

**MINISTRY OF ENVIRONMENT
DECISION NOTE**

Date: June 2, 2014
File: 280-20/BN
CLIFF #:206709

PREPARED FOR: Honourable Mary Polak, Minister of Environment

ISSUE: Final proposal for regulatory amendments to address concerns about the landscape use of pesticides.

BACKGROUND:

Proposed changes to the IPM Regulation (IPMR) are intended to ensure that all people using pesticides have appropriate knowledge and that pesticide use is done in the context of Integrated Pest Management (IPM) a process that requires that alternatives to pesticides are considered before using them.

The proposed amendments focus on restricting the use of pesticides to licensed companies but not banning the sale of pesticides.

Public consultation on the proposed changes revealed a number of issues that staff is working to address. Two specific proposals are the subject of this decision note:

- 1) Require residents to use licensed companies when they intend to use specific pesticides in private landscaped areas.
- 2) Enable local governments to opt out of this requirement which would enable their residents within the locality to be exempt from the provincial requirement.

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DISCUSSION:

The key areas of concern relating to the proposed amendments include:

1) Restricting pesticide use only to licensed companies

- Some areas of BC lack licensed companies who can offer pesticide application services. Residents wishing to have pesticides applied as part of an IPM program in these areas could not do so.
- The cost to the resident to use pesticides on their property will significantly increase if they must hire a company.
- Eliminating the ability for citizens to use pesticides to control invasive plants may impede government's invasive plant management programs.

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2) Enabling municipalities to “opt out” of requiring a licence

- The *Community Charter* and the Spheres of Concurrent Jurisdiction —Environment and Wildlife Regulation allows municipalities to create bylaws regulating pesticide use in certain instances. Generally, these provisions in tandem with existing case law allow municipalities to implement bylaws that may be stricter than provincial legislation and regulations.
- These authorities have allowed most of the larger municipalities to have bylaws which restrict cosmetic use (see Appendix A). However, Regional Districts do not have a similar authority under the *Local Government Act* to regulate pesticides in the same way that municipalities do under the *Community Charter*. If non-municipal areas (regional districts and unincorporated areas) represent the citizens most likely to prefer to opt out, enabling municipalities only to opt out from a provincial requirement for residents does not address those concerns.

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DECISION & SIGNATURE

Honourable Mary Polak
Minister of Environment

DATE SIGNED

Attachments: Appendix A: Map of BC municipalities with cosmetic use bylaws
Appendix B: Summary table comparing original proposal and suggested changes

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Reviewed by	Initials	Date
DM	WS	July 14/14
DMO	VJ	June 11/14
ADM	JS	June 10/14
Dir.		
Mgr.	DD (changed)	June 2, 2014
Author	JM	April 3, 2014

