

# *Environmental Advisory Committee - Minutes*

Executive Boardroom  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
WEDNESDAY, MAY 23, 2012  
Time: 6:02 pm  
File: 0540-20

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**Present:**

Chair – Councillor Hayne  
B. Campbell  
C. Dragomir  
A. Schulze  
B. Stewart  
J. Purewal  
G. James  
R. Grewal

**Regrets:**

G. Sahota  
G. Sangha  
J. Stewart  
S. Van Keulen (AFSAC  
Representative)

**Staff Present:**

C. Baron, Drainage & Environment Mgr.  
L. Luaifoa, Legislative Services  
O. Croy, Parks Manager

**Guests:**

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**A. ADOPTION OF MINUTES**

It was

Moved by C. Dragomir  
Seconded by B. Stewart

That the minutes of the Environmental  
Committee meeting held on April 18, 2012 be adopted.

Carried

**B. DELEGATIONS**

**C. OUTSTANDING BUSINESS**

**1. Intergovernmental Committee Request**

Review of the issue papers; Sea Dyke Guidelines and Multi-materials BC: New Packaging & Printed Paper Legislation.

This item was deferred to the June Committee meeting.

**2. 2012 EAC Workplan**

This item was deferred to the June Committee meeting.

**3. Pesticide By-Law**

The Committee discussed the concerns brought forward by the delegation at the April EAC meeting. The delegation requested that Sections 3(g), 4(a) and (b) be removed from the "Surrey Pesticide Use Control By-law, 2010, No. 17160".

The Committee made the following comments:

- When the by-law was first worked out in the Committee, sections such as 3(g) did not exist. The word "infestation" was not in the by-law. These items were added back into the wording of the by-law by the Parks Committee. Staff noted that staff added things and took things out according to consultation with the different committees with Council's approval.
- It was suggested that the Committee look at the sections of the by-law that the delegation expressed concerns with.

The Committee agreed to review each of the three sections in question of the Pesticide By-law:

**Section 3: Section 2 of this By-law shall not apply to the application of a Pesticide use for: (g) managing of outbreaks of an introduced invasive exotic or foreign Pest;**

- Staff noted that the Provincial and Federal Governments monitor for and attempt to eradicate invasive pests that come into Canada; this is done in order to protect Canadian agriculture and forestry. Monitoring of various agricultural and forestry products coming in at the ports of entry is done.
- When foreign pests, which can include things such as insects, snails, nematodes and plant diseases get established in local natural environments, they can damage or destroy plants that are not accustomed to their presence. Surrey's natural area is under threat from invasive exotic species. Invasive species such as English Ivy and Periwinkle are commonly used in landscaping, and will thrive in shaded environments such as out local forests, displacing native flora and fauna. The City will do cutting, capping and capping of introduced exotic plants in threatened eco-systems. Where repeated attempts fail, staff will resort to using synthetic pesticides, in this case, herbicides. If invasive species are left and not dealt with, the function of the eco-system is severely hampered. If a foreign species like Asian Long-horned beetle came to Surrey, ornamental plants would be lost as well as the native forest. There is a long term benefit from using pesticides for eradication efforts from an environmental perspective and when used under proper circumstances, in a proper way. This section should remain.

The Committee decided to leave this section as is.

**Section 4: Despite Section 2, a Pesticide may be applied to Private Lands or Public Lands for: (a) controlling or destroying a Pest which has caused an Infestation; or**

- There are several issues, on one hand we want that ability to control and destroy a pest or infestation; however, there is room for wide interpretation to the point of abusive interpretation.
- It was suggested that a By-law Officer attend an EAC meeting and have a discussion with the Committee to find a workable solution and share how the by-law is enforced and how private companies are held accountable.

