



Conservation Reserves

Informal Survey – Summary Results

In January of 2017, the Miistakis Institute contacted several municipal personnel in Alberta with whom we have worked in the past, to informally canvass them on the potential use of the *Conservation Reserve* tool, which was recently introduced with the *Modernized Municipal Government Act*.

It is an informal and 'biased' survey. In our research we had identified an issue that we suspected would drastically limit the use of the Conservation Reserve tool, and wanted to informally test that conclusion.

Question

The same question was put to all:

"It's my contention that the tool is unlikely to be used in its current form because of the need to pay full market compensation (i.e., municipalities had the ability to buy land for conservation before but didn't do so because they did not have the money, and that has not changed).

I have other issues with the way the tool was conceived (you can see my CR rant at http://rockies.ca/newsletter/summer2016_mga.php), but right now I'm trying to canvass people to see if I am off base on this compensation issue.

Do you feel differently?"

A follow up question was posed to those who replied:

"Would the CR tool be more feasible if there was no compensation requirement, but it was subject to percentage limitations like other reserve types?"

Canvassing

This question was sent to 14 people working for municipalities that Miistakis has worked with in the past. Of the fourteen (14), twelve (12) responded; one of those had



included a colleague who also responded, and three surveyed their colleagues before replying.

Across those 12, they collectively represented CAOs, Councilors, parks and conservation staff, planning staff; big cities, small cities, medium cities, towns, MDs, and counties. All were from Alberta.

Responses

Miistakis committed to providing a summary of the responses back, and guaranteed that they would be represented in aggregate, and there would be no attribution of comments.

The notes below were grouped to address themes, and were written to reflect the responses as accurately as possible, but some were modified for clarity or to remove identifying details.

Although there was rigour, there was no “science” behind the selection, sampling, or analysis; this is simply a rough summary of what was said in response to a specific question around the potential use of Conservation Reserves.

Level of agreement

- Eleven of the twelve agreed with the basic assessment that the compensation requirement would prevent them from pursuing the tool
 - One jurisdiction said that, while finding the money would be a challenge, the compensation requirement would not be an immediate barrier to exploring the tool.
- Additional points included
 - The cost of land in the jurisdiction made it prohibitive
 - Municipal funds are generally accumulated for other purposes
 - Taxpayer support for this expenditure would be challenging to achieve
 - Identifying CR at the subdivision stage (as required) runs counter to all good conservation planning principles – namely identify and protect earlier when it’s easier and cheaper
 - This may be a giant step backward with regards to environmental conservation application
 - The compensation requirement seems to have come from Urban Development Institute objection to “land grabs” as they call them for conservation lands as part of subdivision approvals
 - I wonder why the MGA would call a Municipality purchasing land at speculative value any kind of improvement



- Purchasing land might work for smaller sites (rare plant habitat, unique landforms, tree stands), but not for extensive areas needed to maintain wildlife corridors, riparian corridors, etc.
- For all intents and purposes, this is just an over-dedication of MR
- For some communities the idea of paying for conservation is really the larger hurdle than paying for it; once over that ideology issue, the cost issue is related to the scope or frequency of the tools use.
- We are negotiating now for some land purchases that we wouldn't have previously.

Potential solutions and assessments

- The idea of a percentage limit rather than a compensation requirement met with mixed reviews. Several saw it as a viable option, simply a “conservation”-focused ER. Other perspectives included:
 - You’d still be faced with the problem of cases where you need more reserve than the percentage limitation would allow
 - Identifying the percentage limit in advance will be challenging (if it has an MR-type percentage limit, rather than an ER type constraint)
 - Percentage could be based on ecological landscape function (like flood protection)
 - Municipalities struggle to fit all community uses (parks, schools, trail systems, community uses, etc.) into the existing dedications; any ‘extra’ funds go to buying extra MR to meet those commitments and needs.
 - In reality, particularly in urban municipalities, a municipality would virtually never have any percentage left for CR purposes
- The suggestion that Environmental Reserve be expanded to include environmental function, environmentally sensitive lands, etc. was put forward multiple times. Additional comments included:
 - The area required for the dedication of ER is dependent on the area meeting the definition of ER under the Act. Why are environmentally significant features any less valuable to society than ER
- Other suggestions put forward included:
 - An accessible fund to pay for CRs that was contributed to by developers in the region as contemplated in the regional growth plan
 - Some other means to create a fund to purchase these lands
 - Maybe
 - Make sure appropriate land use is attached to the parcel before subdivision (at the ASP stage) so the speculative value is not the compensation value
 - If the lands meet a specific criteria to be considered conservation reserve, they could be acquired at a cost of less than market value



- The Government of Alberta should develop a grant program to aid municipalities in compensating landowners
- Use the same model developers get to buy wetlands for development (if development can pay a relatively small fee to remove ecology, it shouldn't cost municipalities more to protect it).
- I think issues like transfer of development credits (or as I call it the BitCoin of land use planning ;p), density bonusing, or maybe even new/improved tax receipting powers for local governments need to be explored so that we can “pay” (as in benefit) the owner we would be taking the ConReserve from in a manner equivalent to market value, but not necessarily the physical taking of \$\$ from numerous tax payers and giving it as an immediate cash benefit.
- We need to look at ‘other’ currencies (benefits municipalities can provided to developers) local governments have the ability to create since traditional financing has already placed municipal governments over \$123B in deficit for its current infrastructure.

Other issues

- It is unclear whether use of the CR would prevent or confound the use of other tools in the South Saskatchewan Regional Plan (voluntary tools under the Alberta Land Stewardship Act)
- Many expressed that they are scrambling to get their heads around exactly what this new tool is and what it implies
- The relation to, and impact on environmental reserves, is unclear and concerning