Appendix A: Map of Municipalities with Cosmetic Use Bylaws

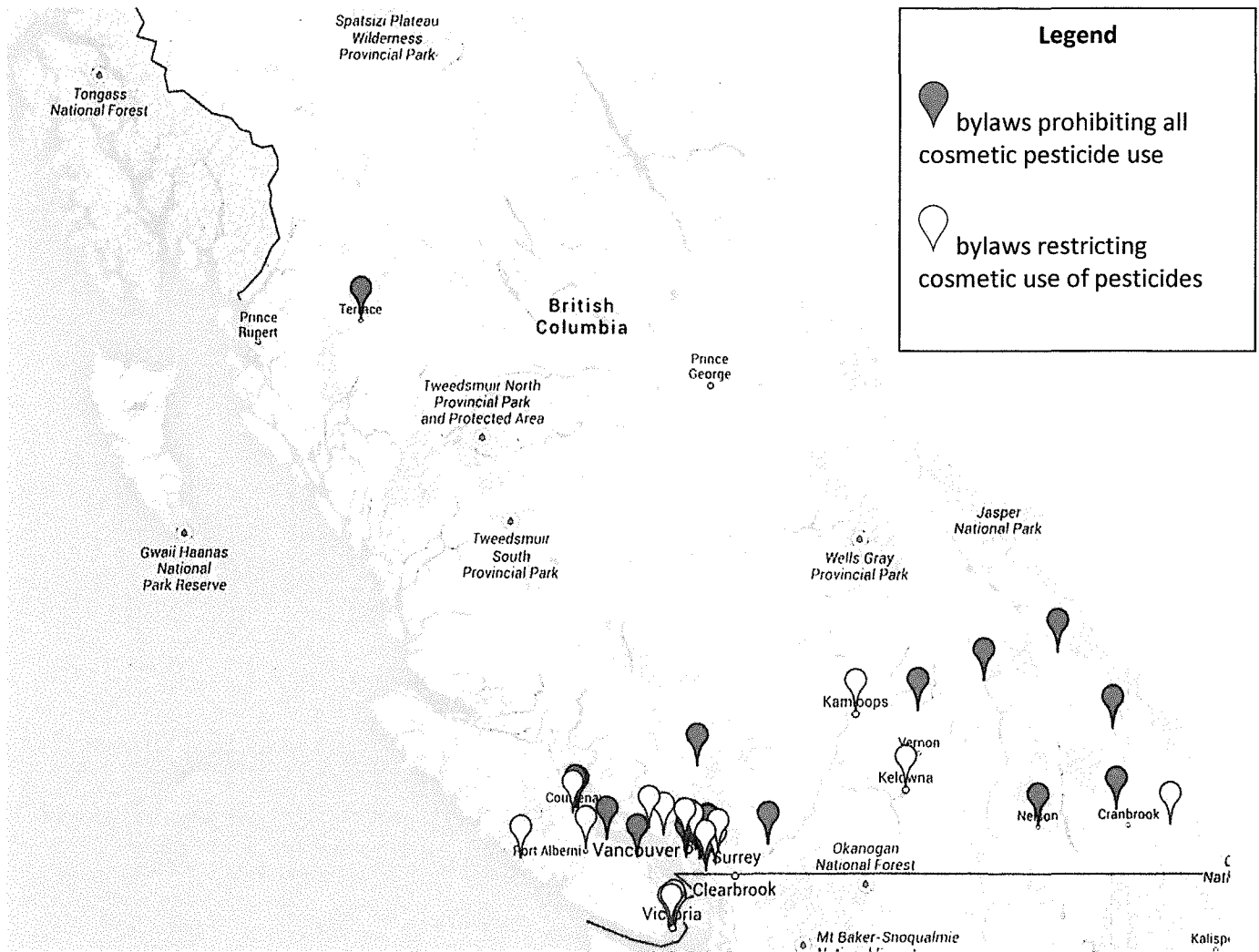


Figure A-1: Map of BC municipalities that have passed bylaws as of 2012 restricting the use of pesticides.

Red markers are bylaws where there is no ability to request the use of pesticides on lawn and ornamental plants. Yellow markers indicate those municipalities that included provisions to approve individual uses upon special request.

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¹ Except excluded (Schedule 2) and preferred pesticides.

² The *Community Charter* only designates authority for municipalities, not regional districts, to have bylaws about pesticide use.

Original Proposal
Under review – for future briefing and decision
Recommended Change

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³ Except excluded pesticides (Schedule 2).

Original Proposal
Under review – for future briefing and decision
Recommended Change

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

June 4, 2014
File: 280-20
CLIFF/tracking #: 206428

PREPARED FOR: Honourable Mary Polak, Minister of Environment

ISSUE: The ministry is prepared to post the 2014 British Columbia Greenhouse Gas Inventory Report with emissions from 1990-2012.

BACKGROUND:

In even numbered years, the Minister of Environment posts the provincial Greenhouse Gas Inventory Report (PIR) (in odd numbered years the inventory tables are posted by themselves). This report forms the technical foundation for reporting on British Columbia's progress toward greenhouse gas (GHG) targets. Reporting is two years in arrears because of the time taken to collect and process emissions and energy data. The 2014 PIR will report on calendar year emissions from 1990 to 2012.

The PIR is based on provincial-level data published annually by Environment Canada in its National Greenhouse Gas Inventory Report (NIR). The NIR is produced to meet Canada's commitment as a signatory to the United Nations Framework Convention on Climate Change and follows international GHG accounting methods.

