

*THE ALBERTA LAND-USE FRAMEWORK AND
THE ALBERTA STEWARDSHIP ACT
Bill 36*



**Government
of Alberta** ■

Land-use Framework

Provincial leadership

Balancing environmental with economic and social considerations

Increased Certainty

- Integrate and coordination of provincial policy
- Align planning/decision making

Encourage stewardship and conservation



LUF Priority Actions

Immediate priorities

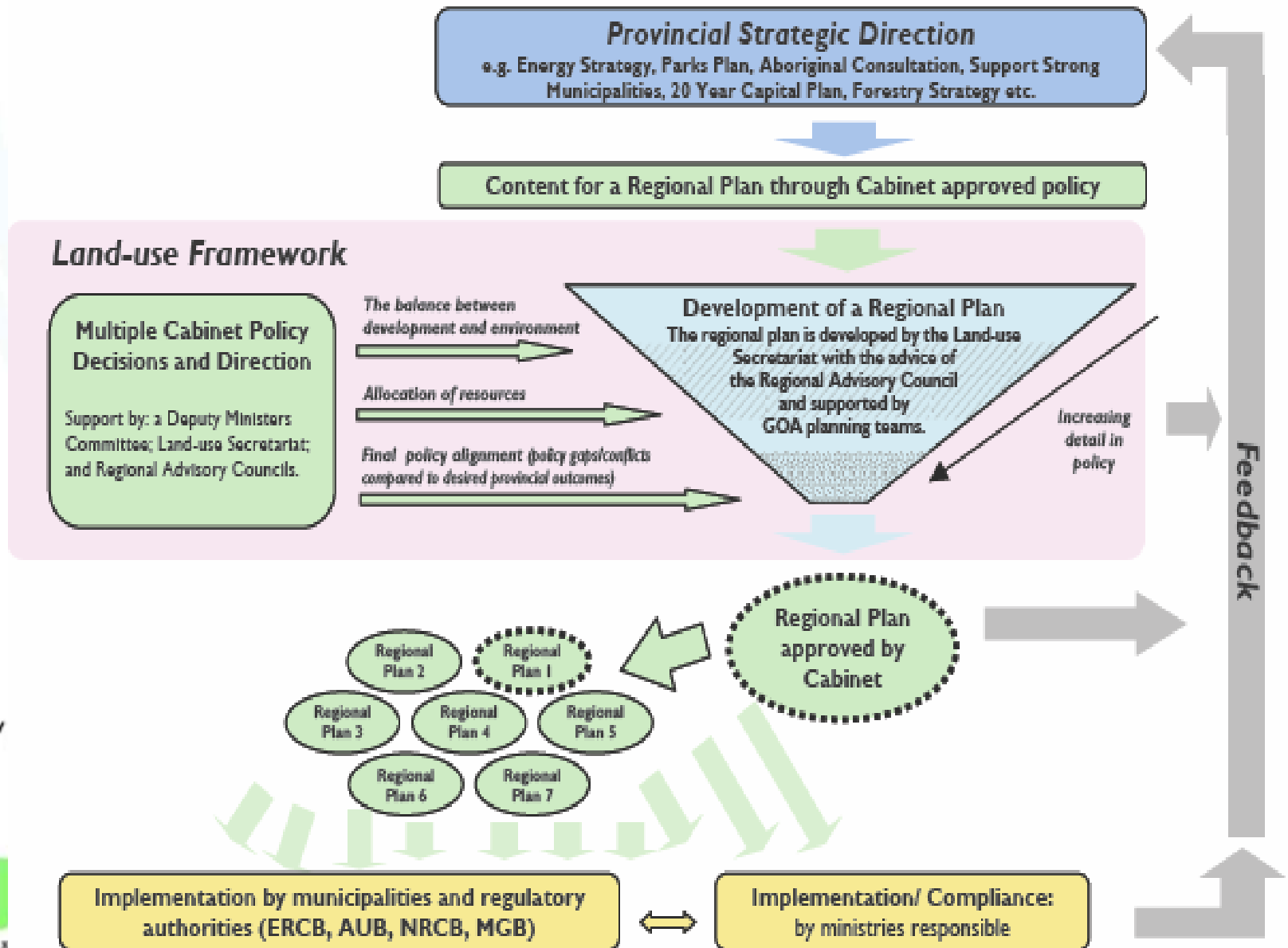
- ❑ Legislation to support the framework, Spring 2009
- ❑ Development of regional plans for South Saskatchewan and Lower Athabasca regions
- ❑ Completion of metropolitan plans for the Capital and Calgary sub-regions

