



PUBLIC WORKS COMMITTEE

**Tuesday, July 17, 2012
4:00 PM**

Henry Baker Hall, Main Floor, City Hall



**Public Agenda
Public Works Committee
Tuesday, July 17, 2012**

Approval of Public Agenda

Minutes of the meeting held on June 19, 2012.

Administration Reports

PW12-11 Project Management Consulting Services

Recommendation

1. That the Deputy City Manager & COO of City Operations be authorized to initiate the public procurement process to engage professional consulting services to provide project management services, to support and deliver the Utility's Capital Program, as well as some operational initiatives within Water and Sewer Services, as the contract(s) value for consulting services is projected to exceed \$500,000 per contract to a maximum of four (4) contracts.
2. That the authority to award and finalize terms for a consulting services contract(s), after review of proposals from professional consulting firms, be delegated to the Deputy City Manager & COO of City Operations.
3. That the City Clerk be authorized to execute said agreements following review by the City Solicitor.

Environment Advisory Committee Communications

PW12-12 EAC Supplementary Communication

PW12-13 Pesticide Reduction - Draft Revised Recommendations

Recommendation

1. The City of Regina adopt a policy of avoiding pesticides for cosmetic or non-essential use in the management of lands owned or administered by the City.
2. The City of Regina encourage Wascana Centre Authority to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of Wascana Centre Authority.
3. The City of Regina encourage residents to avoid pesticides for cosmetic or non-essential use on their own lands.



Office of the City Clerk

4. The City of Regina undertake a public education campaign on avoiding pesticides for cosmetic or non-essential use.
5. The City of Regina review the pesticide policy and its practices after two years and continue or modify them as appropriate at that time.
6. The City of Regina identify, through conspicuous signage, areas that it has treated with any and all biocides.
7. The City of Regina encourage the Regina Public School Board and the Regina Catholic School Board to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of each school board.

Adjournment

AT REGINA, SASKATCHEWAN, TUESDAY, JUNE 19, 2012

AT A MEETING OF THE PUBLIC WORKS COMMITTEE
HELD IN PUBLIC SESSION

AT 4:00 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Councillor Sharron Bryce, in the Chair
Councillor Louis Browne
Councillor Fred Clipsham
Councillor John Findura
Councillor Jocelyn Hutchinson

Also in Attendance: Committee Assistant, Elaine Gohlke
Committee Assistant, Linda Leeks
Solicitor, Jayne Krueger
A/Deputy City Manager, City Operations, Neil Vandendort
Director, Environmental Services, Derrick Bellows
Manager, Solid Waste, Arnold Bauer
Manager, Utility Billing, Pat Wilson
Project Leader, Environmental Services, Roberta Engel

(The meeting commenced in the absence of Councillor Hutchinson.)

APPROVAL OF PUBLIC AGENDA

Councillor Findura moved, AND IT WAS RESOLVED, that the agenda be approved, as submitted.

ADOPTION OF MINUTES

Councillor Browne moved, AND IT WAS RESOLVED, that the minutes be adopted, as circulated.

(Councillor Hutchinson arrived at the meeting.)

ADMINISTRATION REPORTS

PW12-10 PW12-10 Changes to the Waste Management Bylaw

Recommendation

1. That the City Solicitor be instructed to prepare and bring forward a new waste management bylaw based on the requirements and elements contained in body of this report and Appendices A to E to this report;

2. That *The Regina Water Bylaw*, No. 8942 (the “Water Bylaw”) be amended to establish the mechanism and rates for the recycling fee, updated to incorporate the necessary changes for charging for recycling and some minor housekeeping matters;
3. That *The Sewer Service Bylaw*, No. 5601 (the “Sewer Bylaw”) be amended to update it to incorporate the necessary changes needed to charge for recycling;
4. That *The Regina Administration Bylaw*, No. 2003-69 be amended to delegate the authority for the Deputy City Manager of Operations to approve and execute commercial collection of waste contracts so long as the terms of such contract are consistent with the new waste management bylaw, as proposed in this Report;
5. That *The Regina Waste Management Bylaw*, No. 9935 (the “Waste Management Bylaw”) be repealed upon the passage of the new waste management bylaw; and
6. That this report be forwarded to the June 25, 2012 City Council meeting for consideration.

