

Policy Statement

Environmental Issues and Sustainable Development

Introduction

Sustainable development means *meeting the needs of the present without compromising the ability of future generations to meet their own needs*. For municipalities, this means making financially sustainable strategic decisions and implementing operational changes that support broader environmental, social, economic and cultural objectives.

To ensure cities and communities are sustainable, all orders of government must work together, along with Indigenous communities, non-governmental organizations and industry. Initiatives must recognize that sustainable development looks different in different communities. Municipal governments require long-term, stable and predictable funding to do their part in implementing these mutually beneficial objectives.

Key Principles

Local Innovation

Local governments are on the frontlines of addressing climate change and other important environmental challenges. They are modelling some of Canada's most innovative green practices. Greater federal investments at the local level will enable the scaling up of local innovation resulting in healthier communities and a healthier Canada.

Sustainable Community Planning

Sustainable community planning looks at the long-term economic, social and environmental well-being of our communities, with the aim of improving the quality of life for citizens now and over the long term. Through these plans, our communities coordinate and integrate development practices that build resiliency and a high quality of life for the community.

Ecosystem Management

An ecosystem approach to management recognizes the interrelated nature of air, land, water and living organisms. Ecosystem management develops effective partnerships that define units of management by using natural boundaries, such as watersheds, instead of geopolitical boundaries and departmental divisions.

Pollution Prevention

Pollution prevention should be at the centre of programs and policies delivered by all orders of government. Environmental pollution is best prevented or reduced at the source, which in turn reduces the release of contaminants into the environment.

Polluter-Pays Principle

The polluter-pays principle requires the costs associated with environmental cleanup to be borne by the parties responsible for the pollution. Municipalities should not be seen as the last line of defence for environmental protection.

Full-Cost Accounting

Full-cost accounting integrates the internal and external costs to the environment of activities, operations, products and services. External costs include the environmental impacts of consuming a good or service. These external costs should be incorporated into municipal tax rates, so that consumers see the full cost of providing a service.

Measurement and Reporting

All citizens must have access to information on environmental conditions, including local data on water quality and quantity, air quality, contaminated sites, and point and non-point sources of pollution.

Environmental conditions must be measured regularly, and the results used as baseline data to benchmark progress toward stated objectives.

FCM Policies

CLIMATE CHANGE

The Government of Canada must partner with municipal governments to effectively address our shared climate change mitigation and adaptation goals.

Municipal governments are taking the lead to implement mitigation and adaptation strategies, protecting residents and addressing the major climate-related challenges ahead.

Municipal governments directly and indirectly influence about 50 per cent of our national greenhouse gas (GHG) emissions and are driving Canada's most systemic low-carbon practices including: building high-efficiency buildings, and other infrastructure (e.g. street lighting), undertaking extensive building retrofits and developing district heating; building active transit, electric vehicle infrastructure and electrified public transit; implementing near-zero GHG waste plans and delivering high-efficiency water and wastewater services.

Municipalities are also on the front lines of climate change as new weather extremes cause property damage and economic disruption. Big cities and small communities alike are developing plans to harden their infrastructure and increase their social capacity to a world of increasing volatile weather patterns. Northern communities are particularly vulnerable as thawing permafrost threatens current infrastructure and alters future needs.

Meeting Canada's International Climate Obligations

The ratification of the Paris Agreement on climate change was a milestone in the growing partnership between the federal government and municipalities. Through FCM, municipalities stood alongside federal, provincial and territorial partners at the 21st Conference of the Parties (COP21) where the Paris Agreement was signed, as well as the follow-up COP22. FCM acknowledges the need to limit global temperature increase to below 2 degrees Celsius and to pursue efforts to limit global temperature increase to 1.5 degrees Celsius as outlined in the Paris Agreement.

Climate Change Mitigation

Addressing climate change in a meaningful way requires strategic infrastructure investments that are grounded in local expertise, but enabled by a joining of local, provincial/territorial and federal capacity and resources. This should include long-term, dedicated investments enabling local governments to undertake transformative capital projects that reduce GHG emissions while meeting community priorities. These long-term investments will complement efforts to build municipal capacity and innovation in addressing climate change through the new FCM Municipalities for Climate innovation Program and enhancement to the FCM Green Municipal Fund. These efforts build on the FCM Partners for Climate Protection Program, whose 300-plus members have cut 1.8 million tons from Canada's carbon footprint.