Each year, Environment Canada reviews and updates past years' data as necessary to improve and maintain consistent methods, and allow for comparison across data years. As a result, baseline and interim emissions often show minor changes from one reporting year to the next.

The PIR and the report on progress toward GHG targets have historically been posted at the same time.

DISCUSSION:

BC's practice is to take the provincial data published by Environment Canada and to:

- include net deforestation,
- make corrections where Environment Canada is expected to make a similar correction in the following year,
- Incorporate more precise or up-to-date data available to BC.

In the 2012 PIR, there are three areas where data has been substituted for the purposes of the provincial inventory:

1. Environment Canada estimates of landfill gas capture emissions do not include landfill gas capture systems coming online in 2012. Several landfills have installed new capture systems to comply with the *Landfill Gas Management Regulation*,

capturing additional methane in 2012. These incremental amounts have been subtracted from the NIR total for landfills in the 2012 year.

2. Environment Canada estimates of oil and gas fugitive emissions are based on a 2000 survey of emissions mitigation activities taking place in the sector. A 2014 update indicated significant additional emissions reductions in this area between 2005 and 2012. The PIR will show oil and gas fugitive emissions based on the 2014 survey.
3. Emissions from net deforestation are included in BC totals. These emissions are reflected in national totals in the NIR, but are not reported at a provincial level.

The 2012 NIR included two major revisions to past data with impacts for BC:

- The estimates for non-energy use of fossil fuels were re-estimated for the years 1995-2011 because of a modelling error in prior inventories. This resulted in a significant downward adjustment to emissions affecting the 2007 baseline year.
- 'Fossil Fuel Production and Refining' was re-estimated for the 2011 year, resulting in a substantial upward adjustment in 2011 emissions.

Emissions went down between 2011 and 2012 in the electricity, fossil fuel, buildings, road transport, and waste sectors, and went up in the off-road transport and industrial process sectors.

Emissions went down between 2007 and 2012 in the electricity, manufacturing, buildings, transport, industrial process, agriculture, and waste sectors, and went up in the fossil fuel and mining, and fugitives sectors.

NEXT STEPS:

The Provincial Inventory Report will be posted on the Ministry of Environment website in coordination with the report on progress toward targets.

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Attachments: PIR Summary Table 1990-2012

Reviewed by	Initials	Date
DM	WS	12 June 2014
DMO	VJ	12 June 2014
ADM	TL	09 June 2014
Dir./Mgr.	LL	27 May 2014
Author	HH	26 May 2014

Appendix 1: BC PIR Summary Table 1990-2012 (thousands of tonnes)

