



# Regional Board Report

## Request for Decision

*Approved for Board Consideration*

A handwritten signature in black ink that reads "Brian Reardon".

*Brian Reardon, CAO*

**To:** Regional Board

**From:** Todd Cashin, Director of Community Services

**Date:** April 14, 2022

**Subject:** FrontCounter BC Referral Application (Reference File No. 574526)  
RDCO File: CL-22-02  
Glencore Canada Corporation (Applicant)  
Central Okanagan West Electoral Area

***Voting Entitlement:*** *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

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**Purpose:** To consider a FrontCounter BC referral application for a Crown Land tenure for an Industrial General Land Lease of up to 30 years and a Mines Act M-12 Permit amendment.

### **Executive Summary:**

Glencore Canada Corporation (the applicant) is requesting an Industrial General Land Lease of up to 30 years to construct and commission an Organic Waste Recycling Facility at the Brenda Mine site, referred to as the Brenda Renewables Project. The applicant is further requesting a Mines Act M-12 Permit amendment to allow for the use of the Class A compost material with the purpose of supporting reclamation of the previously disturbed Brenda Mine site.

The applicant held preliminary meetings with local governments of interest and First Nations during the project planning phase to share information on the project, address questions, and provide updates. Future engagement is expected to continue throughout the construction and operation of the Organic Waste Recycling Facility.

The Province of BC has jurisdiction over Crown Land referrals and is the decision-making authority for the application.

### **Recommendation(s):**

**THAT** the Regional Board support the Glencore Canada Corporation FrontCounter BC referral application No. 574526 for the issuance of an Industrial General Land Lease for up to 30 years and a Mines Act M-12 Permit amendment for the 'Brenda Renewables Project', subject to completion of the following prior to issuance of, or included as conditions of approval:

- An Organic Waste Compost Facility Feasibility Study for the proposed subject property;
- A service-appropriate pilot project for the proposed catchment areas in the Central Okanagan region;

- Public engagement with the community; and
- Any proposed construction, repair, and/or maintenance of the site that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

Respectfully Submitted:



Todd Cashin, Director of Community Services

*Prepared by: Chelsey Rudolph, Environmental Planner*

Attachment(s):

1. Aerial Context Map
2. Proposed Crown Land Lease Area
3. Brenda Renewables Project Detailed Site Plan
4. Crown Land Tenure Application
5. Management Plan for the Brenda Renewables Project
6. Biomass Inventory Study Regional Board Report and associated attachments
7. Letter of Interest from RDCO Engineering Services, dated December 13, 2021
8. Letter from the Solid Waste Technical Advisory Committee, dated January 5, 2022
9. RDCO Presentation Slides

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### **Strategic Plan Alignment:**

Priorities: Environment

Values: Regional Perspective, Collaboration

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### **Background:**

Glencore Canada Corporation (the applicant) is proposing to construct and commission an Organic Waste Recycling Facility on Crown land, referred to as the Brenda Renewables Project.

The subject property is part of the former Brenda Mine site that was developed as a copper and molybdenum open pit mine. Extraction began in 1969 and continued until the mine closed in June of 1990. A decommissioning plan was developed to guide long-term reclamation and monitoring efforts at the site that commenced in 1988 and concluded in 1997. The Brenda Mine site remains in a state of closure, with regular maintenance that includes fertilizing, invasive species management, land stability reviews, and vegetation removal, where required. Ongoing maintenance also includes operation of a water treatment plant to monitor and treat water from the mine site before it is discharged into Trepanier Creek.

### Proposal:

The purpose of this Crown land referral application is to consider an Industrial General Land Lease for up to 30 years and a Mines Act M-12 Permit Amendment through FrontCounter BC.

The Brenda Renewables Project will be constructed on pre-disturbed lands utilized in the previous Brenda Mine operation and will share and maintain the existing vehicular access off Highway 97C (Brenda Mine Road) from the existing water treatment plant to the proposed compost facility. The remainder of the closed mine site is governed by a Ministry of Energy, Mines, and Petroleum Resources permit that will maintain all other roads required for ongoing reclamation activities. Upon full build out, the project is expected to cover a footprint of approximately 13.32 hectares and is planned to be completed in the following construction phases:

- Compost facility;
- Anerobic digester and expansion of compost operations; and
- High solids anaerobic digester.