Municipalities have unique access to key emission reduction activities, but it is equally important to underscore that municipalities are not sectors but integrated systems, where action in one sector influences emissions in another. Local governments are transforming approaches to waste management and wastewater treatment that not only reduce GHGs but also enhance energy independence. They are building out transit systems which will support less-GHG intensive approaches to commercial and residential development, creating the accessible and affordable transportation options Canadians need.

Municipal action to reduce emissions also delivers significant co-benefits. These include employment multipliers, investment stimulus, richer urban environments, reduced energy costs for homes and businesses, and a healthier and more active population.

Strategies

Transitioning to a resilient, low-carbon economy will require an unprecedented scaling-up of cost-effective local action on climate change. This can only be achieved through a strong partnership that builds on the strengths of all orders of government.

Therefore, FCM recommends that the Government of Canada:

- Formalize engagement with municipalities, through FCM, to ensure that adaptation solutions and mitigation opportunities reflect local needs and perspectives—big-city, rural, Northern, coastal and beyond.
- Reduce greenhouse gas emission through dedicated investment in local climate change mitigation infrastructure projects. This funding should include the following parameters:
 - Provide funding commensurate with municipalities' ownership share of green infrastructure assets;
 - Adopt a predictable allocation-based funding model that empowers communities to plan, tap local expertise and move cost-effective projects forward;
 - Flexibly support local needs that vary by community; and
 - Include a mechanism to support strategic projects that cannot be funded through an allocation-based model alone.
- Consider the impact of carbon pricing mechanisms on essential municipal services, such as emergency vehicle fleets, transportation costs for food and fuel in remote areas, particularly those communities fully or partly dependent on diesel fuel.

Climate Change Adaptation

The Commissioner of the Environment and Sustainable Development recently reported that, to successfully navigate the impacts of severe weather, Canada must act now to improve the resilience of our core public infrastructure.

Significant, flexible federal investment will enable local governments to harden infrastructure-supplied municipal services in ways that reflect local realities and take advantage of local opportunities such as integration of built assets with complementary natural assets. This will place Canada on the path to building resilient communities that can support decades of clean growth.

We need to build climate resilient communities by supporting infrastructure that can respond to extreme weather, such as dams, dikes, wetland acquisitions, and seawalls, along with infrastructure incorporating natural and semi-natural elements, such as extended tree canopies or grassland extensions.

Strategies

To ensure cities and communities can adapt to the challenge of climate change, FCM recommends that the Government of Canada:

- Enable the resilience of local communities through dedicated investment in local climate change adaptation infrastructure projects. This funding should include the following parameters:
 - Provide funding commensurate with municipalities' ownership share of green infrastructure assets;
 - Adopt a predictable allocation-based funding model that empowers communities to plan, tap local expertise and move cost-effective projects forward;
 - Flexibly support local needs that vary by community; and

- Include a mechanism to support strategic projects that cannot be funded through an allocation-based model alone.
- Expand the federal role in collecting and sharing data on climate change risks. Local governments are well positioned to assess needs and challenges in their communities. However, they require more accessible, appropriate and updated local climate modelling to understand and plan for known and expected climate impacts;
- Work with Canada's provinces and territories to ensure that local emergency preparedness and response systems are fully resourced and ready to respond to severe weather events;
- Support communities in Canada's North in mapping their infrastructure's climate-related vulnerabilities;
- Work with municipal experts to develop a comprehensive action plan that provides cities and communities across Canada with the tools to better predict, prepare for, and respond to weather-related emergencies; and
- Engage local governments on expanding federal national disaster mitigation strategies to cover the full spectrum of predicted climate change impacts, going beyond flooding to include drought, forest fire, and other potential impacts.

