



Public Works and Transportation Committee

**Anderson Room, City Hall
6911 No. 3 Road**

**Wednesday, July 20, 2016
4:00 p.m.**

Pg. # ITEM

MINUTES

PWT-5 *Motion to adopt the **minutes** of the meeting of the Public Works and Transportation Committee held on June 22, 2016.*



NEXT COMMITTEE MEETING DATE

September 21, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

ENGINEERING AND PUBLIC WORKS DIVISION

1. **PROPOSED GOODWIN ENTERPRISES (2015) LTD. SERVICING AGREEMENT**
(File Ref. No. 10-6060-01) (REDMS No. 5032930 v. 2)

PWT-9

See Page PWT-9 for full report

Designated Speaker: Lloyd Bie

STAFF RECOMMENDATION

That the Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to finalize and execute a Servicing Agreement between the City and Goodwyn Enterprises (2015) Ltd. to abandon and replace ageing infrastructure that passes through and around properties owned by Goodwyn Enterprises (2015) Ltd., and to discharge a statutory right of way (Plan No. 47019), based on the material terms and conditions set out in the staff report titled “Proposed Goodwyn Enterprises (2015) Ltd. Servicing Agreement” dated June 27, 2016 from the Director, Engineering.



2. **MUNICIPAL ACCESS AGREEMENT WITH OPTIC ZOO NETWORKS LTD.**

(File Ref. No. 10-6060-01) (REDMS No. 5027209)

PWT-13

See Page PWT-13 for full report

Designated Speaker: Lloyd Bie

STAFF RECOMMENDATION

That the Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to execute, on behalf of the City, a Municipal Access Agreement between the City and Optic Zoo Networks Ltd. containing the material terms and conditions set out in the staff report titled, “Municipal Access Agreement with Optic Zoo Networks Ltd.”, dated May 31, 2016 from the Director, Engineering.



3. **PESTICIDE USE CONTROL BYLAW AMENDMENTS IN RESPONSE TO THE PROVINCIAL INTEGRATED PEST MANAGEMENT REGULATION AMENDMENTS**

(File Ref. No. 10-6125-04-01) (REDMS No. 5021648 v. 4)

PWT-16

See Page PWT-16 for full report

Designated Speaker: Lesley Douglas

STAFF RECOMMENDATION

That the Pesticide Use Control Bylaw No. 8514, Amendment Bylaw No. 9574 be introduced and given first, second, and third readings.



4. **RIPARIAN RESPONSE STRATEGY REVIEW**

(File Ref. No. 10-6160-08) (REDMS No. 5032024 v. 13)

PWT-37

[See Page PWT-37 for full report](#)

Designated Speakers: Lesley Douglas and Peter Russell

STAFF RECOMMENDATION

That the stakeholder consultation program outlined in the report titled “Riparian Response Strategy Review” from the Director, Engineering, dated June 27, 2016, be endorsed.



5. **REVIEW OF RICHMOND PARKING ADVISORY COMMITTEE**

(File Ref. No. 01-0100-30-RPAD1-01) (REDMS No. 5049478 v. 4)

PWT-44

[See Page PWT-44 for full report](#)

Designated Speakers: Joan Caravan and Donna Chan

STAFF RECOMMENDATION

- (1) *That the Richmond Parking Advisory Committee and the Richmond Traffic and Transportation Advisory Committee be dissolved; and*
- (2) *That past and current members of the above committees be thanked for their contributions.*



6. **RECOMMENDATION TO AWARD CONTRACT 5659 EOI – SUPPLY AND INSTALLATION OF CONDUITS & WATER SERVICE PIPES USING TRENCHLESS TECHNOLOGY AND OTHER RELATED CIVIL WORKS**

(File Ref. No. 02-0775-50-3118) (REDMS No. 4975387 v. 4)

PWT-49

[See Page PWT-49 for full report](#)

Designated Speakers: Joan Caravan and Stephen Matheson

STAFF RECOMMENDATION

- (1) *That Contract 5659 EOI – “Supply and Installation of Conduits & Water Service Pipes Using Trenchless Technology and Other Related Civil Works” be awarded to Ulmer Contracting Limited and that staff be authorized to extend the contract in one-year increments up to five years in total and, if required, extend the contract beyond the five-year term on a month-by-month basis until such time a new contract can be advertised and awarded; and*
- (2) *That the Chief Administrative Officer and General Manager, Planning and Development, be authorized to execute the above contract.*

☐

7. **MANAGER’S REPORT**

ADJOURNMENT

☐



Public Works and Transportation Committee

Date: Wednesday, June 22, 2016

Place: Anderson Room
Richmond City Hall

Present: Councillor Chak Au, Chair
Councillor Harold Steves, Vice-Chair
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo

Call to Order: The Chair called the meeting to order at 4:01 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Public Works and Transportation Committee held on May 18, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

July 20, 2016, (tentative date) at 4:00 p.m. in the Anderson Room.

ENGINEERING AND PUBLIC WORKS DIVISION

1. **GREASE MANAGEMENT PROGRAM UPDATE**

(File Ref. No. 10-6060-03-01) (REDMS No. 5016091 v. 4)

Lloyd Bie, Manager, Engineering Planning, confirmed that staff are currently investigating regulatory policies involving grease traps and garburators and that these policies would be the easiest to implement after receiving the support of Richmond City Council.

Public Works & Transportation Committee
Wednesday, June 22, 2016

As a result of the discussion, the following **referral motion** was introduced:

It was moved and seconded

That staff further explore the options for the regulation of grease traps and garburators and report back.

CARRIED

It was moved and seconded

That the report titled "Grease Management Program Update" from the Director, Engineering dated May 30, 2016, be received for information.

CARRIED

2. AMENDMENT TO WATERWORKS AND WATER RATES BYLAW NO 5637

(File Ref. No. 12-8060-20-009570) (REDMS No. 5013055 v. 2)

It was moved and seconded

That Waterworks and Water Rates Bylaw No. 5637, Amendment Bylaw No. 9570, be introduced and given first, second and third readings.

CARRIED

3. FRASER RIVER FRESHET AND FLOOD PROTECTION UPDATE 2016

(File Ref. No. 10-6060-01) (REDMS No. 5028559 v. 6)

John Irving, Director, Engineering, noted that staff are in the process of investigating, and, if necessary, providing a response, to the figures which have been provided to the media regarding the status of flood protection in Richmond.

It was moved and seconded

That the staff report titled, "Fraser River Freshet and Flood Protection Update 2016," dated May 31, 2016, from the Director, Engineering, be received for information.

CARRIED

4. 2016 FLOOD PROTECTION PROGRAM FUNDING

(File Ref. No. 10-6000-01) (REDMS No. 5022444 v. 6)

It was moved and seconded

(1) That the Horseshoe Slough and No. 7 Road South Drainage Pump Station Upgrade capital projects be consolidated into a new 2016 Capital Project with the remainder of projects included in the provincial Flood Protection Program Contribution Agreement, as per the staff report titled "2016 Flood Protection Program Funding," from the Director, Engineering, dated May 25, 2016;

2.

Public Works & Transportation Committee
Wednesday, June 22, 2016

- (2) *That \$2,710,249 of Drainage Development Cost Charges and a \$16,633,332 contribution from the Province of British Columbia be added to the 2016 Capital Budget; and*
- (3) *That the 5 Year Consolidated Financial Plan (2016-2020) Bylaw be amended to reflect the above recommendations.*

CARRIED

5. NATIONAL PUBLIC WORKS WEEK - UPDATE

(File Ref. No.) (REDMS No. 5026658 v. 3)

It was moved and seconded

That the Staff report titled "National Public Works Week – Update," dated May 30, 2016 from the Director, Public Works, be received for information.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

6. TRANSLINK TRANSIT FARE REVIEW

(File Ref. No. 01-0154-04) (REDMS No. 5014984 v. 2)

It was moved and seconded

That the staff report titled "TransLink Transit Fare Review," dated May 24, 2016, from the Director, Transportation, be received for information.

CARRIED

7. MANAGER'S REPORT

(i) Flood Protection

Robert Gonzalez, Deputy CAO and General Manager, Engineering and Public Works, informed the Committee that, following the approval of the 2016 Flood Protection Program Funding report by City Council, a news release regarding flood protection will be produced.

(ii) Odor Management

Mr. Gonzalez notified the Committee that negotiations are currently underway between Metro Vancouver and Harvest Power on capital improvements to deal with air pollution, particularly odor, and to expect an upcoming report on the odor management.

Public Works & Transportation Committee
Wednesday, June 22, 2016

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:22 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Public Works and Transportation Committee of the Council of the City of Richmond held on Wednesday, June 22, 2016.

Councillor Chak Au
Chair

Shaun Divecha
Legislative Services Coordinator



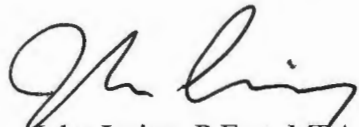
City of Richmond

Report to Committee

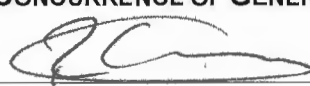
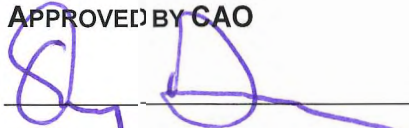
To: Public Works and Transportation Committee **Date:** June 27, 2016
From: John Irving, P.Eng. MPA **File:** 10-6060-01/2016-Vol 01
Re: Proposed Goodwyn Enterprises (2015) Ltd. Servicing Agreement

Staff Recommendation

That the Chief Administrative Officer and the General Manager, Engineering & Public Works be authorized to finalize and execute a Servicing Agreement between the City and Goodwyn Enterprises (2015) Ltd. to abandon and replace ageing infrastructure that passes through and around properties owned by Goodwyn Enterprises (2015) Ltd., and to discharge a statutory right of way (Plan No. 47019), based on the material terms and conditions set out in the staff report titled "Proposed Goodwyn Enterprises (2015) Ltd. Servicing Agreement" dated June 27, 2016 from the Director, Engineering.


John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Sewerage & Drainage	<input checked="" type="checkbox"/>	
Water Services	<input checked="" type="checkbox"/>	
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

Goodwyn Enterprises (2015) Ltd., also known as Richmond Holdings, has requested to enter into a servicing agreement with the City to abandon and replace ageing infrastructure that passes through and around properties owned by Goodwyn Enterprises (2015) Ltd. This request supports the City's objective of replacing ageing infrastructure.

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.1. *Safe and sustainable infrastructure.*

6.2. *Infrastructure is reflective of and keeping pace with community need.*

Analysis

Goodwyn Enterprises (2015) Ltd. wishes to complete ground densification and ground preload works within six properties: 7640/7600 Alderbridge Way, 5751/5811 Cedarbridge Way and 7351/7451 Elmbridge Way. To avoid this work damaging City infrastructure, Goodwyn Enterprises (2015) Ltd. requests to enter into a servicing agreement to allow them to abandon and replace City sanitary sewers, storm sewers, watermain and statutory rights of ways as indicated on Attachment 1. The proposed servicing agreement will require Goodwyn Enterprises (2015) Ltd. to:

- Remove the existing north-south sanitary sewer in the rear lane located east of properties 7640/7600 Alderbridge Way and within 7351 Elmbridge Way;
- Discharge sanitary statutory right of way Plan 47019 from property 7351 Elmbridge Way;
- Construct new, permanent sanitary sewers located within Elmbridge Way and Cedarbridge Way;
- Abandon existing and construct new, permanent sanitary sewers in the east-west rear lane located north of properties 7117/7351/7451 Elmbridge Way;
- Abandon two existing watermain that are no longer required along Alderbridge Way and Cedarbridge Way;
- Relocate two fire hydrants on Alderbridge Way;
- Abandon existing and construct two new, permanent storm sewers within Alderbridge Way and Cedarbridge Way;

- Provide financial security for the City to complete any unfinished works, amount to be determined through the servicing agreement process;
- Complete the works within a defined schedule, to be determined through the servicing agreement process; and,
- Indemnify the City.