GHG Source Categories	1990	2007	2008	2009	2010	2011	2012
TOTAL (with afforestation and deforestation)	55,569	64,318	64,255	61,277	61,216	61,618	61,500
ENERGY	41,233	50,276	50,663	47,886	48,127	48,722	48,587
Stationary Combustion Sources	18,958	20,871	20,807	20,455	19,936	21,430	20,438
Electricity and Heat Generation	803	1,125	1,467	1,319	1,211	761	494
Fossil Fuel Industries	3,576	6,163	6,017	6,281	6,354	6,944	6,514
Mining & Oil and Gas Extraction	328	1,169	1,444	1,416	1,622	1,670	1,759
Manufacturing Industries	6,460	4,662	4,070	4,036	4,060	4,185	4,018
Construction	306	125	104	63	81	187	189
Commercial & Institutional	2,838	2,906	3,089	2,742	2,498	2,818	2,804
Residential	4,328	4,649	4,556	4,551	3,804	4,589	4,276
Agriculture & Forestry	321	71	60	46	305	277	383
Transportation	18,609	24,859	25,304	23,166	23,713	22,323	23,334
Domestic Aviation	1,285	1,422	1,331	1,202	1,156	1,087	1,048
Road Transportation	11,405	15,484	15,396	15,536	15,456	15,254	14,581
Light-Duty Gasoline Vehicles	3,735	4,059	4,023	4,094	3,928	3,632	3,595
Light-Duty Gasoline Trucks	2,134	4,635	4,603	4,694	4,509	4,171	4,140
Heavy-Duty Gasoline Vehicles	2,224	1,772	1,778	1,831	1,773	1,657	1,657
Motorcycles	19	29	29	30	29	27	27
Light-Duty Diesel Vehicles	34	66	71	78	83	81	84
Light-Duty Diesel Trucks	40	59	60	63	63	59	59
Heavy-Duty Diesel Vehicles	2,438	4,638	4,580	4,540	4,855	5,415	4,816
Propane & Natural Gas Vehicles	781	226	252	207	216	212	204
Railways	1,441	424	658	444	515	676	689
Domestic Marine	1,025	2,627	2,584	2,666	2,704	2,262	2,644
Others	3,453	4,901	5,336	3,318	3,882	3,044	4,371
Off Road (sum of gasoline and diesel below)	2,597	3,968	4,441	2,450	3,046	2,237	3,572
Off-Road Gasoline	350	442	351	255	345	423	720
Off-Road Diesel	2,247	3,526	4,090	2,195	2,701	1,814	2,852
Pipelines	856	933	895	868	836	806	799
Fugitive Sources	3,666	4,546	4,552	4,265	4,479	4,969	4,815
Coal Mining	686	728	701	621	764	758	832
Oil and Natural Gas	2,980	3,817	3,851	3,644	3,715	4,211	3,983
INDUSTRIAL PROCESSES	2,674	4,009	4,011	3,871	3,696	3,476	3,581
Mineral Products	850	1,404	1,273	1,033	1,126	1,140	1,227
Cement Production	613	1,186	1,069	857	932	939	1,028
Lime Production	162	162	157	137	165	172	173
Mineral Products Use	76	57	48	38	29	30	26
b. Chemical Industry	0	-	-	-	-	-	-
Nitric Acid Production							
Adipic Acid Production	-	-	-	-	-	-	-
Petrochemical Production	0	-	-	-	-	-	-
Metal Production	1,507	1,102	1,153	1,149	785	785	817
Iron and Steel Production	-	-	-	-	-	-	-
Aluminium Production	1,507	1,101	1,150	1,148	785	785	817
SF6 Used in Magnesium Smelters and Casters ⁴	-	1	2	1	1	1	1
SF6 used in electrical equipment	60	49	66	61	61	28	47
Consumption of Halocarbons and SF6	-	781	800	916	1,016	1,077	1096
TOTAL - Consumption of HFC and SF6	60	831	865	977	1,077	1,105	1,142
Other & Undifferentiated Production	257	672	719	713	708	445	395
SOLVENT & OTHER	21	43	45	34	32	32	41

GHG Source Categories	1990	2007	2008	2009	2010	2011	2012
PRODUCT USE							
AGRICULTURE	2,146	2,356	2,273	2,123	2,090	2,005	2,001
Enteric Fermentation	976	1,120	1,068	986	943	918	933
Manure Management	315	369	362	350	345	341	341
Agriculture Soils	855	867	843	787	802	746	728
Direct Sources	394	357	351	333	352	325	307
Pasture, Range and Paddock Manure	168	213	200	180	169	160	167
Indirect Sources	292	298	291	274	280	261	254
Field Burning of Agricultural Residues	-	-	-	-	-	-	-
WASTE	3,340	4,001	4,008	4,054	3,968	3,953	3,733
Solid Waste Disposal on Land	3,166	3,788	3,795	3,840	3,753	3,737	3,516
Wastewater Handling	92	129	129	130	131	132	133
Waste Incineration	81	85	85	84	84	84	84
Afforestation and Deforestation	6,155	3,634	3,256	3,308	3,302	3,429	3,558
Afforestation		-13	-14	-16	-18	-21	-22
Deforestation	6140	3647	3270	3325	3319	3447	3576
Grassland conversion	3	0	0	0	1	2	3
Conversion to Wetlands	12						
OTHER LAND USE (Not included in total B.C. emissions)	-21232	38703	22612	49490	86146	27048	39297
Forest Management	-21420	38418	22273	49217	85875	26779	39043
Cropland Management	84	233	232	227	222	218	212
Wetland Management	104	51	48	46	44	42	40
Grassland Management		0	58		5	10	2

**MINISTRY OF ENVIRONMENT
MEETING INFORMATION NOTE**

June 19, 2014
Date of previous note: Feb 8, 2013
File: 280-30
CLIFF/tracking #: 207652

PREPARED FOR: Honourable Mary Polak, Minister of Environment

DATE AND TIME OF MEETING: June 25, 2014, 1:00 pm, PVO

ATTENDEES: Honourable Mary Polak, Minister of Environment
Lisa Mattheus, Organizing for Change
Anthony Danks, Executive Director, Ministry of Environment
Doug Caul, Deputy Minister, Environmental Assessment Office

ISSUE(S): Meeting with Organizing for Change regarding the coalition's upcoming campaign initiatives.

