

AAMDC Spring 2017 Resolutions

- 1) Call to Order
- 2) Appointment of Parliamentarian
- 3) Acceptance of Order Paper
- 4) Resolution Session

- 1-17S Carbon Levy Exemption of Natural Gas and Propane for All Food Production Uses** (*MD of Willow Creek*)
- 2-17S Amendments to Section 348 of the *Municipal Government Act*** (*County of Two Hills*)
- 3-17S National Broadband Strategy** (*Parkland County*)
- 4-17S Collection of Outstanding Taxes for Education Requisitions From the Province of Alberta** (*MD of Spirit River*)
- 5-17S Secure Access to Natural Gas Pipelines** (*Lac La Biche County*)
- 6-17S Addendum to the *Species at Risk Act*** (*MD of Willow Creek*)
- 7-17S Eradication of Bovine Tuberculosis and Brucellosis Prevalent in Bison Within and Surrounding Wood Buffalo National Park** (*Mackenzie County*)
- 8-17S Oldman River Regional Services Commission Regional Planning Funding** (*MD of Willow Creek*)
- 9-17S Legal Opinion for Species at Risk Proposed Policies** (*County of Warner*)
- 10-17S Modernization of Alberta Registry Agents** (*Cardston County*)
- 11-17S Review of Standard Practices for Installation of High Tension Cable Barriers on Two-Lane Provincial Highways** (*County of Barrhead*)
- 12-17S Support for a Disaster Recovery Program in Support of the Agriculture Sector** (*Brazeau County*)

- 5) Acceptance of Emergent Resolutions (if needed)
- 6) Vote on Emergent Resolutions (if needed)
- 7) Closing of Resolution Session

Resolution 1-17S

Carbon Levy Exemption of Natural Gas and Propane for All Food Production Uses

MD of Willow Creek

*Three-fifths Majority Required
Individual Resolution*

WHEREAS the *Climate Leadership Implementation Act* effective January 1, 2017 states that every recipient shall pay a carbon tax on purchases of natural gas and propane; and

WHEREAS as purchasers, farmers cannot pass the additional cost of a carbon tax on to consumers or the international market; and

WHEREAS programs are in place through the Climate Leadership Plan to help farm operations reduce their emissions through efficiency upgrades; and

WHEREAS farmers use natural gas and propane for the production of food e.g. grain drying, irrigation, milk parlours, hog barns, chicken barns, greenhouses, etc.; and

WHEREAS farmers are exempt on marked fuel by way of the carbon levy exemption certificate; and

WHEREAS farmers create a tremendous carbon sink with their production of crops;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties appeal to the Government of Alberta to provide carbon levy exemption certificates for the use of natural gas and propane for all food production uses.

Member Background

Alberta's food producers are outstanding at feeding the population of the Province as well as contributing to the needs of the world. They are in a position of accepting what the consumer will pay for their production. They have no way of recovering extra costs such as added taxes.

Consumption of fossil fuels is a necessity for the many facets of food production in Alberta. While using these fuels to raise crops they are creating a huge carbon sink which has not been addressed in the Climate Leadership Plan.

The Government of Alberta has fortunately exempted marked fuels from the new carbon tax but the consumption of natural gas and propane for food production has been overlooked. All fuels used for food production should be exempt.

AAMDC Background

2-16F: Exemption of Municipalities from Carbon Levy

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request the Government of Alberta to exempt all municipalities in Alberta from the carbon levy.

DEVELOPMENTS: Awaiting government response.

6-16F: Carbon Levy Exemption on Natural Gas and Propane Used for Agricultural Operations

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta amend the *Climate Leadership Implementation Act* to exempt farming operations from the carbon levy on natural gas and propane.

DEVELOPMENTS: Awaiting government response.

Amendments to Section 348 of the *Municipal Government Act*

County of Two Hills

*Three-fifths Majority Required
Individual Resolution*

WHEREAS Section 348 of the *Municipal Government Act* (MGA) states:

Taxes due to a municipality

- (a) are an amount owing to the municipality,
- (b) are recoverable as a debt to the municipality,
- (c) take priority over the claims of every person except the Crown; and

WHEREAS Section 284(1)(f) defines Crown as:

“Crown” means the Crown in right of Alberta, and includes a Provincial agency as defined in the *Financial Administration Act* and an agent of the Crown in right of Alberta; and

WHEREAS the Agricultural Financial Services Corporation (AFSC) falls under the definition of Crown; and

WHEREAS in instances, the Crown may take priority over claims of every person; and

WHEREAS the AFSC has asserted that as a Crown corporation, they take precedence over municipalities in the recovery of taxes according to Section 348 of the MGA; and

WHEREAS Section 348 of the MGA has the potential to seriously impede municipality’s ability to collect unpaid taxes; and

WHEREAS AFSC is a lending institution and has the ability to do their due diligence, therefore all risk should be burdened by all provincial taxpayers not just a municipality;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta amend Section 348 of the *Municipal Government Act* to reflect that no Crown lending institutions be allowed to take priority over any claims due to the municipality.

Member Background

An entity in the County of Two Hills is in receivership and the corporations that initiated the receivership include Agricultural Financial Services Corporation (AFSC). The entity was sold in the receivership. AFSC had loaned this entity more money than was received in the sale. The sale proceeds are enough to pay the outstanding municipal taxes (which are over one million dollars) with a small amount left over. AFSC has taken the position that under Section 348 of the MGA, it is entitled to recover its secured claim before the municipality. The effect of this position has the potential to wipe out any recovery for the municipality.

The County is concerned about the position being taken here and question if this position is going to be taken in other receiverships going forward. It has the potential to seriously impede a municipality’s ability to collect unpaid taxes which is becoming a significant issue in Alberta. It is understood that risk needs to be shared amongst taxpayers, but in this case, the burden will be borne disproportionately by the municipal residents because the municipality has no choice but to provide municipal services to its residents and businesses. AFSC on the other hand has the ability to do due diligence and chose to make loans.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

National Broadband Strategy

Parkland County

*Simple Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS broadband is recognized as an essential utility by communities and jurisdictions throughout the world; and

WHEREAS many rural, remote, and northern communities in Canada continue to be unserved or underserved by internet service providers; and

WHEREAS internet service in rural, remote and northern communities is slower, has less bandwidth and is more expensive than services in urban centres; and

WHEREAS many jurisdictions are implementing programs and initiatives that leverage network-based technologies to strategically improve services to residents, enable businesses to become globally competitive, incubate a knowledge workforce and enhance social capacity; and

WHEREAS the success of these communities is reliant upon the availability of high speed, high capacity bandwidth internet connectivity;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the governments of Alberta and Canada declare broadband an essential service; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the governments of Alberta and Canada provide direct funding and support to rural, remote and northern communities to ensure affordable access to, or the development of, high speed (100 Mbps and faster) community network infrastructure; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge Government of Canada develop a national broadband strategy; and

FURTHER BE IT RESOLVED that rural municipalities, internet service providers, education and health professionals, public safety organizations, and research and economic development authorities be actively involved in preparing the National Broadband Strategy.