- Clarification for Section 4(a) and 4(b) could be made by ensuring the "application is carried out by a trained individual".
- There are several different levels of registration. For example, domestic registration is for products which are bought off shelves and are ready for application by home-owners; these are generally highly diluted, and have high LD 50's (low mammalian toxicity). Restricted pesticides are generally used commercially, a person has to be a farmer or be a provincially certified applicator to purchase these types of products.
- There is a provincial committee – Special Committee on Cosmetic Pesticides that was struck to examine, inquire and make recommendations with the respect to the elimination of the unnecessary use of pesticides in BC. Recently, the Committee recommended to the Legislative Assembly that the sale of cosmetic pesticides not be banned in British Columbia.

It was

Moved by Al Schulze

Seconded by B. Campbell

That the Environmental Advisory Committee

recommends that Council recommend that Section 4(a) of the "Surrey Pesticide Use Control By-law, 2010, No. 17160" be removed in its entirety.

Defeated

3 in favour

4 against

The Committee made the following additional comments:

- If Section 4(a) of the "Surrey Pesticide Use Control By-law, 2010, No. 17160" was removed and a person had an infestation of fire ants, how are they allowed to treat it? Fire ant bites are venomous, making it a human health hazard. For non hazardous pests, staff noted spray bombs in aerosol cans could be used. The City is not permitted to regulate the use of pesticides in aerosol containers.
- Committee members discussed whether fillable containers that can be pressurized with a pump could be deemed as "aerosol"; while staff believe that this is not the case, they will pursue that question with the Province.
- The definition of "infestation" needs to be strengthened as it is very subjective. "Infestation" is not a few dandelions on the front lawn and cannot be interpreted in that manner. The City might consider working with the By-laws Section and commercial pesticide spray companies to point that out and to convey that if people are spraying, they will be in contravention of the Surrey By-law. In the case of hot tubs and the use of chlorine, the hot tub suppliers were sent letters warning them that they could be contravention of the by-law. The same approach could be used with pesticide use.
- The Pesticide By-law is parallel to the Tree By-law which has its strengths and weaknesses. An option is to couple this with an education program. Education takes a lot of time and there are many different ways of educating people. An option is to have in place a requirement that provincially certified persons must attend an annual information seminar about the Surrey Pesticides By-law before being permitted to apply pesticides in the City of Surrey. For example, a seminar could be provided on a Saturday morning.

- The idea of requiring a municipal permit to commercially spray on private property is favourable. The process might include obtaining a municipal permit with certain requirements before application would be permitted. If a person sprayed without a permit they would be in breach of the by-law. With a permit process in place there would be more documentation of the breach of the process. It was questioned if a permit process was in place and a person goes to City Hall and applies for a permit, how does that person provide information about the infestation? Is it by description or with pictures? Staff noted that a procedure would be developed to determine those details.
- The delegation from the April EAC meeting stated that there are no issues with other municipalities' pesticide by-laws because there are no loopholes.
- A recommendation should be made if Council amends the by-law that resources be put into a communications strategy with the public.

### COMMITTEE RECOMMENDATION

It was

Moved by B. Stewart

Seconded by R. Grewal

That the Environmental Advisory Committee

recommends that Council recommend that, in view of reported difficulties with the enforcement of the Pesticide By-law #17160, that staff develop a procedure to be put in place prior to the application of a pesticide on private lands under the conditions stipulated in Section 4(a) of the Pesticide By-law #17160 .

Carried

### **Section 4: Despite Section 2, a Pesticide may be applied to Private Lands or Public Lands for: (b) ensuring the safety of pedestrian surfaces or sports surfaces, provided that the application of the Pesticide is carried out by a Certified Applicator and by no other person**

