

2014 ENVIRONMENTAL AGREEMENTS

EXECUTIVE SUMMARY

This report itemizes the agreements authorized by Environmental & Safety Management (ESM) under the Environmental Agreements Bylaw (11M2010) between 2014 January 1 and December 31. The list is provided in accordance with the reporting requirements of the bylaw.

The purpose of the Environmental Agreements Bylaw is to delegate certain powers to Administration to execute agreements that are related to environmental enhancement and/or protection. The bylaw exists to create efficiencies by providing applicants with a single point of contact for these types of agreements, streamlining the transaction time and reducing effort for both applicants and The City. For license agreements in particular, efficiencies are gained by providing a standardized format which promotes consistency in applications.

There are six types of environmental agreements which are covered under the Bylaw. Licenses are by far the most common type. Of the 39 agreements issued in 2014, 38 were licenses (either approved or amended) and one was a stewardship agreement.

Administration supports the best practice of periodically reviewing existing bylaws and policies. As the Environmental Agreements Bylaw has been in effect for five years Administration has identified efficiency and effectiveness opportunities within the Bylaw, and recommends that Council direct Administration to review the Bylaw and return with recommended amendments.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Utilities and Corporate Services recommend that Council:

1. Receive this annual report for information;
2. Direct Administration to review the Environmental Agreements Bylaw and report back to the SPC on Utilities and Corporate Services no later than Q1 2016 with recommended amendments including simplified reporting requirements.

PREVIOUS COUNCIL DIRECTION / POLICY

Pursuant to Bylaw 11M2010, Environmental Agreements Bylaw, Section 4 (2), Reporting – Environmental & Safety Management shall provide an annual report to City Council itemizing the Agreements authorized.

BACKGROUND

The purpose of the Bylaw is to delegate certain powers, duties and functions to Administration, specifically ESM, relating to the authorization and execution of agreements for the purpose of environmental enhancement, conservation and protection.

The City enters into environmental agreements for varying reasons including, but not limited to:

- Authorizing the use and occupation of property belonging to The City for the purpose of facilitating the investigation, assessment, remediation or risk management of a site (licenses);
- Facilitating the pursuit, promotion and implementation of initiatives which enhance, conserve or protect the environment (stewardship agreements);
- Transferring the administration of provisions of environmental laws to other government authorities (administration agreements); and

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- Addressing other matters related to the environment (access agreements, conservation agreements remedial action agreements).

The reasons for such a bylaw include providing applicants with a single point of contact for these types of agreements, streamlining the transaction time and effort for both applicants and The City, and for licenses in particular, providing a standardized format to promote consistency in applications. Since 2010, the Bylaw has simplified and streamlined the process for applicants entering into these agreements with The City.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Licenses are the most common type of environmental agreement executed under this bylaw. An example is The City's License of Occupation, whereby applicants use and occupy City property for the purpose of investigating and remediating contaminated sites. Of the agreements issued in 2014, 38 were licenses (either approved or amended) and one was a stewardship agreement relating to sponsorship from Bullfrog Power.

The 2014 Environmental Agreements Summary Table and Areas Map (Attachment) itemizes the agreements authorized in 2014 under the Bylaw and shows their geographical location on a map of Calgary, where appropriate.

Currently, agreements under this Bylaw are presented annually in a report to Standing Policy Committee on Utilities and Corporate Services. A full list of agreements signed during the year, along with a map of locations and a cover report are provided. An alternate method of reporting proposed is to provide an annual report electronically to Councillors. This method offers a more tailored report by providing the data with a narrative including additional information relevant to each Ward.

Stakeholder Engagement, Research and Communication

The 38 licenses and amending agreements executed in 2014 under the Bylaw were processed upon application after engagement and communication with the licensees and their consultants. Affected land stewards such as Water Services, Parks and Roads were contacted for input where applicable, as were supporting business units such as Infrastructure & Information Services, Law and City Clerks.

The stewardship agreement involved setting terms and conditions of sponsorship between The City and a private sponsor to support the installation of solar panels at community associations and the related community engagement activities. For this agreement Law, Supply Management, and Customer Service & Communications were also engaged.

Strategic Alignment

The Bylaw aligns with Council Strategy W7 and specifically action 7.2: "Work with citizens and our stakeholders to provide efficient and effective service." The agreements reported are also in alignment with The City's Environmental Policy, and the Municipal Development Plan in relation to encouraging the remediation and redevelopment of brownfield sites and environmental protection.

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Social, Environmental, Economic (External)

Through the Bylaw, The City provides leadership by facilitating third party investigation and remediation on City lands, and other environmental stewardship actions, which promotes environmental protection. Issuing licenses contributes to improving community health and the environment by expediting management of contaminated sites and providing good governance and transparency to the process. Expediting the provision of environmental agreements is also integral to The City's customer-centric focus and allows businesses to run more efficiently, which supports Calgary as an attractive place for economic investment.

Financial Capacity

Current and Future Operating Budget:

The current fee schedule will be reviewed to consider current costs associated with the processing of agreements.

Current and Future Capital Budget:

There are no implications to the capital budget.

Risk Assessment

A main function of the Bylaw and the resulting agreements is to identify, mitigate or reduce environmental risks and legal liabilities to The City.

REASON(S) FOR RECOMMENDATION(S):

This report is provided as an annual report to City Council itemizing the agreements authorized as per Environmental Agreements Bylaw 11M2010.

The Bylaw has now been in effect for five years and through use ESM has identified areas where efficiencies and clarifications could be made. Review of the Bylaw and changes to the reporting requirements are advisable given there are alternative methods of reporting environmental agreements to Council that may prove more efficient for Council and Administration while still providing the same service and similar result.

ATTACHMENT(S)

2014 Environmental Agreements Summary Table and Areas Map