Member Background

Despite different provincial and federal programs, many rural, remote and northern communities (RRNC) remain unserved or underserved in terms of access to high-speed internet. With vast geographical expanses and low population densities, internet service providers (ISPs) do not have a business case to invest in these communities. Residents and businesses in RRNC with internet service often contend with slower speeds and pay higher costs for service than their urban counterparts.

Access to high-speed, high capacity internet service at an affordable price is vital to facilitate local economic development and for the provision of cost-efficient and effective public services. It is crucial that RRNC have the mobile networks, broadband connections and open data platforms that allow stakeholders to advance their individual needs and for the betterment of the community at large. Increased broadband speed with high capacity will help existing local businesses grow and become participants in the digital economy. Unfortunately, policy discussions on broadband have been focused on increasing access, not investing in and leveraging broadband for economic, social and community development.

High-speed, high capacity broadband also enables all levels of government to deliver public services in the most financially responsible manner. Governments need higher bandwidth to serve evolving video, image, data and voice requirements to provide the numerous services residents expect.

The 2016 federal budget announced a new \$500 million program for rural and remote community broadband funding over the next five years with an uninspiring and unambitious target of 5 Mbps down/1 Mbps up. With the rapid advancements in information and communications technology (ICT), changing patterns in internet consumption such as video streaming and increased utilization and movement of data packets, the identified targets will leave Canada in a compromised position globally. With broadband consumption growing at annual rates up to 50%, and a failure to invest in and support a robust broadband network, we will continue being internet viewers rather than broadband contributors and innovators in the digital economy.

A recent study from the Organization for Economic Cooperation and Development (OECD) states “Canada has amongst one of the world’s slowest Internet speeds (ranking 33rd) and highest costs around the world” (August 15, 2013). Further, from 2002 to 2012, Canada fell from 2nd to 13th for wired broadband connections. Without a deliberate and focused broadband strategy, people without 21st century broadband will be left behind; it will come at a significant cost. The digital divide and the inequity between RRNC and their urban counterparts’ access to internet will create the new disenfranchised underclass.

Many jurisdictions have made substantial investments in broadband recognizing the enormous benefits that will be derived. While many of these have high population densities, looking at Australia with a population density of 3.1 people/square kilometer and their commitment to broadband and comparing it to Canada which has a population density of 3.6 people/square kilometer illustrates the lack of commitment made in this country.

In 2009, Australia announced a commitment to build the National Broadband Network (NBN) - (US \$44.1 billion) extending high-speed optical fiber directly into the homes, schools, and workplaces of 93 percent of Australians. A 2013 report concluded that the NBN would provide job opportunities, time savings, and other benefits worth, on average, AU \$3800 (US \$3600) per household per year by 2020. The cost was approximately AU \$1900 per household. Although polls showed that the majority of voters supported the project, after the 2013 election the initiative was scaled back but still brings fibre optics to all new developments.

AAMDC Background

3-15S: Review of Alberta SuperNet Agreement with Axia SuperNet Ltd.

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that Service Alberta not renew the Axia SuperNet Ltd. agreement until a complete examination of how the Alberta SuperNet can be managed in such a way as to promote a cost competitive, reliable, sustainable and Alberta-based solution for fibre optic internet services which meets the increasing demand for high speed internet service within the Province of Alberta with sufficient emphasis to rural connectivity.

DEVELOPMENTS: The Government of Alberta is currently in the process of developing an RFP for a new SuperNet operator when Axia’s contract expires in 2018. As part of this process, Service Alberta has engaged the AAMDC and other stakeholders to better understand the current weaknesses of the SuperNet in connecting public sector institutions and supporting the development of rural broadband connectivity.

Because Service Alberta has acknowledged flaws in the current SuperNet and challenges in how it is operated by Axia, and has expressed a commitment to improving SuperNet in the future, this resolution is assigned a status of Accepted in Principle, and will be reviewed when a new operating agreement is signed.

8-14F: Improvement of High-Speed Internet Services in Rural Alberta

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties lobby the Government of Alberta to make the investments necessary to improve high-speed internet services in rural Alberta.

DEVELOPMENTS: The Government of Alberta and the Government of Canada are currently in the process of administering several programs intended to improve high-speed internet service in rural Alberta.

The Government of Alberta is in the process of developing an RFP to seek a new SuperNet operator when the current contract with Axia expires in 2018. Service Alberta has worked with the AAMDC and other stakeholders to identify weaknesses with SuperNet, and are committed to improving it through the new operating agreement.

Alberta Economic Development and Trade are currently undertaking a joint project with the University of Alberta to develop an educational resource for municipal officials in rural and small urban municipalities that will consolidate relevant regulatory, funding, and technical information to assist them in taking local steps to improve broadband access in their communities.

In the 2016 federal budget, the Government of Canada committed \$500 million over five years to improve rural broadband access and connectivity to the digital economy. Details of the program are not yet available, but funding is expected to start flowing in late 2016 or early 2017.

Both the provincial and federal government are taking steps to improve rural internet service. However, all of the strategies and programs described above have yet to be completed, and their effectiveness is not yet known. As the final product has not shown any improvements at this time, this resolution is assigned a status of Intent Not Met, and will be revisited as these programs progress.

Collection of Outstanding Taxes for Education Requisitions From the Province of Alberta

MD of Spirit River

*Three-fifths Majority Required
Endorsed by District 4 (Northern)*

WHEREAS the Government of Alberta annually establishes the mill rate that the municipalities are required to collect and pay into the Alberta School Foundation Fund (education property tax) on properties assessed within the municipalities; and

WHEREAS each municipality can collect education property taxes along with other taxes to operate the municipality at various times during the year, and are therefore asked to submit payment quarterly to the Government of Alberta; and

WHEREAS some of these taxes become in default and are no longer collectible leaving the municipality to recover the amount owing through the seizure of land and assets; and

WHEREAS tax recovery through the seizure of land and assets is not always an option, particularly in relation to linear property such as on oil leases on leased property; and

WHEREAS this inability to exercise tax recovery processes on some linear property leaves the municipality with bad debt for the tax burden to operate the municipality along with the debt of the education property taxes that they are required to collect by the Government of Alberta; and

WHEREAS the municipality is only acting as an invoicing and collection agency for the Government of Alberta to collect education property taxes on their behalf;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta develop new tools or utilize existing mechanisms to ensure that municipalities that are unable to collect education property taxes through the tax recovery process be exempted from forwarding those uncollectible tax amounts to Alberta Education, or have the uncollectible amount refunded.

Member Background

As a collection agency for school taxes we must pay our requisition quarterly whether we are able to collect that taxation or not. Some oilfield companies have defaulted, leaving nothing that could be converted into cash to offset the taxes outstanding. This also leaves the amount of the school taxes as a burden of the municipality when it was not designed to be so. The municipality has been burdened by the Government of Alberta to collect and forward school taxes; if uncollected these school taxes now become a burden of the municipality that they cannot collect.