PRINCIPLES TO PROTECT MUNICIPAL INTERESTS IN FEDERAL ASSESSMENT PROCESSES

Municipalities regularly participate in federal, provincial or territorial assessment and review processes for larger projects, where the outcomes have local impact on areas of municipal responsibility. Major new projects subject to these review processes, especially resource development projects, are essential to the economic prosperity and quality of life of local communities, particularly for rural, remote and northern communities. Municipal interests in federal assessment processes must be protected in accordance with the following principles:

- 1. Protect and strengthen local economies, quality of life and the health and integrity of the local environment as top priorities in federal assessment and review processes:**
 - A project's contribution towards local economies must be balanced with environmental and social priorities in federal review and assessment processes
 - Municipal interests must be respected and reflected in federal assessment and review process.
 - Federal review and assessment processes must be efficient and ensure effective "smart government" coordination between government and departments.
- 2. Equip and support municipal first responders to respond to emergencies related to proposed projects:**
 - Municipalities need to know what dangerous goods are being transported through, stored or used in their communities so local services can plan and respond effectively to emergencies.
 - Private sector project operators and federal, provincial and territorial oversight agencies cannot plan for emergencies alone. Local governments and authorities must be involved as partners in emergency planning.
- 3. Prevent downloading of project-related safety, emergency response and other costs to municipal taxpayers:**
 - Third-party liability insurance systems must be sufficient to prevent the downloading of liability costs on municipal taxpayers, even in the event of the bankruptcy of the original insurance holder.

- Municipal first responders must be equipped and supported to effectively respond to an emergency arising from a new federally-regulated project.
- Up-front costs associated with participation in a federal review process and back end costs resulting from any unrecoverable burden placed on municipal services and infrastructure by a federally-regulated project must not be unfairly imposed on local governments.

Furthermore, FCM recommends that the Government of Canada:

- Restore the standard public hearing process and proceed to develop, in consultation with local governments, First Nations, and citizens, a full and meaningful public hearing process for the National Energy Board's review of all project applications; and
- Direct the National Energy Board to require all pipeline operators shipping diluted bitumen to provide site-specific consequence analyses, response plans, and tactics for submerged and sunken oil to be available for review by public and impacted communities.
- Revise its regulations under the National Energy Board Act such that the regulations appropriately balance public safety while enabling municipalities to undertake routine highway maintenance without having to first provide notice to or obtain a permit from the owner or operator of the pipeline.

THE GREEN ECONOMY AND CLEAN GROWTH

The world economy will become more sustainable as countries innovate to deliver better returns on natural, human and economic capital investment while reducing pollution and waste and extracting and using fewer natural resources. Municipalities can be catalysts for this transition.

Canada, with its strong economy and vast, renewable energy potential, is positioned to be a green economic leader. However, we will need to make strategic choices to capture a share of the new jobs, investments and innovation associated with a greener global economy, or risk being a net consumer of future innovations instead of a net producer.

Local governments have shown leadership in protecting the environment by providing sustainable transportation, treating wastewater, safely disposing of waste, and limiting pollution. Smart municipal policies have also improved local quality of life and have made communities more attractive to business and labour. This experience, as well as municipal policy tools, could be used to meet national economic and environmental objectives with the right federal and provincial/territorial policies in place.

Since 2000, FCM's Green Municipal Fund (GMF) has provided more than \$735 million to support 1,040 green initiatives in 495 communities across Canada in the areas of brownfields recovery, energy, waste, water, transportation and integrated projects. Of the 1,000-plus initiatives funded to date, 180 have been capital projects, which are expected to generate over \$3.7 billion in economic activity in 134 communities. When all 180 projects are complete, they are expected to save municipalities over \$96.8 million per year in addition to providing direct environmental benefits.

Strategies

FCM recommends that the Government of Canada partner with municipal governments to further Canada's transition to a green economy by:

- Acting locally:
 - Ensure long-term predictable funding for infrastructure;
 - Make sustainable transportation and infrastructure priority;
 - Collaborate with local governments on energy-efficiency building retrofits;

- Making value for money a top priority:
 - Align financial incentives with value;
 - Make climate change adaptation and infrastructure resilience standard practice;
 - Enhance knowledge and build local capacity related to sustainability best practices;
- Using markets where they can work:
 - Create a national framework for extended producer responsibility, particularly for post-consumer packaging and products.

WASTEWATER

FCM supports the primary objective of the proposed federal Wastewater Systems Effluent Regulations (WSER). However, municipalities need additional funding to meet these new requirements. This is a challenge important enough and large enough to require the three orders of government to work together.

Municipal Wastewater Effluent

In Canada, the level of treatment of wastewater varies across the country. In some provinces, all but one per cent of the population is served by a secondary-level treatment facility; in others, more than 60 per cent is served by systems that treat water at less than the secondary level. Changing this situation will require all orders of government to work together.

