste.
- Maintenance garage, administration building, recycling attendant booth, customer washrooms and a number of green infrastructure elements.
- Transfer building with a 5,800 m² flat tipping floor for managing garbage and paid recyclables. Flat floor design allows flexibility and the ability to add recycling materials over time. Garbage will be managed in a below grade compactor to maximize payloads.
- Full-service, free recycling depot, three times larger than the current depot, where customers can drop off materials ahead of the weigh scales. Accepted materials include batteries, electronics, cardboard, metal, expanded polystyrene, plastic containers and bags, light fixtures, cooking oil, books, textiles and more.
- Paid recycling area for yard trimmings, clean wood, food scraps, gypsum and mattresses.
- Traffic routes for customers to either leave the free recycling depot after dropping off their items or join a separate traffic lane to reach the scale house to drop off garbage or paid recycling.

UNITED BOULEVARD RECYCLING AND WASTE CENTRE

995 United Boulevard



Other notable improvements for the United Boulevard facility:

FEATURE	EXISTING COQUITLAM FACILITY	NEW UNITED BLVD FACILITY
Site area	2.7 hectares	6.2 hectares
Recycling depot area	2,400 m ²	6,000 m ²
Tipping floor area	2,200 m ²	5,800 m ²
Total queuing for all customers	120 m	775 m
Designated lanes and tipping areas for small vehicles and commercial customers	No	Yes
Total number of scales	3	6
Separate access for service vehicles	No	Yes

Partnerships

- Many of the free recycling items are accepted through partnerships with Extended Producer Responsibility Programs.

Please refer all media inquiries to Metro Vancouver via:

Media Relations
604-788-2821 | media@metrovancover.org

Additional Resources

- Zero Waste Committee Report 5.3 – United Boulevard Recycling and Waste Centre Opening Plan
<https://bit.ly/3wcCof1>
- New United Boulevard Recycling and Waste Centre web page
<https://bit.ly/3bABscv>





6711 – 154 Street, Surrey

Central Surrey

Recycling and Waste Centre

Facility Description

The Central Surrey Recycling and Waste Centre, a collaboration between Metro Vancouver and the City of Surrey, will increase the convenience of recycling and waste management for residents. It will reduce traffic and greenhouse gas emissions by decreasing travel distances and reduce illegal dumping. This new facility has an important role in Metro Vancouver’s efforts to reduce waste and move to a circular economy.

The Central Surrey facility:

- was designed with small vehicle customers (residential and business) in mind
- will operate on 1.7 hectares (4.3 acres) of land
- was constructed and will be operated by Metro Vancouver and its contractors