AAMDC Background

3-16S Recovery of Linear Property, Commercial Property, and Education requisition Tax Arrears

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) request the Government of Alberta to amend the Municipal Government Act (MGA), and other provincial legislation to broaden the tax recovery power of municipalities to collect linear property taxes by granting a lien in favour of the municipality as follows:

A lien equivalent to that granted to the Alberta Energy Regulator (AER) by s. 103 of the Oil and Gas Conservation Act (OGCA) that being: "on the debtor's interest in any well, facilities, and pipelines, land or interests in land, including mines and minerals, equipment and petroleum substances" and the power to garnish funds owed to the debtor;

A lien which ranks in priority (or equivalent) to the lien granted in favour of the AER by s. 103(2) of the OGCA;

FURTHER BE IT RESOLVED that the AAMDC requests the Government of Canada to amend the federal Bankruptcy and Insolvency Act to recognize municipal linear property taxes and other municipal non-property taxes as a secured interest in priority to other unsecured interests;

FURTHER BE IT RESOLVED that the AAMDC request the Government of Alberta to provide a credit reimbursement to compensate for the education property taxes that become uncollectable due to linear and commercial property bankruptcy.

DEVELOPMENTS: Alberta Municipal Affairs has convened an inter-ministry working group consisting of representatives from Municipal Affairs, Energy, Treasury Board and Finance, Education, and the AER. The purpose of this working group is to address the concerns identified in resolution 3-16S and resolution 5-15F. More specifically, the working group is exploring how the suite of tools available to municipalities to recover unpaid linear property taxes could be expanded, as well as possible legislative or regulatory solutions to relieve or exempt municipalities from paying provincial education property tax requisitions on linear properties in which the municipality has not been able to gather tax revenues from the property owner. This resolution is assigned a status of Accepted in Principle and will be revisited as the working group progresses.

5-15F: Recovery of Linear Property Tax Arrears

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) requests the Government of Alberta to amend the *Municipal Government Act* (MGA), and other provincial legislation to broaden the tax recovery power of municipalities to collect linear property taxes by granting a lien in favour of the municipality as follows:

- a) A lien equivalent to that granted to the Alberta Energy Regulator (AER) by s. 103 of the *Oil and Gas Conservation Act* (OGCA) that being: "on the debtor's interest in any well, facilities, and pipelines, land or interests in land, including mines and minerals, equipment and petroleum substances" and the power to garnish funds owed to the debtor;
- b) A lien which ranks in priority (or equivalent) to the lien granted in favour of the AER by s. 103(2) of the OGCA; and

FURTHER BE IT RESOLVED that the AAMDC requests the Federation of Canadian Municipalities to request the Government of Canada to amend the federal *Bankruptcy and Insolvency Act* to recognize municipal linear property taxes and other municipal non-property taxes as a secured interest in priority to other unsecured interests;

FURTHER BE IT RESOLVED that the AAMDC request the Province of Alberta to provide a credit reimbursement to compensate for the Education Property Taxes that becomes uncollectable due to linear property bankruptcy.

DEVELOPMENTS: In the recent response to resolution 3-16S, Alberta Municipal Affairs has indicated steps moving forward to address a number of issues that result from the non-payment of taxes, specifically those related to linear and other industrial property. Alberta Municipal Affairs has convened an inter-ministry working group consisting of representatives from Municipal Affairs, Energy, Treasury Board and Finance, Education, and the AER. The purpose of this working group is to address the concerns identified in resolution 3-16S and resolution 5-15F. More specifically, the working group is exploring how the suite of tools available to municipalities to recover unpaid linear property taxes could be expanded, as well as possible legislative or regulatory solutions to relieve or exempt municipalities from paying provincial education property tax requisitions on linear properties in which the municipality has not been able to gather tax revenues from the property owner. This resolution is assigned a status of Accepted in Principle and will be revisited as the working group progresses.

Resolution 5-17S

Secure Access to Natural Gas Pipelines

Lac La Biche County

*Three-fifths Majority Required
Endorsed by District 5 (Edmonton East)*

WHEREAS sourcing of natural gas is a high priority of municipalities and natural gas co-ops in rural Alberta in order to serve our residents; and

WHEREAS high volumes of natural gas are available through privately-owned pipelines; and

WHEREAS rural municipalities and gas co-ops use privately-owned, high-pressure pipelines to supply natural gas to their customers and constituents; and

WHEREAS some privately-owned pipelines are being abandoned because they are no longer viable for the owner; and

WHEREAS rural municipalities and gas co-ops face additional costs and uncertainties because of these abandonments; and

WHEREAS these uncertainties limit cost-effective planning and expansion of natural gas systems for rural municipalities and gas co-ops;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties, in conjunction with the Federation of Alberta Gas Co-ops and Gas Alberta, request the governments of Canada and Alberta to develop legislation and provide financial assistance to maintain certainty of access to natural gas pipelines for rural municipalities and gas co-ops in Alberta.

Member Background

Oil and gas companies are the current owners of the Alberta Gas Trunk Line (AGTL) and Nova pipeline facilities built across Alberta generations ago.

Across Alberta, many towns, villages, counties and rural natural gas co-ops have used these pipelines and facilities to supply natural gas to their communities. Many of these pipelines have become uneconomic to operate for their owners and are being scheduled for closure and abandonment. Some of these are located in Lac La Biche County.

If these abandonments are allowed to continue, rural Albertans will have to absorb additional costs for new infrastructure to replace the abandoned pipelines. In Lac La Biche County's case, a potential line abandonment would cost the local gas co-operative \$410,000 for a new regulating/metering/odourizing station plus pipeline costs to the new location and limit any needed expansion of the Hamlet of Lac La Biche's natural gas system for future needs.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Addendum to the Species at Risk Act

MD of Willow Creek

*Three-fifths Majority Required
Endorsed by District 1 (Foothills Little Bow)*

WHEREAS Section 92. 13 of the *Constitution Act 1867* provides exclusive jurisdiction to the Province over property and civil rights; and

WHEREAS the Third Schedule of the *Constitution Act 1867* provides for the jurisdiction of the Central Government "to be the Property of Canada", namely

1. *Canals, with Lands and Water Power connected there-with.*
2. *Public Harbours.*
3. *Light Houses and Piers, and Sable Island.*
4. *Steamboats, Dredges, and Public Vessels.*
5. *Rivers and Lake Improvements.*
6. *Railway and Railway Stocks, Mortgages and other Debts by Railway Companies.*
7. *Military Roads.*
8. *Custom Houses Post Offices, and all other Public Buildings, except such as the Government of Canada appropriate for the Use of the Provincial Legislatures and Governments.*
9. *Property Transferred by the Imperial Government, and known as Ordnance Property.*
10. *Armouries, Drill Sheds, Military Clothing, and Munitions of War, and the Lands set apart for general Public Purposes." (which might include National Parks; added by writer); and*

WHEREAS Section 27(2) of the *Species At Risk Act (SARA)* states that Land Claim Agreements only apply to Aboriginals (Section 35, *Constitution Act 1982*); and

WHEREAS Section 58 (1) of SARA gives federal jurisdiction on federal lands; and

WHEREAS Section 61 (4) of SARA provides for federal jurisdiction over provincial laws it deems not to be sufficient; and