The properties are the subject of an active rezoning application (RZ 16-724589) to develop a range of residential, health care and non-residential uses. Entering the requested servicing agreement does not impact Council's consideration of this rezoning application and the work being undertaken at this time is independent of the proposed rezoning. A separate staff report on the rezoning application will be brought forward to Planning Committee and Council for consideration at a later date upon completion of the staff review. It is anticipated that an additional servicing agreement application will be required for additional utility and road servicing works, should the application proceed through the rezoning.

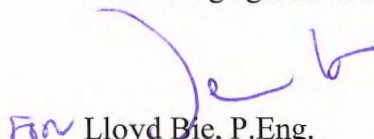
Attachment 1 shows a schematic of the proposed works. It is the City's preference to locate utility infrastructure within road dedications. Entering the servicing agreement will benefit the City by advancing the removal of a sanitary sewer from within a statutory right of way located within private property and abandon/replace ageing infrastructure surrounding the applicant's properties.

Financial Impact

None.

Conclusion

Goodwyn Enterprises (2015) Ltd. has requested to enter into a servicing agreement with the City to abandon and replace sanitary sewers, storm sewers and watermain that pass through and around properties owned by Goodwyn Enterprises (2015) Ltd. The agreement's terms will protect the City's interests and advance the abandonment and replacement of ageing infrastructure. Staff recommend support for the work and seek Council authorization to enter into a servicing agreement.


For Lloyd Bie, P.Eng.
Manager, Engineering Planning
(604-276-4075)

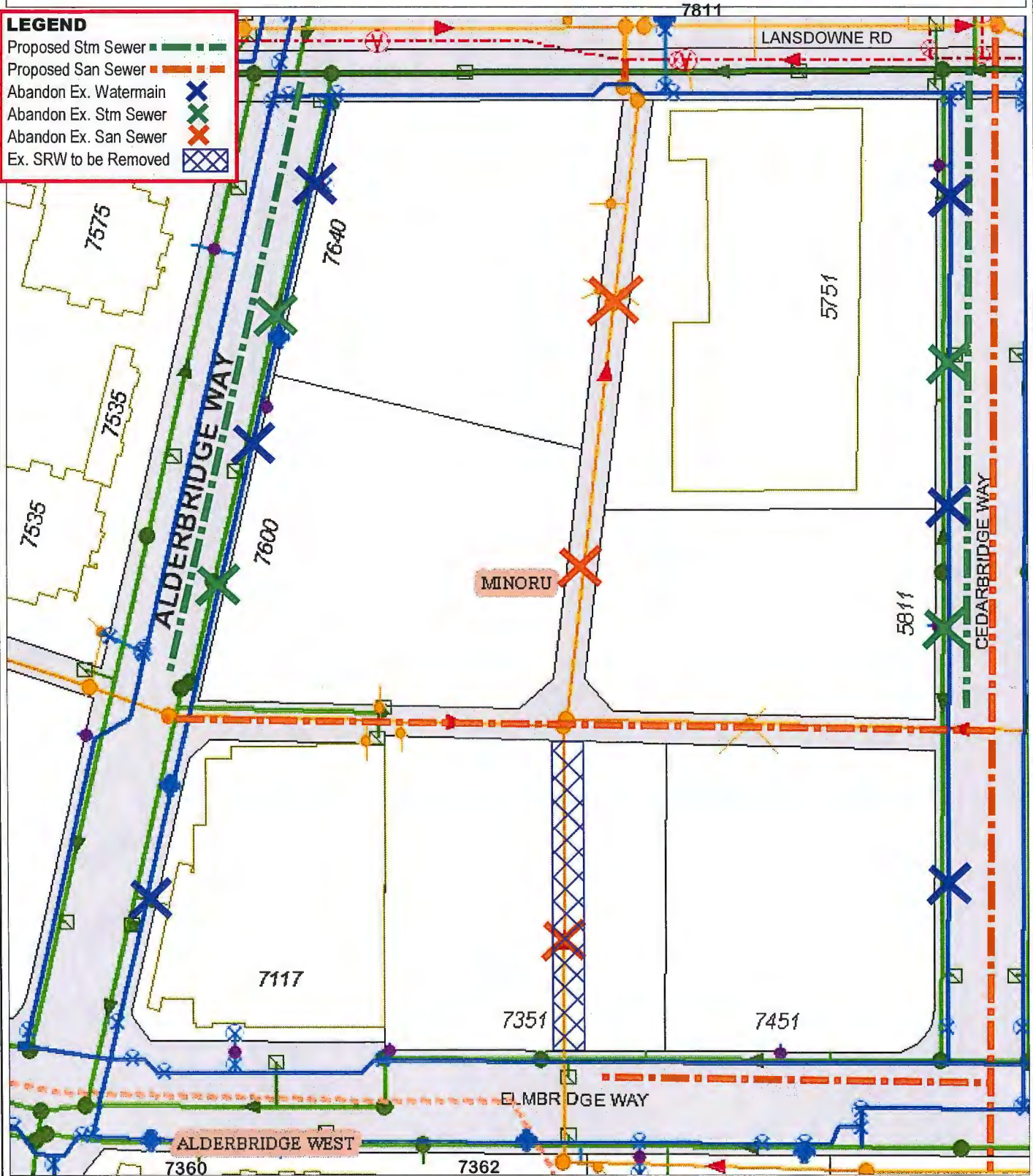
LB:ab

Att. 1: Proposed Infrastructure Works Map

Proposed Infrastructure Works Map

LEGEND

- Proposed Stm Sewer
- Proposed San Sewer
- Abandon Ex. Watermain
- Abandon Ex. Stm Sewer
- Abandon Ex. San Sewer
- Ex. SRW to be Removed





City of Richmond

Report to Committee

To: Public Works and Transportation Committee

Date: May 31, 2016

From: John Irving, P.Eng. MPA
Director, Engineering

File: 10-6060-01/2016-Vol
01

Re: Municipal Access Agreement with Optic Zoo Networks Ltd.

Staff Recommendation

That the Chief Administrative Officer and the General Manager, Engineering & Public Works be authorized to execute, on behalf of the City, a Municipal Access Agreement between the City and Optic Zoo Networks Ltd. containing the material terms and conditions set out in the staff report titled, "Municipal Access Agreement with Optic Zoo Networks Ltd.", dated May 31, 2016 from the Director, Engineering.

John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

Optic Zoo Networks Ltd. has requested to install telecommunication infrastructure and equipment within dedicated highways, streets, roads, road allowances, lanes and bridges under the City's jurisdiction (collectively, the "Service Corridors"). To accommodate this request, a draft Municipal Access Agreement between Optic Zoo and the City has been prepared.

Analysis

Optic Zoo is a federally regulated telecommunications company providing telecommunications services in Canada. Optic Zoo is proposing to install telecommunications infrastructure and equipment within the City of Richmond's Service Corridors. Optic Zoo must obtain the City's consent to use the Service Corridors and this is typically accomplished through a Municipal Access Agreement.

The City has Municipal Access Agreements with all telecommunications companies operating in the City. The proposed Optic Zoo Municipal Access Agreement will protect the City's interests and establishes the roles and responsibilities of both parties. The proposed agreement with Optic Zoo will:

- Specify locations where the agreement will be applicable (i.e. the Service Corridors);
- Specify required consent for constructing, maintaining, operating, repairing and removing Optic Zoo's equipment, and define the scope of the City's consent;
- Require Optic Zoo to pay causal¹ costs to the City;
- Define the conditions which Optic Zoo may carry out work;
- Enable the City to have access to information about Optic Zoo equipment;
- Specify cost allocations for Optic Zoo equipment to be relocated as a result of any municipal and third party projects;
- Minimize the City's liability due to Optic Zoo's work or equipment;
- Permit shallow inlay fibre;
- Identify the initial term of the Municipal Access Agreement to be one year, automatically renewable for successive one year periods thereafter;
- Define fees (eg. lost productivity costs, permitting and inspection costs, and pavement degradation) and their annual CPI increase;
- Require Optic Zoo to assume environmental liability for any hazardous substances that they bring to or cause to be brought to the Service Corridors;
- Identify the insurance requirements Optic Zoo must maintain; and
- Include mutual indemnity clauses.

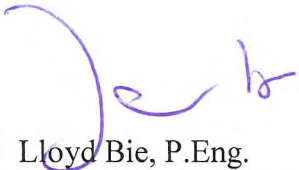
¹ Causal costs are costs incurred as a result of additional effort and materials spent working around a private utility installation while maintaining or constructing public infrastructure

Financial Impact

None. Companies that utilize City property as utility corridors pay an annual 1% tax to the City as per Section 192 of the Community Charter and Section 644 of the Local Government Act.

Conclusion

A Municipal Access Agreement between the City and Optic Zoo will allow the City to better manage and regulate the installation and presence of Optic Zoo equipment within the City's Service Corridors. The terms and conditions of the proposed agreement provide cost recovery for the City and protect the City's interests.


for Lloyd Bie, P.Eng.
Manager, Engineering Planning
(604-276-4075)


Carlos J. Rocha, ASCT
Supervisor - Design Services
(604-276-4025)

LB:cjr



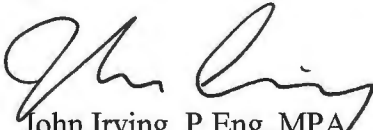
City of Richmond


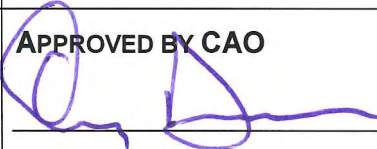
Report to Committee

To: Public Works & Transportation Committee
From: John Irving, P.Eng. MPA
Director, Engineering
Date: June 29, 2016
File: 10-6125-04-01/2016-
Vol 01
Re: **Pesticide Use Control Bylaw Amendments in Response to the Provincial
Integrated Pest Management Regulation Amendments**

Staff Recommendation

That the Pesticide Use Control Bylaw No. 8514, Amendment Bylaw No. 9574 be introduced and given first, second, and third readings.


John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Parks Services	<input checked="" type="checkbox"/>	
Community Bylaws	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

On January 26, 2016 an update memo was sent to Council regarding the amendments to the Provincial Integrated Pest Management Regulation and general impacts of the amendments to the City's Enhanced Pesticide Management Program. Staff have reviewed the pertinence of the Integrated Pest Management Regulation amendments to the City's Pesticide Use Control Bylaw No. 8514 regarding the use of traditional pesticides for the purposes of controlling weeds and invasive plants. This report addresses the amendments required to align the Pesticide Use Control Bylaw No. 8514 appropriately with the amended Integrated Pest Management Regulation and proposed bylaw provisions regarding the use of traditional pesticides for noxious weed species under the Weed Control Regulation.

Background

The Enhanced Pesticide Management Program was adopted by Council on April 27, 2009. The related Pesticide Use Control Bylaw No. 8514 was subsequently adopted on October 13, 2009 with Municipal Ticketing provisions. Annual funding for the Enhanced Pesticide Management Program is provided through the Sanitation and Recycling utility budget. Since adoption, the Enhanced Pesticide Management Program has been well received by the community and continues to support risk reduction for the management of pesticide use and invasive species.