Councillor Clipsham moved, AND IT WAS RESOLVED, that:

- 1. That the City Solicitor be instructed to prepare and bring forward a new waste management bylaw based on the requirements and elements contained in body of this report and Appendices A to E to this report;**
- 2. That *The Regina Water Bylaw*, No. 8942 (the “Water Bylaw”) be amended to establish the mechanism and rates for the recycling fee, updated to incorporate the necessary changes for charging for recycling and some minor housekeeping matters;**
- 3. That *The Sewer Service Bylaw*, No. 5601 (the “Sewer Bylaw”) be amended to update it to incorporate the necessary changes needed to charge for recycling;**
- 4. That *The Regina Waste Management Bylaw*, No. 9935 (the “Waste Management Bylaw”) be repealed upon the passage of the new waste management bylaw; and**
- 5. That *The Water and Sewer Utility General Reserve Bylaw*, No. 9848 be repealed upon the passage of the new waste management bylaw.**
- 6. That this report be forwarded to the June 25, 2012 City Council meeting for consideration.**

ADJOURNMENT

Councillor Clipsham moved, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 5:03 p.m.

Chairperson

Secretary

July 17, 2012

To: Members,
Public Works Committee

Re: Project Management Consulting Services

RECOMMENDATION

1. That the Deputy City Manager & COO of City Operations be authorized to initiate the public procurement process to engage professional consulting services to provide project management services, to support and deliver the Utility's Capital Program, as well as some operational initiatives within Water and Sewer Services, as the contract(s) value for consulting services is projected to exceed \$500,000 per contract to a maximum of four (4) contracts.
2. That the authority to award and finalize terms for a consulting services contract(s), after review of proposals from professional consulting firms, be delegated to the Deputy City Manager & COO of City Operations.
3. That the City Clerk be authorized to execute said agreements following review by the City Solicitor.

CONCLUSION

The City of Regina requires the services of up to four consulting firms to provide project management services to support and deliver capital projects within the Water and Sewer Services Department, which have been identified for implementation over the next few years. In addition, the delivery of a few small operational services and initiatives are also required. Execution of the capital plan and operational initiatives are necessary for the City to address short term current needs for additional assessment, maintenance, rehabilitation and planning of the Utility's infrastructure. The contract value for consulting services to complete these initiatives is expected to exceed \$500,000 for each contract, requiring Council approval.

BACKGROUND

Since 2005 the City of Regina has invested increasing amounts into the Utility's capital programs to rehabilitate and expand infrastructure to meet the demands associated with aging infrastructure, growth, improved standards and regulatory change. Annual capital programs and budgets have grown significantly from \$12.8 million in 2005 to more than \$65 million in 2011 and 2012. Projected five-year capital programs have also increased from \$104 million in 2005 to more than \$337 million for 2012-2016.

The purpose of this report is to obtain City Council's approval to initiate engagement of professional consulting services required within Water and Sewer Services Department to deliver its planned capital projects, and to delegate authority to the Administration to approve and enter into a contract(s) with the selected consultant(s).

DISCUSSION

Timely delivery of capital improvements are needed to ensure that: new regulatory requirements are met; growth and development continues as planned; protection of public health, property and the environment continues; and, costs to replace aging and critical infrastructure are minimized through timely renewal investments. For example, failure to deliver timely capital relining programs can result in up to ten times the cost to replace underground pipes when they have failed beyond any ability to reline them.