WHEREAS Section 62 of SARA states that the Government may acquire lands or interest in lands to accommodate Protection Orders, programs or designations; and

WHEREAS Section 64 of SARA states that the Minister may, in accordance with the regulations, provide for fair and reasonable compensation to any person for losses suffered as a result of any extraordinary impact of the application of....." (*The Minister then has total discretion of what defines 'extraordinary impact'*);

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to request the Government of Canada to amend the *Species at Risk Act* to include an addition to Section 64 of the Act to be entered as 64 (1)(c), to read as follows:

"The Minister(s), before implementing any order, plan, program, or designation that affects any proprietary interest in lands, held by title or leased, by any individual, corporation or entity other than government, shall enter into an agreement to establish the compensation for the loss of interest in those lands including relative legal expenses, or the loss of productivity of those lands, and for greater certainty, no order, plan, program, or designation shall be in force until the agreement is ratified by all parties involved."; and

FURTHER BE IT RESOLVED that Government of Alberta reaffirm to the Government of Canada that any action, program, plan, order, or designation contrived by the federal government that affects any lands or properties that are not within the proprietary responsibility of the Government of Canada as set out in Schedule Three of the *Constitution Act 1867*, will have no force or effect and

considered ultra-vires to the Supreme Law of Canada as referenced by Section 92.13 *Constitution Act 1867* and assuredly, Section 52 of the *Constitution Act 1983*.

Member Background

The MD of Willow Creek has a wealth of species considered at risk. Grizzly Bear, Wolves, Limber Pine, White Pine, Fescue grasses, various birds, aquatic insects, and various fishes, all existing today because there are many good stewards of the land. The Federal *Species at Risk Act* (SARA) in the minds of our Municipality, will not be effectual in preserving species or habitat because it (SARA) is a liability to livelihood without adequate compensation. It is also questionable as to whether it (SARA) is legitimate constitutionally.

“The purposes of the Species at Risk Act (SARA) are to prevent wildlife species in Canada from disappearing, to provide for the recovery of wildlife species that are extirpated (no longer exist in the wild in Canada), endangered, or threatened as a result of human activity, and to manage species of special concern to prevent them from becoming endangered or threatened. A series of measures applicable across Canada provides the means to accomplish these goals. Some of these measures establish how governments, organizations, and individuals in Canada work together, while others implement a species assessment process to ensure the protection and recovery of species. Some measures provide for sanctions for offences under SARA.” (Quote: Environment and Climate Change Canada)

The ‘Species at Risk Act’ (SARA) 2002 has its’ roots in an agreement between 178 leaders attending the Earth Summit of 1992 held in Rio de Janeiro. Agenda 21 was the product of that summit and although it is not binding nor had formal signatories, it has become the ‘modus operandi’ of environmental and socio-economic NGOs and governments. Maurice Franklin Strong, a Canadian, was the “Conference Secretary General”. Mr. Strong was very well acquainted with Prime Minister Jean Chretien and his Environment Minister David Anderson, the man responsible for SARA. Mr. Chretien announced publicly, “Canada has reached its obligations agreed to at the Earth Summit in Rio.” Mr. Strong continued, influencing Paul Martin during Martin’s tenure as a member of parliament and eventually Prime Minister in 2003.

Agenda 21 was agreed to without consulting or engaging the Canadian citizenry. SARA provides for criminalization of previously legitimate activity on lands if it is determined to be detrimental to the habitat of a species of concern. That has the potential to completely negate lands for production purposes. Compensation under Section 64 of SARA does not guarantee compensation for the loss of productivity or the diminishment of proprietary interest as it is at the discretion of the Minister.

(Re.: Quote from Alberta Land Institute)

“The federal *Species at Risk Act* (SARA) provides another example of the Canadian approach to compensation. Under SARA, where a species has been listed by the federal government as endangered or threatened, no person may destroy any part of its critical habitat. Although the Act authorizes lands use restrictions that can be quite harsh, SARA allows compensation only where the prohibition against the destruction of habitat has an “extraordinary impact”.

In 1864, a document called the “Quebec Resolutions” was delivered to the Imperial Government in England to provide for a Constitution for British North America. It is noted that the resolutions were modified to give more powers to the Provinces, especially regarding “Property and Civil Rights” before it was returned in 1867. The Crown and the Imperial Government did not trust a centralist approach to land management. Their history had taught them well. General John Lambert (under Cromwell 1653) is credited for the ‘Westminster Style of Government’ and he saw it as fundamental; ‘the Landlord and commoner must be represented and left whole regarding his property or the foundations of governance thus conceived, would not endure.’

It is apparent that the Central Government of Canada is using criminal law to circumvent provincial jurisdiction. It is the Provinces’ exclusive responsibility to make laws regarding the civil activity on lands.

AAMDC Background

15-16F: Species at Risk and the Need for an Overall Socio-Economic Impact Assessment

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties works with the Government of Alberta in a timely fashion, to complete an overall Socio-Economic Impact Assessment based on all the species at risk recovery plans and retention plans currently affecting the operations of all industries in the Province of Alberta, including but not limited to oil and gas, forestry, agriculture, tourism and mineral exploration.

DEVELOPMENTS: Awaiting government response.

16-15F: Species at Risk Act (SARA)

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties facilitate a round table discussion with representation from the federal Environment Minister and provincial Environment Minister to rebuild the current *Species at Risk Act* to improve it in a way that seeks a balanced and cooperative approach (economic, environmental, and social) to species protection that focuses on ecosystem protection; limiting impact on agriculture, industry, rural development, and land use in Alberta.

DEVELOPMENTS: The Government of Alberta response indicates a willingness to work with the AAMDC and the federal government to take a collaborative approach to aligning species at risk protection with the need to address social and economic impacts. This is encouraging and will be followed up on by the AAMDC. As a response from the Government of Canada has not yet been received, this resolution is assigned a status of Incomplete Information. The AAMDC is continuing advocacy efforts at the provincial and federal levels to move this issue forward.

4-14S: Species at Risk Act

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and the Government of Alberta lobby the federal government to repeal the current Species at Risk Act and rebuild it in a way that better respects the socio-economic reality, seeking a balanced approach (economic, environmental, social).

DEVELOPMENTS: The response received from Environment Canada outlined the Ministry's recovery strategy and supporting action planning process for endangered and threatened species under the *Species at Risk Act* (SARA). The action planning stage includes evaluating the social and economic costs and benefits of actions and the integration of provincial management plans. Though this process works towards the request of this resolution, a recovery strategy is not a regulatory document and as such, it lacks enforcement. Based on this information, the AAMDC assigns this resolution a status of Intent Not Met and will continue to advocate to the federal government and assess Environment Canada's process to seek a balanced approach to enforcement and implementation related to SARA.

