Someone’s knockin’ at the door…public participation in land use planning in Alberta

Canadian Institute of Resources Law
Public Participation Conference

19 November 2010

Cindy Chiasson
About the ELC

• A charity operating since 1982

• Our mission: To ensure that laws, policies and legal processes protect the environment.

• 2 goals:
  – Good environmental law & policies
  – Effective public participation
“We're waiting for the city to come to us...”
Roots of the Land Use Framework initiative

**Approach to land & resource management**

- multiple use
- project-by-project approval, incrementalism
- impacts of individual projects mitigated
- cumulative effects difficult to deal with
- anti-planning or laissez-faire approach to planning
- patchwork of policy and legal requirements
- “silos” based decision-making
<table>
<thead>
<tr>
<th>What Albertans want...</th>
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<td>• stronger provincial leadership</td>
<td>• better land conservation &amp; stewardship</td>
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<td>• better policy integration &amp; coordination (land, water &amp; air)</td>
<td>• improved land use information sharing</td>
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<td>• greater clarity re: roles &amp; responsibilities of land use decision-makers</td>
<td>• increased consultation &amp; opportunities for public, stakeholders &amp; aboriginal peoples to influence land use policies &amp; decisions</td>
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<td>• improved conflict resolution processes</td>
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Key elements

The Policy: *Land-Use Framework (LUF)*

The Law: *Alberta Land Stewardship Act (ALSA)*

The Details: *Regional Land Use Plans*
Cabinet has complete control over the plan, ToR, and amendments.
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Regulatory hierarchy

If there is a conflict?

- Alberta Land Stewardship Act
  - Amends 27 other acts

- Other Acts

- Regional Plan
  - “Super Regulation”

- Other Regulations
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Enforcement

Day to day decisions of municipalities and government

*ALSA* amends other acts

Decisions must comply with Regional Plan

Non-compliance

Existing appeal processes

Complaint to LUS Commissioner
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Development of regional plans

- Current (done 2010):
  - Lower Athabasca
  - South Saskatchewan

- Stage 2 (done 2011):
  - North Saskatchewan
  - Lower Peace

- Stage 3 (done 2012):
  - Red Deer
  - Upper Peace
  - Upper Athabasca
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Development of regional plans

3 stages of public input

- Initial info sessions
- Draft vision for plan
- Draft plan

Aboriginal consultation separate
Elements of regional plans

**ALSA requirements:**
- Regional vision
- One+ objectives
- All else is optional

**Per terms of reference:**
- Regional profile
- Policy context
- Regional vision statement
- Regional outcomes, objectives & goals
- Strategies, actions, approaches
- Monitoring & reporting
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Scope of plans (so far...)

**Lower Athabasca**
- Primary focus: economic development (oil sands; timber)
- Land conservation – boreal forest
- Thresholds: water & air (NOx & SO2)
- Aboriginal traditional use

**South Saskatchewan**
- Primary focus: population growth; water supply & demand
- Landscape conservation (Eastern slopes)
- Economic growth (agriculture; energy; forestry; recreation & tourism)
- Thresholds: surface water quantity & quality; air
- Aboriginal traditional use
- Major multi-use corridors
### What’s NOT on the RACs’ tables

- Municipal governance
- Aboriginal consultation
- Population limits
- Taxation
- Provincial royalties
- Government expenditures
- Existing laws & regulations
- Water allocation (for S. Sask. region)
Where does the public fit??

- SECRETARIAT & PROJECT TEAM
- CABINET
- REGIONAL ADVISORY COMMITTEE
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Concepts to consider...

Discretion…

vs.

Certainty…
Elements for effective participation

- Opportunity to participate
- Process meets broad needs of interested parties
- Provide necessary information
- Open, transparent & publicly accessible process
Questions? Contact us...

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