

# MEMORANDUM



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**TO:** Ben Van Nostrand  
Columbia Shuswap Regional District

**FROM:** Veronica Bartlett,  
Morrison Hershfield

**RE:** Dispute Resolution Procedure for the Solid Waste  
Management Plan

**PROJECT No.:** 220091300

**DATE:** December 1, 2022

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## 1 BACKGROUND

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The Columbia Shuswap Regional District (CSRDP) reviewed and updated its Solid Waste Management Plan (SWMP) in 2015. To satisfy the terms of the Ministry of Environment and Climate Change Strategy's (MoE's) SWMP approval letter, the regional district is required to develop a Dispute Resolution Procedure by March 31, 2023, in accordance with all MoE guidance objectives and regulatory requirements.

The MoE's Guide to Solid Waste Management Planning published in 2016 provides guidance on the development of a dispute resolution procedure for a SWMP.

Given the number of stakeholders and the varying interests that relate to the CSRDP's SWMP, the possibility exists that disputes may occur during SWMP implementation, and through the process of future SWMP amendments. Currently, there are no formal disputes noted by the CSRDP, and Morrison Hershfield (MH) proposes a procedure that follows a standardized format used by many other BC regional districts in their SWMPs.

This memo outlines a proposed procedure for dealing with CSRDP SWMP disputes. The dispute resolution procedure is designed to address disputes arising from administrative decisions made by the CSRDP, interpretations of plan activities and services, economics, land tenure, jurisdictional responsibility, or other issues.

The CSRDP's Dispute Resolution was presented by MH to the Plan Monitoring Advisory Committee (PMAC) at the regularly scheduled meeting on October 19, 2022, and at the regularly scheduled Board meeting on November 24, 2022. Both the PMAC and the CSRDP Board voted in support of submitting the Dispute Resolution to the Director as per the CSRDP's SWMP amendment approval letter dated June 3, 2019.

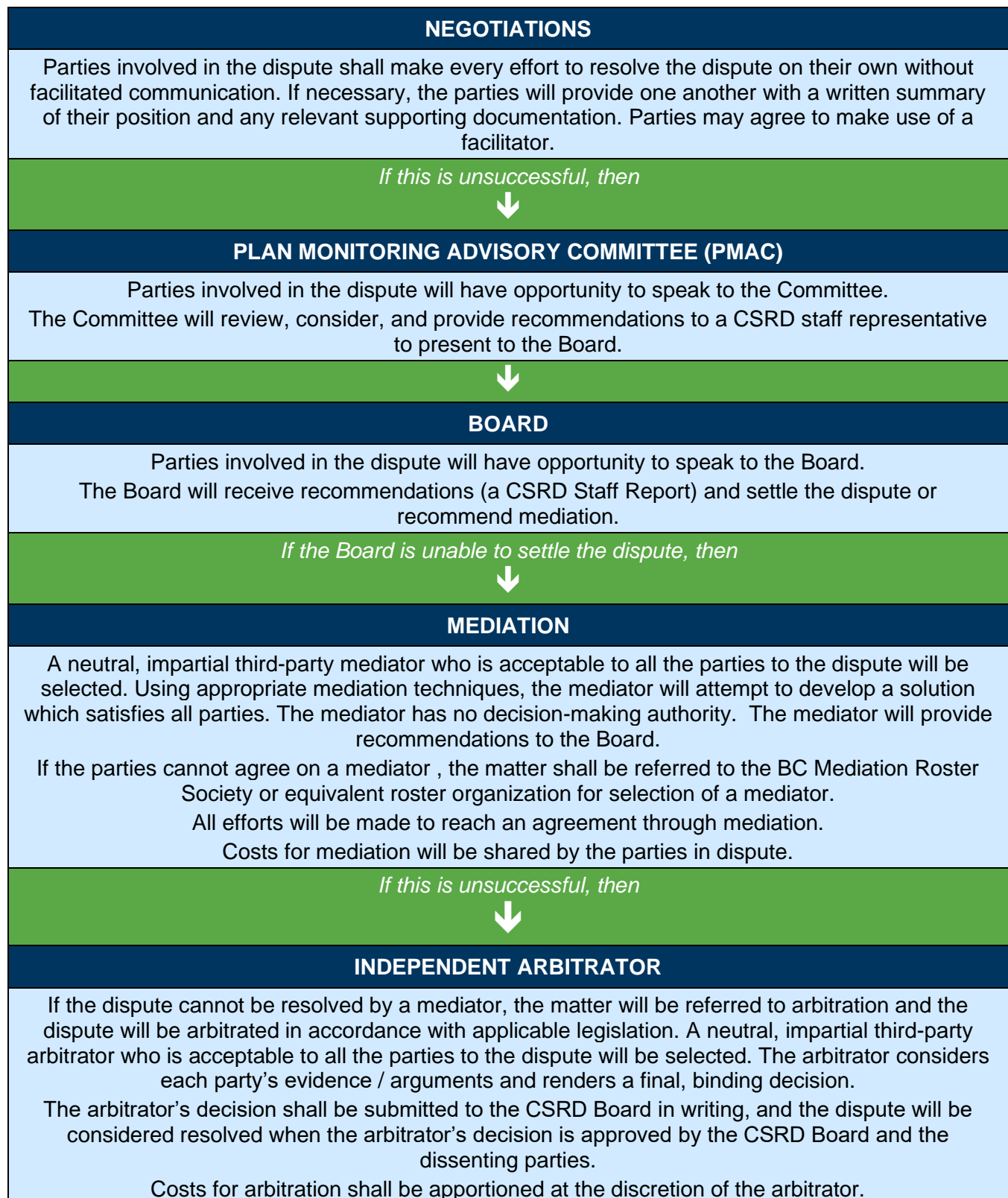
The CSRDP will publish the dispute resolution on the same date it is submitted to the MoE.

### MoE Guide Section C.1.1

Every regional district should establish and consult on a dispute resolution procedure for dealing with disputes arising during implementation of the plan. The procedure should address disputes involving an administrative decision made by the regional district in the issuance of a licence, interpretation of a statement or provision in the plan, or any other matter not related to a proposed change to the actual wording of the plan or an operational certificate.

## 2 DISPUTE RESOLUTION PROCEDURE

Disputes will be settled using the following procedure:



Further to the procedures outlined above, the following principles will be followed when the dispute resolution procedure is invoked:

- i. The parties will make all reasonable efforts to attempt to resolve the dispute in an amicable manner without outside intervention.
- ii. Involved parties will attempt to resolve disputes as early as possible and at the lowest administrative level as possible; every effort will be made to avoid disputes requiring a formal resolution process.
- iii. The formal process is not intended to deal with inconsequential or frivolous disputes.
- iv. The cost of mediation or adjudication will be shared by the parties to the dispute.
- v. Information or data related to the dispute will be shared by the parties.
- vi. Rules of confidentiality and freedom of information will apply.

### **3 CLOSING**

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The Columbia Shuswap Regional District retained Morrison Hershfield to conduct the work described in this report, and this report has been prepared solely for this purpose.

This document, the information it contains, the information and basis on which it relies, and factors associated with implementation of suggestions contained in this report are subject to changes that are beyond the control of the author. The information provided by others is believed to be accurate and may not have been verified.

Morrison Hershfield does not accept responsibility for the use of this report for any purpose other than that stated above and does not accept responsibility to any third party for the use, in whole or in part, of the contents of this document. This report should be understood in its entirety, since sections taken out of context could lead to misinterpretation.

We trust the information presented in this report meets Client's requirements. If you have any questions or need addition details, please do not hesitate to contact one of the undersigned.

Morrison Hershfield Limited

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