Resolution 7-17S

Eradication of Bovine Tuberculosis and Brucellosis Prevalent in Bison Within and Surrounding Wood Buffalo National Park

Mackenzie County

*Simple Majority Required
Endorsed by District 4 (Northern)*

WHEREAS nationally, wood bison are listed as Threatened under Schedule 1 of the federal *Species at Risk Act*, and designated as of Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC); and

WHEREAS in Alberta, only free-roaming bison that occur within Alberta's Wood Bison Protection Area are considered endangered wildlife; and as such are recognized and protected under Alberta's *Wildlife Act*; and

WHEREAS the Government of Alberta's inability to formally protect all other free-roaming bison-under the *Wildlife Act* leaves these animals vulnerable to year-round unregulated hunting, successful hunters at risk of harvesting wildlife with zoonotic diseases, and other wildlife and livestock at risk of contracting the diseases; and

WHEREAS the recently released draft Federal Recovery Strategy for the Wood Bison (2016) states the greatest threat to wood bison recovery is the prevalence of bovine tuberculosis and brucellosis; and

WHEREAS the historical and sustained availability of debilitated, diseased bison may have and could continue to artificially support a larger population of wolves; which in turn is likely to exacerbate the poor recruitment of all bison calves and other vulnerable species, within close proximity to Wood Buffalo National Park; and

WHEREAS Mackenzie County is located within direct proximity of Wood Buffalo National Park; thus the risk of diseased free-roaming bison transmitting bovine tuberculosis and brucellosis to domestic livestock is of immediate concern to all local beef producers; and

WHEREAS any bison sighted travelling west of Wood Buffalo National Park, towards the Wood Bison Protection Area, within 6 kilometers of Highway 35 is presumed diseased and therefore destroyed as a precautionary measure, in order to maintain the disease-free status of Alberta's only verified disease-free local population; and

WHEREAS the Alberta First Nations Food Security Strategy, released January 2015, found that efforts to increase northern Aboriginal food security; fundamentally includes the restoration and increase of sovereignty over local food systems, improved access to local food, including hunting of culturally traditional wildlife such as buffalo; and

WHEREAS in 1990, a Federal Environment Assessment Panel recommended completely eradicating all bison from Wood Buffalo National Park, followed by restocking with disease-free animals; and

WHEREAS in 2016, Environment and Climate Change Canada acknowledged that, at present, the only effective tool to successfully eradicate the threat of bovine tuberculosis and brucellosis from within and surrounding Wood Buffalo National Park is by depopulation;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties supports the depopulation of diseased bison as the only effective tool to successfully eradicate the threat of bovine tuberculosis and brucellosis from within and surrounding Wood Buffalo National Park; and

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge Alberta Agriculture and Forestry and Parks Canada to develop an effective measurable plan to successfully eradicate all diseased bison from within and surrounding Wood Buffalo National Park

in order to prevent further disease outbreaks province-wide; that would inevitably have adverse effects for the national, provincial and local domestic cattle and beef industries.

Member Background

In a pre-European west (pre-1700), plains bison dominated grassland habitat across the vast regions of North America. The bison were a fundamental species driving prairie and northern forest peripheral ecosystems. They were also a spiritual and cultural foundation for Indigenous peoples throughout central North America. However, in a frontier west (approximately 1750 – 1875), bison became regarded as a major obstacle to settlement; an untapped source of commercial opportunity, and a challenge to modern civilization.

By the turn of the new century in 1900, the great masses of plains bison had disappeared from the prairies of North America. In 1877, a law to protect the wood bison from hunting was implemented in: Alberta, British Columbia, the Yukon and the Northwest Territories. However, in the early years of the 1900s a few small groups of bison existed on private land, including the last remaining wild herd of plains bison on protected lands in the Yellowstone area.

Established in 1906 as a wildlife reserve, Elk Island National Park in Alberta became the refuge for a herd of plains bison; sold to the Dominion of Canada from private hands in Montana. In 1909, once the newly established Buffalo National Park near Wainwright, Alberta had been fenced; additional plains bison were once again transported to Canada from the United States.

During the early 1900s, Agriculture Canada, the Federal agency responsible for expanding national opportunities and commercial gains, viewed bison as a commodity; one of which could be enhanced and utilized to produce a larger, faster-growing meat animal for use on marginal pasture lands with other domestic livestock.

Thus, cross-breeding experiments commenced, and while these experiments failed largely due to in-fertile male offspring; they reflected a shady concept that wild bison were viewed as a template for commercial modification to be profited from. Disease soon became a major problem. Bovine tuberculosis was discovered in 1917 at Buffalo National Park; reached its most prevalent, peaking at approximately 75 per cent of animals by 1922-23.

Wood Buffalo National Park was established in 1922, to protect the last remaining pure wood bison, estimated to be around 500 individuals; by the late 1920s their numbers grew to around 1500. By 1925, the plains bison within Buffalo National Park had expanded beyond the park's carrying capacity and the decision was made to transfer 6,673 plains bison north into Wood Buffalo National Park.

Officials assumed that the vast distance between the pure wood bison of Wood Buffalo National Park and the newly introduced diseased plains bison from Buffalo National Park, would be sufficient enough to eliminate interbreeding. However, within a relatively few decades, there was clear evidence of both bovine tuberculosis and brucellosis, and interbreeding between the two species in Wood Buffalo National Park; producing yet another strain of hybridization.

Meanwhile, 17,013 bison were destroyed in Buffalo National Park between 1926 and 1939 to reduce bison populations, limit the spread of disease and to allow overgrazed areas to regenerate. However, these management efforts were unsuccessful and disease, combined with poor forage availability, a series of harsh winters, and continued growth of the herd brought about the closure of the park in 1939.

At 44,807 km², Wood Buffalo National Park is Canada's, and one of the world's largest national parks; straddling Alberta's northern border with the Northwest Territories, encompassing the world's largest free-roaming and self-regulated bison herd and the world's only natural nesting site of the whooping crane. Today, the park supports and protects many unique natural and cultural resources from diverse boreal ecosystems and rare species, such as the whooping crane, to the traditional activities of Aboriginal peoples.

In 1983, Wood Buffalo National Park became the eighth site in Canada to be granted World Heritage status by United Nations Educational, Scientific and Cultural Organization (UNESCO). The park also has the longest standing tradition of Aboriginal subsistence use by the people who continue to live, hunt, trap and fish within the park's boundaries.

In 1985, Canada's national cattle population was declared free of bovine brucellosis, and bovine tuberculosis was expected to be eradicated nationally by 1989. However, this expectation did not materialize and today; bovine tuberculosis is a reportable disease under the federal *Health of Animals Act*, which continues to threaten Canada's domestic livestock and beef industry.

A 1990 study examined complete or partial remains of 72 bison found dead in and around Wood Buffalo National Park. The results revealed the bison had a combined prevalence of 42 per cent of both bovine brucellosis and tuberculosis. These diseased bison had a broad geographical base; some were found outside the park on at least three natural corridors, connecting to surrounding livestock grazing lands.

These diseases have a deleterious effect on Wood Buffalo's local populations of bison, and pose a risk to other disease-free bison herds, livestock, and Aboriginal hunters in the surrounding region. The 1990 study also suggests that, the historical and sustained availability of debilitated, diseased, bison may have and could continue to artificially support a larger population of wolves; which in turn is likely to exacerbate the poor recruitment of all bison calves and other vulnerable species, within close proximity to Wood Buffalo National Park.