Wastewater

In March 2010, Environment Canada gazetted the federal *Wastewater Systems Effluent Regulations* (WSER) under the authority of the *Fisheries Act*. The intent of the regulation was to translate the strategy into a legal framework so that municipalities and other wastewater-system operators would have clear direction in terms of future performance. In its initial form, the regulation differed in significant ways from the strategy, with onerous reporting requirements, a one-size-fits-all approach to the diversity of treatment systems, and an unrealistic approach to combined sewer overflows. These and other divergences from the strategy carried serious cost implications that were not accounted for in the Regulatory Impact Assessment Statement.

FCM, in partnership with the Canadian Water and Wastewater Association, brought together an advisory committee of municipal practitioners to work with Environment Canada to amend the technical requirements of the regulation to better reflect operational realities and performance. The final version of the regulation, which was published in July 2012, effectively addressed the majority of major technical concerns with the regulation.

FCM agrees with the fundamental objectives of the WSER and the Canada-Wide Strategy. Although ambitious, the requirement for municipal facilities to achieve the equivalent of secondary treatment of wastewater effluent is necessary if we are to protect human health and the environment from potentially harmful substances. Implementation of the WSER regulations have been supported through Phase 1 of the Clean Water and Wastewater Fund.

Strategies

FCM recommends that the Government of Canada:

- Continue and bolster predictable funding to support local governments with the implementation of the federal wastewater regulations through Phase 2 of the Clean Water and Wastewater Fund, including prioritization of facilities deemed high-risk and requiring upgrades before 2020;
- Strengthen its approach to pollution prevention by taking a clear lead in ensuring that harmful substances are reduced at the source. Municipal governments must not be seen as the last line of

defence when it comes to protecting human health and the environment from the harmful effects of industrial and other pollutants;

- Invest in research to assist northern communities in identifying the most cost-effective, efficient and appropriate technology for use in extreme climatic conditions;
- Ensure that all communities, including those in rural, remote and northern regions and those regions reliant on septic systems, are provided with an equitable level of protection from the harmful effects of municipal wastewater effluent;
- Include municipal governments in all relevant consultations, particularly the discussions that will lead to the establishment of requirements for the North;
- Ensure that municipal governments have access to the necessary guidance, tools and resources to complete effluent characterization and environmental risk-assessment processes, and introduce water conservation programs and incentives.

CLEAN, SAFE, RELIABLE DRINKING WATER

Everyone in Canada must have access to adequate supplies of clean, safe and reliable drinking water, as well as water for industrial, agricultural and recreational purposes. FCM supports a multi-barrier approach to drinking-water treatment, comprising an integrated system of procedures, processes and tools that together prevent or reduce contamination from source to tap and back to source, reducing risks to public health and the environment.

Municipal governments and other managers of drinking-water systems are responsible for providing clean, safe, reliable drinking water. While municipal governments ensure that water complies with provincial and territorial regulations and applicable federal legislation, some municipal governments have exceeded this minimum requirement by moving toward a more comprehensive approach to water-quality management.

However, many municipalities are concerned about contaminated sources of drinking water and degraded recreational water. While some municipal governments have improved the quality of source water by adopting watershed management and planning approaches, municipalities across Canada still face water-related challenges, usually linked to Canada's outdated system of financing municipal governments through the property tax.

Strategies

In support of achieving clean, safe and reliable drinking water in Canadian municipalities, FCM recommends that the Government of Canada:

- Work with FCM to further support clean water at the local level through Phase 2 of the Clean Water and Wastewater Fund, and other green infrastructure priorities at the local level;
- Work with municipalities to review, update and legislate the federal water policy;
- Provide municipal governments with access to the necessary human, technical and financial resources to respond to regulatory and other requirements related to drinking-water quality and water supply; and
- Work with provinces and territories to strengthen well-water testing and sampling requirements so that private well users know whether their water is safe to drink.

WATER CONSERVATION AND WATER-USE EFFICIENCY

Municipal governments must be partners in managing Canada's watersheds, including the development of national strategies for water conservation and water-use efficiency and in determining the goals and priorities of international agreements on water use and water quality.

Water availability is affected by changing weather and climatic conditions, including more frequent and severe droughts and floods. Pollution of both surface water and groundwater has also compromised the availability of water for municipalities.