The bulk of the Utility's capital projects are designed and delivered by external engineering firms and constructed by private contractors. Engineering staff within City Operations initiate, plan, manage, and deliver contract/project execution and oversight. Engineering staff also provide expert review, quality assurance, value engineering, budget management, interdepartmental and interdivisional planning, and coordination. The increased capital programs and projects have exceeded the internal capacity to carry out these functions effectively within the required timeframes. To continue to ensure proper project oversight, engineering expertise, and due diligence within the planned timelines for capital construction, additional external engineering and project management consultants are needed to supplement existing internal engineering staff.

Several delivery models for addressing this capacity issue were considered, which included the addition of more internal staff; the addition of consulting staff to support internal operations; and establishment of an external project management office. Based on the availability of expertise, and the magnitude and diversity of the planned capital projects and programs, it was determined that a delivery model involving the addition of consulting staff was the most expedient and cost effective option to proceed with. Should this option not provide sufficient capacity, steps will be taken to supplement the needed capacity with additional capital staffing positions within the 2013 budget process.

Under this proposed delivery model, the Project Manager and Engineering Consultants will be responsible for:

- managing and coordinating a team of internal and external people engaged in the delivery of various capital improvement projects;
- developing and maintaining detailed project plans and taking all steps necessary to achieve milestones on schedule and on budget;
- developing and preparing procurement documents, reviewing all existing information, reviewing submissions, and providing expert advice where necessary;
- pre-designs, design, providing recommendations for design alternatives, attending stakeholder meetings as necessary, and providing regular project updates to the project team; and,
- construction management, including site supervision and regular updates.

This delivery model has been used successfully by the City of Regina, as well as other municipalities and utilities, when the skills of the consultants selected closely matched the skills needed for the work to be delivered. As such, it is important to proceed on a qualifications-based selection process. As well, all normal liability and risk management tools are used, and these consultants will be required to carry the normal insurance recommended by Risk Management: General Liability, Automobile, Cross-Liability/Severability of Interests, Non-owned Auto, Broad Form Property Damage, and Professional Liability.

Typical costs for external engineering services vary between 8-18% of the total capital cost for each project. It is anticipated that these additional consultants will add about 3-7% to the overall project costs, however, that would be generally comparable to the cost to temporarily expand the

department's workforce with senior experienced staff, but less than the increased costs associated with continued deferral of infrastructure renewal projects.

The Administration seeks City Council approval to:

- Initiate the selection process for consultant(s) to provide professional services to assist in the management, oversight and delivery of Capital Programs and Projects managed by Water and Sewer Engineering Branch. A Qualifications Based Selection Process is proposed for hiring these consultant(s). This approach focuses on selection of the most qualified professionals to provide the best services.
- Delegate authority to the Deputy City Manager & COO of City Operations to award the consulting services contract.

The Regina Administration Bylaw No. 2003-69, Schedule D, requires City Council approval to contract with a consultant where the fees for such service exceed \$500,000, but gives City Council the ability to delegate authority to the Administration to award the contracts and generally administer the contracts.

RECOMMENDATION IMPLICATIONS

Financial Implications

Total costs for all contracts are anticipated to be up to \$1.5 million annually over three to five years. Funding for Project Management Services is tied directly to approved Capital Projects and Renewal Programs, with a very small portion of funding approved and available within the approved 2012 Utility Operating Budget. The majority of the necessary funding for the next two years is available from approved 2012 Capital budgets. Future work would be subject to future budget approvals and available funding.

Environmental Implications

None with respect to this report.

Strategic Implications

The Utility contributes significantly to the City's Vision of sustainability and harmony as well as to its Mission to become the 'best run municipality in Canada', as the provision of water and sustainable stewardship of surrounding watersheds and environment are basic needs for the community to thrive. The Utility Capital Program supports the City's goals through strengthening the Utility's infrastructure; ensuring safety, reliability, environmental sustainability and cost effectiveness; and, providing information and support to other key Utility initiatives.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

The Regina Administrative Bylaw No. 2003-69 stipulates that a project with consulting fees exceeding \$500,000 requires a publicly advertised proposal call for professional consulting services.

