



# City of Richmond

## Report to Committee


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**To:** General Purposes Committee **Date:** April 25, 2025  
**From:** Mark Corrado **File:** 12-8350-05/Vol 01  
Director, Community Bylaws and Licencing  
**Re:** **Endorsement of UBCM Resolutions – Soil and Other Material Tracking  
Resolution and ALC Compliance and Enforcement Ticketing Resolution**

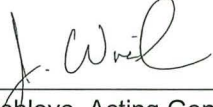


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### Staff Recommendations

1. That the proposed resolution (Attachment 1) that calls for the Government of British Columbia (the Government) to mandate that all soil and other material to be removed and moved from source and deposit sites covered under Agricultural Land Commission Act (ALC Act) and Regulations within the Province of British Columbia (the Province) be monitored and tracked by individual truckload using appropriate technology to ensure source site soil and other material is taken only to approved sites within the Province, be endorsed and forwarded to the UBCM for consideration during its 2025 Convention; and
2. That the proposed resolution (Attachment 2) that calls for the Government of British Columbia to give the Agricultural Land Commission (ALC) Compliance and Enforcement staff the authority to ticket property owners and corporations who are responsible for the unauthorized filling of Lands within the Agricultural Land Reserve (ALR) and other issues of non-compliance related to the ALC Act and associated regulations, be endorsed and forwarded to the UBCM for consideration during its 2025 Convention.

  
Mark Corrado  
Director, Community Bylaws and Licencing  
(604-204-8673)

Att. 2

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Intergovernmental Relations & Protocol Unit	<input checked="" type="checkbox"/>	 _____ Jim Wishlove, Acting General Manager
Engineering	<input checked="" type="checkbox"/>	
Climate & Environment	<input checked="" type="checkbox"/>	
Building Approvals	<input checked="" type="checkbox"/>	
Policy Planning	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	
City Clerk	<input checked="" type="checkbox"/>	
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b> 	<b>APPROVED BY CAO</b>  _____

## **Staff Report**

### **Origin**

This report supports Council's Strategic Plan 2022-2026 Focus Area #2 Strategic and Sustainable Community Growth:

*Strategic and sustainable growth that supports long-term community needs and a well-planned and prosperous city.*

This report supports Council's Strategic Plan 2022-2026 Focus Area #5 A Leader in Environmental Sustainability:

*Leadership in environmental sustainability through innovative, sustainable and proactive solutions that mitigate climate change and other environmental impacts.*

### **Analysis**

The unregulated movement of soil and other material within the Province has created significant agricultural and environmental issues and risks for British Columbians. The willingness of some property owners both within Richmond and throughout the Province to allow for the unauthorized dumping of soil and other material has garnered significant media and public attention. However, law enforcement and regulatory staff from local government and provincial agencies have taken action to stop such activities and prosecute post-filling.

#### **Mandating Soil Monitoring and Tracking**

Nonetheless, enforcement action remains weighted towards response and there is a significant opportunity to implement proactive and preventive measures. Most importantly, there is no requirement for rigorous tracking of soil movement using technology within the Province. The lack of tracking of source sites results in costs to communities and creates complexity and confusion. The costs related to unregulated/unauthorized filling include, but are not limited to, the long-term negative impacts to farmland, watercourses, and the overall environment. Moreover, there are substantial financial costs to taxpayers given the staffing and resources required to stop such activities and/or oversee the removal of the offending material and remediation of impacted lands. In addition, there are significant costs incurred by the land owner's found in non-compliance who have to remove unauthorized soil and then remediate their property(ies).

To mitigate the above risks, a new prevention-based approach to soil regulation is required and it is recommended that Council support the proposed UBCM resolution in Attachment 1. With advances in technology, which offer the ability to track trucks and other vehicles, the Province and Local Governments have an opportunity to be more proactive in ensuring soil and other material is not being relocated onto lands where it is not permitted to be deposited. Understandably, the implementation of soil tracking technology will require legislative changes, additional resources and the creation of administrative framework. Urging the Province to mandate the monitoring and tracking of soil indirectly supports Council's leadership in

environmental sustainability through innovative, sustainable and proactive solutions that mitigate climate change and other environmental impacts.