In 1990, a Federal Environment Assessment Panel recommended completely eradicating all bison from Wood Buffalo National Park, followed by restocking with disease-free animals.

In 2016, Environment and Climate Change Canada acknowledged that, at present, the only effective tool to successfully eradicate the threat of bovine tuberculosis and brucellosis from within and surrounding Wood Buffalo National Park is by depopulation.

Today, only one small herd of pure disease-free wood bison exists in Elk Island National Park, where they were relocated to in 1965 from Buffalo National Park.

At the end of October 2016, at least thirty ranches in southeastern Alberta were put under quarantine after the discovery of a single case of bovine tuberculosis, leaving producers unable to sell their animals and fearful that their income for the year may evaporate. On January 5, 2017, the Canadian Food Inspection Agency (CFIA) released a statement confirming that 50 premises are currently under quarantine and movement controls, affecting approximately 26,000 cattle; 10,000 of which are set to be tested and destroyed at 18 of those properties.

The Government of Alberta (GOA) continues an annual regulated hunt of the disease-free Hay-Zama local population; designed to contain this disease-free herd to the Wood Bison Protection Area, with the goal of maintaining a population size of 400 – 600 animals. A population survey conducted in February 2016 found 625 bison belonging to the Hay-Zama herd is sufficient enough to continue the hunt and increase license numbers, resulting in the GOA issuing 250 Aboriginal licenses and 125 non-Aboriginal licenses provincially for the 2016/17 Hay-Zama bison hunting season.

REFERENCES:

Canadian Food Inspection Agency (2016) Available at:
<http://www.inspection.gc.ca/animals/terrestrial-animals/diseases/reportable/tuberculosis/eng/1330205978967/1330206128556>

Canadian Food Inspection Agency (2017) Available at:
<http://www.inspection.gc.ca/animals/terrestrial-animals/diseases/reportable/tuberculosis/investigation-se-alberta-and-sw-saskatchewan/statement-2017-01-05/eng/1483650517534/1483650518206>

□

Elk Island Wildlife (2017) Available at: <http://www.elkislandwildlife.ca/>

Environment and Climate Change Canada (2016) Recovery Strategy for the Wood Bison in Canada

Fuller, W. A. (2002) Canada and the “Buffalo”, *Bison bison*: A tale of two herds.

Government of Alberta (2013) Managing Disease Risk in Northern Alberta Wood Bison – Outside of Wood Buffalo National Park Progress Report 2013

Government of Alberta (2015) Managing Disease Risk in Northern Alberta Wood Bison – Outside of Wood Buffalo National Park Progress Report 2015

Government of Canada (2016) Available at:
http://www.sararegistry.gc.ca/species/speciesDetails_e.cfm?sid=143

Hewitt, C. G. (1921) The Conservation of the Wildlife of Canada

Hornaday, W. T. (1889) The Extermination of the American Bison

Lothian, W. F. (1981) A history of Canada’s national parks

McEwan, G. (1995) Buffalo – sacred and sacrificed

Ogilvie, S. C. (1979) The park buffalo - National and Provincial Parks Association of Canada

Parks Canada (2012) Available at: <http://www.pc.gc.ca/eng/pn-np/ab/elkisland/natcul/ii.aspx>

Parks Canada (2015) Available at: <http://www.pc.gc.ca/eng/pn-np/nt/woodbuffalo/natcul/natcul1.aspx>

Pybus, M. J. & Shury, T. K. (2012) Sense and Serendipity

Tessaro, S. V., Forbes, L. B. & Turcotte, C. (1990) A survey of brucellosis and tuberculosis in bison in and around Wood Buffalo National Park, Canada

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 8-17S

Oldman River Regional Services Commission Regional Planning Funding

MD of Willow Creek

*Three-fifths Majority Required
Endorsed by District 1 (Foothills Little Bow)*

WHEREAS the Oldman River Regional Services Commission has provided 65 years of planning services to 42 southern Alberta member municipalities and nine non-member municipalities; and

WHEREAS the Oldman River Regional Service Commission facilitates regional cooperation and coordination of long range planning and decision making, provides a venue for regional strategic planning, solves issues through inter-municipal collaboration and creates an economy of scale for planning service delivery; and

WHEREAS the *Modernized Municipal Government Act* indicates that an increased level of collaboration and cooperation is valued; and

WHEREAS the Capital Region Board and Calgary Regional Partnership receive \$3,000,000 each in yearly funding;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta provide long term, provincial funding to all municipalities for regional planning activities in a similar fashion to the Calgary Regional Partnership and the Capital Region Board.

Member Background

See attached

Background Information:



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8
Phone: (403) 329-1344
Toll-Free: 1-877-329-1387
Fax: (403) 327-6847
E-mail: admin@orrsc.com
Website: www.orrsc.com

January 2017

Office of the Honourable Danielle Larivee
#104 Legislature Building
10800-97 Avenue
Edmonton, AB
Canada T5K 2B6

Honourable Danielle Larivee:

Re: Request for annual support

I am writing to you on behalf of the member municipalities of the Oldman River Regional Services Commission. We are requesting yearly funding for the municipalities in our Commission to support our ongoing efforts, and we believe that our request meets the objective of the Alberta Community Partnership Program “to improve the viability and long-term sustainability of municipalities by providing support for regional collaboration and capacity building”.

It is important to note that our Commission is not requesting additional funding from the Province, only a reallocation of a portion of the funds set aside for the Alberta Community Partnership Program, which is detailed in the attached briefing notes.

For the past 65 years, our Commission has played a major role in ensuring member and non-member municipalities receive continuous, high quality planning and other regional services. Our Commission was re-formed as a direct result of the discontinuation of the Regional Planning Commissions in Alberta, and the continued support of municipalities in each region to provide regional planning and collaboration.

This funding is essential to our Commission in continuing to provide services to our members and non-members. Collectively we represent 42 member municipalities, and approximately 9 non-member municipalities. Our Commission has been struggling financially and exists wholly on the fees paid to us by our member municipalities. Without annual support from the Province our organizations may cease to exist. Without the assistance of our Commission, municipalities will lag behind and possibly forego planning for their future growth and economic development. By being a part of a joint initiative, our Commission can provide a cost-effective manner to share services and knowledge through a collaborative approach and ensure that municipalities are prepared and working together for the best interests of their municipalities’ and the region.

Like the Capital Region Board and Calgary Regional Partnership our Commission consists of elected officials from our member municipalities, and were formed under the Municipal

Government Act. Also similar to the Capital Region Board and Calgary Regional Partnership, who currently receive \$3,000,000.00 each in yearly funding, our Commission:

- facilitates regional cooperation and coordination of long range planning and decision making to ensure a prosperous and sustainable future
- provides a venue for our municipalities to think strategically and to unite on priorities to ensure the full potential and the highest quality of life possible for residents
- works together to solve issues through inter-municipal collaboration, stimulate new thinking, leverage economies of scale and proactively address our future together
- offers regional Geographic Information Systems, growth management and planning

Much the same as the Capital Region Board and Calgary Regional Partnership, we believe our Commission plays a vital role in the Province, and that our continuation serves collectively the interest of our municipalities, the region and the Province as a whole. In fact since this government has taken office the Premier and the Minister of Municipal Affairs have continually spoke to the need for regional collaboration and that regional collaboration is a high priority. There is no better example of regional collaboration than the Commission and the municipalities working within the Commission.