To address concerns about water availability, many municipalities have introduced water-conservation initiatives and water-efficiency measures, such as metering, flow-control devices, water recycling systems, changes in pricing, incentives and rate structures, regulations, and water-use restrictions. Further improvements can be achieved by replacing sub-performing water infrastructure, which can lose almost 30 per cent of pumped water. All communities can adopt these measures, but rural, remote and northern communities must also contend with other unique challenges, especially if they rely on private wells and septic systems. Increasing pressures from multiple users are stressing aquifers and, in some cases, are compromising both supply and quality.

The potential negative effects of pleasure-boating and related water sports on the health of waterways and of freshwater flora and fauna are well recognized. Lakes are critical economic engines of many municipalities across Canada, especially in rural areas. The current mechanisms municipalities can use to regulate certain aspects of pleasure-boating are cumbersome, costly and piecemeal, and do not reflect a responsible, integrated vision of how to develop and manage lands and water resources coherently and sustainably. Many municipalities have recognized the issues and impacts linked to motorized watercraft and want to implement measures that represent a vision driven by sustainable development and mindful of social, ecological and economic perspectives.

Strategies

To ensure that all orders of government work together to establish a national strategy for water conservation and water-use efficiency, FCM recommends the Government of Canada:

- Develop a framework to reduce per capita water consumption;
- Amend the National Building Code to mandate water-conserving equipment for domestic and industrial use;
- Support moving toward universal metering where feasible and appropriate;
- Work with all orders of government to develop a monitoring strategy and inventory of Canada's water resources, including an assessment of municipal water supply and availability;
- Work with all orders of government to assess the condition of municipal water infrastructure, and to determine and respond to future funding needs;
- Work in partnership with municipalities to improve the process for regulating motorized watercraft on local waterbodies; and
- Enforce the federal environmental regulations with respect to discharge of sewage in the coastal marine environment.

BULK WATER EXPORTS, DIVERSIONS AND INTER-BASIN TRANSFERS

Municipal governments must be included as partners in determining the goals and priorities of international agreements on water use and water quality. Municipal governments must also be formally engaged in decision-making processes related to water exports, diversions and inter-basin transfers and be fully informed of the potential environmental, economic and social impacts of these activities on their communities.

Water diversions and inter-basin transfers can play an important role in Canada's economic development and prosperity. By making the most of our water resources, we can generate hydroelectricity, irrigate agricultural crops and support industrial processes. However, the public is starting to oppose large-scale diversions and transfers, which can diminish water availability and quality, introduce invasive species, damage the environment and force communities to relocate.

The effects of climate change are expected to place even greater pressure on what is already an over-stressed resource. Changing precipitation patterns will exacerbate the negative effects of diversions and transfers on water availability and quality. Canada must also be prepared to respond to growing requests for water exports, particularly from the United States. However, existing international trade regimes make it difficult to deny access to Canadian water, making our water supply vulnerable to international interests.

To overcome the challenges associated with international trade regimes, Canada must argue that allowing bulk water exports will harm human health and the environment. Restricting exports will require leadership from the federal government, as well as a clear, effective legislative framework and its enforcement.

Strategies

FCM recommends the Government of Canada:

- Establish a clear legislative framework for bulk water exports, inter-basin transfers, and water diversion, which would:
 - Protect human health and the environment by limiting the export of Canadian water;
 - Restrict diversions and inter-basin transfers both within Canada and between Canadian and international jurisdictions; and
 - Affirm the role of the federal government in protecting and securing Canada's water resources.

AIR QUALITY

Communities across Canada need better tools to assess air quality and counter air pollution, which can harm human health and the environment.

Local governments are increasingly concerned about the effects of air pollution on their communities. Some pollutants are GHGs; others do not contribute to Canada's carbon emissions but have harmful effects on human health and the environment. Air-quality issues can extend across provincial/territorial and national borders and require intergovernmental and international cooperation.