DELEGATED AUTHORITY

The recommendations of this report require City Council approval.

Respectfully submitted,



Stella Madsen
Director
Water and Sewer Services Department

Respectfully submitted,



Neil Vandendort
Acting Deputy City Manager & COO
City Operations

SM/cp

From: Environment Advisory Committee
To: Public Works Committee
Date: July 17, 2012

On behalf of the City of Regina Environment Advisory Committee (EAC), the following are comments for your clarification on the recommendations passed by our Committee on June 28, 2012. The pesticide issue was initially brought to our attention by the Canadian Cancer Society and Saskatchewan Environmental Society as a matter concerning public and environmental health.

In the months leading up to our decision, the EAC heard from 24 delegations made up of owners and managers of local businesses, non-governmental organizations, professors and citizens. The Committee also reviewed literature from scientists and organizations such as the Ontario College of Family Physicians, Canadian Cancer Society and Canadian Medical Association, as well as the extensive consultation proceedings that took place in Ontario before it implemented a province-wide ban in 2009. Our Committee also held frequent discussions as a group.

From its consultations, the EAC heard that delegations in favour of a pesticide control bylaw cited negative health effects such as the increased risk of cancers and environmental sensitivities, and the lack of research on, and knowledge of, the synergistic effects—effects beyond a pesticide's intended purpose—both on humans and the environment. The EAC was also made aware of the large number of Canadian jurisdictions that have instituted a pesticide bylaw because of these effects. Delegates also shared their opinions on the perception of landscapes and how dandelions are not a sign of moral decay.

Delegations against a pesticide control bylaw noted there is a functioning national framework in place for the approval of pesticide use in Canada—Health Canada's Pest Management Regulatory Agency. They explained that pesticides approved through this agency are vetted through scientific processes and only approved if considered safe. They contended that regulation by this agency is sufficient to meet the health concerns of Canadians. They suggested the management of some land without pesticides could be too costly, that bylaws are too difficult to enforce and would be considered an infringement on personal choice.

Our Committee is grateful for all the presentations made before it and thought considerably on the information provided and views shared. However, as an environmental advisory body our Committee felt it would be remiss if we did not share with the City of Regina our concern of the threat that pesticides pose, especially in an urban setting where the intensity of pesticide use is considered higher than in rural areas. The Committee notes the lack of evidence that can convincingly conclude that pesticides do not pose a significant threat to the environment and human health only for future generations to suffer through and try to remedy as has occurred in the past—i.e., cigarette smoking, DDTs, CFCs.

Furthermore, the EAC makes special note of the support of important medical institutions for greater control over and the reduction of pesticide use, as well as that of environmental groups and scientists who came forward citing as much evidence towards the negative effects of pesticides and citizens who shared opinions with as much value as those shared by the proponents of pesticides. We note the Supreme Court of Canada in 2001 affirmed the right of municipalities to regulate pesticide use to protect human and environmental health and since its decision a number of Canadian jurisdictions have moved toward increased regulation and restrictions on use. We therefore encourage the City of Regina to exercise leadership and adopt a principle of precaution when considering pesticide management.

It is on this note that our Committee made the following recommendations:

1. The City of Regina adopt a policy of avoiding pesticides for cosmetic or non-essential use in the management of lands owned or administered by the City.

- We encourage the City of Regina use the Government of Ontario guidelines in determining what pesticides can or cannot be used, and when. These guidelines are comprehensive, up-to-date, rigorous, and available on the web.
- The City of Regina should model best practices and completely avoid pesticides for cosmetic or non-essential use in the management of all its own lands. This would “test drive” the effectiveness and outcomes of avoiding the use of non-essential pesticides, and position the City as a highly knowledgeable and credible source when advising residents and landholders on pesticide management.