As such we respectfully ask for careful consideration in this matter, as it ultimately affects the viability of our services. Therefore on behalf of the Commission I am calling on our Provincial government to:

- Reallocate yearly funding to the Oldman River Regional Services Commission for administration costs under the Alberta Community Partnership Program effective the 2017/2018 fiscal year and to continue each year thereafter.

On behalf of our member municipalities, we thank you for your time and consideration.

Respectfully,

Gordon Wolstenholme
Councilor Town of Fort MacLeod, Board Chairman ORRSC

Enclosure: Briefing Notes

Cc: Premier Rachel Notley
NDP Caucus

ORRSC LOBBY STRATEGY FOR FUNDING UNDER ACP PROGRAM

EXECUTE:

To successfully lobby the Minister of Municipal Affairs for annual operating funds under the Alberta Community Partnership program, in a manner similar to the Capital Region Board and the Calgary Regional Partnership.

ISSUE:

Currently regional planning organizations within the province do not receive any annual financial assistance other than the Capital Region Board and the Calgary Regional Partnership. The most cost effective way to deliver planning services to municipalities outside the larger urban centres is through regional planning organizations.

BACKGROUND:

In 1995, The Government of Alberta introduced changes to the Planning Act that eliminated Regional Planning Commissions from the planning system in Alberta. They withdrew funding of Regional Planning Commissions and the Minister of Municipal Affairs confirmed the discontinuation of Alberta Planning Fund requisitions to all municipalities.

In response to these events, the Oldman River Regional Planning Commission commenced action to gain the establishment of a new services agency. This was done in consultation with municipal councils and administrators in the Commission area. With community support, the new Oldman River Regional Services Commission (ORRSC) was formed.

The purpose of the new Commission was to offer the planning advisory and related services historically provided by the Commission. Access to these services by each municipality was through service Contracts, and, to become a “member” of ORRSC each municipality signed a Member Contract and provided yearly fees.

FUNDING:

There has been no financial support from the province for any of the regional services agencies other than occasional grants (under the ACP Program) for specific projects, and the Land Use Planning Intern component, which municipally controlled planning agencies are recognized under. These are not guaranteed funding sources and are project specific.

All of the regional groups struggle financially. Budgets have been cut to the bare bones and providing the basic essentials required of a planning agency has proven very difficult and in some cases impossible. The member municipalities would benefit significantly if they had access to additional information, research, software, training and largely just the ability to meet a balanced budget.

Currently both the Capital Region Board and the Calgary Regional Partnership each receive \$3,000,000 on an annual basis as an operating grant. These two organizations provide similar services to an extent and not unlike ORRSC, would struggle financially without the yearly assistance of the Province under the ACP program.

Similar to the Capital Region Board and the Calgary Regional Partnership ORRSC should receive annual operating funds under the ACP program. This is critical to the future sustainability of ORRSC and this is the most cost effective manner to deliver regional planning services for communities outside of the larger urban centres.

We want to make it clear that ORRSC is asking for the reallocation of funds within the existing ACP program. The province does not need to add additional funds to their budget nor does it require legislative amendments. It is just a change in the ACP program criteria. This change would result in the treatment of all regional groups equally.

REPRESENTATIVES:

Organization	Staff	Elected Officials
Oldman River Regional Services Commission	Lenze Kuiper, Director	Gordon Wolstenholme, Board Chair

MEMBER MUNICIPALITIES

Oldman River Regional Services Commission (ORRSC)

- | | |
|---|---|
| Town of Bassano | Town of Milk River |
| Town of Cardston | Town of Nanton |
| Town of Clarsholm | Town of Picture Butte |
| Town of Coaldale | Town of Pincher Creek |
| Town of Coalhurst | Town of Raymond |
| Town of Fort Macleod | Town of Stavely |
| Town of Granum | Town of Vauxhall |
| Town of Magrath | Town of Vulcan |
| Village of Arrowwood | Village of Glenwood |
| Village of Barnwell | Village of Hillspring |
| Village of Barons | Village of Lomond |
| Village of Carmangay | Village of Milo |
| Village of Champion | Village of Nobleford |
| Village of Coutts | Village of Stirling |
| Village of Cowley | Village of Warner |
| Cardston County | Lethbridge County |
| Newell County | Vulcan County |
| Warner No. 5 County | City of Brooks |
| Municipal District of Pincher Creek No. 9 | Municipal District of Ranchland No. 66 |
| Municipal District of Taber | Municipal District of Willow Creek No. 26 |

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Legal Opinion for Species at Risk Proposed Policies

County of Warner

Simple Majority Required
Endorsed by District 1 (Foothills Little Bow)

WHEREAS the Government of Canada have proposed *Species at Risk Act* policies in which they are currently accepting input until March 31, 2017; and

WHEREAS this Act and policies can have social and economic impact on any land use planning decision; and;

WHEREAS municipalities are responsible for land use planning as outlined in the *Municipal Government Act*; and

WHEREAS the *Modernized Municipal Government Act* has been tabled with expanded provisions related to the environment, which impacts species at risk; and

WHEREAS the proposed Policy Regarding the Identification of Anthropogenic Structures as Critical Habitat under the *Species at Risk Act*, the Policy on Critical Habitat Protection on Non-Federal Lands, and the Species at Risk Permitting Policy may have implications under the Canadian Charter of Rights and Freedoms for rural landowners and municipal land-use planning decisions;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties (AAMDC) seek a legal opinion on the proposed *Species at Risk Act* policies to determine what effect that the proposed policies will have on municipal operations and the rights and freedoms of rural landowners;

FURTHER BE IT RESOLVED that if the legal opinion determines that the proposed *Species at Risk Act* policies will negatively impact rural landowners, that the AAMDC proceed with further action to work with the provincial and federal government on these proposed policies to demonstrate the social and economic impacts of policy implementation on the rural landscape.