The Province has not undertaken any action towards the development of a regulation to ban the use of pesticides for cosmetic purposes. Staff have provided Council with regular updates regarding the BC Ministry of Environment's (Ministry) proposed revisions to the Integrated Pest Management Regulation, following a public consultation process on the use of traditional pesticides for cosmetic purposes initiated in 2009. The Special Committee on Cosmetic Pesticides review provided 19 recommendations to consider for amendment under the Integrated Pest Management Regulation. The Ministry reports that these changes are intended to ensure that:

- Pesticides are used by people with knowledge and training;
- Pesticides will be used as part of an Integrated Pest Management process; and
- Public interaction with pesticide vendors at the point of sale will increase.

The Ministry announced the enactment of amendments to the Integrated Pest Management Regulation on December 15, 2015 with the amendments coming into effect on July 1, 2016.

In order to maintain the existing Pesticide Use Control Bylaw rigor, and reduce risks related to infrastructure and biodiversity, two amendments are required. The amendments will align the judicious use of traditional pesticides with the Integrated Pest Management Regulation amendments and align appropriate powers related to traditional pesticide treatment for noxious weeds regulated under the Weed Control Regulation.

Analysis

Staff have reviewed the Integrated Pest Management Regulation amendments to determine their alignment with the City's Pesticide Use Control Bylaw (Attachment 1).

Pesticide Use Control Bylaw Amendments related to the Integrated Pest Management Regulation

The following list highlights the changes to the Integrated Pest Management Regulation and subsequent amendments required to align with the City's Pesticide Use Control Bylaw.

Table 1

Integrated Pest Management Regulation Highlights	City Recommendations for the Pesticide Use Control Bylaw
A) <i>Residents and commercial operators will not require a Residential Applicator Certificate for the use of Domestic class glyphosate for the treatment of weeds growing through cracks in hard surfaces (e.g. driveways, sidewalks, paths, etc); plants poisonous to humans by touch (e.g. giant hogweed); and classified noxious weeds (e.g. knotweed species).</i>	The City can regulate the application of pesticides except allowable pesticides listed in Schedule 2 of the Integrated Pest Management Regulation. The revised Schedule 2 does not list glyphosate, as such, the City is permitted to regulate its application for cosmetic purposes on residential and City lands via the Pesticide Use Control Bylaw. Staff are proposing an amendment to the Pesticide Use Control Bylaw for the provision to disallow the use of glyphosate for the treatment of weeds growing through cracks in hard surfaces.
B) <i>Schedule 2 is an existing list of pesticides; neither a licence nor a Residential Applicator Certificate is required to sell or use listed pesticides. Under the Integrated Pest Management Regulation, there were minor changes to Schedule 2 to accommodate the creation of the new Schedule 5 and to address product changes in the marketplace.</i>	The Pesticide Use Control Bylaw Schedule "A" is proposed for amendment to reflect changes in the Integrated Pest Management Regulation Schedule 2 pesticide list. The revised list of Schedule 2 is an allowable list of pesticides and is provided in Attachment 2.
C) <i>Schedule 5 is a new list of pesticides that has been created to allow owners of private land to apply these pesticides without a licence or RAC. Schedule 5 pesticides must be displayed with restricted access in stores and certified dispensers must interact with customers.</i>	The Pesticide Use Control Bylaw Schedule "A" is proposed for amendment to include the Schedule 5 pesticide list as amended in the Integrated Pest Management Regulation and is provided in Attachment 2.

Pesticide Use Control Bylaw Amendments related to the Weed Control Regulation

The Provincial Weed Control Regulation designates certain plant species as noxious weeds within British Columbia. The amended Integrated Pest Management Regulation enables traditional pesticide use for the control of provincially listed noxious weeds under specific circumstances. For example, the use of glyphosate products is allowable within specific

proximity to water bodies and the use of pesticides by residents for noxious weeds on residential property is allowable without a Residential Applicator Certificate.

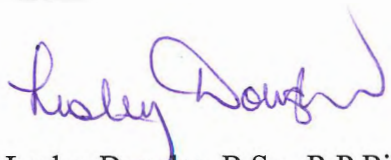
An amendment to the Pesticide Use Control Bylaw No. 8514 (Attachment 2) is required for the management of provincially listed noxious weeds under the Weed Control Regulation on City and residential lands. The proposed amendment includes an allowance of traditional pesticides for the control of provincially listed noxious weeds (Attachment 3) under the Weed Control Regulation on City and residential lands.

Financial Impact

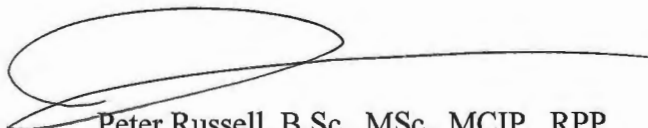
None.

Conclusion

While the Integrated Pest Management Regulation amendments will increase restrictions on traditional pesticide use for cosmetic purposes on July 1, 2016, there will be a transitional period whereby landscapers and the public will require clarity regarding the allowable pesticides in Richmond. Staff have recommended amendments to the City's Pesticide Use Control Bylaw No. 8514 to continue the disallowance of traditional pesticides for cosmetic purposes in our community; these proposed amendments continue to exceed the provincial Integrated Pest Management Regulation provisions. In addition, an amendment to allow the use of traditional pesticides for the control of noxious weeds under the Weed Control Regulation is recommended. To ensure compliance with the City's Bylaw, staff will continue to work with local pesticide retailers, Community Bylaws and update City workshops and all applicable communication materials. The amendments to the Pesticide Use Control Bylaw No. 8514 will support greater clarity on the provisions of judicious and sound pesticide use on City owned and residential lands.



Lesley Douglas, B.Sc., R.P.Bio.
Manager Environmental Sustainability
(604-247-4672)



Peter Russell, B.Sc., MSc., MCIP., RPP
Sr. Manager Sustainability & District Energy
(604-276-4130)

LD:th

- Att. 1: Provincial Integrated Pest Management Act Amendment Update – January 26, 2016
2: Pesticide Use Control Bylaw No. 8514, Amendment Bylaw 9574
3: Weed Control Regulation, Noxious Weed List



City of Richmond

Memorandum Engineering and Public Works Sustainability

To: Mayor and Councillors **Date:** January 26, 2016
From: Lesley Douglas, B.Sc., R.P.Bio. **File:** 10-6125-04-01/2015-Vol 01
 Manager Environmental Sustainability
Re: **Provincial Integrated Pest Management Act Amendment Update**

On September 28, 2015 a staff memo was provided advising of upcoming amendments to the Provincial Integrated Pest Management (IPM) Act. This memo provides an update on the official enactment of these amendments and how it relates to the City's Enhanced Pesticide Management Program (EPMP). The EPMP was adopted in 2009 to reduce the exposure of Richmond residents to unnecessary pesticide use. Since adoption, the EPMP has been well received by the community and continues to support the reduction of costs and risks related to this new era of pesticide, vegetation and invasive species management. The new IPM Act amendments include new provisions that are contrary to the provisions within the City's Pesticide Use Control (PUC) Bylaw No. 8514. Although the amendments contain some improvements to the processes and transactions between retailers and customers, staff expect there may be some confusion regarding the application of the provisions and the scope of the City's EPMP. The highlights below identify potential areas for confusion. The Province also endorsed a permissive approach regarding the use of the traditional pesticide glyphosate to residents for cosmetic purposes which is in direct conflict with the intent of the City's PUC Bylaw.

As previously reported, the Province has not taken any action towards the development of an industry-wide regulation to ban the use of traditional pesticides for cosmetic purposes. The Ministry of Environment announced the enactment of amendments to the Integrated Pest Management (IPM) Regulation on December 15, 2015. The Ministry reports that these changes are intended to ensure that:

- Pesticides are used by people with knowledge and training,
- Pesticides will be used as part of an IPM process; and
- Public interaction with pesticide vendors at the point of sale will increase.

Upon the announcement of the amendments to the IPM Act, the Province created 5 factsheets for stakeholders to understand how the changes may affect their current pesticide use practices. Factsheets are tailored to residents (Attachment 1), vendors, landscapers, golf courses and cemeteries and Industrial Land Managers and are available on the Province's website: <http://www2.gov.bc.ca/gov/content/environment/pesticides-pest-management/pesticide-use/regulations-consultations>. The amendments to the IPM Regulation will come into effect July 1st, 2016.

Staff are currently reviewing the details of these amendments as they pertain to the City's PUC Bylaw and the use of pesticides for the purposes of controlling weeds and invasive plants regulated under both the IPM Act and the Weed Control Act. During the consultation conducted by the Ministry, City staff asserted the need for transparency regarding municipal cosmetic pesticide bylaws, these IPM Act amendments and the Provincial Weed Control Act. Unfortunately, the Provincial IPM Act amendments do not establish clarity and are often confusing in regards to what rules apply to each user (i.e. residential, commercial, retailer) and each pesticide product.

Highlights of the IPM Regulation

The following list highlights aspects of the IPM Regulation amendments that interface and potentially conflict with the City's EPMP. City staff have provided comments to illustrate the confusion between the EPMP and the IPM Act amendments:

Table 1: IPM Act Highlights and Comments

IPM Regulation Highlights	City Staff Comments
<i>For residents using a Domestic class pesticide, they first need to obtain a Residential Applicator Certificate (RAC). The RAC is available through a free online course and exam and is valid for 10 years.</i>	The amendment guideline for residents (Attachment 2) notes that a RAC does not need to be presented when purchasing pesticides from a licensed vendor for Domestic class pesticides. Also, staff believe the RAC may cause confusion to Richmond residents and they may assume it would override the City's PUC Bylaw, which takes precedence and prohibits the use of traditional pesticides on private properties for cosmetic purposes.
<i>Residents and commercial operators will not require a RAC for the use of Domestic class glyphosate for the treatment of weeds growing through cracks in hard surfaces (e.g. driveways, sidewalks, paths, etc); plants poisonous to humans by touch (e.g. giant hogweed); and classified noxious weeds (e.g. knotweed species).</i>	The amendments indicate that a resident requires a RAC for the use of a Domestic class pesticide, yet a resident does not require a RAC for certain Domestic class glyphosate products. The Province's soft provisions on residential use of Domestic class glyphosate are in direct conflict with the PUC bylaw.
<i>Licensed vendors are not required to know if there is a municipal bylaw restricting the intended use where customers live, nor do they need to know the details of any such bylaws. It is the customer's sole responsibility to ensure they are adhering to municipal bylaws before administering pesticides.</i>	The IPM Act amendments that apply to licensed pesticide vendors are intended to increase interaction between pesticide vendors and customers at point of sale to ensure the responsible use of pesticides. However, contrary to City recommendations, licensed pesticide vendors do not need to advise customers of the municipal bylaw but rather notify customers that there may be a municipal bylaw in effect. Since the adoption of the EPMP in 2009, staff have worked closely with local retailers of cosmetic pesticides to ensure compliance with the PUC Bylaw. Prior to these amendments coming into effect on July 1, 2016, staff will endeavour to work collaboratively with the Province and local retailers of pesticides for cosmetic and traditional purposes to ensure that pertinent local and Provincial requirements are understood and followed.
<i>The changes to the IPM Regulation do not override municipal bylaw in respect to the use of</i>	While staff support their inclusion in the IPM Act amendment, they are silent on support or clarity for the public when municipal bylaws do apply, putting the onus on

pesticides for cosmetic purposes

Licensed vendors are now required to display all Domestic class pesticides under restricted access (e.g. behind a counter or in a locked cabinet) with the exception of Schedule 2 listed pesticides.

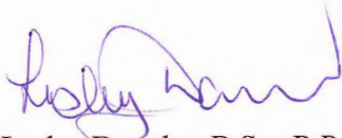
municipalities.