2. The City of Regina encourage Wascana Centre Authority to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of Wascana Centre Authority.

- Regina is unusual in having such a large urban park—Wascana—managed separately from the City. Much of Wascana is intensively managed, relying on pesticide use and heavy irrigation to maintain sweeping landscapes of pristine green lawn. Wascana is admired, and it is likely that many Regina residents take their cue from Wascana as to what a lawn or yard should look like. Therefore, Wascana Centre Authority’s management choices are important in pesticide management, city-wide.
- The City co-manages Wascana Centre Authority with the Province of Saskatchewan and the University of Regina, and can encourage pesticide reduction through that partnership.

3. The City of Regina encourage residents to avoid pesticides for cosmetic or non-essential use on their own lands.

- Regina has a relatively high rate of pesticide use, according to data from Statistics Canada. This illustrates the regulation of pesticides is an important issue in this community and that a bylaw restricting pesticide use may result in greater resistance here, especially with a high number of pesticide users in the City.

4. The City of Regina undertake a public education campaign on avoiding pesticides for cosmetic or non-essential use.

- Our Committee encourages the City to adopt a comprehensive communications strategy to inform Regina residents of the potential human and environmental risks associated with pesticide use and to consider using alternatives. Such a strategy could include social marketing. Public education campaigns were vital in jurisdictions prior to instituting a ban, e.g., City of Toronto.
- One educational option would be a leaflet in the City of Regina's water bills explaining the City's new pesticide use reduction policy. This would be a logical outreach option, since pesticide runoff enters City waters.
- It is important to note that the City of Saskatoon employs social marketing techniques to assist with residents' understanding and informed participation in this regard.

5. The City of Regina review the pesticide policy and its practices after two years and continue or modify them as appropriate at that time.

- Evaluation after two years will help gauge the City's and Wascana Centre Authority's progress on pesticide reduction and determine the overall success and receptiveness of the City's education campaign.

6. The City of Regina identify, through conspicuous signage, areas that it has treated with biocides.

- Biocides are broadly defined as a chemical substance intended to kill living organisms.
- The EAC feels signage will contribute to added public awareness and considerations relating to pesticide use.

7. The City of Regina encourage the Regina Public School Board and the Regina Catholic School Board to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of each school board.

- School boards hold considerable land accessed by youth. An opportunity exists for school boards in Regina to demonstrate leadership in alternative landscape management practices on their land which can inspire Regina residents and businesses.

These recommendations from the EAC were strongly endorsed by the entire Committee. However, it is also fair to say that they represent, in the Committee's view, the absolute minimum the City of Regina should now consider in this regard. This is an opportunity for meaningful change and yet another illustration of leadership that complements the City's Vision to become ... *Canada's most vibrant, inclusive, attractive and sustainable community, where people live in harmony and thrive in opportunity.*

Thank you for your time today and for your consideration.

Respectfully submitted,
Environment Advisory Committee, City of Regina

July 17, 2012

To: Members,
Public Works Committee

Re: Pesticide Reduction – Draft Revised Recommendations

**RECOMMENDATION OF THE ENVIRONMENT ADVISORY COMMITTEE
- JUNE 28, 2012:**

1. The City of Regina adopt a policy of avoiding pesticides for cosmetic or non-essential use in the management of lands owned or administered by the City.
2. The City of Regina encourage Wascana Centre Authority to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of Wascana Centre Authority.
3. The City of Regina encourage residents to avoid pesticides for cosmetic or non-essential use on their own lands.
4. The City of Regina undertake a public education campaign on avoiding pesticides for cosmetic or non-essential use.
5. The City of Regina review the pesticide policy and its practices after two years and continue or modify them as appropriate at that time.
6. The City of Regina identify, through conspicuous signage, areas that it has treated with any and all biocides.
7. The City of Regina encourage the Regina Public School Board and the Regina Catholic School Board to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of each school board.