Supporting infrastructure will be required to construct and operate the facility, which is detailed in *Attachment 3, Brenda Renewables Project Detailed Site Plan*. According to the applicant, the proposed system was designed to ensure odour, noise, and liquid discharge emissions will not exceed provincially regulated levels.

The applicant indicates that this project will support goals to reduce greenhouse gas (GHG) emissions by recycling the energy and nutrient content of the region's organic waste into products to be used locally. It is estimated that up to 90% of the total feedstock will be sourced from within a 100-kilometre radius of the Brenda Mine site that will be diverted from landfills and converted at the proposed facility. The digesters will produce natural biogas that is intended to be stored on-site or transported to FortisBC using existing infrastructure for use in the local natural gas distribution system to offset community carbon footprints. The Class A compost material is planned to be used to progress the Brenda Mine site rehabilitation by creating self-sustaining vegetative covers.

### Additional Information:

The RDCO Engineering Services Department manages solid waste collection and disposal for the region, including current organic collection, treatment, and disposal. Regional service provision for waste management includes the following:

- Implementing initiatives to meet goals and targets of the RDCO Solid Waste Management Plan;
- Administering regionally significant waste contracts, such as curbside waste disposal; and
- Managing the seasonal curbside collection program on behalf of member municipalities, which includes organics disposal.

In addition to the seasonal curbside collection program, residents can drop their yard waste off at the Glenmore Landfill and Westside Residential Waste Disposal and Recycling Centre year-round. Yard waste is currently processed at the composting facility at the Glenmore Landfill.

On December 6, 2021, the Okanagan Sustainability Leadership Council presented the findings of a Biomass Inventory Study to the Regional Board. The purpose of the study was to determine if there was sufficient biomass waste available to generate carbon-neutral energy and other bioproducts to support reduced GHG emissions. The presentation was the first step to understand the methods and quantities of biomass waste produced, and explore potential future uses and diversion solutions for improved waste management in the region.

On December 13, 2021, RDCO Engineering Services provided a Letter of Interest to Brenda Renewables for the proposed Organic Waste Recycling Facility summarizing current Solid Waste Management in the Central Okanagan region, identifying work completed to date, and upcoming studies related to waste composition and feasibility. The letter provides general support for Brenda Renewables' composting operations and commends the effort to prioritize local organic waste within their operations, noting that the RDCO cannot commit to using Brenda Renewables a regional service provider until appropriate due diligence is completed.

On January 5, 2022, the Central Okanagan's Solid Waste Technical Advisory Committee (SWTAC) provided comments on the proposed Organic Waste Recycling Facility to the Ministry of Forests, Lands and Natural Resource Operations supporting certain aspects of the proposed development, while raising concerns with other parts of the proposal. The letter stated that the intention of the RDCO and its member municipalities is to work with Brenda Renewables to evaluate in-region processing of this significant waste stream but cannot commit to a contractual agreement for service provision until additional information is provided.

Based on the information provided to the RDCO and the SWTAC, the general feedback provided was that no decision or commitment would be made until additional information was provided, including but not limited to a feasibility study, a service-appropriate pilot, community engagement, and Regional Board consideration.

### **Regional Board Strategic Priorities 2019-2022:**

The Regional Board Strategic Priorities was updated by the Regional Board in 2020 to refine and focus projects for the remainder of the current term. The current proposal meets the Board's Strategic Priority for 'Environment' to initiate and support efforts to reduce our environmental footprint, adapt to climate change, and connect with nature. The following actions support the application:

- Work with partners and other levels of government to manage our solid waste; and,
- Explore waste-to-energy opportunities and support the Federal program for the reduction of single-use plastics.