- It was suggested that this clause be left in the by-law with the Parks and Recreation Department strengthening the wording.
- The delegation from the previous EAC meeting stated that some places use chemicals as it was less expensive using organic products on the sports fields. Staff noted there are very little pesticides used on sports fields. In 2011, there was none used and in 2010 only one litre was used. Pesticides are only applied during the off season when no permits are issued for use of the fields, and the area is fenced off with snow fencing when the area is being treated. The fence remains up for quite some time. Organic mulching systems cannot be used on sand based sports fields as it creates a water holding situation and the surface becomes mushy. The concept of using an organic system is foreign to sand-based sports fields here. Council has approved funding to construct additional artificial turf fields which do not require the use of herbicides. When weeds in natural grass sand-based fields are spot-sprayed, the work is carried out in dry weather, and the areas would typically be irrigated the next day after application. Not only do the herbicides that are used break down ultra violet light, the fields continue to be irrigated through the summer until play resumes in September. Human

exposure is highly unlikely. The risk of accidental exposure of humans and pets is far more likely with homeowners spraying pesticides.

### COMMITTEE RECOMMENDATION

It was Moved by B. Campbell  
Seconded by C. Dragomir  
That the Environmental Advisory Committee recommends that Council recommend that Section 4(b) of the "Surrey Pesticide Use Control By-law, 2010, No. 17160 be removed in its entirety.  
Carried

The Committee made the additional comments:

- The Committee has the opportunity to request that a review be completed of the "Surrey Pesticide Use Control By-law, 2010, No. 17160 as it has now been in place for two years. It can be sent back to staff with the consultation of sports associations to obtain feedback before making the final recommendation.
- Send recommendation to Council to remove the clause and give Council the option to send back to staff.

#### 4. **Surrey Environmental Partners (SEP) – Presentation to the Environmental Advisory Committee**

This agenda item is tabled.

At the April EAC, it was suggested that the Surrey Environmental Partners' presentation be categorized linking the points to initiatives underway within Surrey. Carrie Baron, Drainage and Environmental Manager provided the following summary:

#### **Volunteer Activities:**

- SEP strongly supports the Nature Center and Nature Matters program and encourages full funding.

*These programs continue in Surrey with Council providing sustainable funding yearly for the Nature Matters program.*

- SEP has had involvement in the development of large initiatives (i.e., Sustainability Charter, Development Checklist, Targets and indicators, etc.), and plans to continue in this role.

*It is planned to ask SEP to also comment on the OCP update and Biodiversity Study about to advance. SEP is often contacted directly on most large City planning initiatives.*

**Operations – Natural Areas Maintenance:**

- SEP is concerned that the City is accepting degraded natural areas into its inventory and no capital funding is being provided to bring these lands to functioning habitat.

*The City often acquires the land at a reduced price because of its condition. Sometimes the City has others pay for its upgrading through a "P15 agreement" allowing the lands to be used as compensation sites and thus obtaining the upgrades needed by developers – this is when the lands are in a riparian setting.*

*When new parks are being developed on land that was previously degraded, the City often takes portions of these park lands and carries out habitat improvement works. These works include re-introducing coarse woody debris, eliminating invasive species and planting native trees & shrubs. In addition, through the Green City Fund, funding is set aside each year specifically for natural area improvements on park lands adjacent to new developments. These works include re-planting with native species and conversion of grass areas to natural area.*

- Surrey's natural areas maintenance has been seriously underfunded for many years according to SEP. These low funding levels could affect the health of Surrey's natural areas.

*Each year at budget time staff present funding requests for new natural area parkland in amounts that will satisfy the optimum natural area management program. Staff recognize that Council has many priorities for its operating budget, including police, fire, libraries, planning, and engineering functions. When budgets are finalized, staff prioritize the natural area work plan, and attend to all critical and important issues in accordance with the budget funding that is available, utilizing the frame-work of the award-winning Natural Areas Strategic Management Plan to guide decision making. Surrey carries out a more comprehensive natural areas management program than any other lower mainland municipality, and does it within approved available budgets. The current budget for natural area parkland management is \$1,591,365; this amount is comparable to the operating budget for all of the City's athletic facilities.*

**Capital Expenditures**

- Natural Area Parks / Living Legacies
  - SEP advocates that the City obtain three more very large parks in the order of the size of Green Timbers and Sunnyside Acres in addition to the regular acquisition of natural area parks. This ties into the Sustainability Charter intent to conserve and enhance Surrey's biodiversity and natural areas. It is also a part of the EMS implementation. These lands would be considered as a Natural Capital investment.