Strategies

To ensure air quality, FCM recommends that the Government of Canada:

- Amend the preamble of the *Canadian Environmental Protection Act (CEPA)* to formally recognize the importance of intergovernmental coordination, including the role of municipal government. The CEPA National Advisory Committee should include municipal representation;
- Improve vehicle fuel efficiency by introducing vehicle emission standards for both light-duty vehicles and freight transportation, and reduce vehicle use through improved public-transit systems and sustainable urban-planning practices. The *Motor Vehicle Fuel Consumption Standards Act*, for example, should introduce fuel-efficiency standards equivalent to those adopted in California and other leading jurisdictions;
- Develop, with municipal governments, initiatives to assist municipalities in reducing vehicle use through improved public and active transportation and sustainable urban-planning practices;
- Ensure that new regulations must also address trans-boundary air pollution by ensuring that bilateral agreements between Canada and the United States are maintained and strengthened;
- Develop and provide to all citizens and decision-makers current information on local air-quality conditions; and
- Conduct a comprehensive environmental and health impact assessment for the shipment of thermal coal by rail and over coastal waters and identify an accountable federal oversight agency to monitor rail transport, barge transfer and transport of thermal coal over coastal waters to ensure implementation of environmental and health protection measures.

INTEGRATED COMMUNITY ENERGY SYSTEMS

Municipalities support integrated community energy systems and promote greater emphasis on renewable energy, co-generation and energy efficiency to reduce GHG emissions, improve air quality and reduce energy costs for municipal governments and their residents.

Municipal governments help heat buildings, generate electricity, provide public transportation, and determine land use. In some regions of Canada, demand for electricity will exceed generation capacity within the next 10 to 15 years. Canada and its local governments must identify new ways to meet demand and must implement programs and policies that will conserve energy, promote renewable energy, and improve energy efficiency across all sectors. FCM supports Integrated Community Energy Systems (ICES), which look for energy efficiencies to be found by linking energy across land use, buildings, transportation, water, waste and related infrastructure.

Shifting toward more integrated and sustainable energy sources and uses, while promoting energy efficiency, will be critical to improving air quality, reducing GHG emissions and lowering environmental impacts. In addition, expanding the use of renewable resources in rural and remote communities will provide opportunities for significant economic, social and environmental benefits for these communities.

Strategies

To ensure that all orders of government work together to promote energy efficiency and renewable energy production and adoption, FCM recommends that the Government of Canada:

- Support municipal efforts to promote integrated community energy systems that will improve efficiencies, increase renewable energy, reduce waste and decrease pollution. Reducing energy use from municipal operations can produce net savings, but municipalities do not always have the resources to make up-front investments;
- Continue to implement and expand incentives for renewable power production, so that municipal services can be delivered with safe, reliable, clean energy;

- Work with all orders of government to develop a national energy strategy, supported by appropriate economic instruments and other policy tools, to ensure that municipalities and stakeholders have access to cost-effective and reliable sources and technologies to promote integrated community energy systems, including renewable energy and energy efficiency; and
- Maximize economic development opportunities in renewable energy and fuel for rural municipalities, and help producers that want to own new, environmentally sound biofuel facilities.

WASTE

The Government of Canada, in partnership with provincial, territorial and municipal governments, must develop and advance a comprehensive national strategy for municipal solid waste, with an emphasis on extended producer responsibility and waste reduction. Canada must, at minimum, divert one half of its waste from disposal, with a long-term goal of zero waste disposal.

In Canada, municipal governments collect waste, manage current and closed landfills, treat and dispose of toxic substances, and manage recycling programs. Total local government expenditure for waste management is approximately \$2.6 billion annually. Municipal solid waste in Canada is primarily composed of post-consumer packaging and goods.

The main national policy frameworks for municipal solid waste are the Canadian Council of Ministers of the Environment's *Canada-Wide Action Plan for Extended Producer Responsibility* and the *Canada-Wide Strategy for Sustainable Packaging*. Implementation of these policies has been slow and there remains a patchwork of policies and regulations across jurisdictions, product types and waste streams. Waste-management strategies must support Canada's climate-change objectives and broader sustainability goals, where greater policy coordination on organic waste could play an important role. FCM encourages the Government of Canada to work with all orders of government and industry on the coordinated implementation of national waste-management policies with extended producer responsibility as a key principle.

A national strategy would ensure that municipalities have access to long-term, stable and predictable funding that would allow them to invest in innovative waste-management facilities and waste diversion programs. The emphasis on extended producer responsibility would shift waste-management costs away from the taxpayer to producers and consumers. This shift would use market forces to drive innovation, product harmonization and enhanced product recyclability. The ultimate goal of such policies would be a life-cycle approach to product stewardship and greater recovery of waste as a secondary resource.

Canadian municipalities must have the opportunity to use new technology to manage municipal solid waste. To this end, the federal government must ensure that provincial and territorial environmental-assessment protocols and requirements are clear and consistent across all jurisdictions. It must also ensure that the environmental effects of waste-disposal initiatives are recognized in federal, provincial and territorial legislation and regulations.