Policy gaps and areas of provincial interest to be addressed

- ❑ Manage subsurface and surface activities
- ❑ Reduce fragmentation and conversion of agricultural land
- ❑ Develop a transportation and utility corridors strategy
- ❑ Manage recreational use of public lands
- ❑ Conserve and protect the diversity of ecological regions
- ❑ Manage flood risk



Land-use Process



Land-use Regions

Lower Peace

Upper Peace

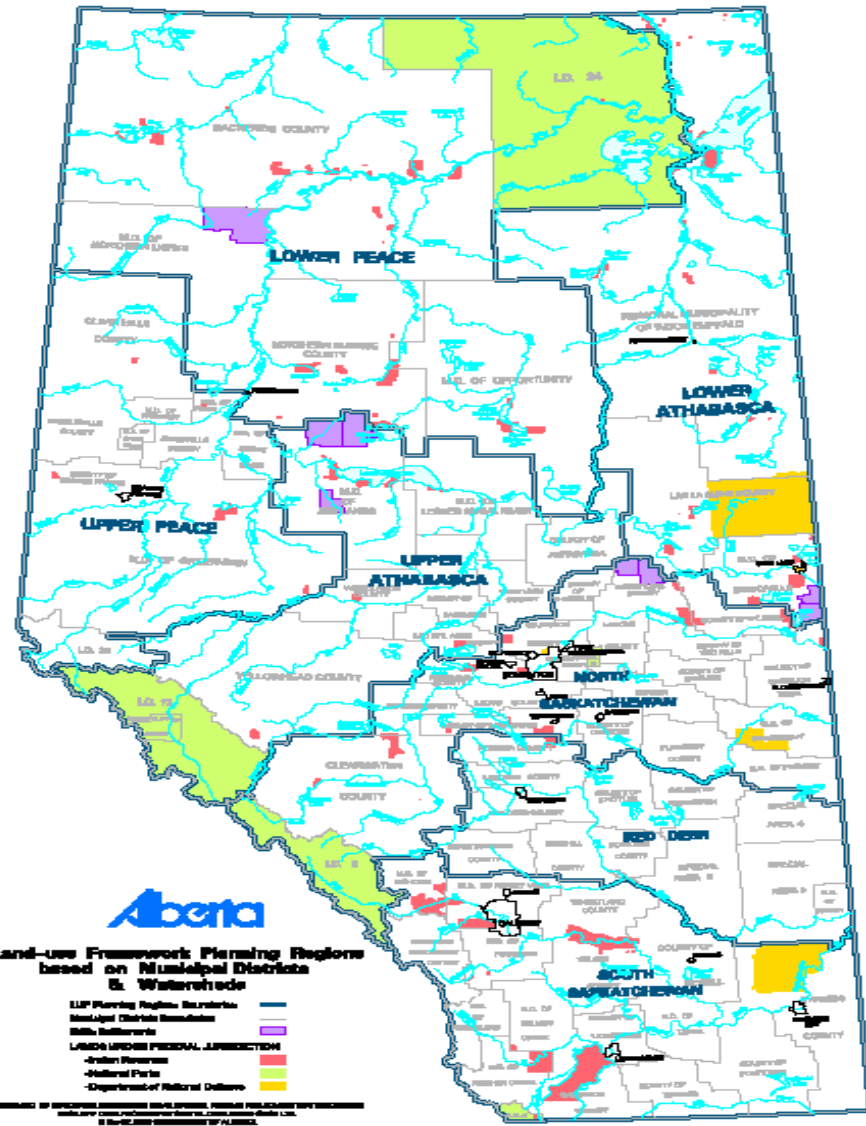
Lower Athabasca

Upper Athabasca

North Saskatchewan

South Saskatchewan

Red Deer



Regional Plans

- Define regional outcomes (economic, environmental and social) and a broad plan for land and natural resource use for public and private lands
- Align provincial strategies and policies at the regional level
- Determine specific trade-offs and appropriate land and natural resource management for specific landscapes within a region
- Define the cumulative effects management approach for the region and identify targets and thresholds



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Land-use Framework: Context for Legislation

- Provincial leadership
- Balancing environmental factors with economic and social considerations
- Integrate and coordination of provincial policy
- Align planning and decision making
- Encourage stewardship and conservation



Purpose

Supports leadership, integration

- a) to provide a means by which the Government can give direction and provide leadership in achieving the objectives of the province, including economic, environmental and social objectives
- b) to provide a means to plan for the future recognizing the needs of current and future generations
- c) to create legislation and policy that enables sustainable development by taking account of and responding to the cumulative effect of human endeavour and other developments

Authority

Lieutenant Governor in Council:

