

① CAD  
② Board  
③ Post



September 21, 2021

Chair Karla Kozakevich  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9

**RECEIVED**  
Regional District

SEP 24 2021

101 Martin Street  
Penticton BC V2A 5J9

Dear Chair Kozakevich:

**Re: Provincial Response to 2020 Resolutions**

UBCM has received the Province's response to your Board resolution(s) from 2020. Please find the enclosed resolution(s) and their provincial response(s).

Responses from the Province have been posted to the UBCM web site under Resolutions & Policy.

Please feel free to contact Jamee Justason, Resolutions and Policy Analyst, if you have any questions about this process.

Tel: 604.270.8226 ext. 100 Email: [jjustason@ubcm.ca](mailto:jjustason@ubcm.ca)

Sincerely,

Councillor Laurey-Anne Roodenburg  
UBCM President

*Enclosure*

Whereas there is a large amount of smoke created during forest fuel reduction burns and/or agricultural burns;

And whereas there are minimal days that the venting index permits burning resulting in a large number of burns being undertaken during the permitted times, which results in a tremendous amount of smoke being produced, as all burning is taking place within a short period of time;

And whereas forced air curtain burner or trench burner systems greatly reduce the smoke created during combustion by improving the efficiency of a fire resulting in clean burns with very little atmospheric particulate being produced:

Therefore be it resolved that UBCM request the Province of British Columbia to allow burning outside of the venting days with the use of forced air systems, such as trench or curtain burners.

**Convention Decision:** **Not Considered - Automatic Referral to Executive**

**Executive Decision:** **Endorsed**

#### Provincial Response

#### ***Ministry of Environment and Climate Change Strategy***

*The Open Burning Smoke Control Regulation (OBSCR) is designed to minimize the impact of smoke from open burning on human health and the environment. The regulation was updated in September 2019 and now includes specific requirements to facilitate and encourage use of the forced air burning systems known as air curtain incinerators. The regulation also recognizes that burning is the last resort for disposal of vegetative debris after other options, such as economically beneficial use of the fibre, have been investigated.*

*The ventilation (venting) forecast is a key tool within the Open Burning Smoke Control Regulation to reduce the risk of smoke pollution. During good venting conditions, smoke from open burning generally disperses quickly and during poor venting conditions smoke is likely to be trapped near ground level. Poor venting during the winter months is common, especially in the BC Interior, and venting must be incorporated into the planning of open burning projects. Good or fair venting conditions are more common in the early fall, late winter, and early spring.*

*While air curtain incinerators are still significant emitters of particulate matter, they do reduce emissions by approximately 90% relative to open burning in piles. The Open Burning Smoke Control Regulation recognizes and encourages this better burning technology by providing more permissive provisions for air curtain incinerators. Burning with an air curtain incinerator can be undertaken when venting is either rated good or fair (which is typically the spring and fall burn seasons) while pile burning requires a good venting rating. In addition, air curtain incinerators can use smaller setbacks from neighbours and longer burn periods. Since air curtain incinerators are still large emitters of particulate matter pollution, burning during poor ventilation conditions is not allowed.*

*In summary the new Open Burning Smoke Control Regulation already enables the use of air curtain incinerators and supports open burning during fair or good conditions. Open burning during poor ventilation conditions would worsen air quality, especially in valley communities in Interior BC, and impact human health and the environment.*

## 2020 NR53 Hazardous Materials Recycling Regulation

Okanagan-Similkameen RD

Whereas non refillable pressurized tanks and sharps (needles) have been identified across British Columbia as creating serious health and safety concerns for the public and workers engaged in garbage and recycling collection, processing and landfilling;

And whereas the Province of British Columbia can include these hazardous materials under the Recycling Regulation to ensure cost effective and safe disposal under an Extended Producer Responsibility Program:

Therefore be it resolved that UBCM request the Province of British Columbia to include nonrefillable pressurized tanks and sharps (needles) under the Recycling Regulation.

**Convention Decision:** **Not Considered - Automatic Referral to Executive**

**Executive Decision:** **Endorsed**

### Provincial Response

#### ***Ministry of Environment and Climate Change Strategy***

*The Province acknowledges that the proper management of non refillable pressurized tanks and sharps are a challenge for local governments to manage.*

*The Ministry of Environment and Climate Change Strategy issued a Recycling Regulation Policy Intentions Paper in September 2020 that sought feedback on a number of items that were potential products to be captured under Extended Producer Responsibility, including compressed gas in canisters and medical syringes. The Ministry of Environment and Climate Change Strategy received substantive feedback from key partners and stakeholders, which is summarized in the Recycling Regulation Policy Intentions Paper - Summary of Feedback (gov.bc.ca) and was made publicly available June 2021. This will inform the subsequent development of a multi-year plan for Extended Producer Responsibility in BC.*

## 2020 NR61 Indigenous Peoples' Representation

Okanagan-Similkameen RD

Whereas the Province of British Columbia has enacted Bill 41-2019, the *Declaration on the Rights of Indigenous Peoples Act* to align BC's laws with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);

And whereas UNDRIP includes Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and culture institutions while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State;

And whereas the *Local Government Act* does not allow for Indigenous peoples' representation at regional district tables when the regional district is situated in non-treaty territory:

Therefore be it resolved that UBCM encourage the Province to, in consultation with BC Indigenous peoples and impacted regional districts, explore options for making regional governance more inclusive of Indigenous peoples including potentially amending the *Local Government Act* to include self-determined participation by BC Indigenous peoples as voting regional district directors.

**Convention Decision:** Not Considered - Automatic Referral to Executive  
**Executive Decision:** Endorsed as Amended

### Provincial Response

#### **Ministry of Municipal Affairs**

*The Province is committed to advancing reconciliation with Indigenous peoples and building relationships that are based on respect, recognition of title and rights, and in support of self-determination and self-governance. The Province is encouraged to see many local governments and Indigenous governments working together to take actions that support meaningful reconciliation.*

*A key part of self-determination is being able to identify how best to collaborate in government-to-government relationships and participate in decisions that affect your community. The BC Declaration on the Rights of Indigenous Peoples Act (Declaration Act) provides a path forward and co-operative relationships between local governments and First Nations are an important part of supporting reconciliation province-wide.*

*The draft action plan to implement the Declaration Act will help guide the Province's implementation, including legislative amendments, over time. Theme 1: Self-determination and self-governance action 1.1.3 reads: Support inclusive regional governance by advancing Indigenous participation in regional district boards. (Ministry of Municipal Affairs).*

*The Province will be reviewing comments from First Nations communities, leadership and Indigenous peoples and organizations on 1.1.3. The Province knows there is a strong, and growing, interest in direct participation of First Nations at the regional district board table. More work will need to be done to understand the challenges, benefits, and opportunities for Indigenous governments to be directly involved in the governance of regional services.*

*In the interim, we encourage communities to learn from examples of Indigenous and regional district collaboration that already exist and apply them where appropriate. These include sitting on the Board and on Committees in an advisory role, entering into agreements and protocols, and holding regional forums and other events, for collaborative dialogue.*