Staff support the increased interaction between retailers and customers to ensure the proper use of pesticides. A provision in the IPM Act amendments requires vendors to consult with customers on the purposes of the pesticide purchased and provide instructions to follow the pesticide label. Certified pesticide vendors have the authority to withhold pesticides from customers if they believe intended pesticide use would not follow label specifications. During this thorough consultation period, it is disconcerting that retailers are not required to advise customers of the municipal bylaw within the City the pesticide is purchased in.

A license or certificate is generally not required for residents to use pesticides on food gardens or hobby farms.

Staff will continue to pursue a legal review regarding the regulatory powers of these Provincial amendments versus the City's PUC Bylaw specific to the use of pesticides on food gardens, including fruit trees.

Upon full review of these amendments staff will consult with the Province; inform affected City staff and local pesticide retailers; amend EPMP website content; conduct information sessions for City Hall and Works Yard staff and continue to work with local pesticide retailers to support the transition to these IPM Act amendments effective July 1, 2016. Staff will also undertake a review regarding powers of the PUC Bylaw and the provisions of the Local Government Act in relation to the IPM amendments and report to Council with options for further action.



Lesley Douglas, B.Sc., R.P. Bio.
Manager Environmental Sustainability
(604-247-4672)

LD:th

Att. 1. The Rules Have Changed – A Guide for Residents

pc: SMT
John Irving, P. Eng, Director, Engineering
Peter Russell, Senior Manager, Sustainability and District Energy
Michelle Orsetti, Acting Manager, Community Bylaws
Ted de Crom, Manager, Parks

Introduction

The Ministry of Environment recently amended the Integrated Pest Management Regulation (IPMR) to further regulate the use and sale of pesticides. **The amendments will come into force on July 1, 2016.**

The changes are intended to ensure that pesticides are used by people with knowledge and training and to promote the use of Integrated Pest Management (IPM) and the responsible use of pesticides.

After July 1, 2016:

Pesticide Use in Landscapes

- The use of pesticides in landscaped areas on **public** land still requires a licence and must be conducted by trained people.
- For most uses of pesticides in landscaped areas on **private** land, the Ministry now requires either a certificate (for residents) or a licence (for commercial properties and service providers).
- This includes pesticide use on lawns, flower beds and ornamental trees and plants on such properties as single family homes, golf courses, botanical gardens and cemeteries.
- Residents do not generally require a licence or certificate to use pesticides on their own private land for:
 - Food gardens and hobby farms;
 - Pesticide use inside structures or in outside areas to control structural pests (e.g., rodents, carpenter ants, wasps);
 - Forests that are not managed for timber production; and
 - Areas used for commercial agriculture.

Options for Residents

- Residents have choices when managing pests in private landscapes. They are able to:
 - Hire a licensed company to provide the service;
 - Apply a Domestic class pesticide if they first obtain a Residential Applicator Certificate (RAC); or
 - Use a pesticide listed on either Schedule 2 or 5.
- Residents do not require a RAC for certain uses of Domestic class glyphosate. These include treating: plants that are poisonous for people to touch (e.g., poison ivy, poison oak); invasive plants and noxious weeds listed in legislation; and weeds growing through cracks in hard surfaces such as asphalt or concrete.

Key Points – After July 1, 2016:

- ➔ The use of pesticides in landscaped areas on private land now requires a licence or certificate.
- ➔ Landscaped areas include lawns, flower beds and ornamental trees and plants.
- ➔ Residents can obtain a Residential Applicator Certificate (RAC) to use Domestic class pesticides on their property.
- ➔ Residents can obtain a RAC through a free online course and exam.
- ➔ Residents can apply pesticides listed on Schedules 2 and 5 without a RAC.
- ➔ Service companies and landlords are required to notify residents about landscape pesticide treatments.
- ➔ Stores are required to restrict customer access to most pesticides.
- ➔ Certified dispensers must discuss the proposed pesticide use with customers before purchase and confirm it is appropriate.
- ➔ The changes to the IPMR do not override any municipal bylaws regarding landscape pesticide use.
- ➔ The new requirements will not come into force until July 1, 2016.

The Residential Applicator Certificate

- To obtain a RAC, residents are required to complete a free online course and pass an exam.
- Upon passing the exam, residents are issued a ten-year certificate.
- The online course should take approximately two hours to complete and includes information on:
 - Health and safety;
 - Environmental protection; and
 - The use of IPM when managing landscape pests.

Schedule 5

- Schedule 5 is a new list of Domestic class pesticides that are considered safe for use by untrained people.
- Owners of private land can apply these pesticides without the need for a licence or certificate.
- A licence is required **to offer a service** applying pesticides listed on Schedule 5.

Schedule 2

- Schedule 2 is an existing list of pesticides that are excluded from certain requirements in the IPMR.
- There are several reasons why a pesticide may be listed on Schedule 2, such as it is regulated in other ways or only used in very specific circumstances by highly trained individuals.
- Neither a licence nor certificate is required to use pesticides listed on Schedule 2.

Notification

- There are new rules for notifying residents.
- Licensed service companies who apply pesticides on residential land are required to notify their clients and any tenants before pesticides are used on outdoor landscaped areas.
- A landlord with an RAC who plans to apply pesticides to outdoor landscaped areas must provide written notice to tenants.
- Notification must provide information on what pesticide will be used, when the application will occur and if there are any safety precautions to follow.

Municipal Bylaws

- The changes to the IPMR do not override municipal bylaws. If a municipality you are living in has restrictions on the landscape use of pesticides, they must be followed.
- Contact your local municipality to learn if there are bylaws regarding pesticide use in residential landscapes.

Buying Pesticides

- Licensed vendors are now required to display most pesticides in a way that restricts access by customers, for example, behind a counter or in a locked cabinet.
- This is to ensure that a certified dispenser (employed by the vendor) communicates with customers prior to the purchase of a pesticide.
- When interacting with customers, certified dispensers are required to:
 - Offer advice on pest management and the safe use of pesticides;
 - Inform purchasers that pesticides must be used only for purposes stated on the label and according to the directions;
 - Confirm that the intended use is appropriate according to the pesticide label;
 - Inform the customer that a provincial licence or certificate may be required to use the pesticide; and
 - Inform the customer that municipal bylaws may restrict the use of the pesticide.
- Customers should expect pesticide vendors to ask them how they plan to use a pesticide before a purchase is made. This is to confirm that the intended use is appropriate.
- Vendors are not required to know if there is a municipal bylaw restricting the intended use where customers live, nor do they need to know the details of any such bylaws. Customers are responsible for contacting their municipality and understanding what restrictions may be in place.
- The requirements listed above apply to Schedule 5 pesticides but do not apply to pesticides listed on Schedule 2.

Next Steps

- The Ministry understands that residents and vendors will require time to prepare for these changes. For this reason, the new requirements will not come into force until July 1, 2016.
- For more information about the regulation and appropriate use of pesticides in British Columbia, please visit www.gov.bc.ca/PestManagement. Guidance documents for users and vendors of pesticides are available on this website.



City of
Richmond

Bylaw 9574

Pesticide Use Control Bylaw No. 8514, Amendment Bylaw No. 9574

The Council of the City of Richmond enacts as follows:

1. **Pesticide Use Control Bylaw No. 8514**, as amended, is further amended at Section 1.2 by:
 - (a) adding the following definition after the definition of “Excluded Pesticide”:

“**Noxious Weed** means a weed designated under the *Weed Control Regulation* BC Reg. 66/85 to be a noxious weed and includes the seeds of the **noxious weed**”;
 - (b) by deleting the definition of “Pest” and replacing it with the following:

“**Pest** means an animal, a plant or other organism that is injurious, noxious, or troublesome, whether directly or indirectly, including but not limited to a **noxious weed**, and an injurious, noxious or troublesome condition or organic function of an animal, a plant or other organism, but does not include a virus, bacteria, fungus or internal parasite that exists on or in a human or animal”.
2. **Pesticide Use Control Bylaw No. 8514**, as amended, is further amended at Part Two: Prohibition by replacing the existing Section 2.1 with the following:

“**2.1** Except as otherwise provided under this bylaw, a person must not **use**, or permit or caused to be **used**, a **pesticide** for the purpose of maintaining outdoor trees, shrubs, flowers, other ornamental plants of turf, or controlling plants growing through cracks in hard surfaces, in, under or upon any **private residential land** or **city land**.”.
3. **Pesticide Use Control Bylaw No. 8514**, as amended, is further amended at Section 3.1 by adding the following as a new subsection after subsection 3.1(h):

“(i) the **use** of a **pesticide** to control, manage or eradicate a **noxious weed**.”.
4. **Pesticide Use Control Bylaw No. 8514**, as amended, is amended further by replacing Schedule A with Schedule A attached hereto as a new Schedule A to Bylaw No. 8514.
5. This Bylaw is cited as “**Pesticide Use Control Bylaw No. 8514, Amendment Bylaw No. 9574**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

SCHEDULE A to BYLAW NO. 9574**SCHEDULE A to BYLAW NO. 8514
EXCLUDED PESTICIDES**

- Acetic acid
- Animal repellents except thiram
- Anti-fouling paints
- Antisapstain wood preservatives
- Asphalt solids (pruning paints)
- *Bacillus sphaericus*, also referred to as Bs
- *Bacillus subtilis*
- *Bacillus thuringiensis* var. *israelensis*, also referred to as Bti
- *Bacillus thuringiensis* var. *kurstaki*, also referred to as Btk
- Bactericides used in petroleum products
- Boron compounds
- Boron compounds with up to 5% copper for insect control and wood preservation
- Capsaicin
- Citric acid
- Cleansers
- Copper (oxychloride and tribasic only)
- Corn cellulose
- Corn gluten
- Deodorizers
- d-phenothrin
- d-trans-allethrin, also referred to as d-cis-trans allethrin
- Fatty acids
- FeHEDTA
- Ferric phosphate
- Ferric sodium EDTA
- Ferrous sulphate
- Formic acid
- Garlic
- Hard surface disinfectants
- Insect repellents
- Insect semiochemicals, including pheromones, kairomones, attractants and repellents
- Insect bait stations
- Kaolin
- Lactic acid
- Laundry additives
- Material preservatives
- Methoprene
- Mineral oils for insect and mite control
- Naphthalene for fabric protection

- N-Octyl bicycloheptene dicarboximide
- Octenol
- Oxalic acid
- Paradichlorobenzene for fabric protection
- Pesticides in aerosol containers
- Pesticides registered under the Pest Control Products Act (Canada) for application to pets
- *Phoma macrostoma*
- Piperonyl butoxide
- Plant growth regulators
- Polybutene bird repellents
- Pyrethrins
- Pyriproxyfen
- Resmethrin
- *Sclerotinia minor*
- Silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel
- Silicon dioxide also referred to as “diatomaceous earth”
- Slimicides
- Soaps
- Sodium chloride
- Spinosad
- Sulphur, including lime sulphur, sulphide sulphur and calcium polysulphide
- Surfactants
- Swimming pool algicides and bactericides
- Tetramethrin
- Thymol
- Wood preservatives
- Zinc strips

Copyright (c) Queen's Printer,
Victoria, British Columbia, Canada

**License
Disclaimer**

B.C. Reg. 66/85
O.C. 480/85

Deposited March 15, 1985

Weed Control Act

WEED CONTROL REGULATION

Note: Check the Cumulative Regulation Bulletin 2015 and 2016
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 143/2011, July 21, 2011]

Link to Point in Time

Contents

- 1 Definitions
- 2 Designation of noxious weeds
- 3 Notice to control noxious weeds
- 4 Screenings
- 5 Transportation of grain, screenings, etc.
- 6 Movement of machinery or vehicles
- 7 Cleaning of agricultural equipment
- 8 Seeds, fertilizer, etc.

