

British Columbia
Farm Industry
Review Board



City of Abbotsford Propane Cannons Committee

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BC Farm Industry Review Board (BCFIRB)



Overview

- BCFIRB role
- Principles-based regulation
- 2009 BCFIRB Propane Cannons Review
 - What we heard
 - Recommendations for local governments



BCFIRB Role

BCFIRB has **two roles** in farm practice and conflict management under the *Farm Practices Protection (Right to Farm) Act (FPPA)*:

1. Resolving nuisance complaints arising from farm practices through ADR or **decisions**
2. Studying, reporting and making **recommendations** on any matter related to farm practices



Principles-Based Regulation

- BCFIRB 2011/12 – 2013/14 Strategic Plan
(Goal 2: A principles-based, outcomes-oriented approach to regulation)
- 3-year governance initiative to adopt and integrate 6 higher-level governance principles (SAFETI) across BCFIRB mandates (farm practices, regulated marketing, produce grading and SPCA seizure decisions) ...



BCFIRB Higher-level Principles

Term		Definition
S A F E T Y	Strategic	<i>Identify key opportunities and systemic challenges, and plan for actions to effectively manage risks and take advantage of future opportunities.</i>
	Accountable	<i>Maintain legitimacy and integrity through understanding and discharging responsibilities and reporting performance.</i>
	Fair	<i>Ensure procedural fairness in processes and decision-making.</i>
	Effective	<i>A clearly defined outcome with appropriate processes and measures.</i>
	Transparent	<i>Ensure that processes, practices, procedures & reporting on exercise of mandate are open, accessible and fully informed.</i>
	Inclusive	<i>Ensure that appropriate interests, including the public interest, are considered.</i>



Principles-Based Regulation

- Shifts focus from rules to principles
- Sets expectations for those affected by BCFIRB decisions
- Allows flexibility in how outcomes are achieved



Principles-Based Regulation

E.g. Strategic

“The board’s recommendation regarding the need to explore a comprehensive approach to starling management calls for farmers and their associations, local governments, and other stakeholders to work together to find a way to reduce bird pressures and predation levels on local farms. This will reduce—though may not fully remove—the need for propane cannons as well as other bird predation management devices, and thus the potential nuisances associated with these devices.”

E.g. Accountable

“...BCFIRB feels strongly that the blueberry industry must take account of the impacts of its operations on its neighbours, and as such that farmers must also ensure that cannons are used in a socially responsible manner. Farmers must clearly consider the nuisance potential associated with propane cannons, and—whenever these devices are used—take due measures to minimize the noise impact on neighbours. ...agriculture needs the goodwill of local citizens to be successful. A socially responsible, sensitive approach to the use of propane cannons ... is the only way to ensure that this goodwill is maintained.”

2009 Propane Cannons Review



2009 Propane Cannons Review

What we heard from industry:

- bird predation, especially from starlings, causes significant damage to blueberry crops
- propane cannons are an important control measure for reducing damage
- propane cannons alone are not sufficient; a wide array of measures are needed
- starling pressure is variable and there are times when no or very few starlings are present.



2009 Propane Cannons Review

What we heard from neighbours:

- explosions from propane cannons are very loud, interrupting sleep and affecting health
- the Guidelines are often not followed
- cannons are often used when there is little or no bird pressure
- cannon use needs to be reduced or banned all together

2009 Propane Cannons Review

What we heard from local governments:

- great variation in responses
 - propane cannons are a non issue
 - propane cannons are a serious problem and the provincial government should ban their use
- enforcement; again a variable response
 - no problem to deal with non-compliance
 - not prepared to incur the cost of enforcement; it is a provincial issue

2009 Propane Cannons Review

What we heard from everyone:

- Grower liaison with the BC Blueberry Council (Nazam Dulat)
 - does a great job
 - responds quickly and resolves many concerns
 - needs support



2009 Propane Cannons Review

- BCFIRB made **recommendations** to industry, local governments, and the Ministry of Agriculture
- **11** recommendations to local governments

2009 Propane Cannons Review – Recommendations to local governments

1. That industry groups and local governments work together and with stakeholders* to address the problem of elevated starling populations in the South Coastal Region by implementing a comprehensive response to starling management on a regional level.

SAFETI → Strategic, effective, inclusive

* Farmers, blueberry and dairy/livestock producer associations, neighbours, environmental/naturalist groups, First Nations governments, local government councils, local government agriculture advisory committees, and bird control researchers and experts

2009 Propane Cannons Review – Recommendations to local governments

2. That local governments recognize and respond to the social diversity in their communities by working proactively and inclusively with their farming and non-farming constituents to find solutions to farm practices disputes that work for all members of their local community.

SAFETI → Inclusive

E.g. Abbotsford Social Planning Advisory Committee developing a diversity policy for use by city officials and in the community



2009 Propane Cannons Review – Recommendations to local governments

3. That local governments ... familiarize themselves with the BCMAL guidelines....
4. That local governments, in those municipalities ... where ... effective resolution ... requires a more formal and certain regulatory regime, pursue a regulation to gain access to the farm bylaw provision under the LGA....
5. That all local governments that regulate propane cannons through bylaws provide the BCBC with the name and contact information of at least one enforcement officer
6. That local governments should not pursue a ban on propane cannons ... until they have exhausted all other available means for managing propane cannon conflicts in their community....

SAFETI → Strategic, Accountable, Effective



2009 Propane Cannons Review – Recommendations to local governments

7. That farmers, neighbours, industry organizations, local governments, AACs, and BCMAL all continue their respective efforts to prevent, manage and resolve propane cannon nuisances.
8. That in recognition of the importance of the BCBC Grower Liaison position, these groups work together with BCBC to find a way to continue, and possibly increase, support for the position beyond the 2009 growing season.
9. That all local governments consider the use of planning initiatives and tools such as those included in the edge planning process as a way to improve compatibility between farm and urban land uses.

SAFETI → Strategic, Accountable, Effective

2009 Propane Cannons Review – Recommendations to local governments

10. That all local governments form an AAC that consist of a cross section of the producers within the local jurisdiction, and that councils gain the full benefit of their AAC by referring issues related to their community's agriculture industry to them for their study and recommendations.

SAFETI → Strategic, Effective, Inclusive

11. That all local governments adopt the standardized approach for addressing complaints*, and that information on this approach be communicated widely within their communities and made available to complainants.

SAFETI → Accountable, Transparent

* a) Refer complaint to BCBC Grower Liaison; b) resolution by local government incl. bylaw enforcement; c) BCFIRB complaint process



2009 Propane Cannons Review – Recommendations to local governments

SUMMARY:

1. Regional starting strategy
2. Social diversity
3. Ministry guidelines
4. Farm bylaws
5. Enforcement Officer
6. No ban without due diligence
7. Continue good work
8. Support to BCBC Grower Liaison
9. Planning tools (e.g. Edge Planning)
10. AACs
11. Protocol for complaints (use and communicate)

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THANK YOU

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