



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Community Safety Committee
FROM: Chuck Gale
General Manager, Community Safety
RE: **Cross Border Air Pollution – Air Quality Accord Resolutions Proposed by the City of Abbotsford for the Federation of Canadian Municipalities**

To Community Safety Aug 23, 2001
DATE: August 13, 2001
FILE: 6425-04
6175-02-01

STAFF RECOMMENDATION

1. That the City of Richmond adopt the two resolutions from the City of Abbotsford presented to, but not voted on, at the recent Federation of Canadian Municipalities (FCM) Conference dealing with protecting communities from cross border air pollution (env1.2.07 and env1.2.08) with a statement noting that the City is requesting guidance from the GVRD on this matter for future reference.
2. That a letter be sent to the GVRD requesting that they formally review the resolutions and provide guidance to the City of Richmond.
3. That a letter be written to advise the FCM, the City of Abbotsford and all other municipalities in the GVRD and the FVRD of City of Richmond's support of the said two resolutions.

Chuck Gale
General Manager, Community Safety

Att. 4

| FOR ORIGINATING DIVISION USE ONLY | |
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| ROUTED TO: | CONCURRENCE |
| Manager, Engineering Planning | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> |
| Manager, Policy and Planning | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> |

STAFF REPORT

ORIGIN

Council requested that a report be forwarded outlining a response from the City of Richmond to a request made by the City of Abbotsford to support two air quality policy resolutions. These resolutions urge the Federal Government to strengthen its role in transboundary air quality management. A copy of the resolutions is provided in Attachment 1.

The resolutions proposed by the City of Abbotsford were forwarded to the FCM for consideration at its 2001 Annual General Meeting. However, these resolutions were not considered due to time constraints. The City of Abbotsford is requesting that municipalities demonstrate their support to the FCM prior to the next Board meeting in September. They are also requesting that municipalities directly lobby the Federal Government.

The City of Richmond has received copies of letters of support from the City of White Rock and the City of Burnaby (Attachment 2).

ANALYSIS

Air quality poses a serious health concern. Due to the critical demand for electricity, it can be expected that a number of energy facility proposals will be proposed by U.S. utility companies. The City of Richmond is presently tracking one such project, a proposed energy facility plant at BP Cherry Point.

Based on its experience with the Sumas 2 Generation Project, the City of Abbotsford has identified an urgent need to strengthen cross border air quality management. Despite the fact that there has been an Air Quality Accord between Canada and the United States since 1991, the City of Abbotsford ascertains that further action is required. For example, the City of Abbotsford indicates that cumulative environmental effects of proposed developments in, or near Canada, need to be better understood prior to project approval.

Based on input provided by an air quality expert hired by the City of Abbotsford and observations made throughout the hearing process, the City of Abbotsford has concluded that:

- a. "the Federal Government of Canada has not fully implemented its responsibilities under the terms of the 1991 Canada-USA Air Quality Accord;
- b. the interests of Canada's residents and communities are not being fully considered in Canada-USA trans-boundary air quality decision making processes;
- c. the criteria used to evaluate modelling results for Canada-USA trans-boundary air quality issues are believed to be inadequate; and
- d. the allocation of governmental responsibilities over Canada-USA trans-boundary air quality issues is poorly defined." (Report to City of Abbotsford Council DEV012-2001, January 2001 – Attachment 3).

The City of Richmond lacks the first hand experience needed to evaluate the technical merits of the proposed resolutions. The GVRD which takes a lead role in managing air quality in the Greater Vancouver Regional District had not previously received a copy of the resolutions prior to inquiries made by the City of Richmond. Without the opportunity of a formal review, the GVRD is unable to comment on the technical merits (e.g., need for improved modelling, etc.) of the resolutions. However, the GVRD is, in general, in support of initiatives which encourage further effort and action in air quality management. The GVRD will not have the opportunity to review the resolutions prior to the next FCM Board meeting in September.

Based on the ultimate aim to strengthen transboundary air quality management, the City of Richmond should support the resolutions proposed by the City of Abbotsford at this time. However, the City should also make a formal request to the GVRD that they review the proposed resolutions and provide guidance to the City for future reference. The City of Richmond should demonstrate its support of the proposed resolutions by sending a letter to the City of Abbotsford and all other municipalities in the GVRD and the FVRD, and to the FCM. A statement that the City is requesting guidance from the GVRD should be included in the letter (a proposed letter is included in Attachment 4). The City should not send a letter directly to the Federal Government until such time that supporting guidance to do so has been provided by the GVRD.