*Over the last five years, the City has acquired 156 ha (385 acres) of natural area. This is more than 50% of the total parkland acquired by the City and far exceeds the 0.8 ha/1000 provision standard contained within the current OCP. When all*

natural area lands (including regional park natural areas and the Serpentine Fen Wildlife Management Area) are calculated, the City has close to the 5.0 ha per 1000 that has been suggested by SEP. The proposed Biodiversity study will use the EMS study as a base and will look at the opportunities for key additional natural areas to be added to the City and the potential funding required to achieve this.

The parkland acquisition ratio currently remains at 4.2 ha (10.5 acres) per thousand, as per the Official Community Plan (OCP). The Parks, Recreation and Culture 2008-2017 Strategic Plan recommended 1.2 ha per 1000 for "City Parks"; this is only one classification of park recommended in the report, with the others being Destination Parks, Community/Town Centre Parks, Neighbourhood Parks, and Regional Parks. These other park classifications include specific per capita ratios, save for Regional and Destination Parks, which are not calculated on a per capita basis, owing to their nature. The report suggests not including park lands that are contained within the ALR in the total when counting the current provision ratio, not including the existing regional parks (Surrey Bend and Tynehead) and not including lands that serve infrastructure purposes (storm water, sanitary, water, etc.), which would tend to increase the per capita ratio of what we have traditionally included in the per capita provision ratios.

- Campbell Heights / Stokes Pit
  - SEP has suggested that one of the Legacy Parks could encompass the remainder of the City owned lands in Campbell Heights. These lands include wetlands, forest and fields.

*The Biodiversity study will be considering this area.*

#### **Other Items:**

- Biodiversity Assessment – SEP is glad this is advancing.

*As noted in the March presentation to EAC, this project is beginning shortly. Consultant selection is almost complete.*

- Marine / Rivers Center – SEP continues to support the development of a center to educate residents and celebrate our rich aquatic assets.

*At the present time, much of this education takes place at the local streamkeepers level (i.e., Tynehead Hatchery, Nicomekl Enhancement Society, Semiahmoo Fish & Game Club, Shared Waters, etc.). The City provides education through the SHaRP and Nature Matters programs. The City also has developed the Coho Crew and Salmon Savers program, with local volunteers educating others in their community about aquatic assets. By engaging the local community throughout Surrey, it is thought residents will better understand how they influence the creeks and waterways in their neighbourhoods.*

- Environmental Planner – SEP has been requesting the City to have an "environmental planner" for many years. This position could oversee considerations of all actions and proposals in the City that have an impact

on the natural environment. SEP also questioned the role of the Environmental Review Committee (ERC).

*Stephen Godwin, Environmental Coordinator, is currently the City's Registered Professional Biologist and is involved in reviewing development applications that trigger environmental concerns. He is also involved in all NCPs in regard to environmental aspects of the plans. The Environmental Coordinator position lies within the Engineering Department but is the City's resource regardless of the department in which the environmental issue resides.*

*The Engineering ERC began in 1995 whereas the Planning ERC began in 2000. There are two ERC meetings each month in Surrey. These meetings provide City staff, consultants and developers an opportunity to meet with DFO staff to discuss fisheries issues on projects. The meeting does not look at all environmental aspects of a project but just those pertinent to DFO.*

- No Net Loss – SEP would like to see a “no net loss” policy governing the conversion of natural area parkland, to ensure loss of natural area parkland to another use is compensated with an equivalent area to be added elsewhere in the City. SEP would also like to expand this concept to include tree replacement, which would see five trees planted for every tree removed by the City.

