

Topic: Bylaw restricting use of fertilizers by Waterbodies in Parkland County

Introduction:

To share, as per Councils direction, a Bylaw restricting the use of fertilizers by Waterbodies in Parkland County.

Facts (Background Information):

Parkland County Council struck a Wabamun Lake Ad Hoc Committee in 2016 for the purposes of exploring and providing recommendations and advice on several issues surrounding Wabamun Lake including potential development of a Nutrient Loading Bylaw.

The Committee recommended that all municipalities surrounding Wabamun Lake develop and implement a bylaw to reduce the negative impacts on the Lake and its health.

Council supported this recommendation however work on this has not occurred yet; it was set aside to be done later as Administration was focused on development of the new Boat Launch.

Administration presented a report at the September 5, 2023, Governance and Priorities Committee meeting to revisit and reconfirm direction for development of the Bylaw.

Direction was given to move forward with a Bylaw restricting the use of Fertilizers alongside all waterbodies in Parkland County not just Wabamun Lake.

The reason for doing this is to protect the health of our lakes by reducing the use of chemicals around waterbodies that increase the level of nutrients in the water. This results in increased growth of aquatic plants/vegetation at faster rates which depletes the lake of oxygen resulting in algae blooms, dead zones and fish kills.

A draft Bylaw and Engagement Plan was presented at the May 21, 2024 Governance and Priorities Committee meeting for information and feedback.

Analysis:

Purpose of the Bylaw is to restrict the use of fertilizers.

The Bylaw will be known as the Restricted use of Fertilizers by Waterbodies Bylaw. Fertilizers are defined as any substances that contain nitrogen, phosphorus, potassium, or other chemicals that are used as plant nutrients or to aid in plants growth. The definition of waterbody being any location where standing surface water is present, permanent, and naturally occurring including but not limited to lakes and wetlands.

The restriction is proposed to apply to any subdivision with public access to a waterbody. There are some municipalities with bylaws of this nature that restrict use within 100m or 250m of the shoreline, and others like Summer villages around Wabamun Lake or Spring Lake that restrict use in the entire Village. We are proposing that any subdivision adjacent to a waterbody be restricted in its entirety. The rationale for this approach is that subdivisions around waterbodies all typically drain towards that waterbody they are adjacent too. Fertilizers and the chemical contained therein all have the opportunity through surface drainage/runoff to reach the waterbody. A listing of waterbodies and the subdivisions adjacent to them are listed in the appendix of the proposed bylaw.

Natural compost resulting from the decomposition of food scraps and yard waste would be allowed.

The proposed Bylaw would not restrict the use of fertilizer for agricultural lands, golf courses, greenhouses, market gardens, tree nurseries or those involved in turf and sod production.

Enforcement and penalty provisions are included in the proposed bylaw. Enforcement would be done on a complaint basis. Focus will be on education and awareness of the restrictions and rationale behind it as enforcement will be a challenge with sampling and lab testing required. Summer Villages around Wabamun Lake do not have enforcement or penalty provisions in their bylaws; the bylaws are used more as an education and awareness tool. Municipalities that have enforcement and penalty provisions in place have not utilized them yet.

As per Council Policy C-AD51 Public Engagement is required. There are five levels of engagement which include to inform, consult, involve, collaborate, and empower. A draft Public Engagement Plan has been drafted focusing on informing with an option to consult.

Rationale for informing is that the Governance and Priorities committee has already provided the direction to restrict the use of fertilizers around waterbodies in Parkland County. The activities undertaken will be to educate and inform the residents of this direction and to advise them of the process for Bylaw approval which includes the opportunity to address council of any concerns, questions or support.

We will ensure that those directly impacted in subdivisions adjacent to waterbodies will be directly informed by a direct mail out; other means will also be used via social and print media to inform those impacted as well as the general community of the proposed bylaw.

Alternatives:

Council may choose to make changes to any part of the Bylaw or Engagement Plan.

Conclusion/Summary:

Administration looks forward to moving this Bylaw forward for Council consideration.

Tentative timelines:

- *June 2024 – First Reading and set Public Hearing for September 24, 2024*
- *July -September 2024 – Engagement Activities*
- *September 24, 2024 – Public Hearing and Second Reading*
- *October 22, 2024 – Third and Final Reading*

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