Strategies

FCM recommends the Government of Canada:

- Develop a national strategy for the management of municipal solid waste that will reduce the amount of waste created and enhance recycling and recovery programs for the remaining waste;
- Provide a streamlined environmental assessment system for new and environmentally sound alternative waste-management technologies and develop clear guidelines for deriving energy from waste;

- Ensure that municipalities have access to long-term, stable and predictable funding to allow for strategic investment in innovative and environmentally sound waste-management facilities and programs;
- Shift responsibility away from municipal governments by providing incentives for producers and consumers to reduce their waste, including extended producer responsibility strategies;
- Ensure that municipal governments have a say in the development of regulations on exporting and importing “prescribed non-hazardous wastes” for final disposal;
- Work with the provinces and territories to establish requirements to make products and packaging as recyclable as possible and to standardize packaging types in accordance with municipal programs;
- Ensure that, in keeping with the National Packaging Protocol and the Canadian Code of Preferred Packaging Practices, producers use the minimum amount of packaging consistent with functional packaging requirements; and
- Ensure that the Government of Canada’s new regulations respecting the trans-boundary movement of non-hazardous waste emphasize source reduction and deal with Canadian waste issues in Canada.

BROWNFIELDS

FCM supports the recommendations made by the National Roundtable on the Environment and the Economy for a National Brownfields Redevelopment Strategy.

Brownfields are abandoned, idle or underutilized commercial or industrial properties with known or suspected contamination and the potential for economically productive use. There are more than 30,000 such sites in Canada, including decommissioned refineries, former railway yards, old waterfronts and riverbanks, abandoned gas stations and former commercial properties where toxic substances may have been used or stored.

Redeveloping brownfields is essential for sustainable community planning and urban revitalization. Cleaning up and redeveloping these sites can create new jobs, stimulate construction of new housing, reduce risks to human health and the environment, and produce millions of dollars in additional property taxes. Strategic redevelopment can support broader transportation, housing, infrastructure, energy, and economic development objectives. In addition, redeveloped brownfields typically use existing municipal infrastructure and are strategically located along existing transportation corridors.

However, there are several barriers to redevelopment, including lack of access to capital, limited access to insurance protection, regulatory delays, stigma and risk perception, and lack of awareness among key interest groups. As a result, many brownfield sites remain abandoned or idle.

The Government of Canada has an opportunity to take the lead in redeveloping these sites, especially since reclaiming brownfields can support several federal objectives, including those related to climate change, clean air and clean water. The Government of Canada could speed up redevelopment by establishing a federal coordinating office to work closely with all orders of government to provide a clear, fair and consistent policy for brownfield redevelopment.

Strategies

FCM recommends that the Government of Canada:

- Implement the recommendations put forward by the Canadian Brownfields Network in its National Framework for Encouraging Redevelopment of Qualifying Brownfields through Removal of Crown Liens and Tax Arrears;
- Ensure that municipal concerns are voiced in all brownfield consultation initiatives; and
- Establish a federal coordinating office for brownfields, which would work closely with all orders of government to provide participants with a clear, fair and consistent public policy regime for such issues as civil and regulatory liability.

PESTICIDES

The Government of Canada must strengthen the risk-assessment and management process for pesticide products. Municipalities must be given the authority to limit the use of pesticides for cosmetic purposes on both private and municipal property.

Pesticides produce some important benefits. They can reduce pest-borne diseases and allergens, and they can limit the spread of invasive and alien species. However, pesticides are also a concern for human health and the environment. They are of particular concern to pregnant women, older people, children, and people with chemical sensitivities, allergies and immune-system deficiencies. Pesticide exposure increases the risk of reproductive effects, chromosomal abnormalities, some cancers and physiological dysfunction. The release of pesticides into the environment can also exterminate beneficial insects. Toxic substances can also accumulate in the food chain or move through the atmosphere to be deposited thousands of miles from their point of origin.

In Canada, pesticides are regulated under the *Pest Control Products Act (PCPA)*. The federal government registers pest-control products, promotes sustainable pest management, and re-evaluates registered products. The authority to regulate the sale, use, storage, transportation and disposal of pesticides registered under the PCPA lies with the provinces and territories, which may choose to prohibit the use of a pesticide registered under the PCPA within their jurisdictions. They may also limit use beyond federal requirements.

