

**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

January 14, 2014
File: 280-20: CLIFF #200085

PREPARED FOR: Minister Mary Polak

DATE AND TIME OF MEETING: January 15th, 2014 @ 1:30pm

ATTENDEES: Minister Polak, Wes Shoemaker, Jim Standen, Matt Mitschke

ISSUE: Metro Vancouver's Proposed Waste Flow Management Bylaw 280

BACKGROUND:

Section 25 (3) of the *Environmental Management Act (EMA)* enables regional districts to manage municipal solid waste (MSW) and recyclable materials. Metro Vancouver (MVan) drafted the Municipal Solid Waste Recyclable Material Regulatory Bylaw No. 280 (Bylaw 280) and was subsequently approved on October 11, 2013 by the Greater Vancouver Sewerage and Drainage District Board. The bylaw was submitted on November 5, 2013 to the Minister of the Environment for approval as required under section 34 of EMA. The bylaw and supporting documentation is being reviewed by Ministry staff.

DISCUSSION:

A number of haulers and private facility operators are concerned that the proposed bylaw will hinder private investment, including the development of materials recovery facilities for recycling. Some individuals and companies believe that MVan wants to ensure that garbage flows to their proposed WTE. There are also a number of solid waste and recycling companies that have expressed support for the bylaw in its current form.

Following Board approval of the bylaw, MVan Chair Greg Moore and staff made presentations to many of the Metro Vancouver and Fraser Valley Regional District MLAs explaining how the bylaw would ensure MSW would only flow to regional designated facilities. Ministry staff were present at some of the meetings and noted that most of the MLAs did not express reservations to the proposed bylaw.

MVan staff have stated that the region wants to continue to have access to landfills in Washington and Oregon states for contingency and as alternatives to future competitive processes (e.g. closure of the Cache Creek Landfill).^{s.13}

s.13

s.16, s.13

The bylaw has policy implications that will need to be fully investigated as part of the review. Other regional districts have indicated interest in such bylaws, and there is debate on source separation versus 'one bin' waste collection that could have implications for provincial recycling objectives.

SUMMARY:

The Ministry supports 5Rs hierarchy to achieve solid waste goals. MVan's solid waste management plan has ambitious recycling targets and contemplates working closely with private companies to achieve those goals. A waste flow control bylaw could assist MVan in meeting its recycling targets while ensuring implementation of its plan is affordable to its residents.

Given the range of interests in this issue, it is unlikely a bylaw could be crafted that will meet all of the needs of all of the stakeholders. Nevertheless, the process for developing the bylaw, including the adequacy of consultation, must meet legislative requirements. The bylaw has been received and is currently under consideration. There is no time limitation for the review.

s.13, s.14

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**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

January 14, 2014
File: 280-20: CLIFF #200085a

PREPARED FOR: Minister Mary Polak

DATE AND TIME OF MEETING: January 15th, 2014 @ 1:30pm

ATTENDEES: Minister Polak, Wes Shoemaker, Jim Standen, Matt Mitschke

ISSUE: Metro Vancouver's Waste-to-Energy (WTE) Procurement Process

BACKGROUND:

Metro Vancouver's (MVan) approved solid waste management plan, includes the 5R (i.e. reduce, reuse, recycle, recovery and residual management) management principles which will assist the region achieve a total diversion of 70% by 2015. MVan will still require additional disposal capacity of 370,000 tonnes in addition to the current disposal facilities: Vancouver Landfill, Burnaby WTE Facility and Cache Creek Landfill (CCLF). The CCLF is projected to close by 2016 and there are provisions in the plan for MVan to acquire additional contingency landfill capacity if needed.

As per the Minister's July 2011 approval of MVan's solid waste management plan, MVan must ensure that any new WTE consider the full range of options both in and out of region in an equal and fair manner and consult with the Fraser Valley Regional District in the event that an in-region site is chosen. As a result MVan has developed a phased procurement process.

DISCUSSION:

The WTE procurement process goal is for construction commencing in late 2016:

Phase 1 – Technology Request for Qualifications 1 (RFQ1) - closed on February 14, 2013. This resulted in a short list of ten technology proponents (including three technology options: mass-burn, refuse derived fuel-cement kiln & gasification) with proven ability to complete the project were identified. The submissions were evaluated by the Metro Vancouver project team and reviewed by an Independent Third Party Expert Panel and a Fairness Advisor.