ENVIRONMENT ADVISORY COMMITTEE – JUNE 28, 2012

The following addressed the Committee:

- Allyson Brady, representing Saskatchewan Environmental Society, made a PowerPoint presentation to the Committee, a copy of which is on file in the office of the City Clerk;
- Jennifer Milo, representing Bayer CropScience, made a PowerPoint presentation to the Commission, a copy of which is on file in the office of the City Clerk;
- Bryce Thompson made a PowerPoint presentation to the Commission, a copy of which is on file in the office of the City Clerk;
- Marilyn Braun-Pollon, representing Canadian Federation of Independent Business ;
- Leslie Cornell, representing Saskatchewan Nursery Landscaping Association;
- Devon Young, representing Weed Man;
- Ron Cornell, Cornell Design & Landscaping;
- Nigel Bowles, Saskatchewan Nursery Landscape Association;

- Dr. Katherine Arbuthnott;
- Florence Stratton;
- Nikko Snyder, representing Avaaz Community Petition;
- Al Taylor;
- Paule Hjertaas;
- Trevor Herriot;
- Catherine Robertson; and
- Dr. Tanya Dahms.

The Committee adopted the following resolution:

1. The City of Regina adopt a policy of avoiding pesticides for cosmetic or non-essential use in the management of lands owned or administered by the City.
2. The City of Regina encourage Wascana Centre Authority to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of Wascana Centre Authority.
3. The City of Regina encourage residents to avoid pesticides for cosmetic or non-essential use on their own lands.
4. The City of Regina undertake a public education campaign on avoiding pesticides for cosmetic or non-essential use.
5. The City of Regina review the pesticide policy and its practices after two years and continue or modify them as appropriate at that time.
6. The City of Regina identify, through conspicuous signage, areas that it has treated with any and all biocides.
7. The City of Regina encourage the Regina Public School Board and the Regina Catholic School Board to avoid pesticides for cosmetic or non-essential use in the management of lands under the jurisdiction of each school board.

Councillor Fred Clipsham, Jason Ash, Lyle Benko, Jocelyn Crivea, Norm Henderson, Kathleen Livingston, Sharon Rodenbush, Deanna Trowdale-Mutafov, Sarah Turnbull and Chris Yost were present during the consideration of this report by the Environment Advisory Committee.

The Environment Advisory Committee, at its meeting held on June 28, 2012, considered the following communication from the Committee Secretary:

Over the past year, the Environment Advisory Committee has been considering the issue of pesticide reduction and in September 2011 a working group was formed to study the subject of “pesticide free”.

The working group reviewed the practices of other jurisdictions and prepared a report with their recommendations for submission to the Committee’s April meeting. At the April meeting, the Committee received presentations from several delegations in response to the working group’s

report. At that time the Committee adopted a resolution to table the matter to the May 3 meeting to allow time for members to review a policy paper titled "Protecting Public Health & the Environment: The need for a pesticide reduction bylaw in urban areas". This paper was being prepared by the Saskatchewan Environmental Society for release on April 30.

At the May meeting the Committee received presentations from additional delegations and as the policy paper was not available for review prior to the May meeting, but was expected to be available prior to the June meeting, the Committee adopted a resolution to further table the matter to the June 7 meeting. This would allow time to review the policy paper and to consider the submissions made by delegations at the April and May meetings.

After careful consideration of previous research, submissions by delegations, and the above-mentioned policy paper, the working group has prepared a further report with revised recommendations for consideration by the Committee. The working group's report is attached (Appendix A) and should be considered in conjunction with report EAC12-9 (Appendix B) which was tabled on May 3.