Schedule A

Schedule B

Schedule C

Schedule D

Definitions

- 1 In this regulation:

"Act" means the *Weed Control Act*;

"area" means a portion of a regional district or of a municipality;

"implement of husbandry" has the same meaning as in the *Motor Vehicle Act*;

"screenings" means seeds and other material removed in the process of cleaning or grading cereal, forage or oilseed crops.

Designation of noxious weeds

- 2 (1) The weeds set out in Part I of Schedule A of this regulation are designated as

PWT - 30

noxious weeds throughout British Columbia.

- (2) A weed listed in Part II of Schedule A of this regulation is a noxious weed in the regions of British Columbia listed to the right of that weed.

[en. B.C. Reg. 156/93, s. 1.]

Notice to control noxious weeds

- 3 For the purpose of section 4 of the Act, a notice issued by an inspector shall be in the form of Schedule B.

[am. B.C. Reg. 156/93, s. 3.]

Screenings

- 4 (1) No person shall transport, keep for sale, offer to buy or sell, or buy or sell any screenings containing seeds of a noxious weed unless

(a) the screenings are graded as No. 1 or No. 2 feed screenings under section 17 of the Off Grades of Grain and Grades of Screenings Order established by SOR 71-91 under the *Canada Grain Act*,

(b) he holds a valid and subsisting

(i) permit for removal of screenings in the form of Schedule C,
or

(ii) feeder's permit in the form of Schedule D

issued by the minister, and the permit holder complies with the terms and conditions set out in the permit, or

(c) the screenings have been treated so as to devitalize any weed seeds.

- (2) Nothing in the section prevents

(a) a farmer transporting from a grain elevator, mill or warehouse to his farm screenings that have been removed from grain grown on that farm, or

(b) a person keeping or selling for export from the Province any screenings from grain that is re-cleaned in the Province.

- (3) On the sale of any screenings, the person who sells the screenings shall file with the minister a report specifying

(a) the quantity of screenings sold,

(b) the date and place of shipment, and

(c) the person within the Province to whom the screenings are to be shipped.

[am. B.C. Reg. 156/93, s. 4.]

Transportation of grain, screenings, etc.

- 5 No person shall transport on a highway grain, screenings or other material that contains, or is likely to contain, seeds of a noxious weed unless
- (a) the grain, screenings or other material is transported in a covered container, or
 - (b) the horse trailer, recreational vehicle or other vehicle in which the grain, screenings or other material is transported is constructed so that no weed seeds can escape from the vehicle.

Movement of machinery or vehicles

- 6 No person shall move on a highway
- (a) any vehicle that has any knapweed on it, or
 - (b) any
 - (i) agricultural equipment or implement of husbandry,
 - (ii) construction machinery,
 - (iii) recreational vehicle, or
 - (iv) horse trailer

that has any noxious weed on it.

Cleaning of agricultural equipment

- 7 No person shall remove any agricultural equipment or implement of husbandry from any premises on which the equipment or implement has been operated unless it has first been cleaned and is free of any noxious weeds or seeds of a noxious weed.

Seeds, fertilizer, etc.

- 8 Where a noxious weed is not established in an area, no person shall
- (a) within that area
 - (i) sow any grain or other seed that is intermixed with seeds of the noxious weed, or
 - (ii) apply fertilizer, lime, topsoil or other substance that contains the noxious weed or seeds of the noxious weed, or
 - (b) sell for delivery within that area any fertilizer, lime, topsoil or other substance that contains the noxious weed or seeds of the noxious weed.

Schedule A

[en. B.C. Reg. 156/93, s. 2; am. B.C. Regs. 209/96, s. 1; 51/99; 189/2001; 143/2011.]

Part I — Provincial Weeds

Weeds classed as noxious within all regions of the province:

PWT - 32

Annual Sow Thistle	(<i>Sonchus oleraceus</i>)
Bohemian Knotweed	(<i>Fallopia x bohemica</i>)
Bur Chervil	(<i>Anthriscus caucalis</i>)
Canada Thistle	(<i>Cirsium arvense</i>)
Common Crupina	(<i>Crupina vulgaris</i>)
Common Reed	(<i>Phragmites australis subspecies australis</i>)
Common Toadflax	(<i>Linaria vulgaris</i>)
Dalmatian Toadflax	(<i>Linaria dalmatica</i>)
Dense-flowered Cordgrass	(<i>Spartina densiflora</i>)
Diffuse Knapweed	(<i>Centaurea diffusa</i>)
Dodder	(<i>Cuscuta spp.</i>)
English Cordgrass	(<i>Spartina anglica</i>)
Flowering Rush	(<i>Butomus umbellatus</i>)
Garlic Mustard	(<i>Alliaria petiolata</i>)
Giant Hogweed	(<i>Heracleum mantegazzianum</i>)
Giant Knotweed	(<i>Fallopia sachalinensis</i>)
Giant Mannagrass/Reed Sweetgrass	(<i>Glyceria maxima</i>)
Gorse	(<i>Ulex europaeus</i>)
Himalayan Knotweed	(<i>Polygonum polystachyum</i>)
Hound's-tongue	(<i>Cynoglossum officinale</i>)
Japanese Knotweed	(<i>Fallopia japonica</i>)
Jointed Goatgrass	(<i>Aegilops cylindrica</i>)
Leafy Spurge	(<i>Euphorbia esula</i>)
Milk Thistle	(<i>Silybum marianum</i>)
North Africa Grass	(<i>Ventenata dubia</i>)
Perennial Sow Thistle	(<i>Sonchus arvensis</i>)
Purple Loosestrife	(<i>Lythrum salicaria</i>)
Purple Nutsedge	(<i>Cyperus rotundus</i>)
Rush Skeletonweed	(<i>Chondrilla juncea</i>)
Saltmeadow Cordgrass	(<i>Spartina patens</i>)
Scentless Chamomile	(<i>Matricaria maritima</i>)
Smooth Cordgrass	(<i>Spartina alterniflora</i>)
Spotted Knapweed	(<i>Centaurea maculosa</i>)
Tansy Ragwort	(<i>Senecio jacobaea</i>)
Velvetleaf	(<i>Abutilon theophrasti</i>)
Wild Oats	(<i>Avena fatua</i>)
Yellow Flag Iris	(<i>Iris pseudacorus</i>)
Yellow Nutsedge	(<i>Cyperus esculentus</i>)
Yellow Starthistle	(<i>Centaurea solstitialis</i>)

Part II – Regional Weeds

The following additional weeds listed are designated as noxious weeds within the boundaries of the corresponding regional districts:

Blueweed (*Echium vulgare*)

Cariboo, Central Kootenay, Columbia-Shuswap, East

PWT - 33

Burdock (<i>Arctium</i> spp.)	Kootenay, Okanagan-Similkameen, Thompson-Nicola Bulkley-Nechako, Cariboo, Columbia-Shuswap, Fraser-Fort George, Kitimat-Stikine, North Okanagan, Okanagan-Similkameen, Peace River, Thompson- Nicola
Cleavers (<i>Galium aparine</i>)	Peace River
Common Bugloss (<i>Anchusa officinalis</i>)	Kootenay-Boundary
Common Tansy (<i>Tanacetum vulgare</i>)	Bulkley-Nechako, Central Kootenay, Columbia- Shuswap, East Kootenay, North Okanagan
Field Scabious (<i>Knautia arvensis</i>)	Bulkley-Nechako, Kootenay-Boundary, Thompson-Nicola
Green Foxtail (<i>Setaria viridis</i>)	Peace River
Hoary Alyssum (<i>Berteroa incana</i>)	Kootenay-Boundary
Hoary Cress (<i>Cardaria</i> spp.)	Columbia-Shuswap, North Okanagan, Thompson-Nicola
Kochia (<i>Kochia scoparia</i>)	Peace River
Marsh Plume Thistle (<i>Cirsium palustre</i>)	Bulkley-Nechako, Fraser-Fort George
Meadow Knapweed (<i>Centaurea pratensis</i>)	Columbia-Shuswap
Night-flowering catchfly (<i>Silene noctiflora</i>)	Peace River
Orange Hawkweed (<i>Hieracium aurantiacum</i>)	Bulkley-Nechako, Cariboo, Central Kootenay, Columbia-Shuswap, East Kootenay, Thompson-Nicola
Oxeye Daisy (<i>Chrysanthemum leucanthemum</i>)	Cariboo, North Okanagan, Peace River, Thompson-Nicola
Perennial Pepperweed (<i>Lepidium latifolium</i>)	East Kootenay, Thompson-Nicola
Plumeless Thistle (<i>Carduus acanthoides</i>)	Central Kootenay
Puncturevine (<i>Tribulus terrestris</i>)	Okanagan-Similkameen
Quackgrass (<i>Agropyron repens</i>)	Peace River
Russian Knapweed (<i>Acroptilon repens</i>)	North Okanagan
Russian Thistle (<i>Salsola kali</i>)	Peace River
Scotch Thistle (<i>Onopordum acanthium</i>)	North Okanagan
Sulphur Cinquefoil (<i>Potentilla recta</i>)	Colombia-Shuswap, North Okanagan, Okanagan-Similkameen, Thompson-Nicola
Tartary Buckwheat (<i>Fagopyrum tataricum</i>)	Peace River
White Cockle (<i>Lychnis alba</i>)	Peace River
Wild Chervil (<i>Anthriscus sylvestris</i>)	Fraser Valley
Wild Mustard (<i>Sinapsis arvensis</i>)	Peace River

Schedule B

[en. B.C. Reg. 209/96, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA
MINISTRY OF AGRICULTURE AND LANDS

Weed Control Act (section 4)

Weed Control Regulation (section 3)

NOTICE TO OCCUPY TO CONTROL WEEDS

PWT - 34

You must, within days from the date of this notice, control the listed noxious weeds growing on the following lands:

.....

.....

Weeds to be controlled:

.....

.....

To control the weeds, you must take the steps that are checked on the following list:

- ☐ eradicate the weeds
- ☐ prevent the weeds from producing viable seed
- ☐ prevent vegetative propagation of the weeds
- ☐ suppress the growth or vigour of the weeds

The land will be inspected after days from the date of this notice. If the weeds are not controlled, action will be taken under section 7 of the *Weed Control Act* to control the weeds. If this action is taken, you will be assessed the cost of weed control. If that cost is not paid it may, under section 8 of the Act, be collected and recovered as taxes in arrears under the *Municipal Act*¹ or as unpaid taxes under the *Taxation (Rural Area) Act*.

..... (Weed Control
Inspector or Officer)

..... (Address)

.....(Date)

1. see now *Local Government Act*

Schedule C

[en. B.C. Reg. 156/93, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA
MINISTRY OF AGRICULTURE AND LANDS

PERMIT FOR REMOVAL OF SCREENINGS

No.

Issued pursuant to the *Weed Control Act* and regulation made thereunder.

Authority is hereby given to(Name)(Address)
.....(Business) to remove(Quantity) of screenings
which contain weed seeds in excess of the percentage allowed by the *Canada Grain Act* or
regulations thereunder for No. 1 or No. 2 Feed screenings, from
.....(Name of grain elevator, mill or warehouse)
.....(Location) and to keep for sale and sell the screenings so removed
to those persons who devitalize screenings or who hold Feeders' Permits issued under the
regulations.

PWT - 35

This permit shall be subject to the further conditions that all the provisions of the Weed Control Regulation shall be strictly observed in respect of this permit.

This permit will expire at midnight on December 31, 19... .