#### Authorizing Enforcement Staff to Issue Fines

A significant part of the ALC's mandate is "to preserve agricultural land". To do so, the ALC has created an enforcement regime for ALC Compliance & Enforcement officers and ALC officials. That process sets out a number of actions staff may undertake in order to compel property owners to obtain compliance with the *ALC Act* and associated regulations. The process as set out by the ALC is progressive in nature and includes the following actions that may be undertaken:

- Verbal communication
- Compliance Notice
- Stop Work Order
- Remediation Order
- Notice of Contravention
- Directive Order
- Administrative Penalty
- Court Process

Currently, only the ALC's Chief Executive Officer may "impose discretionary financial penalties on those failing to comply with the *ALC Act*, the Regulation or orders of the commission" to a maximum of \$100,000 per single contravention. Subsequent contraventions can result in additional penalties. Unlike the City of Richmond's Soil Bylaw Officers, ALC Compliance and Enforcement staff do not have the authority to issue fines to those found in non-compliance.

Given the ALC staff's lack of authority to impose incremental fines, it is recommended that Council support the proposed UBCM resolution shown in Attachment 2. Allowing the ALC to impose incremental fines will not only prove a significant tool for Provincial law enforcement but could have the added benefit of reducing law enforcement burden on Local Government bylaw enforcement.

#### **Financial Impact**

None.

#### **Conclusion**

The proposed UBCM resolutions are designed to strengthen compliance with the *ALC Act* and its associated regulations. Ultimately, these measures will not only help preserve the City's environmental and farmland vitality but will serve all communities throughout the Province.

April 25, 2025

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Mark Corrado  
Director, Community Bylaws and Licencing  
(604-204-8673)

- Att. 1: Draft UBCM resolution in support of the Government of British Columbia mandating the monitoring and tracking of all soil and other material from all source sites – using appropriate technology – within British Columbia.
- 2: Draft UBCM resolution in support of the Government of British Columbia authorising that ALC Compliance and Enforcement staff have the authority to individually ticket and fine property owners and corporations.

## Attachment 1

### **Proposed Council Resolution Urging that the Government of British Columbia Mandate the Monitoring and Tracking of Soil and Other Material from All Source Sites in British Columbia Using Appropriate Technology**

WHEREAS the movement and subsequent deposition of soil and other material has the potential to negatively impact all Lands – including ALR Lands – within the Province of British Columbia;

AND WHEREAS local governments, the Agricultural Land Commission and other Provincial agencies must address issues and related impacts associated to the movement, removal, and deposition of soil and other material which often requires enforcement measures to be taken;

AND WHEREAS the movement, removal, and deposition of soil and other material has the potential to negatively impact the environment, farmland, private and public property and infrastructure;

AND WHEREAS the removal of soil and other material from Lands located within municipalities in British Columbia is not mandated by local governments or the provincial government to be tracked using available GPS and logistics management software technology;

AND WHEREAS a variety of technological solutions exists to track soil and other material transferred between sites;

THEREFORE BE IT RESOLVED that the City of Richmond urge the Government of British Columbia to mandate that all source and deposit sites that fall within the jurisdiction of the Agricultural Land Commission in the Province of British Columbia in which soil and other material is to be removed be monitored and tracked using appropriate technology to ensure source site soil and other material is taken only to approved sites within the Province.

## Attachment 2

### **Proposed Council Resolution Urging the Government of British Columbia to Authorize that ALC Compliance and Enforcement Staff be provided the Authority to Ticket and Fine**

WHEREAS currently only the ALC's Chief Executive Officer has the authority to issue an Administrative Penalty ie. financial penalty against an individual or company found to be in non-compliance with the ALC Act and associated regulations;

AND WHEREAS currently ALC Compliance and Enforcement staff do not have the authority to ticket and fine an individual or company found to be in non-compliance with the ALC Act and associated regulations;

AND WHEREAS providing additional administrative tools to ALC Compliance and Enforcement staff in order to obtain compliance will provide the potential to obtain compliance faster and at less cost to the Government of British Columbia;

THEREFORE BE IT RESOLVED that the City of Richmond urge the Government of British Columbia to authorise that Agricultural Land Commission (ALC) Compliance and Enforcement staff be provided the authority to individually ticket and fine property owners and others responsible for the unauthorized filling of Lands within the ALR and other issues of non-compliance related to the ALC Act and associated regulations.