BACKGROUND:

"Organizing for Change" is a project focused on developing more effective approaches to advancing environmental policy initiatives in B.C. consisting of the following organizations: Canadian Parks and Wilderness Society – B.C. Chapter; Conservation Northwest; Dogwood Initiative; Ecojustice; ForestEthics; Georgia Strait Alliance; Greenpeace; Pembina Institute; Sierra Club BC; West Coast Environmental Law; and Wildsight.

Lisa Mattheus is the Provincial Lead for Organizing for Change, the Campaign's Director at Sierra Club BC. Ms. Mattheus has requested the meeting to discuss the 2014/15 Organizing for Change campaign priorities and review the outcomes from the previous set of priorities, before they are released on their website.

DISCUSSION:

Lisa is looking to present the 2014/2015 Organizing for Change campaign priorities as an update to the Minister and to give her an opportunity to ask questions regarding the campaign. Lisa has said that at this time she is not looking for an official response to the new campaign priorities from the Minister. The three new priorities for the 2014/15 year are 1) a National Park for the Flathead River Valley, 2) protection for the Klappan, and 3) environmental assessment of LNG development in Northern B.C.

In addition Lisa would like to discuss outcomes of their previous priorities, and opportunities for ongoing improvement as they will also be reporting these on their website.

SUGGESTED RESPONSE:

The Ministry of Environment is appreciative of the support and great work being conducted by Organizing for Change and its affiliates and will continue to engage them on key policy and program areas going forward.

New Priorities for 2014/2015

1. A National Park in the Flathead River Valley

BC government's protection model for the Flathead is something to be celebrated. This area is part of an international agreement with Montana to ban mining, oil and gas development and coalbed methane extraction that was legislated in 2011. While limited forestry and recreational opportunities are permitted, excluding the extractive activities with the highest impact while allowing some economic interests to continue has brought certainty to the environment for the long term. While the government appreciate stakeholder interest in a national park initiative, B.C. is not prepared to consider the proposal at this time.

2. Environmental Assessments for LNG in the North

EAO has supported and implemented a strategic approach to LNG project reviews. This strategic approach is built on the following principles:

- Predictable, robust and timely EAs;
- Proactive identification of key issues requiring a cumulative effects assessment at the regional level; and
- Active, meaningful communication and engagement with First Nations, local government, stakeholders and the public that take into account concerns and impacts that might arise during multiple project-specific assessments.

3. Klappan

Over the last year the province has engaged in discussions consulting with communities, First Nations, and industry on establishing a provincial protected area in the Sacred Headwaters. ENV has recently received specific direction from the Premier to work with the Ministry of Energy and Mines and the Ministry of Aboriginal Relations and Reconciliation on developing a provincially protected area in the Klappan. These discussions will help inform ENV's ongoing work with other natural resource sector ministries on land use and protected areas planning for this area.

Previous Priorities for 2013/2014

4. Water Sustainability Act

- Modernizing the *Water Act* was a key commitment in our government's election platform, and will better protect our water resources and help keep our environment, economy and communities strong. The new *Act* responds to current and future pressures on water – including groundwater – and positions B.C. as a leader in water stewardship.
- Government recognizes the importance of protecting water for nature and communities and appreciates the active participation and support of B.C. conservation organizations, including Organizing for Change and its November 2013 submission on the *Water Sustainability Act*.

5. *Great Bear Rainforest*

- In 2009 environmental groups along with the B.C. government, industry and First Nations embarked on a five-year plan to achieve the concurrent goals of low ecological risk and high quality of life in communities by March 2014.

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DMO	VJ	June 25
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