CONCLUSION

Based on its involvement in the review of the proposed Sumas 2 power plant, the City of Abbotsford has found that the management of cross-border air quality matters needs further strengthening. The City of Richmond should:

- support the City of Abbotsford's proposed resolutions at this time in order to provide input into the next FCM Board meeting;
- request that a formal review of the resolutions be conducted by the GVRD and feedback provided to the City of Richmond; and,
- send a letter indicating Richmond's support of the resolutions to the City of Abbotsford, all other member municipalities in the GVRD and the FVRD, and to the FCM.



Margot Daykin
Environmental Coordinator

MMD:mmd

Appendix No. 1 - Part A

RESOLUTION

CROSS-BORDER ENVIRONMENTAL IMPACTS

(Addressing responsibilities under the Canada – USA Air Quality Accord)

WHEREAS the Federal Governments of Canada and the United States have entered into an agreement called the "Air Quality Accord" to address air pollution that flows across the Canada-USA international boundary;

AND WHEREAS this accord commits both countries to consult, in advance, on any activities that might cause significant trans-boundary air pollution and states that each must take steps to avoid or mitigate these risks;

AND WHEREAS this accord provides for a process for settling any disputes that may arise between the two countries in dealing with trans-boundary air pollution problems;

AND WHEREAS this accord requires both countries to "maintain means for preventing significant air quality deterioration and protecting visibility ... with respect to sources that could cause significant trans-boundary air pollution";

AND WHEREAS the United States has implemented its part of Annex 1, Part 4 of the Accord and Canada has not,

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges the Federal Government of Canada to implement its responsibilities under the terms of the Canada-USA Air Quality Accord in order to ensure the interests of Canada's residents and communities are defined and presented as part of any future trans-boundary air quality decision making process.

City of Abbotsford, British Columbia

Appendix No. 1 - Part B

RESOLUTION No. 2

CROSS-BORDER ENVIRONMENTAL IMPACTS
(Addressing the need to establish Air Quality Modelling Standards)

WHEREAS the criteria for the use of the modelling systems to examine Canada-USA trans-boundary air quality issues are believed to be inadequate;

AND WHEREAS the evaluation processes to examine Canada-USA trans-boundary air quality issues are poorly defined, as evidenced by the processes examining the environmental effects of the proposed Sumas 2 Generation Facility in Sumas, Washington on residents and communities in Canada;

AND WHEREAS the allocation of governmental responsibilities to oversee Canada-USA trans-boundary air quality issues are poorly defined;

AND WHEREAS the Federation of Canadian Municipalities is concerned about the probability that undesirable cross-border precedents may be created if local government and community concerns over trans-boundary air quality issues are not adequately addressed;

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges that the Federal Government of Canada and its agencies take a greater leadership role in establishing all necessary and appropriate actions to:

- a. establish clearly defined air quality modelling standards and criteria for modelling;
- b. establish well-defined evaluation processes for the interpretation of modelling results in air quality evaluations; and
- c. properly allocate and assign the responsibilities of the Federal, Provincial and Regional governments;

that will be sufficient to ensure proper and timely consideration of future Canada-USA trans-boundary air quality issues, and enable Canada to fulfill its obligations under the Canada-USA Air Quality Accord

City of Abbotsford, British Columbia

Mayor's Office (604) 541-2131
City Administrator's Office (604) 541-2133
Corporate Admin. Office (604) 541-2127
Fax (604) 541-9348

TO: MAYOR & EACH
COUNCILLOR
FROM: A/CITY CLERK

ATTACHMENT 2

THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK B.C. V4B 1Y6



June 26, 2001

Richard McKenna
Chief Corporate Officer
City of Richmond
7577 Elmbridge Way
Richmond, BC V6X 2Z8

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6175-02-01

Dear Mr. McKenna,

RE: CROSS BORDER AIR POLLUTION

Please be advised that at the June 25, 2001 Meeting of City Council the following resolution was adopted:

RESOLVED that Council support the two resolutions presented to, but not voted on, at the recent FCM Conference dealing with protecting our community from cross border air pollution (env1.2.07 and env1.2.08), AND FURTHER, that a letter outlining our position on these resolutions be sent to the City of Abbotsford and all other municipalities in the GVRD and FVRD as well as to the FCM Board.