Dated at, this day of, 19... .

(Signature)

(Official designation)

Schedule D

[en. B.C. Reg. 156/93, s. 2; am B.C. Reg. 4/2010, s. 3.]

PROVINCE OF BRITISH COLUMBIA
MINISTRY OF AGRICULTURE AND LANDS

FEEDER'S PERMIT

No.

Issued pursuant to the *Weed Control Act* and regulation made thereunder.

Authority is hereby given to(Name)
.....(Address)(Business) to purchase from
.....(Name)(Address)
(Business)(Quantity) of screenings which contain weed seeds in excess of the
percentage allowed by the *Canada Grain Act* or regulations thereunder for No. 1 or No. 2
Feed screenings, for the purpose of feeding to
(Kind of stock) at(Nature of premises), situated at
(Describe exact location)

This permit shall be subject to the further conditions that all the provisions of the regulations shall be strictly observed in respect of all screenings purchased by virtue of this permit.

This permit will expire at midnight on December 31, 19... .

Dated at, this day of, 19... .

(Signature)

(Official designation)

[Provisions of the *Weed Control Act*, R.S.B.C. 1996, c. 487, relevant to the enactment of this regulation: sections 3, 5, 6, 16]



City of Richmond

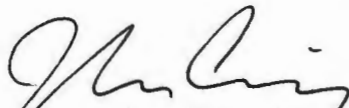
Report to Committee

To: Public Works and Transportation Committee
From: John Irving, P.Eng. MPA
Director, Engineering
Re: Riparian Response Strategy Review

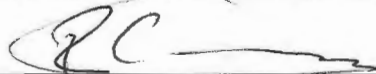

Date: June 27, 2016
File: 10-6160-08/2016-Vol
01

Staff Recommendation

That the stakeholder consultation program outlined in the report titled "Riparian Response Strategy Review" from the Director, Engineering, dated June 27, 2016, be endorsed.


John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Parks Services	<input checked="" type="checkbox"/>	
Building Approvals	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
Policy Planning	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

In response to the Riparian Area Regulation, a Provincial directive to local governments for the protection and enhancement of fish habitat, the City of Richmond established the Riparian Response Strategy in 2006. Following a recent Provincial review targeting increased compliance with the Riparian Area Regulation, the City is required to update the Riparian Response Strategy.

The purpose of this report is to provide recommendations on the required protection measures and regulatory tools that staff are reviewing, and seek endorsement of a stakeholder consultation program to support the development of new regulatory riparian protection tools.

This report supports the following of Council's 2014-2018 Term Goals:

#3 A Well-Planned Community:

3.1. *Growth and development that reflects the OCP, and related policies and bylaws.*

#4 Leadership in Sustainability:

4.1. *Continued implementation of the sustainability framework.*

4.2. *Innovative projects and initiatives to advance sustainability.*

#6 Quality Infrastructure Networks:

6.1. *Safe and sustainable infrastructure.*

Background

The Province enacted the Riparian Area Regulation in 2006 under the Riparian Areas Protection Act (formerly Fish Protection Act), for the protection and enhancement of fish habitat from residential, industrial, commercial and ancillary activities that are done in association with this type of development. Riparian habitat is the terrestrial land located adjacent to watercourses that provides a critical link between aquatic and terrestrial ecosystems, supporting a high level of biodiversity.

Being in a flood plain ecosystem, Richmond's riparian conditions differ from other municipalities in the region. Richmond is considered to be a single watershed, and all watercourses flow through flood control pump stations in the perimeter dyke before entering the Fraser River. Watercourses are fed with a significant source of groundwater that is low in oxygen, high in iron and water flows slowly across the relatively flat grade, and warms within the system. Richmond's watercourses are not generally hospitable to salmon and trout species, however, are considered fish habitat as they flow immediately into, and support an abundance of fish life in, the Fraser River Estuary.

To protect fish habitat from development, local governments are required to include riparian protection measures in zoning and land use bylaws, and have the choice to adopt a standardized approach to riparian protection or define their own approach that meets or exceeds the level of protection in the standardized approach. Given Richmond's unique flood plain ecology, the City established its own approach to riparian protection, known as the Riparian Response Strategy.

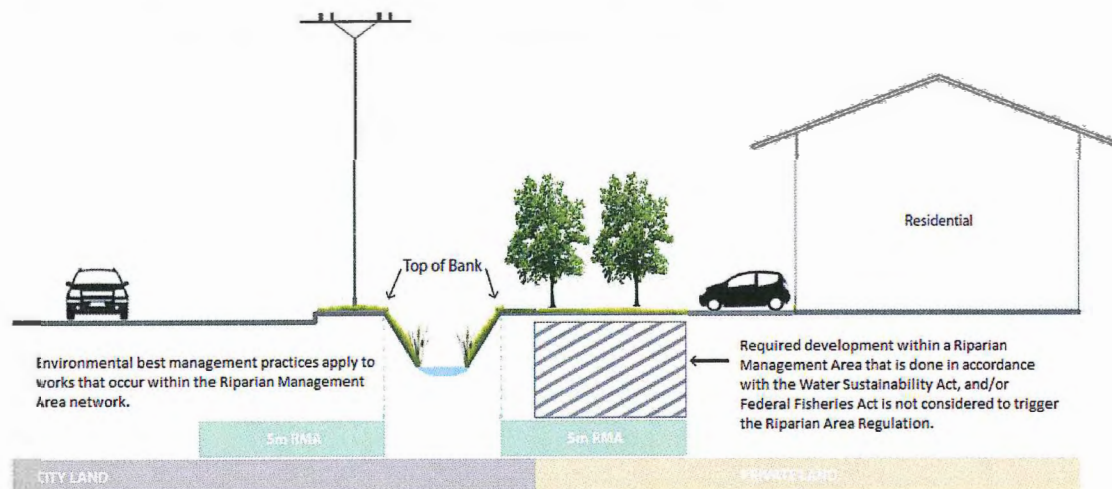
Under the Riparian Response Strategy, Riparian Management Area setbacks of 5m and 15m on minor and major watercourses were pre-designated in consultation with the Department of Fisheries and Oceans (Attachment 1). Riparian Management Areas were to remain free from development, however, if development within an Riparian Management Area was required, it was considered in consultation with the Department of Fisheries and Oceans to ensure compliance with the Riparian Area Regulation and the Fisheries Act. While the City's approach did not include riparian protection measures in City bylaws, the Riparian Response Strategy was intended to meet the level of protection required under the Riparian Area Regulation through direct consultation with the Department of Fisheries and Oceans.

Recently, the Ministry of Forests, Lands and Natural Resource Operations conducted a review of Riparian Area Regulation implementation approaches, at the recommendation of the Provincial Ombudsperson. Following the review, local governments who are not considered compliant are required to update their approach. Following recent changes to their operating procedures, the Department of Fisheries and Oceans no longer engage with local governments directly on Riparian Area Regulation decisions. As a result, in order to be fully compliant with the Riparian Area Regulation, updates to the City's approach would include the following:

- Include riparian protection measures in City bylaws and development approval processes;
- Protect 5m and 15m Riparian Management Area setbacks from residential, commercial, industrial and ancillary development activities proposed within 30 m of a designated watercourse; and
- Assess opportunities to enhance riparian setbacks.

Under the Riparian Area Regulation, development, defined as works that disturb soil or vegetation, is not permitted within a Riparian Management Area. However, unlike in traditional watersheds where properties commonly back onto protected watercourses, Richmond's Riparian Management Areas have been historically realigned within road right-of-ways and Riparian Management Area setbacks span into property frontages. As a result, development activity such as site services and watercourse crossings within a setback is often required (Figure 1), and unauthorized encroachment into setbacks is also common. If the installation of watercourse crossings, site services and other required development complies with established best management practices and approvals under the Provincial Water Sustainability Act and Federal Fisheries Act, they are not considered to trigger the Riparian Area Regulation. In order to address unauthorized encroachments into Riparian Management Areas, the updated compliance package will include provisions to enforce protection measures.

Figure 1: Example of a 5m Riparian Management Area



Analysis

Riparian Management Area Protection Measures

Measures to manage Richmond's Riparian Management Areas will enhance the water quality, temperature and level of nutrients flowing into the Fraser River Estuary. Associated benefits to Riparian Management Area management include enhancement of ecosystem services such as bank stabilization and erosion sediment control. Riparian Management Areas also act as linear wildlife corridors, connecting natural hubs and sites within Richmond's ecological network. Regulatory tools to protect Richmond's Riparian Management Areas must facilitate required development, limit unauthorized encroachment, and incorporate measures to protect and enhance Riparian Management Areas. Measures may include:

- sediment and erosion control;
- stormwater management;
- bank stabilization;
- flood control;
- invasive species removal and management;
- vegetation management and enhancement;
- fish and wildlife protection;
- encroachment protection (i.e. fencing);
- Environmental protection and mitigation to facilitate the installation and maintenance of services within an Riparian Management Area (e.g. design and material specifications, seasonal timing windows, measures to isolate aquatic work areas, mitigation and spill response measures);
- Construction monitoring performed by a Qualified Environmental Professional.

Regulatory Tools to Achieve Compliance

Using the regulatory tools available under Part 14 of the Local Government Act, the City is required to embed the Riparian Management Area protection measures listed above into City bylaws, and staff have reviewed various regulatory tools and bylaw options to achieve compliance. Inclusion of riparian protection measures in Zoning Bylaw No. 8500, and designation of a riparian development permit area under the Official Community Plan Bylaw No. 9000 have been identified as primary tools to achieve compliance with the Riparian Area Regulation.

Zoning Bylaw No. 8500 is the most effective tool to address setbacks and riparian protection measures. Zoning bylaw provisions can establish minimum Riparian Management Area setbacks, minimum landscape vegetation standards, address non-conforming structures within Riparian Management Areas, and regulate unauthorized development within a setback. Development permit areas can be designated in the Official Community Plan Bylaw No. 9000 for the protection of the natural environment. Land within a development permit area must not be altered until a development permit is issued by Council. Development permit areas are accompanied by guidelines that outline how Riparian Management Area protection measures could be assessed on a site specific basis at the time of development.

Other local governments in the region with riparian development permit areas have delegated authority to staff to streamline the approval process, and a request for delegated authority may form part of the updated Riparian Response Strategy for Council's consideration. While Zoning Bylaw No. 8500 and designation of a Riparian Management Area development permit area under the Official Community Plan Bylaw No. 9000 have been identified as the primary tools to achieve compliance with the Riparian Area Regulation, it is anticipated that amendments to additional bylaws will be required to achieve a consistent compliant approach to riparian protection and enhancement.

Stakeholder Consultation Program

In order to implement the regulatory tools required for Riparian Area Regulation compliance and embed required riparian protection measures into City capital, operational, and private development works, staff are seeking Council endorsement to engage in a stakeholder consultation process over the summer months. Through stakeholder consultation, staff will assess the impacts of the proposed tools on development timing, costs, and approvals, and refine guidelines to streamline permitting processes where possible. Staff are proposing stakeholder engagement with the following groups:

- Agricultural Advisory Committee;
- Advisory Committee on the Environment;
- Urban Development Institute;
- Small Builders Group;
- Ministry of Forest Lands Natural Resource Operations; and
- Fisheries and Oceans Canada.