Respectfully submitted,

ENVIRONMENT ADVISORY COMMITTEE



Elaine Gohlke, Secretary

DRAFT PROPOSED RECOMMENDATIONS RE. PESTICIDE USE IN REGINA

Recommendations:

- (1) The City of Regina adopt a policy of avoiding cosmetic or non-essential pesticide use in the management of lands owned or administered by the City.
- (2) The City encourage Wascana Centre Authority to also avoid cosmetic or non-essential pesticide use in the management of lands under the jurisdiction of Wascana Centre Authority.
- (3) The City encourage residents to minimise cosmetic or non-essential pesticide use on their own lands.
- (4) The City review the effectiveness of its pesticide policies after two years and continue or modify them as appropriate at that time.

Background and Discussion:

Concerns around pesticide use in urban areas centre around issues of possible risk to human health, and possible environmental contamination of soil, water and air, and to possible damage to biota beyond the pesticide-targeted species. An increasing number of jurisdictions within Canada have curtailed the use of various pesticides for non-essential purposes in recent years. These actions have sometimes taken place at the provincial level (as in Ontario, Quebec and the Atlantic provinces) or at the municipal level. At present the City of Regina manages three parks on a pesticide-free basis, but has no bylaw in place with regard to pesticide use.

The City of Regina Environmental Advisory Committee considered whether the City should adopt a bylaw eliminating the cosmetic or non-essential use of pesticides in the City. The draft recommendation for a bylaw to that end attracted numerous spirited presentations and submissions.

Those in favour of the draft recommendation were concerned about possible health impacts of pesticide use in urban areas, and with possible negative impacts to the environment of pesticide use. They maintained that the synergistic effects of multiple different pesticides are generally not tested for, that the evidence of the negative consequences of non-essential pesticide use is increasing, that children were at higher risk, and that more and more jurisdictions were moving to restrict non-essential pesticide use.

Those against the draft recommendation stated that there is a functioning national framework in place for the approval of pesticides for use in Canada (Health Canada's Pest Management Regulatory Agency) and that pesticides approved through that framework are safe for use (when used as directed). Those against the draft recommendation were also concerned with possible negative impacts on local landscape care businesses. Other concerns were that management of some areas without non-essential pesticides could be too costly or impractical; that the bylaw could be too difficult to enforce; that it would be an infringement on personal choice; and that the issue is better regulated at a federal or provincial level, i.e. not via a bylaw.

In light of the information, the presentations, and strong public and stakeholder feeling, the Committee does not feel it appropriate to recommend that the City adopt a bylaw restricting the cosmetic or non-essential use of pesticides. Businesses and citizens should be free to continue to use federally-approved pesticides.

However, the Committee does believe that reduction of pesticide use within the City, so far as practicable, is an important objective, and that the City itself should model best possible practice, and that it can do more than it now does to this end. Therefore the Committee recommends that in its own management of City properties, the City should adopt a policy of avoiding cosmetic or non-essential pesticide use. As working guidance on what is or is not cosmetic pesticide use, the City could follow a framework such as the Government of Ontario's Pesticide Classification Guidelines, or some other appropriate model.

Adopting the Committee's recommendations would not require a bylaw, and would not infringe on private landholders' or businesses' use of pesticides. The Committee recommends that after a two-year period the City examine the success of the policy, and continue it or modify it as appropriate at that time.

April 5, 2012

To: Members,
Environment Advisory Committee

Re: Pesticide Reduction

The Environment Advisory Committee, at its September 1, 2011 meeting, considered a report from the Community & Protective Services Committee with respect to the status of pesticide-free park spaces and after hearing delegations from the Canadian Cancer Society and the Saskatchewan Environmental Society, adopted a resolution to form a working group to study the issue of “pesticide free”.

A working group was formed and a report submitted to the November 3 meeting after which a subsequent report was requested for the February meeting. The working group presented possible recommendations at the March 1 meeting. At that time the committee adopted the following resolution:

“That the working group provide a further report to the April 5 meeting that includes information to support the proposed recommendations, as well as possible timelines for implementation.”

Attached is further information provided by the working group.