- Direction by Cabinet
- Alignment of planning and decision making with that direction:
 - provincial departments, municipalities, boards (eg. ERCB, NRCB, MGB)

Regional Plans: Foundational Building Blocks of Land-use Framework

- Plan for each of seven planning regions
 - Unique to regional priorities, issues, resources
- Considers advice from Regional Advisory Councils
 - Public, stakeholder, aboriginal consultation
- Developed by government
 - Secretariat support
 - Cabinet direction, decision and approval
- ALSA gives authority to the regional plans
 - Approved plan is public policy for that region
 - Must be complied with
 - Reviewed at least every 10 years
- at least once every 5 years, appoint a committee to evaluate and audit the policies of regional plans to determine whether they are meeting the purposes and deliver a public report



Authority to Create Regions, Plans

Lieutenant Governor in Council:

- Creates planning regions, boundaries
- Decides content of regional plans
 - **Required:** vision, objectives
 - **May contain:** policies, thresholds, specified monitoring, specified actions, and authority to implement,
 - **To implement, may contain:** statements of provincial policy, conservation and stewardship tools, regulatory instruments, land and resource management, conflict resolution, transitional arrangements
- Defines role and function of Secretariat, Regional Advisory Council, and others

Sub-Regional Plans

A regional plan may:

- ❑ authorize preparation of a sub-regional or issue-specific plan
- ❑ adopt or incorporate another plan as a sub-regional plan or issue-specific plan
e.g. Calgary, Capital metropolitan plans

Enforcement of Regional Plans through:

- Other legislation (eg. Public Lands, ERCB)
 - Requires officials under other Acts to follow direction in regional plans and enforce under their legislation
 - eg. Municipal Affairs in relation to municipalities

Regional Plans: Legal Effect

Regional plans are legislative instruments having legal effect

- a) If there is a conflict or inconsistency between a regional plan and a regulation under any Act, the regional plan prevails
- b) If there is a conflict between an Act and a regional plan, the Act prevails
- c) If there is a conflict between the *Alberta Land Stewardship Act* (ALSA) and any other Act, ALSA prevails

Regional Plans: Binding Effect

- Regional plan binds Crown, local government bodies, decision-makers, others
- Business and affairs must comply with regional plan objectives.
- Actions to respond to an emergency do not contravene a regional plan
- Regional plans can provide for exceptions and exemptions

Non-Compliance with Regional Plans

- Enforcement through other legislation
- If no other legislation available, application to remedy a problem can be made to Court

Conservation and Stewardship Tools

ALSA expands tools box to:

Provide options for decision makers

- ❑ Conservation Easements
- ❑ Conservation Offsets
- ❑ Conservation Directives
- ❑ Transferable Development Credits

Consequential Amendments:

Agricultural Operation Practices Act: Ensures compliance with regional plans at the approval stage (**Agriculture and Rural Development**)

Agricultural Pests Act: Regulatory compliance with regional plans (**Agriculture and Rural Development**)

Alberta Utilities Commission Act: Align and enforce regional plans (**Energy**)

Coal Conservation Act: Align and enforce regional plans (**Energy**)

Electric Utilities Act: Independent Systems Operator to align with regional plans (**Energy**)

Energy Resources Conservation Act: Align with regional plans and for enforcement (**Energy**)

Environmental Protection and Enhancement Act: Align and enforce (**Environment/ Sustainable Resource Development**)

Forests Act: Significant amendments (**Sustainable Resource Development**)

Highways Development and Protection Act: Protect views under conservation directives (**Transportation**)

Consequential Amendments: F-N

Historical Resources Act: Prevent double compensation if there is Municipal Historical Resource designation and conservation directive (**Culture & Community Spirit**)

Interpretation Act: Defines ALSA regional plans for all other legislation. Defines “regulation” to include regional plans (**Justice & Attorney General**)

Irrigation Districts Act: Boards to comply with regional plans (**Agriculture and Rural Development**)

Land Assembly Project Areas Act: Gives priority to regional plans (only takes effect if it receives Royal Assent.) (**Transportation?**)

Mines and Minerals Act: Enable enforcement of regional plans (**Energy/Sustainable Resource Development**)

Municipal Government Act: Bylaws, subdivision and development approving bodies comply with regional plans, Minister can enforce: e.g. withhold funds, suspend and make bylaws (**Municipal Affairs**)

Natural Resources Conservation Board Act: Accord with regional plans (**Environment/ Sustainable Resource Development**)

Consequential Amendments: O-P

Oil and Gas Conservation Act: Enforcement of regional plans
(Energy)

Oil Sands Conservation Act: Enforcement of regional plans (Energy)

Pipeline Act: Enforcement of regional plans (Energy)