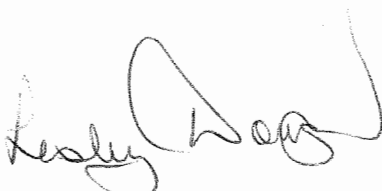
Staff will report back to Council in Fall 2016 with the proposed bylaw package to achieve full Riparian Area Regulation compliance, and will seek authorization to proceed to broader public consultation at that time. Public consultation recommendations for an Official Community Plan amendment to create a new development permit area will be in accordance with City Policy 5043: Official Community Plan Bylaw Preparation Consultation Policy. Public consultation for a Zoning bylaw amendment will be in accordance with Part A, Section 2: Bylaw Amendments, from the City's Zoning bylaw 8500. Following completion of the public consultation program, a recommended update to the Riparian Response Strategy will be brought forward in late 2016 for endorsement.

Financial Impacts

None. Potential costs associated with the implementation of the updated Riparian Response Strategy will be assessed and included in the recommended regulatory tools that will be presented to Council in Fall 2016 for consideration.

Conclusion

The City must develop regulatory tools to protect Riparian Management Areas in accordance with the Riparian Area Regulation. Following stakeholder consultation, staff will bring forward an updated Riparian Response Strategy including draft development permit area guidelines and zoning bylaw provisions in early Fall 2016 that will include a public consultation program for Council endorsement. Following public consultation, staff will bring the package with required Official Community Plan Bylaw No. 9000 and Zoning Bylaw No. 8500 amendments back to Council in late Fall 2016 to endorse for the purpose of implementation.



Lesley Douglas, B.Sc., R.P.Bio.
Manager Environmental Sustainability
(604-247-4672)

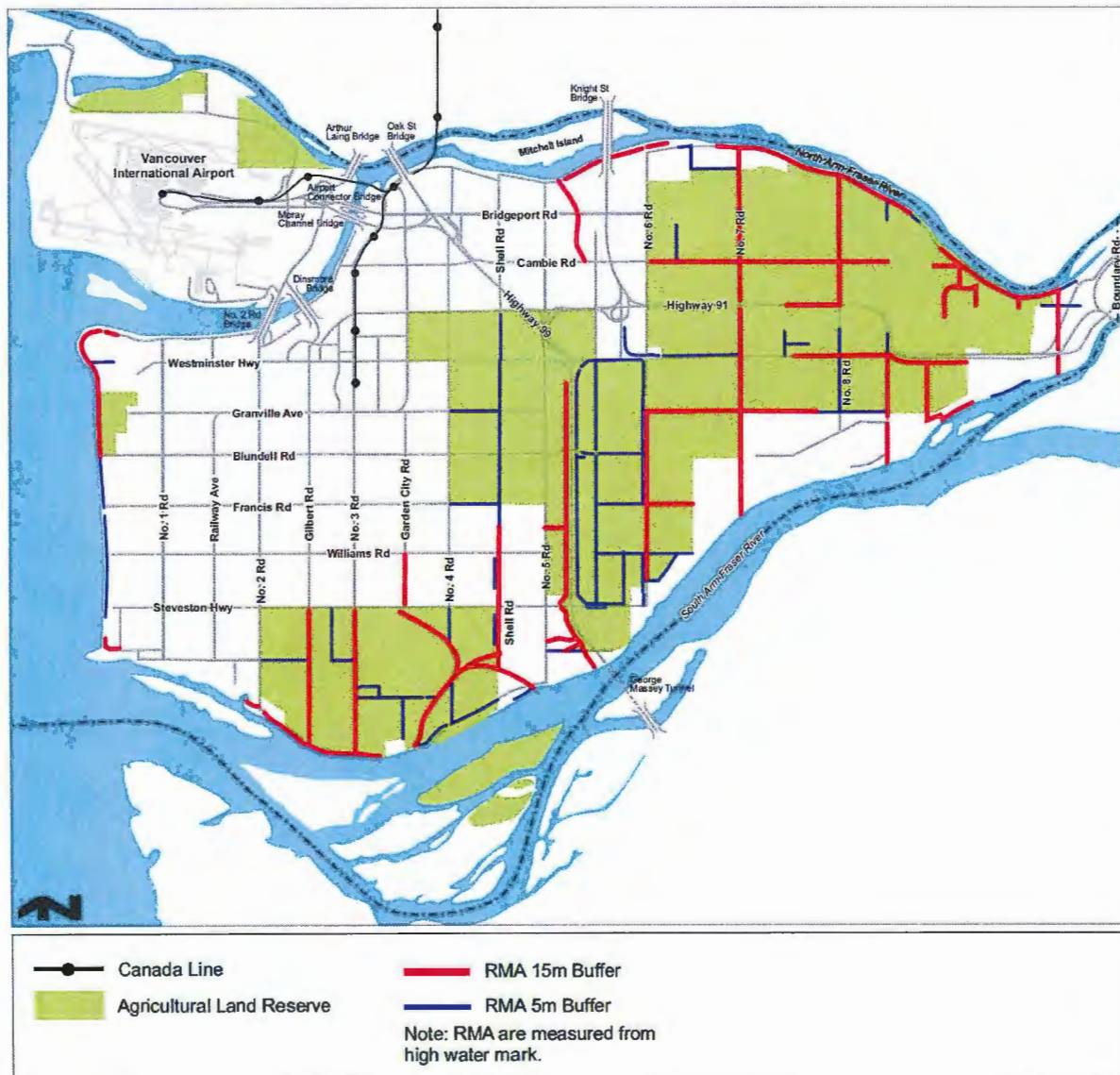


Peter Russell
Senior Manager, Sustainability and District Energy
(604-276-4130)

LD:ka

Att. 1: City of Richmond Riparian Management Area Network

Riparian Management Area Map





City of Richmond

Report to Committee

To: Public Works and Transportation Committee **Date:** June 21, 2016
From: Victor Wei, P. Eng.
Director, Transportation **File:** 01-0100-30-RPAD1-
01/2016-Vol 01
Re: Review of Richmond Parking Advisory Committee

Staff Recommendation

1. That the Richmond Parking Advisory Committee and the Richmond Traffic and Transportation Advisory Committee be dissolved; and
2. That past and current members of the above committees be thanked for their contributions.

Victor Wei, P. Eng.
Director, Transportation
(604-276-4131)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Bylaws	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

This report reviews the merit for the continuation of the Richmond Parking Advisory Committee. As a housekeeping measure, this report also recommends the dissolution of the long dormant Richmond Traffic and Transportation Advisory Committee.

Analysis

Establishment of Richmond Parking Advisory Committee

The Richmond Parking Advisory Committee was established in 2004 following two key triggers:

- the adoption of the original *City Centre Transportation Plan* in 1997, which envisioned the formation of a parking advisory body comprising various stakeholders in the City Centre as a means to provide input into the planning, provision and management of parking; and
- the introduction of pay parking in the City Centre in August 2002, which is a fundamental component of the overall parking strategy for the area.

As shown in Table 1, the Committee is comprised of a total of 15 members, including a City Council Liaison, and typically meets quarterly. There is a staff liaison each from Transportation and Community Bylaws.

Table 1: Composition of Richmond Parking Advisory Committee

Representative	Selection	Members
City Council Liaison	Council Appointee	1
Richmond Chamber of Commerce	Organization Appointee	1
City Centre Community Association	Organization Appointee	1
Tourism Richmond	Organization Appointee	1
Urban Development Institute	Organization Appointee	1
Building Owners and Managers Association of BC	Organization Appointee	1
Richmond Retail Merchant or Richmond Employee/Resident	Council Appointee	9
Total Membership		15

Current Relevance of Richmond Parking Advisory Committee

Over the years, the Committee has been a helpful setting for the discussion of parking-related issues (e.g. early phase of *City Centre Transportation Plan* implementation, introduction of pay parking, potential impacts of the Canada Line, changes to tandem parking requirements, trial implementation of the Steveston parking strategy in Summer 2012). However, such topics may now be outdated or typically arise intermittently rather than regularly. More recently, a number of additional factors have become apparent that together suggest that the Committee is no longer a productive and engaging forum. These factors include:

- Evolution of City Centre: The Committee formed at a time when potential parking-related issues appeared more prevalent (e.g., recent introduction of pay parking, imminent implementation of the Canada Line and the associated concern of passengers parking in private parking lots adjacent to stations). Since that time, these concerns have dissipated as

the City Centre matures and no further on-going strategic parking-related issues have emerged that would warrant retention of the Committee.

- **Official Community Plan Update:** The goals of the City's Official Community Plan with respect to mobility and access encourage a shift from driving to transit, walking and cycling, which suggests that the Committee's role of focusing only on parking is no longer appropriate or necessary.
- **Agenda Topics:** Many of the topics raised by members are personal experiences related to traffic operations or property use rather than parking policy per se. Such issues are already addressed more efficiently and timely by the appropriate City department or the existing multi-agency Traffic Safety Advisory Committee. As such, maintaining the Committee would create redundancy and would not be a valuable use of members' time.
- **Attendance:** Committee attendance has been observed to be consistently low. Attachment 1 illustrates the attendance record since the Committee's inception for both Council appointees and organization appointees. The chart indicates that of the Committee's 34 meetings to date, quorum has been achieved for only seven meetings and thus the interest expressed by Committee members to participate has been somewhat limited. Attendance by organization appointees after the initial few years of interest has also been consistently low (i.e., appointed positions have been vacant) despite repeated requests from staff for representatives.

Feedback from Current Members of the Richmond Parking Advisory Committee

Staff discussed the relevance and utility of the Committee with current members at the February 24, 2016 and June 15, 2016 meetings. Committee members, including a returning member who was part of the Committee at its inception, agreed that the Committee is no longer necessary and that their time would be better served on other City advisory committees.

Based on the above discussion and the consensus of the existing Committee members, staff therefore recommend that the Richmond Parking Advisory Committee be dissolved and the current members thanked for their contributions. Future parking-related concerns from the public can be addressed via the City's multiple customer feedback opportunities or the City's partnerships with external agencies (e.g., Richmond RCMP). When appropriate, consultation with external agencies on parking issues could occur directly (e.g., Urban Development Institute) or, if necessary, a task force could be formed to address examine specific parking issues if deemed appropriate.

Richmond Traffic and Transportation Advisory Committee

The Richmond Transit and Traffic Advisory Committee was constituted in February 2002 to comment on and monitor the progress of recommendations suggested by City staff and TransLink regarding the recently implemented #98 B-Line transit service and associated No. 3 Road traffic conditions. The Committee met three times between March and July 2002 with staff from TransLink, Coast Mountain Bus Company and the City to consider the recommended transit service changes and City Centre traffic conditions and presented a final report with recommendations that was considered by Council at its September 23, 2002 meeting. The Committee's recommendations were endorsed by Council and forwarded to TransLink.

The Committee duly fulfilled its mandate and has not met since 2002. Moreover, staff do not foresee any future need to re-constitute the Committee. However, the Committee (which has

been inadvertently renamed to the Richmond Traffic and Transportation Advisory Committee) remains nominally "active" in that a Council liaison is named to the Committee at the beginning of each Council term. Again, to reflect current needs and priorities, staff recommend that the Richmond Traffic and Transportation Advisory Committee be dissolved.

Financial Impact

None.

Conclusion

Staff recommend the dissolution of the Richmond Parking Advisory Committee based on the mutually reinforcing factors of:

- a continuing limited range of agenda topics related to the Committee's mandate of providing input on the management of the supply and demand of parking in the city,
- an increased emphasis on sustainable transportation modes in the City's long-term plans, and
- persistent low attendance.

Staff further recommend that the dormant Richmond Traffic and Transportation Advisory Committee, which fulfilled its mandate in 2002 and has not met since, be dissolved.



