

Alberta Land Stewardship Act

What is the Alberta Land Stewardship Act?

The *Alberta Land Stewardship Act* (ALSA), or Bill 36, clarifies how the land in Alberta can be used in an effort to balance healthy communities with a healthy and protected environment.

The Act cooperates with the Alberta Land-use Framework to give the provincial government the tools necessary to manage and plan Alberta's lands, interests and natural resources.

Why do we need it?

We all have a responsibility to take care of our land and our resources while our population expands and advances. ALSA sets out a unified and fair method of balancing community development across the province with the continued protection of our environment.

The Act allows for greater conservation of our lands and natural resources through tools such as conservation offsets, easements and directives, and transfer of development credits. With separate regions working simultaneously toward a common goal, it will be easier to reach provincial environmental objectives.

How does it work?

Under ALSA, Alberta is divided into seven regions based on existing watersheds, and each regional plan will set out the vision and objectives for its territory. Under each plan, activity is monitored to ensure we are using our resources and our land in a way that is fair to both the community and the environment.

The regional process is as follows:

1. Each of the seven regions has an appointed Regional Advisory Council, consisting of Albertans with a wide variety of expertise and experience in the region, that provides informed input on the regional plan
2. The local government provides direction on strategies and policies it feels should be included in its regional plan
3. The Regional Advisory Council provides advice on objectives, strategies and a vision for the plan
4. The Government of Alberta comes up with a draft regional plan based on its initiatives and the advice from the Regional Advisory Council
5. Local government provides feedback on the draft plan
6. Public, stakeholder and Aboriginal consultations are held
7. The Government of Alberta reviews the feedback from the consultations and creates a final plan
8. Local government assesses and approves the final plan

9. After the plan is put into effect, it will be reviewed every five to 10 years to ensure its currency

When did ALSA come into effect?

The plan came into effect in October 2009 and was amended by Bill 10, the *Alberta Land Stewardship Amendment*, in March 2011.

Does it affect me?

This plan affects all Albertans, as we all have a responsibility to maintain and manage our land and natural resources appropriately.

What if it affects my land?

If you own land affected by a regional plan, your property rights as detailed by common law and legislation will be protected.

The government must follow the appropriate procedures outlined by law and by ALSA:

- There must be evident public policy need for the land
- The government must participate in a fair decision-making process
- You must be provided with any compensation you are legally entitled to under local authority

Your freehold mineral rights and land title will not be negated, and any decisions affecting your land will be made only by an official governing body.

How will ALSA affect Aboriginal Albertans?

Aboriginal communities holding constitutionally protected rights are an indispensable sector of knowledge regarding land-use and will be consulted as such.

How does ALSA change current land-use policy?

Municipalities, local government, parks, industry and the service sector will operate and make decisions as normal, but will align their plans with the goals set out in their corresponding regional plan.

What if there is a conflict between ALSA and another law?

Over 25 existing laws regarding land use have been amended to avoid any potential conflicts with ALSA, with significant changes made to the *Forests Act*, the *Municipal Government Act* and the *Public Lands Act*.

In the event of a conflict between ALSA and another law, ALSA will take precedence.

Who is responsible for the development of ALSA?

Because all land in Alberta is affected by ALSA, all Albertans have a responsibility to provide feedback during public information sessions and to ensure the rules and regulations set out in each regional plan are followed. In addition, the Regional Advisory Council is responsible for providing input in the development of each regional plan and the Lieutenant Governor in Council is responsible for developing and approving each regional plan. The Land Use Secretariat will help develop plans for Cabinet approval as well as supervise the planning process.

What is Bill 10?

Bill 10, the *Alberta Land Stewardship Amendment*, was introduced in March 2011 to clarify and amend the *Alberta Land Stewardship Act*, or Bill 36.

Under Bill 10, the updated *Alberta Land Stewardship Act*:

- Clarifies the description of the Act and the definition of statutory consent
- Specifies that property rights and other rights of Albertans will be honoured
- Specifies that the Act won't limit the ability of landowners to appeal and won't deny them legal compensation rights
- Ensures statutory consent holders are given ample notice of any projected compensation
- Outlines the compensation available to Albertans directly affected by a regional plan
- Guarantees public consultation prior to the implementation or amendment of regional plans
- Specifies which parts of the regional plans are there for legal reasons and which are there as public policy
- Indicates that regional plans can institute laws under the jurisdiction of the local government
- Clarifies that development permits already approved and underway or completed cannot be revoked by a regional plan
- Provides that Albertans who are directly affected by a regional plan have one year after its initiation to request that the plan be reviewed
- Adds that developments differing from the regional plan may still be allowed, if need be

For more information on the *Alberta Land Stewardship Act*, please visit www.landuse.alberta.ca.