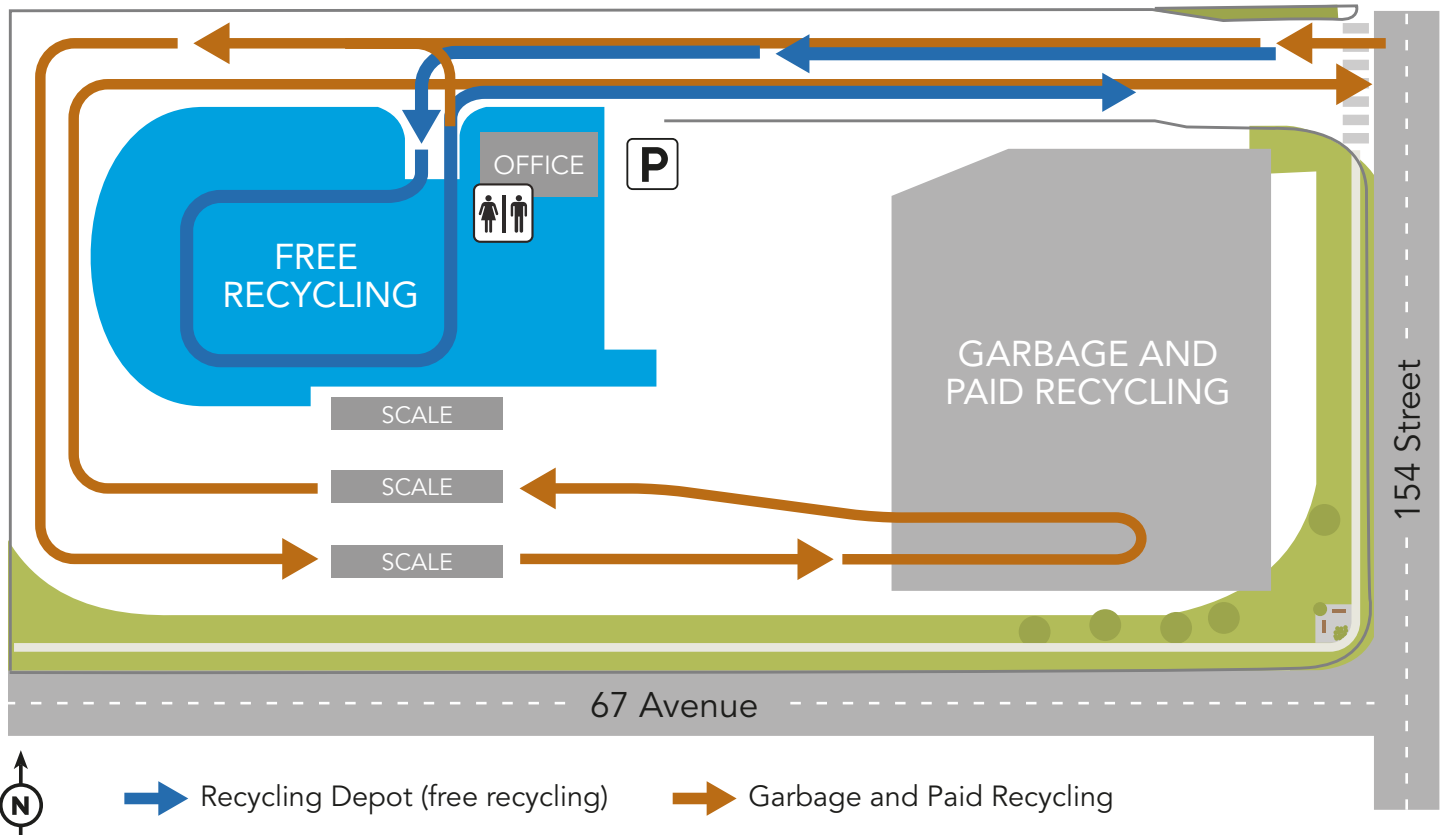
Facility Features

- Accepts materials beyond what is accepted in Surrey’s curbside collection program.
- Administration building, recycling attendant booth, customer washrooms and a number of green infrastructure elements.

- Enclosed transfer building with a 3,000 m² flat tipping floor for managing small quantities of garbage and paid recyclables. Flat floor design allows flexibility and the ability to add recycling materials over time. Garbage will be managed in below grade load out bays to maximize floor space. Garbage will be removed daily.
- Full-service, free recycling depot, where customers can drop off materials ahead of the weigh scales. Accepted materials include batteries, electronics, cardboard, metal, used oil, expanded polystyrene, plastic containers and bags, light fixtures, cooking oil, books, textiles and more.
- Paid recycling area for yard trimmings, clean wood, food scraps, gypsum and mattresses.
- Traffic routes for customers to either leave the free recycling depot after dropping off their items or join a separate traffic lane to reach the scale house to drop off garbage or paid recycling.

CENTRAL SURREY RECYCLING AND WASTE CENTRE

6711 – 154 Street



Partnerships

- Many of the free recycling items are accepted through partnerships with Extended Producer Responsibility Programs.

Additional Resources

- Central Surrey Recycling and Waste Centre web page



Please refer all media inquiries to Metro Vancouver via:

Media Relations
604-788-2821 | media@metrovancover.org