*Both concepts need to be explored further by staff / Council.*

## D. NEW BUSINESS

### 1. NCP's – Preservation of Forested Slopes

The Committee discussed proposed development on forested hillsides and how these hillside areas with environmental areas are a priority. The Committee agreed on the importance of having the NCP's with steep slopes evaluated in respect to preservation.

## COMMITTEE RECOMMENDATION

It was

Moved by B. Stewart

Seconded by A. Schulze

That the Environmental Advisory Committee

recommends that Council refer back to staff the current NCP's that have steeply forested environmental sensitive slopes in view sheds, for ideas how to preserve those areas without impacting environmental sensitive lands.

Carried

## E. ITEMS REFERRED BY COUNCIL

## F. CORRESPONDENCE



**G. INFORMATION ITEMS****1. Agricultural Food and Safety Advisory Committee (AFSAC) Update**Limitations on House Size in the Agricultural Land Reserve (ALR):

The City is working on a new by-law to restrict the size and location of residential building sites on land within the ALR. The Committee heard from a delegation which requested that the proposed by-law be made more restrictive, to limit actual house size as was done in Delta. The Committee's position is that a maximum home plate footprint of 2,000 sq. m. (3,000 sq. m. on larger lots), combined with the requirement that one side of the homeplate should abut the road frontage, will be a sufficient restriction to address concerns about the loss of arable land to large houses.

Biodiversity Strategy:

Stephen Godwin, Environmental Coordinator, presented an update on the City's biodiversity strategy with which this Committee is familiar. He expects the draft strategy to be completed by the end of October, with the final copy ready by year-end.

Subdivision of the site occupied by A Rocha:

For those of you familiar with the work of the environmental stewardship group A Rocha, there is a proposal to subdivide the site they occupy at 16th Avenue and 192nd Street. The purpose of the subdivision is to enable the landowner to gift the southeast portion to A Rocha. That section includes a portion of Little Campbell River, three registered heritage buildings and several other buildings with potential heritage value. The land is not in the ALR but is zoned, "General Agricultural (A-1)".

It was Moved by B. Campbell  
 Seconded by C. Dragomir  
 That the Environmental Advisory Committee  
 receive the report from Bill Stewart.

Carried

**2. Development Advisory Committee (DAC) Update**

Deferred to the June Committee meeting.

**3. Proposed Subdivision of Land Designated "Agricultural" in the Official Community Plan**

19353 16 Avenue  
 File No. 7912-0080-00

The "Brooksdale Estate" property proposal to subdivide the lot into two was provided to the EAC for information and comment by the AFSAC. The purpose of

the subdivision is to allow the Estate to gift the buildings and naturalized lands (proposed Lot 2) to the international Christian environmental stewardship organization, A Rocha, through the sale of the remainder of the property (proposed Lot 1).

**COMMITTEE RECOMMENDATION**

It was Moved by C. Dragomir  
Seconded by B. Campbell  
That the Environmental Advisory Committee recommends that Council recommend that the City of Surrey acquire Lot 1 of the proposed subdivision (19353, 16 Avenue), relative to Development Application No. 7912-0080-00 to preserve the availability of future agricultural / environmental use of said lands.

Carried

**H. OTHER BUSINESS**

1. Kelowna has been recognized nationally for its unique and progressive biodiversity management practices. The International Council for Local Environmental Initiatives (ICLEI-Canada) published its Cities and Biodiversity Case Study Series to commemorate the United Nations Year for Biodiversity (2010). The Series is a collection of best practices in urban biodiversity management and protection.

**I. NEXT MEETING**

The next meeting of the Environmental Advisory Committee will be held on **Wednesday, June 27, at 6:00pm at the Surrey Nature Centre**.


**J. ADJOURNMENT**

It was Moved by B. Campbell  
Seconded by C. Dragomir  
That the Environmental Advisory Committee meeting do now adjourn.

Carried

The Environmental Committee adjourned at 9:15 p.m.

  
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Jane Sullivan, City Clerk

  
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Councillor Hayne, Chair