Yours truly,

Louanne Thorson
Administrative Assistant
Corporate Administration Services

Resolutions Attached

RECEIVED
JUL 04 2001
CITY OF RICHMOND
MAYOR'S OFFICE

CITY OF RICHMOND
DATE
JUL 3 2001
RECEIVED
CITY CLERK'S OFFICE

Appendix No. 1 - Part A

RESOLUTION

CROSS-BORDER ENVIRONMENTAL IMPACTS

(Addressing responsibilities under the Canada - USA Air Quality Accord)

WHEREAS the Federal Governments of Canada and the United States have entered into an agreement called the "Air Quality Accord" to address air pollution that flows across the Canada-USA international boundary;

AND WHEREAS this accord commits both countries to consult, in advance, on any activities that might cause significant trans-boundary air pollution and states that each must take steps to avoid or mitigate these risks;

AND WHEREAS this accord provides for a process for settling any disputes that may arise between the two countries in dealing with trans-boundary air pollution problems;

AND WHEREAS this accord requires both countries to "maintain means for preventing significant air quality deterioration and protecting visibility ... with respect to sources that could cause significant trans-boundary air pollution";

AND WHEREAS the United States has implemented its part of Annex 1, Part 4 of the Accord and Canada has not;

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges the Federal Government of Canada to implement its responsibilities under the terms of the Canada-USA Air Quality Accord in order to ensure the interests of Canada's residents and communities are defined and presented as part of any future trans-boundary air quality decision making process.

City of Abbotsford, British Columbia

Appendix No. 1 - Part B

RESOLUTION No. 2

CROSS-BORDER ENVIRONMENTAL IMPACTS
(Addressing the need to establish Air Quality Modelling Standards)

WHEREAS the criteria for the use of the modelling systems to examine Canada-USA trans-boundary air quality issues are believed to be inadequate;

AND WHEREAS the evaluation processes to examine Canada-USA trans-boundary air quality issues are poorly defined, as evidenced by the processes examining the environmental effects of the proposed Sumas 2 Generation Facility in Sumas, Washington on residents and communities in Canada;

AND WHEREAS the allocation of governmental responsibilities to oversee Canada-USA trans-boundary air quality issues are poorly defined;

AND WHEREAS the Federation of Canadian Municipalities is concerned about the probability that undesirable cross-border precedents may be created if local government and community concerns over trans-boundary air quality issues are not adequately addressed,

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges that the Federal Government of Canada and its agencies take a greater leadership role in establishing all necessary and appropriate actions to:

- a. establish clearly defined air quality modelling standards and criteria for modelling;
- b. establish well-defined evaluation processes for the interpretation of modelling results in air quality evaluations; and
- c. properly allocate and assign the responsibilities of the Federal, Provincial and Regional governments;

that will be sufficient to ensure proper and timely consideration of future Canada-USA trans-boundary air quality issues, and enable Canada to fulfill its obligations under the Canada-USA Air Quality Accord

City of Abbotsford, British Columbia



CITY OF BURNABY
 OFFICE OF THE MAYOR
 DOUGLAS P. DRUMMOND
 MAYOR

TO: MAYOR & EACH
 COUNCILLOR
 FROM: A/CITY CLERK

PC: Gm - Eng. + P.W.
 Gm - Community Safety
 for information

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 DATE: Jul 19/01 RL

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2001 July 12

6175-02-01

Mayor and Council
 City of Richmond
 6911 No. 3 Road
 Richmond, BC V6Y 2C1

Dear Mayor and Council Members:

Subject: Cross Border Air Pollution

Burnaby City Council is in receipt of correspondence from the City of White Rock seeking support for the attached two resolutions from Abbotsford City Council which were presented to, but not voted on, at the recent FCM Conference dealing with protecting communities from cross border air pollution (env1.2.07 env1.2.08).

Burnaby Council fully supports the City of Abbotsford resolutions which would ensure proper and timely consideration of future Canada-USA trans boundary air quality issues.

I am forwarding a letter outlining Burnaby City Council's position on these resolutions to the City of White Rock, the City of Abbotsford and all municipalities in the Greater Vancouver Regional District, the Fraser Valley Regional District and the Federation of Canadian Municipalities Board of Directors.