Phase 2 – Potential Site Identification Process – Public and private landowners have also been invited to propose suitable sites for waste-to-energy facilities that will be made available to the 10 technology proponents. Four sites have been publicly identified (Duke Point, Nanaimo; Port Mellon, Delta and Vancouver), others are restricted by non-disclosure agreements with current land-owners. These sites will be shortlisted and optioned for purchase or lease by MVan. It is expected that these sites will be announced

publicly in spring 2014. At that time, the one year FVRD consultation commences as in-region sites have already been shortlisted.

Phase 3 – Technology and Sites RFQ2. RFQ2 will combine technology/teams with sites in order to evaluate complete options. This process will occupy the balance of 2014.

Phase 4 – Request for Proposals (RFP) commences in 2015. RFP involving comparison of proposals from a short-list of 3 to 5 proponents qualified through RFQ2 and resulting in detailed design and costing of the proposed facilities.

Phase 5 - Regulatory and Environmental Assessment Processes.

1. Major project review by the Environmental Assessment Office if the facility is located:
 - a. within Metro Vancouver or the Fraser Valley Regional District regardless of the size, or
 - b. any other part of the province where the design capacity exceeds 225 tonnes per day, and
2. An operational certificate, signed by a Director, which includes specific operating conditions prior to commencing operation.

Phase 6, 7 and 8 - Detailed Design/Construction, Commissioning & Operation and Monitoring.

Ministry staff are monitoring the procurement process and the related public consultation.

Summary

MVan is required to consult with FVRD at the completion of the site identification process if an in-region site(s) is identified. The Environmental Assessment process will initiate once MVan determines which site it will pursue. The application for Operational Certificate for the new facility can be concurrent or subsequent to the EA decision. There are also local regulatory steps that will need to be followed, such as zoning and building permitting, depending on the location.

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**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

January 27, 2014
File: 280-20/BN
43340 - 01
CLIFF #: 200226

PREPARED FOR: Honourable Mary Polak, Minister of Environment

DATE AND TIME OF MEETING: January 30th, 2014 at 3:30 pm

ATTENDEES: Canadian Forest Products (Canfor), Minister Polak

ISSUE: Meeting with the Minister to discuss issues related to Canfor operations

BACKGROUND:

Canfor is one of the largest forest companies operating in British Columbia today with operations in southern, central and northern British Columbia. Canfor's forest products include, lumber, pulp and wood pellets. Canfor is also one of the more influential members of the Council of Forest Industries.

Environmental Protection Authorizations:

In 2010, the Ministry introduced the Code of Practice (CoP) for Industrial Non-Hazardous Waste Landfills Incidental to the Wood Processing Industry, commonly referred to as the Woodwaste Landfill CoP. This CoP establishes province-wide standards for the discharge of wood waste to industrial non-hazardous waste landfill sites. The CoP is a results-based regulation requiring landfill owners to register their facility, provide financial security, prepare a conceptual closure plan, and to submit an annual report and a final closure plan and report.

The Wood Residue Burner and Incinerator Regulation, under the *Environmental Management Act* (EMA), sets operating conditions for beehive burners and establishes December 31, 2016, as the final phase-out date. It also sets emission limits and fees for the discharge of associated particulate matter for all burner facilities in the province. Ministry staff have been communicating the 2016 phase-out date to industry since 2010.

In June of 2013, the Ministry began a dialogue with the the sawmilling sector with the Council of Forest Industries (COFI) acting as their representative. The dialogue is a starting point from which to engage the sector regarding the development of a Code of Practice that will replace existing waste discharge permits.

Under the federal Green Transformation program, Canfor recently upgraded two emission sources in the Prince George airshed. Preliminary air monitoring results indicate that particulate matter emissions concentrations have dropped from an approximate average of 260 mg/m³ to 6 mg/m³ and 203 mg/m³ to 5 mg/m³ at the Canfor Pulp and Paper-PG #1 Power Boiler and the CanFor Pulp-Northwood Recovery Boiler, respectively.

Pulp and Paper Environmental Forum (PPEF)

The PPEF is an industry co-operative made up of pulp and paper mills located across BC. The Ministry of Environment meets with the PPEF regularly in order to discuss topics of mutual interest. The last meeting between the PPEF and the Ministry was held on October 5, 2012. Status updates from industry and government are shared along with discussion of technical issues such as emission monitoring. There are presently no issues of contention between the PPEF and the Ministry.