Post-secondary Learning Act: Accord with regional plans (Advanced Education & Technology/Infrastructure)

Provincial Parks Act: Ensure compliance with regional plan
(Tourism Parks and Recreation/Transportation)

Public Highways Development Act: Protect views under conservation directives (Transportation/ Municipal Affairs)

Public Lands Act: Significant amendments (Sustainable Resource Development)

Consequential Amendments: W-Z

Water Act: Compliance with regional plans
(**Environment/Transportation**)

Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangeland Act: Compliance with regional plans
(**Tourism Parks and Recreation**)

Wildlife Act: Compliance with and enforcement of regional plans
(**Sustainable Resource Development**)

Role of Scenario Modeling in Plan Development

Scenario Modeling used as Decision Support Tool

- Takes the different “what-if” considerations in policy decisions made today and translates them into the corresponding ranges of predicted future impacts these decisions **may** have on the future landscape for the region
- Allows for trade-off considerations to be made by modeling:
 - The cumulative impacts on the landscape over time
 - Social, economic and environmental priorities
- Used as a decision making tool; one input of many

Accessible, accurate, well defined and maintained, time series data is a critical component to scenario modeling and the overall success of LUF.

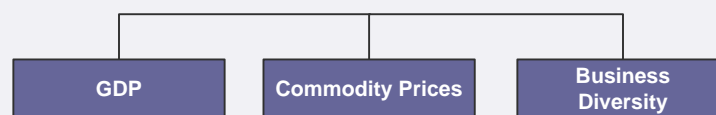
Scenario Modeling Indicators

Modeling Indicators – Sample High-level Themes

Identification of indicators for input into scenario modeling:

- Considers triple bottom line
- At a high-level, is consistent amongst planning regions
- At a more detailed level, is reflective of the issues and priorities of each region

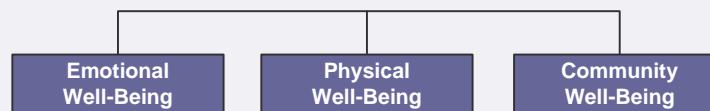
ECONOMIC PERSPECTIVE



ENVIRONMENTAL PERSPECTIVE

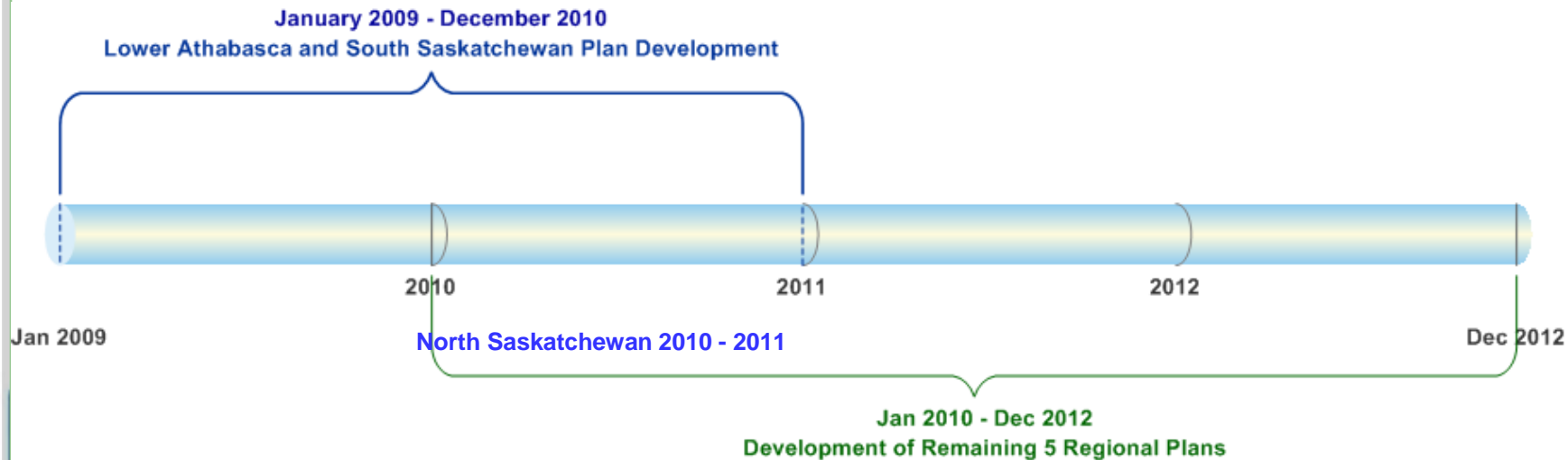


SOCIAL PERSPECTIVE



Implementation Timelines

Timelines



Questions