### **Regional Growth Strategy:**

The RDCO adopted Regional Growth Strategy (RGS) Bylaw No. 1336 on June 23, 2014. A RGS is a long-range planning tool that assists local governments to plan a coordinated future for their communities, while dealing with regional issues and decisions that cross local political boundaries. The RGS provides a collective vision from the regional partners for the future to create a region that promotes growth that is economically, environmentally, and socially healthy over a twenty (20) year time horizon. The following RGS policies support the application:

#### Our Land

- Encourage access to and opportunity for development of Crown resources and rural land that provide economic opportunities that contribute revenues to support community social, health, education and transportation services for the citizens of the Central Okanagan while having minimal impacts to the land, wildlife, and sensitive environmental areas.

#### Our Climate

- Encourage cooperation with regional partners, provincial ministries and stakeholders on initiatives that improve efforts to reduce GHG emissions, improve energy conservation and mitigate climate change impacts.

### Solid Waste Management Plan:

The RDCO Solid Waste Management Plan was approved by the Ministry of Environment and Climate Change Strategy on February 20, 2020, to provide regional direction for solid waste management over the next ten (10) years. The following strategy supports the application:

- 5.2.1.7. Re-evaluate organic waste diversion opportunities while considering the need to maintain landfill gas collection and use at the landfill.
  - Investigate what additional organics diversion options are feasible in RDCO (these must be cost-effective, socially acceptable, etc.) in the future, if there is sufficient organic waste generated in the region.

### Site Context:

The subject property is located within the Central Okanagan West Electoral Area, approximately 22 kilometres northwest of Peachland, adjacent to Highway 97C. The proposed Crown land lease area is located outside of any RDCO Official Community Plans.

<b>Applicant:</b>	Glencore Canada Corporation
<b>Location:</b>	Approximately 22km northwest of Peachland at the Brenda Mine site, adjacent to Highway 97C (Central Okanagan West Electoral Area)
<b>Legal Description:</b>	That part of District Lot 5155, being perimeter survey mineral claim, ODYD
<b>Area of Land Affected:</b>	+/- 14 hectares (35 acres)
<b>Existing Use:</b>	Maintenance and monitoring including water treatment, fertilizing, invasive species management, land stability reviews, and vegetation removal, where required
<b>Surrounding Uses:</b>	Crown Land

### RDCO TECHNICAL COMMENTS:

**Engineering Services** staff identified that the proposal aligns with RDCO's strategic priorities for the region, and that the RDCO supports the development of alternative organic projects, including Brenda Renewables, as a means of treating waste collected under the various programs offered to the region. The Solid Waste Management Plan states that regional waste should always receive priority over waste imported from other areas.

Inspection Services, Parks Services, and Fire Services' interests are unaffected.

### AGENCY REFERRAL COMMENTS:

**District of Peachland** staff note that the facility will allow a more viable option for Peachland and other Central Okanagan municipalities to manage biosolids and compostable waste streams and allow the potential to expand current waste reduction services. Staff further indicated concerns with existing out-of-region contracts and with the potential impact the facility may have on surrounding watersheds.

**Interior Health Authority** staff note that there is not enough information available regarding the Class A biosolids to adequately assess the proposal from a public health perspective. The proximity of the site to nearby Trepanier Creek watershed and associated drinking water systems raises public health concerns that will need to be addressed. Staff encourage early engagement for proposed land activities to facilitate assessment of potential public health concerns.

**Ministry of Transportation and Infrastructure** staff have no concerns with the proposed organic waste processing facility.

**Unaffected agencies** include Ministry of Forests, Lands & Natural Resource Operations, Ministry of Environment, Telus, BC Hydro, Shaw Cable, FortisBC, Okanagan Basin Water Board, City of Kelowna, City of West Kelowna, and District of Lake Country.

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### Considerations:

External: The Province of BC has jurisdiction over Crown Land referrals and is the decision-making authority for the application; it is noted that no formal public notification process is required by the RDCO for Crown land referrals.

Alternate Recommendation: **THAT** the Regional Board not support the Glencore Canada Corporation FrontCounter BC referral application No. 574526 for the 'Brenda Mines Renewables Project'.

Considerations not applicable:

- Organizational
  - Financial
  - Legal/Statutory Authority
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