Species at Risk:

Forest harvesting in the BC interior has affected the habitat of a number of forest-dependent species, most notably Woodland Caribou, which range through a large portion of mainland BC. The BC government has endorsed the Mountain Caribou Recovery Implementation Plan as well as the Peace Northern Caribou Plan, committing to several management actions to recover caribou including habitat protection measures.

Water Sustainability Act:

Since 2009, government has engaged widely with the public, First Nations organizations and stakeholders including the forest sector. Last fall, government released its Legislative Proposal for a new *Water Sustainability Act*. In this third and final phase of engagement, government received more than 3,000 submissions and more than 13,000 visits to its website and blog. All submissions are posted online at:

<http://engage.gov.bc.ca/watersustainabilityact/>. COFI has also met with Ministry staff to discuss the proposed new Act and has also provided written submissions throughout the process.

DISCUSSION:

Environmental Protection Authorization topics:

Proponents are becoming more familiar with the Wood Waste Landfill CoP and are finding options for developing landfills that meet the CoP without the necessity for substitution requests. ^{s.13}

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The Ministry believes the standards are appropriate for environmental protection and notes that a substitution process is available.

The Ministry engaged the sawmilling sector regarding the development of a proposed CoP several years ago. However, progress on the sawmill CoP was delayed due to competing priorities. Some key industry representatives have recently signalled that a CoP is a more efficient method of managing sawmill waste than the existing permit system. The Ministry is beginning to explore this approach collaboratively with COFI.

The Ministry is encouraged by the recent air emissions reductions at the two Canfor mills in Prince George. These improvements represent a combine annual reduction in loadings of approximately 770 tonnes of particulate matter per year.

Species at Risk:

The federal government has posted a proposed recovery strategy for the Southern Mountain caribou, listed under the federal *Species at Risk Act* (SARA). This strategy partially identifies the Critical Habitat for protection and identifies the characteristics of Critical Habitat. Federal identification of Critical Habitat cannot be influenced by socio-economic factors.

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COFI has voiced concern in the past that the forest sector bears the “lion’s share” of the burden of species at risk habitat protection in the province, whereas other industries (e.g., independent power producers, or mineral exploration) may not be subject to the same requirements. For this reason, COFI has indicated positive support for species at risk legislation in BC.

s.13

SUGGESTED RESPONSE:

Environmental Protection Authorization topics:

The Ministry encourages Canfor to continue communications with Ministry staff directly and through COFI representatives. Ministry staff met with COFI on June 24, 2013.

There is no evidence to indicate that the 2016 phase out date for all remaining beehive burners will be problematic.

The Ministry views the development of a CoP for the sawmilling sector as a priority for streamlining Ministry authorizations and providing regulatory certainty for industry operations. COFI working group meetings were held with Environmental Protection staff on October 4 and November 27, 2013

While the Ministry understands that recent preliminary air emissions results are not yet public, the Ministry would like to explore working with Canfor on potential joint communications regarding the air emissions improvements and what they mean for the Prince George airshed.

Species at Risk:

The Province accepts all federal recovery strategies to be science advice only and incorporates consideration of socio-economic impacts in all habitat management decisions.

In pre-release discussion, COFI was supportive of *Protecting Vulnerable Species: A Draft Five-Year Plan for Species at Risk in British Columbia*.^{s.13}

s.13

Water Sustainability Act:

The Ministry appreciates the submissions from the forest sector on the proposed new Act and acknowledges the importance of ensuring consistency with the *Forest and Range Practices Act* requirements. s.12, s.13

s.13, s.12

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DMO	VJ	Jan 28/14
ADM	JS	Jan 28/14
Exec. Dir	DR	Jan 27/14
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Author	CJ/BK	Jan 27/14

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

January 10, 2014
File: 280-20
CLIFF # 200077

PREPARED FOR: Minister Mary Polak

DATE AND TIME OF MEETING: January 14, 2014 at 11:30am

ATTENDEES: Cynthia Shore, representing The Progressive Group

ISSUE: Concerns with Metro Vancouver's proposed bylaw and waste flow control

BACKGROUND:

The Progressive Group on behalf of Rabanco, operator of the Roosevelt Regional Landfill in Washington State, has requested a meeting with the Minister to discuss their concerns regarding Metro Vancouver's (MVan's) proposed waste flow control bylaw.