Respectfully submitted,



Elaine Gohlke, Secretary
Environment Advisory Committee

ENVIRONMENT ADVISORY COMMITTEE WORK GROUP REPORT

Cosmetic Pesticide Ban

Background

The City of Regina's Environment Advisory Committee (the "Committee"), at its September 1, 2011 meeting, was addressed by the Canadian Cancer Society. The presentation focused on the need for the City of Regina to adopt a ban on the cosmetic or non-essential use of pesticides citing health implications.

It is important to note that two months prior, in June 2011, the City of Regina's Community and Protective Services Committee recommended extending the pesticide-free designation of Gordon and Al Pickard Parks and Queen Elizabeth II Court (City Hall grounds). These parks were designated to be pesticide-free beginning in May 2010 on a one-year pilot project.

Michael Berry, Norm Henderson, Bruce Kellett and Sharon Rodenbush, each members of the Committee, volunteered to form a working group to further consider the Canadian Cancer Society's address.

Reasons for recommending a cosmetic or non-essential pesticide use ban

- There is considerable research that connects chemical exposure from pesticides with:
 - The increased likelihood of number of different types of cancers, including: non-Hodgkin lymphoma, multiple myeloma, prostate, kidney and lung.
 - Disruptions or delays in proper development of neurological, reproductive, immune and endocrine systems.
- Research shows that children are more vulnerable.
- Pesticides are not being properly monitored to ensure they are being applied according to label directions and as stipulated by Health Canada to ensure maximum health and safety.
- The City of Regina does not ensure the proper disposal of pesticides used by the public.
- There are no guarantees that pesticides can be contained and held free from harm. Pesticides can:
 - absorb into the soil;
 - leach into water systems; and,
 - drift through the air.
- We are unsure of the total effects of pesticides on our environment and wildlife.

Jurisdictional Analysis

- In April 2003, Quebec implemented the Quebec Pesticides Management Code. The regulation targets 20 active ingredients that are classified as carcinogens (including probable and possible carcinogens) by at least one of the following specified reference agencies: the International Agency for Research on Cancer (IARC), the U.S. Environmental Protection Agency, the U.S. National Toxicology Program, the California Environmental Protection Agency and the European Union. These 20 active ingredients are found in approximately 200 lawn pesticides, which are now banned.
- In 2008, Ontario passed amendments to The Pesticide Act which came into effect in 2009. The amendments banned the use of pesticides for cosmetic purposes on lawns, vegetable and ornamental gardens, patios, driveways, cemeteries, and in parks and school yards. There are **no** exceptions for pest infestations (insects, fungi or weeds) in these areas, as lower risk pesticides, biocides and alternatives to pesticides exist. More than 250 pesticide products are banned for sale and over 95 pesticide ingredients are banned for cosmetic uses.

- As of December 2009, New Brunswick banned the sale and use of more than 240 over-the-counter lawn care pesticide products.
- As of April 2010, Prince Edward Island also banned the sale and use of more than 240 over-the-counter lawn care pesticide products.
- As of January 2010, products containing a combination of fertilizer and herbicide (commonly known as weed and feed) will no longer be available for sale or use in Alberta.
- In May 2010, Nova Scotia passed the *Non-essential Pesticide Control Act*. The Act, which prohibits the sale and use of non-essential lawn care pesticides, came into effect in the spring of 2011 and will extend to outdoor trees, shrubs, flowers, and other ornamental plants in the Spring of 2012.
- British Columbia has not adopted a province-wide ban, but a number of cities have adopted their own bylaws addressing the use of pesticides.
- Recent newspaper articles also suggest that Manitoba is considering a non-essential pesticide use ban.

Recommendation

The EAC recommends that (1) the City of Regina adopt a bylaw eliminating the cosmetic or non-essential use of pesticides; (2), this bylaw be developed in accordance with best practices of jurisdictions elsewhere in Canada that address this issue; and (3), City Council strive to adopt such a bylaw within three years preceded by a two year education campaign.