Municipal governments have the authority to protect the health and safety of residents and to regulate nuisances through municipal bylaws. The primary authority of municipal governments is to regulate pesticides on municipal or even private land, as determined by provincial or territorial legislation. However, the extent of this authority varies among provinces and territories, particularly as it relates to private lands.

Following the Supreme Court's decision, on the Hudson, QC case, to uphold municipal bylaws banning cosmetic use of pesticides within municipal boundaries, including private property, over 170 municipalities have introduced cosmetic pesticide bans. Provincially, Quebec was the first province to implement a cosmetic pesticides ban in 2006. Since then, Ontario, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island have adopted laws to restrict cosmetic pesticides.

Strategies

FCM recommends that the Government of Canada:

- Work with municipalities to develop alternative pest-management strategies and integrated pesticide management; and
- Ensure that municipal concerns are included in the review of federal legislation regulating cosmetic pesticide related substances and are reflected when assessing pesticide regulations.

BIODIVERSITY

Conservation and sustainable use of biological diversity is necessary for maintaining quality of life and ecological balance of Canada's cities and communities. The Government of Canada must partner with municipalities to ensure that Canada's communities have access to the resources necessary to identify and eradicate invasive and alien species effectively and efficiently.

The survival of many communities, especially those that rely on farming, fishing and forestry, is directly tied to the conservation and sustainable use of biological resources. Threats to biodiversity include the cumulative impacts of farming, forestry, commercial fishing, expanding urban areas, transportation corridors, industrial activities and resource consumption. These factors have degraded ecosystems and habitats and reduced genetic diversity. Habitats have also been degraded by pollution, the introduction of alien species, and fragmentation. Our communities need effective policies and strategies and collaboration among all orders of government to maintain biodiversity and protect ecosystems from invasive species.

Canada is a signatory to the *Convention on Biological Diversity* (CBD), which sets out principles for conservation and sustainable use, as well as for the fair and equitable sharing of the benefits arising from our biological and genetic resources. To this end, the *Canadian Biodiversity Strategy* outlines how the federal, provincial and territorial governments will create the necessary policy and research conditions to meet the CBD requirements. The strategy also describes how other stakeholders, in accordance with their own policies, plans, priorities and fiscal capabilities will help implement the strategy.

Since 2004, Environment Canada has been implementing a national strategy for invasive and alien species. These species threaten the sustainability of our natural resources and the quality of life of Canadians. They are the second-greatest threat to Canada's biodiversity, after habitat loss. The emergence of West Nile Virus, the emerald ash borer and chronic wasting disease, along with ballast-water management, has raised public awareness of these issues, and demonstrates the potential effect alien and invasive species can have on Canada's environmental, economic and social stability. In 2012 the *Fisheries Act* was amended to allow for the destruction of invasive species that threaten Canada's fisheries, such as Asian Carp; such species were previously protected by the act. The amendments also create authorities to protect ecologically sensitive areas, which if well implemented will be beneficial to biodiversity.

The federal, provincial and territorial governments share responsibility for conservation and biodiversity, but municipal planning and land-use decisions can support biodiversity objectives by minimizing ecosystem degradation and fragmentation. Local knowledge can also help identify ecologically sensitive areas and understand the potential benefits to be derived from biological and genetic resources.

Strategies

FCM recommends that the Government of Canada:

- Ensure that municipalities are consulted and engaged in legislative review processes related to conservation and the sustainable use of biological diversity;
- Strengthen its partnership with municipalities in identifying and responding to the presence of invasive and alien species;
- Ensure that municipalities are actively engaged in the implementation of the review of the *Fisheries and Navigation Protection Acts*, including in the development of regulations and supporting policies;
- Provide municipalities with the necessary tools and resources to incorporate biodiversity considerations into land-use planning decisions;

- Engage municipal governments in decisions related to resource and ecosystem management, particularly when these decisions will have a direct impact on community viability and traditional culture; and
- Invest in targeted Mountain Pine Beetle and Emerald Ash Borer mitigation programs in consultation with the provinces, territories, First Nations and local governments.
- Ensure an adequate federal response capacity to support wildlife affected by marine and land-based oil spills.

Approved March 2017

Standing Committee on Environmental Issues and Sustainable Development