Roosevelt Regional Landfill began accepting waste in 1991 and has shipped waste by rail from a number of communities in BC & Washington and processes demolition land clearing and construction residuals from BC private haulers. The Roosevelt facility operates a gas-to-energy plant that collects 90 per cent of the landfill gas to produce electricity, some of which is returned to the BC grid.

MVan's solid waste management plan was approved July 2011 by the Minister of Environment. For the purpose of implementing their approved SWMP, Section 25 of the *Environmental Management Act* enables regional districts to develop bylaws to help best manage municipal solid waste (MSW) and recyclable materials. The 2011 plan and the previous plan had provisions for MVan to update the waste flow control provisions. The 2011 plan also identified a need for contingency landfill capacity and additional disposal capacity, which could include Waste-to-Energy (WTE), in spite of aggressive targets for waste reduction and recycling.

DISCUSSION:

MVan has submitted a bylaw to the Minister for approval. The bylaw and supporting documentation is currently under review by Ministry staff. The proposed waste flow bylaw would restrict MSW collected from multi-family residences, institutional and commercial businesses to flowing through regional designated facilities, thereby reducing direct bypass to cheaper disposal alternatives. The proposed bylaw is viewed as necessary to capture haulers from avoiding the regional tipping fees that pay for MVan's waste management system and waste reduction initiatives, as well as potentially avoiding the material prohibitions that encourage recycling and local recycling-related businesses and jobs.

A number of haulers and private facility operators are concerned that the proposed bylaw will hinder private investment, including the development of materials recovery facilities for recycling. Some individuals and companies believe that MVan wants to ensure that garbage

flows to their proposed WTE facility. There are also a number of solid waste and recycling companies that have expressed support for the bylaw in its current form.

MVan staff have expressed the view that the region wants to continue to have access to landfills in Washington State for contingency and as alternatives to future competitive processes (e.g. closure of the Cache Creek Landfill). ^{s.13}

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SUMMARY:

The Ministry supports 5Rs hierarchy to achieve solid waste goals. MVan's solid waste management plan has ambitious recycling targets and contemplates working closely with private companies to achieve those goals. A waste flow control bylaw could assist MVan in meeting its recycling targets while ensuring implementation of its plan is affordable to its residents.

Given the range of interests in this issue, it is unlikely a bylaw could be crafted that will meet all of the needs of all of the stakeholders. Nevertheless, the process for developing the bylaw, including the adequacy of consultation, must meet legislative requirements. The bylaw has been received and is currently under consideration. There is no time limitation for the review.

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**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

January 10, 2014
File: 280-20
CLIFF/tracking #: 200099

PREPARED FOR: Honourable Mary Polak, Minister of Environment

DATE AND TIME OF MEETING: January 15, 2014, 2:15 – 3:15

ATTENDEES: From FortisBC: Doug Stout, Vice President, Energy Solutions and External Relations; David Bennett, Director, External Relations; from Climate Action Secretariat: Jessica Verhagen, Director and Lead Negotiator, Business Development

ISSUE(S): Update on FortisBC's school and natural gas transportation business initiatives.

BACKGROUND:

FortisBC delivers approximately 21 per cent of the total energy consumed in BC and employs more than 2,000 people. FortisBC delivers natural gas, piped propane, geoexchange and district energy systems to approximately 940,000 customers in 125 BC communities. In 2010, FortisBC:

- had net earnings over \$170 million and revenues of nearly \$2 billion;
- greenhouse gas emissions (GHG) of 153,992 tonnes carbon dioxide equivalent (tCO₂e); and,
- exceeded the Clean Energy Act Target of 93 per cent of new electricity generated in BC from clean and renewable sources.

In 2007, Fortis Inc. purchased Terasen Inc. In 2008, to support BC's Climate Action Plan, Terasen Gas decided to switch its business model from being a natural gas provider to an energy solutions company and on March, 2011, the Terasen group began operating under the FortisBC brand name. In November, 2011, FortisBC met with former Minister of Environment, Honourable Terry Lake, to discuss the challenges and opportunities in advancing their low-carbon business initiatives. On November 28, 2013, FortisBC issued a news release commending the BC government for updating the greenhouse gas reduction regulation and directing the BC Utilities Commission to exempt the planned expansion of FortisBC's Tilbury liquefied natural gas (LNG) facility from a certificate of public convenience and necessity review. These changes increased FortisBC's ability to rapidly and cost-effectively supply LNG to BC's marketplace.