Sincerely,

Douglas P. Drummond
 MAYOR



DPD/la

Appendix No. 1 - Part A

RESOLUTION

CROSS-BORDER ENVIRONMENTAL IMPACTS

(Addressing responsibilities under the Canada – USA Air Quality Accord)

WHEREAS the Federal Governments of Canada and the United States have entered into an agreement called the "Air Quality Accord" to address air pollution that flows across the Canada-USA international boundary;

AND WHEREAS this accord commits both countries to consult, in advance, on any activities that might cause significant trans-boundary air pollution and states that each must take steps to avoid or mitigate these risks;

AND WHEREAS this accord provides for a process for settling any disputes that may arise between the two countries in dealing with trans-boundary air pollution problems;

AND WHEREAS this accord requires both countries to "maintain means for preventing significant air quality deterioration and protecting visibility ... with respect to sources that could cause significant trans-boundary air pollution";

AND WHEREAS the United States has implemented its part of Annex 1, Part 4 of the Accord and Canada has not;

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges the Federal Government of Canada to implement its responsibilities under the terms of the Canada-USA Air Quality Accord in order to ensure the interests of Canada's residents and communities are defined and presented as part of any future trans-boundary air quality decision making process.

City of Abbotsford, British Columbia

Appendix No. 1 - Part B

RESOLUTION No. 2

CROSS-BORDER ENVIRONMENTAL IMPACTS
(Addressing the need to establish Air Quality Modelling Standards)

WHEREAS the criteria for the use of the modelling systems to examine Canada-USA trans-boundary air quality issues are believed to be inadequate;

AND WHEREAS the evaluation processes to examine Canada-USA trans-boundary air quality issues are poorly defined, as evidenced by the processes examining the environmental effects of the proposed Sumas 2 Generation Facility in Sumas, Washington on residents and communities in Canada;

AND WHEREAS the allocation of governmental responsibilities to oversee Canada-USA trans-boundary air quality issues are poorly defined;

AND WHEREAS the Federation of Canadian Municipalities is concerned about the probability that undesirable cross-border precedents may be created if local government and community concerns over trans-boundary air quality issues are not adequately addressed;

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urges that the Federal Government of Canada and its agencies take a greater leadership role in establishing all necessary and appropriate actions to:

- a. establish clearly defined air quality modelling standards and criteria for modelling;
- b. establish well-defined evaluation processes for the interpretation of modelling results in air quality evaluations; and
- c. properly allocate and assign the responsibilities of the Federal, Provincial and Regional governments;

that will be sufficient to ensure proper and timely consideration of future Canada-USA trans-boundary air quality issues, and enable Canada to fulfill its obligations under the Canada-USA Air Quality Accord

City of Abbotsford, British Columbia



CITY OF ABBOTSFORD
COUNCIL REPORT - EXECUTIVE COMMITTEE

ATTACHMENT 3

REPORT NO.: DEV012-2001
 Date: January 17, 2001
 File No.: 0230-00 (FCM)

TO: Mayor and Council
 FROM: Andrew Young, Planner;
 Patricia Ross, City Councillor; and
 Peter Andzans, Environmental Manager;
 SUBJECT: Proposed Air Quality Accord resolutions to Federation of Canadian Municipalities

RECOMMENDATIONS

1. THAT report DEV012-2001 be received;
2. THAT Council forward the attached resolutions to the Federation of Canadian Municipalities (FCM) for debate and support at the FCM Annual Conference, June 2001.

BACKGROUND

City Council previously agreed to forward resolutions to the Energy Facility Site Evaluation Council (EFSEC) in the United States and the Federation of Canadian Municipalities (FCM) requesting support for Abbotsford's position respecting the development of the proposed Sumas 2 Generation Facility in Sumas, Washington. Because decisions respecting this proposed development will likely be made before the FCM conference in June 2001, City Council decided to revise its previous resolution to the FCM to make it more generic and supportive of local governments in Canada on trans-boundary air quality and environmental issues.

In addition to the foregoing, the City of Abbotsford as well as local residents and agencies have raised numerous concerns at recent public hearings related to potential air quality and environmental issues arising from the development of the proposed Sumas 2 Generation Facility. Through these hearing processes it has become evident that:

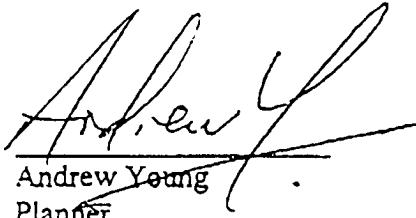
- a. the Federal Government of Canada has not implemented its responsibilities under the terms of the Canada-USA Air Quality Accord;
- b. the interests of Canada's residents and communities are not being properly considered in Canada-USA trans-boundary air quality decision making processes;
- c. the modeling and evaluation systems presently used to examine Canada-USA trans-boundary air quality issues are inadequate or poorly defined; and
- d. the allocation of governmental responsibilities over Canada-USA trans-boundary air quality issues is poorly defined.