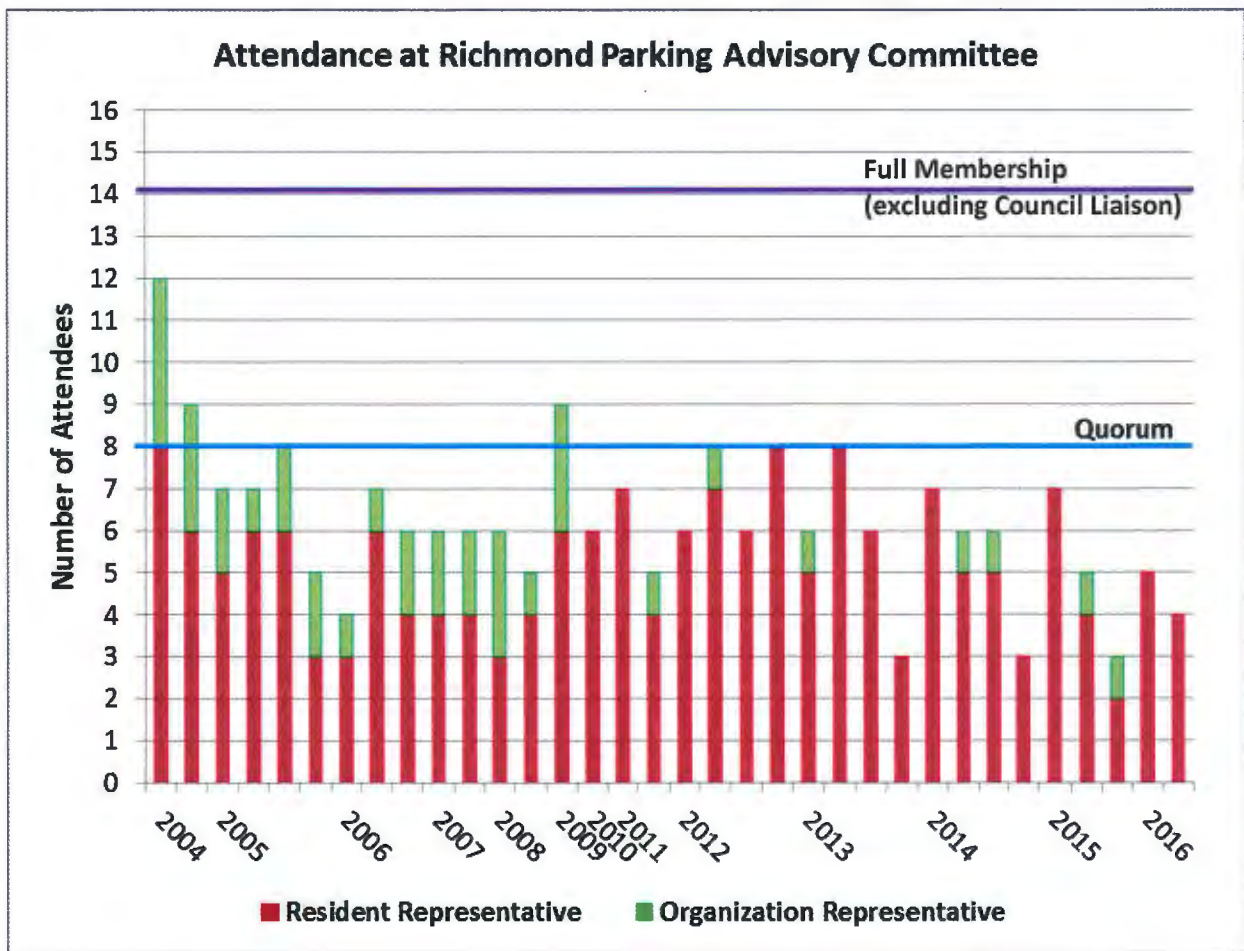
Joan Caravan
Transportation Planner
(604-276-4035)



Donna Chan, P.Eng., PTOE
Manager, Transportation Planning
(604-276-4126)

JC:jc

Att. 1: Historic Attendance at Richmond Parking Advisory Committee





City of Richmond

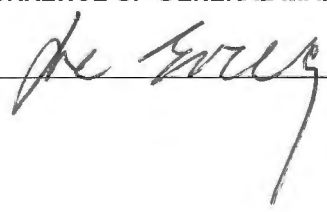
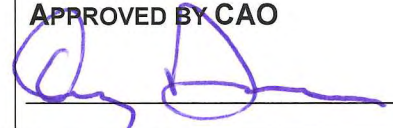
Report to Committee

To: Public Works and Transportation Committee
From: Victor Wei, P. Eng.
Director, Transportation
Date: June 21, 2016
File: 02-0775-50-3118/Vol
01
Re: **Recommendation to Award Contract 5659 EOI - Supply and Installation of
Conduits & Water Service Pipes Using Trenchless Technology and Other
Related Civil Works**

Staff Recommendation

1. That Contract 5659 EOI – “Supply and Installation of Conduits & Water Service Pipes Using Trenchless Technology and Other Related Civil Works” be awarded to Ulmer Contracting Limited and that staff be authorized to extend the contract in one-year increments up to five years in total and, if required, extend the contract beyond the five-year term on a month-by-month basis until such time a new contract can be advertised and awarded.
2. That the Chief Administrative Officer and General Manager, Planning and Development, be authorized to execute the above contract.

Victor Wei, P. Eng.
Director, Transportation
(604-276-4131)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance	<input checked="" type="checkbox"/>	
Information Technology	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	
Roads & Construction	<input checked="" type="checkbox"/>	
Parks	<input checked="" type="checkbox"/>	
Water Services	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

Contract 3118Q (*Supply and Installation of Conduits & Water Service Pipes Using Trenchless Technology and Other Related Civil Works*) allows the City to retain a civil contractor to employ horizontal directional drilling methods (trenchless technology) to install conduits and water service pipes in various configurations on an as-needed basis. This current contract between the City and Ulmer Contracting Limited expired on December 31, 2015 and is currently being extended on a month-to-month basis. Following the completion of a Request for Expressions of Interest (RFEOI) process to identify a qualified civil contractor for a new contract, staff have identified Ulmer Contracting Limited as the most qualified contractor to undertake this work.

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.1. Safe and sustainable infrastructure.

6.2. Infrastructure is reflective of and keeping pace with community need.

Analysis

Use of Trenchless Technology by the City

Several years ago, the City began using trenchless technology to install City infrastructure (i.e., electrical and communications conduit and water service pipes). The three main benefits of using this methodology for installing underground infrastructure are:

- cost savings as there is little or no road and/or sidewalk reinstatement required (as there is no open trench);
- less inconvenience to the general public (e.g., no lane closures); and
- reduced length of the construction schedule.

To date, the Transportation Department is responsible for approximately 60 per cent of the work issued under this contract for traffic signal infrastructure improvement projects while the Public Works & Engineering Division accounts for the remaining 40 per cent for waterworks and roadway lighting improvement projects. The Information Technology Department also uses these services for city-wide fibre optic cable network expansion by coordinating their needs through the Transportation Department's Traffic Signal section.

Because this technology is specialized and requires an experienced contractor with full service capacity, the City opted to utilize a Request for Expressions of Interest (RFEOI) Process instead of a Request for Tender Process as the former emphasizes qualifications and experience over the latter, which focuses on the lowest responsive cost. An RFEOI allows the City to "pre-qualify" a contractor based upon qualifications and experience as a first step and then, if there is more than

one fully qualified respondent, a second-phase competitive bid process to review pricing will be undertaken. This approach of placing emphasis on qualifications and experience of the contractor is important as this type of site work could result in severe consequences from damaging other existing underground utilities if the work is not performed properly. The RFEOI also included a provision to negotiate a contract directly with the most qualified and experienced respondent identified.

5659 EOI - Supply and Installation of Conduits & Water Service Pipes Using Trenchless Technology and Other Related Civil Works

The City's Purchasing section within the Finance Department worked with the Transportation Department to conduct the procurement process to identify the most and fully qualified and experienced contractor for the new contract. 5659 EOI for the *Supply and Installation of Conduits & Water Service Pipes Using Trenchless Technology and Other Related Civil Works* was issued to the marketplace by the City on April 13, 2016 with a closing date of April 29, 2016.

Three expressions of interest were received and evaluated by a staff team from four different City departments consisting of Transportation, Water, Roads, and Engineering who use and are familiar with the requirements for this type of work. The evaluation criteria used were:

- (1) Understanding of the City's requirements
- (2) Quality and completeness of the described methodology
- (3) Respondent's capacity and qualifications
- (4) Quality of submission

Table 1 below identifies the three respondents and the evaluation team's consolidated weighted average ranking of each expression of interest across the criteria. As shown, only Ulmer Contracting Limited was deemed the only fully qualified and experienced contractor across all aspects. Ulmer consistently outranked the other two respondents and was the only respondent who demonstrated a full understanding of the City's requirements. Accordingly, the City wishes to negotiate and enter into an agreement with Ulmer Contracting Limited for the provision of the services outlined in the RFEOI and this report.

Table 1: Evaluation of Proposals

Evaluation Criterion	Hexcel Construction Limited	Trenchless Drilling Services Inc	Ulmer Contracting Limited
Understanding of City's Requirements	Partially Met (62.5%)	Partially Met (75.0%)	Fully Met (100%)
Quality and Completeness of Described Methodology	Partially Met (73.1%)	Partially Met (72.5%)	Substantially Met (84.4%)
Respondent's Capacity and Qualifications	Barely Met (50.0%)	Partially Met (72.5%)	Substantially Met (93.8%)
Quality of Submission	Barely Met (50.0%)	Partially Met (72.5%)	Substantially Met (93.8%)
Overall Ranking	57%	73%	93%

Contract 5659 EOI would be a one-year contract commencing on August 1, 2016 and, upon mutual agreement between the City and the Contractor, could be extended in one-year increments for an additional four years. Prior to the end of the initial year of the contract, the City would review with Ulmer Contracting Limited any factors that determine any proposed annual price adjustments, based on the current costs of materials and labour. Any mutually agreed adjustments will be applied at the beginning of the extension years.

Financial Impact

The proposed contract would be funded from multiple budgets already approved by Council. The work would be defined and issued on an "as required" basis based on the annual capital programs approved by Council. The estimated value of the contract by City department for Year 1 is shown in Table 2.

Table 2: Estimated Value of Contract by Department for Year 1

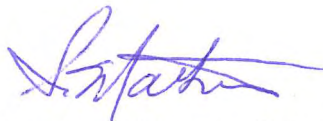
Department	Value	%
Transportation	\$700,000	36.8%
Information Technology	\$100,000	5.4%
Roads & Construction	\$200,000	10.5%
Water	\$700,000	36.8%
Parks	\$200,000	10.5%
Total	\$1,900,000	100%

The total estimated maximum value of the contract in Year 1 is not a fixed number as the work will be done on an "as required" basis as noted above. Staff would ensure that the actual work done would not exceed the approved budget values.

Conclusion

The most qualified contractor, Ulmer Contracting Limited, has been the City of Richmond's drilling contractor since 2004 and has provided the City quality and cost-effective services over this period of time. Of the three expressions of interest received, Ulmer Contracting Limited represents the best value and has the required experience, staff and specialized equipment resources to meet the needs of multiple City departments who use these services.

Staff therefore recommend that Contract 5659 EOI be awarded to Ulmer Contracting Limited and that staff be authorized to extend the contract in one-year increments up to five years in total and, if required, extend the contract beyond the five-year term on a month-by-month basis until such time a new contract can be advertised and awarded. Staff further recommend that the Chief Administrative Officer and General Manager, Planning and Development, be authorized to execute the above contract.



Stephen Matheson, C. Tech.
Traffic Signal Systems Tech
(604-276-4033)



for Joan Caravan
Transportation Planner
(604-276-4035)

SLM:jc