This January 15, 2014, meeting is a follow-up from a conversation that Doug Stout had with Minister Polak at the BC Sports Hall of Fame dinner on September 19, 2013, regarding the opportunity for schools to use natural gas transportation to save costs and reduce emissions.

DISCUSSION:

FortisBC is making significant energy-related investments that advance the low carbon economy in BC and represent GHG reductions over 900,000 tCO₂e over ten years. With transportation contributing over a third of provincial emissions, FortisBC's opportunities to implement near term natural gas vehicle solutions in the fleet vehicle market are particularly important to reduce emissions in the transportation sector.

The Jobs Plan encourages the use of BC's abundant natural gas within the province – the use of natural gas in transportation is an application that reduces greenhouse gases by 20 to 30 per cent. Additionally, natural gas fuel costs have historically been 25 to 50 per cent less than diesel. FortisBC launched a \$104.5 million incentive program in May 2012 to assist qualifying heavy-duty fleet operators to purchase natural gas vehicles.

There are 1600 public K-12 schools in BC with associated school bus fleets, presenting an opportunity to reduce costs while meeting carbon neutral government commitments.

SUGGESTED RESPONSE:

The province is committed to leadership on climate action and a balanced budget. We are interested in exploring how to advance the use of natural gas in school buses and other public sector fleets to reduce emissions and costs. More broadly, with transportation contributing over a third of provincial emissions, the province recognizes the importance of opportunities, such as FortisBC's, to implement near term natural gas vehicle solutions.

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**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

January 8, 2014
File: 280-20
CLIFF/tracking #: 199922

PREPARED FOR: Honourable Mary Polak, Minister of Environment.

DATE AND TIME OF MEETING: TBD

ATTENDEES:

Nature Conservancy of Canada senior staff:

Linda Hannah, Regional VP, BC Region

Ian Barnett, VP, Regional Operations

Ministry of Environment staff:

Lori Halls, ADM BC Parks and COS.

ISSUE: Introductory meeting with senior staff from Nature Conservancy of Canada, BC Region.

BACKGROUND:

Nature Conservancy of Canada (NCC) is a national non-profit society with a regional office in BC. The focus for the organization is to acquire ecologically valuable lands for long term conservation purposes. NCC was founded in 1962 in Toronto and purchased its first B.C. property in 1974. Since that time, over 400,000 ha of lands have been protected by NCC in B.C. In 2007, NCC partnered with the federal government and received \$185 million for conservation investments.

In 2008, NCC announced the Darkwoods conservation initiative in the South Selkirk Mountains that would eventually be purchased with the aid of forest carbon financing. The province also assisted NCC in the acquisition of Lot 48 on the east side of Columbia Lake in 2012 by providing funding from the Ministry of Environment and the Ministry of Forests, Lands and Natural Resource Operations.

DISCUSSION:

BC Parks has had a positive working relationship with NCC for many years, especially in partnership on a number of land acquisition projects such as:

- Lot 48, east side of Columbia Lake in the Kootenays;
- An addition to Princess Louisa Marine Park on the Sunshine Coast;
- Burgoyne Bay on Saltspring Island.

NCC has also purchased private lands that are adjacent to provincial parks and ecological reserves thereby increasing the ecological values of the parks through increased conservation. Typically, these lands are leased back to the province for consistent management. Examples include:

- An addition to Mt Maxwell Ecological Reserve on Saltspring Island;

- Francis Point adjacent to Francis Point Ecological Reserve, on the Sunshine Coast;
- An addition to Skaha Bluffs Park in the Okanagan.

BC Parks staff approached NCC on a number of occasions over the past two years to assist in two potential acquisitions, the Merrill and Ring lands on Quadra Island and lands held by Island Timberlands at Eagle Heights near Koksilah River Park on South Vancouver Island. To date, NCC has indicated their inability to assist with these projects. For the Quadra project, approximately \$475,000 needs to be raised by February 28, 2014, to complete the \$5.85 million acquisition.

NCC has requested a meeting with the Minister to discuss the Nature Conservancy of Canada's current and future land conservation directions in British Columbia.

SUGGESTED RESPONSE:

Recognize NCC for their ongoing work and express interest in the ongoing partnership approach.

Discuss with NCC any assistance in the acquisition of the Merrill and Ring lands on Quadra Island as this is a priority Ministry project and the Ministry continues to seek additional partners.

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Author	ER	Jan 7, 2014