REPORT NO. DEV012-2000

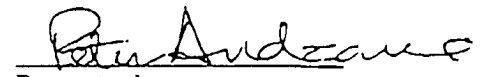
Page 2 of 3

SUMMARY

In order to better protect the air quality and environmental interests of Canadian residents and communities in the future the Federal Government of Canada needs to take positive action to address the foregoing deficiencies.


Andrew Young
Planner

Patricia Ross
City Councillor


Peter Andzans
Environmental Manager

APPENDIX:

Proposed Resolution No. 1:

WHEREAS the Federal Governments of Canada and the United States have entered into an agreement called the "Air Quality Accord" to address air pollution that flows across the Canada-USA international boundary;

AND WHEREAS this accord commits both countries to consult, in advance, on any activities that might cause significant trans-boundary air pollution and states that each must take steps to avoid or mitigate these risks;

AND WHEREAS this accord provides for a process for settling any disputes that may arise between the two countries in dealing with trans-boundary air pollution problems;

AND WHEREAS this accord requires both countries to "maintain means for preventing significant air quality deterioration and protecting visibility ... with respect to sources that could cause significant trans-boundary air pollution";

AND WHEREAS the United States has implemented its part of the accord and Canada has not;

BE IT RESOLVED that the Federation of Canadian Municipalities urges the Federal Government of Canada to implement its responsibilities under the terms of the Canada-USA Air Quality Accord in order to ensure the interests of Canada's residents and communities are defined and presented as part of any future trans-boundary air quality decision making process.

Proposed FCM Resolution No. 2:

WHEREAS the modeling systems presently used to examine Canada-USA trans-boundary air quality issues are believed to be inadequate;

AND WHEREAS the evaluation processes to examine Canada-USA trans-boundary air quality issues are poorly defined, as evidenced by the processes examining the environmental effects of the proposed Sumas 2 Generation Facility in Sumas, Washington on residents and communities in Canada;

AND WHEREAS the allocation of governmental responsibilities to oversee Canada-USA trans-boundary air quality issues are poorly defined;

AND WHEREAS the Federation of Canadian Municipalities is concerned about the probability that undesirable cross-border precedents may be created if local government and community concerns over trans-boundary air quality issues are not adequately addressed;

BE IT RESOLVED that the Federation of Canadian Municipalities urges the Federal Government of Canada and its agencies take all necessary and appropriate actions to:

- a. Establish adequate air quality modeling standards and criteria;
 - b. Establish well-defined evaluation processes; and
 - c. Properly allocate and assign the responsibilities of government;
- that will be sufficient to ensure proper and timely consideration of future Canada-USA trans-boundary air quality issues, and enable Canada to fulfil its obligations under the Canada-USA Air Quality Accord.

~ City of Abbotsford, British Columbia

August 13, 2001

Environmental Programs
5599 Lynas Lane
Richmond, B.C. V7C 5B2
Telephone: (604) 270-8721
Fax: (604) 276-2758 / 270-3441

*Mayor and Council of GVRD/FVRD Municipalities, or
L. Comeau, Director, Sustainable Communities & Environmental Policy, FCM*

Dear :

Re: Cross Border Air Pollution

The City of Richmond is in receipt of two resolutions adopted by the City of Abbotsford which call for strengthened management by the Federal Government of transboundary air quality issues. These resolutions were presented to, but not voted on, at the recent FCM Conference (env1.2.07 env1.2.08).

Please be advised that Richmond's City Council supports these resolutions whose purpose is to ensure the proper and timely consideration of air quality issues which cross the Canada-USA boundary.

Correspondence outlining the City of Richmond's position on the resolutions will be forwarded to the City of Abbotsford and all other municipalities in the Greater Vancouver Regional District and the Fraser Valley Regional District, and to the Federation of Canadian Municipalities. The City of Richmond has requested that the GVRD review these resolutions to provide guidance on this issue in the future.

Yours truly,

Bill McNulty
ACTING MAYOR

Resolutions Attached