Member Background

The Government of Canada proposed *Species at Risk Act* policies include:

- Policy Regarding the Identification of Anthropogenic Structures as Critical Habitat under the *Species at Risk Act*
 - “Based on the definition of critical habitat in the *Species at Risk Act*. Anthropogenic structures can be identified as critical habitat. If it is determined that anthropogenic structures are required for survival or recovery of the species, as defined by the population and distribution objectives, these structures will be identified as critical habitat.”
- Approach to the Identification of Critical Habitat under the *Species at Risk Act* when Habitat Loss and Degradation is Not Believed to be a Significant Threat to the Survival or Recovery of the Species
 - “The federal *Species at Risk Act* requires an identification of critical habitat to the extent possible, based on the best available information, for all listed extirpated, endangered and threatened species.”
- Policy on Critical Habitat Protection on Non-federal Lands
 - “The purpose of this consultation and cooperation will be to accurately understand the laws, provisions, and measures that are in place, or are planned to be put in place to protect portions of the critical habitat.”
- Listing Policy for Terrestrial Species at Risk

- “When COSEWIC assess a wildlife species, it does so solely on the basis of the best information relevant to the biological status of the species. COSEWIC then submits the assessment to the Minister of Environment.”
- *Species at Risk Act* Permitting Policy
 - “Applicants need to demonstrate that all reasonable alternative to their proposed activity were considered and that the needs of the species were considered when doing so. The option of not proceeding with the activity must be considered among the alternatives, although it would not necessarily be identified as a reasonable alternative.”
- Policy on Protection Critical Habitat with Conservation Agreements under Section 11 of the *Species at Risk Act*
- Policy on Survival and Recovery

AAMDC Background

15-16F: Species at Risk and the Need for an Overall Socio-Economic Impact Assessment

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties works with the Government of Alberta in a timely fashion, to complete an overall Socio-Economic Impact Assessment based on all the species at risk recovery plans and retention plans currently affecting the operations of all industries in the Province of Alberta, including but not limited to oil and gas, forestry, agriculture, tourism and mineral exploration.

DEVELOPMENTS: Awaiting government response.

16-15F: Species at Risk Act (SARA)

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties facilitate a round table discussion with representation from the federal Environment Minister and provincial Environment Minister to rebuild the current *Species at Risk Act* to improve it in a way that seeks a balanced and cooperative approach (economic, environmental, and social) to species protection that focuses on ecosystem protection; limiting impact on agriculture, industry, rural development, and land use in Alberta.

DEVELOPMENTS: The Government of Alberta response indicates a willingness to work with the AAMDC and the federal government to take a collaborative approach to aligning species at risk protection with the need to address social and economic impacts. This is encouraging and will be followed up on by the AAMDC. As a response from the Government of Canada has not yet been received, this resolution is assigned a status of Incomplete Information. The AAMDC is continuing advocacy efforts at the provincial and federal levels to move this issue forward.

4-14S: Species at Risk Act

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties and the Government of Alberta lobby the federal government to repeal the current *Species at Risk Act* and rebuild it in a way that better respects the socio-economic reality, seeking a balanced approach (economic, environmental, social).

DEVELOPMENTS: The response received from Environment Canada outlined the Ministry's recovery strategy and supporting action planning process for endangered and threatened species under the *Species at Risk Act* (SARA). The action planning stage includes evaluating the social and economic costs and benefits of actions and the integration of provincial management plans. Though this process works towards the request of this resolution, a recovery strategy is not a regulatory document and as such, it lacks enforcement. Based on this information, the AAMDC assigns this resolution a status of Intent Not Met and will continue to advocate to the federal

government and assess Environment Canada's process to seek a balanced approach to enforcement and implementation related to SARA.

Modernization of Alberta Registry Agents

Cardston County

*Simple Majority Required
Endorsed by District 1 (Foothills Little Bow)*

WHEREAS the Government of Alberta regulates the registry industry through the Registry Agents' Regulation by capping the fee amounts (as per Registry Agent Product Catalogue, Jan. 8, 2017, Alberta Government) for the largest volume of services provided by the Alberta registry agents, but these fees have not been adjusted in 11 years to reflect increases to the minimum wage or cost of living and inflationary increases in Alberta; and

WHEREAS Alberta registry agents offer essential professional, personalized, and secure over-the-counter and online services to clients near their homes, a fact of significant importance to aging rural Alberta clients with distance restricted driver's licences and/or without the ability to use the internet; and

WHEREAS registry agents are eager to develop a modernization plan to enhance services to Albertans in conjunction with Service Alberta and other stakeholders;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties request that the Government of Alberta recognize the vital role of Alberta registry agents in the delivery of essential government services to all Albertans; and

FURTHER BE IT RESOLVED THAT the Government of Alberta recognize the positive impact in rural Alberta communities, and work to strengthen their partnership with the Association of Alberta Registry Agents and local municipalities by:

- **Supporting the modernization of the registry agent industry;**
- **Expanding existing online services directly to Albertans through registry agents; and**
- **Ensuring the long-term sustainability of rural registry agents, including a fair and equitable fee model.**

Member Background

Alberta registry agents have been the authorized delivery channel for over 200 products and services on behalf of four government departments – Service Alberta, Justice, Health, and Transportation – for the past 22 years. There are 206 agents located in 150 Alberta communities (32 or 21% are in large urban centers and 118 or 79% are in rural and small urban jurisdictions).

Agents have been offering online registry services to Albertans for over 10 years through their association with the Alberta Association of Registry Agents (AARA).

Importance to Albertans

Virtually every city and town has an authorized registry agent, forming a network that collectively employs close to 1500 Albertans. Registry staff are qualified, trained, and certified to meet high customer expectations. Registry agents have continued to invest in the industry to meet new technology requirements, population growth, etc. The industry is prepared to and needs to continue to modernize and expand online services to keep pace with market, economic, and political conditions.

Albertans themselves value access to in-person registry services. 92% indicated it was important to have access to government services in their communities and over 90% of Albertans felt that it would have a negative impact on their communities if their local registry agent were to close.

Importance to Independent Registry Agents

A healthy registry agent network is best positioned to serve the diverse needs of all Albertans. A sense of financial stability with long-term assurance of sustainability underpins the agents' ability to make solid

business decisions. Registry agents have not received a much-needed capped fee increase in 11 years. This fact limits agents from keeping pace with cost of living increases and the ever-changing world we live in, and threatens the ability for rural registry agents to keep their doors open.

A collection of a sample of financial statements from rural agents the end of 2015 shows that the average rural agent is losing just over \$4,000 annually by providing registry services. Registry agent fees have not been adjusted since 2005.

Importance to the AARA

The AARA provides important member services that improve the effectiveness and efficiency of the registry agent network and, by doing so, improves service to all Albertans. These services are dependent on a portion of the revenue derived from online registry services.

Importance to Service Alberta

Having a secure healthy private network to be the delivery of Government Services in each community is key to the ease of access for Albertans. The health of the registry agent network is threatened if they are kept out of online service delivery and agents cannot earn revenue from these high-volume services.

AARA Modernization Plan and requests

AARA seeks government's support in modernizing the registry agent industry, expanding online services to Albertans through the registry agent network, and ensuring the long-term sustainability of rural registry agents, including a fair and equitable fee model.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 11-17S

Review of Standard Practices for Installation of High Tension Cable Barriers on Two-Lane Provincial Highways

County of Barrhead

*Simple Majority Required
Endorsed by District 3 (Pembina River)*

WHEREAS the purpose of Alberta's provincial highway system is to provide for the safe and efficient movement of people and goods; and

WHEREAS the diversity of vehicles and equipment on Alberta's provincial highways ranges from vehicles operated by the general public to commercial, industrial and agricultural equipment; and

WHEREAS the Government of Alberta has identified High Tension Cable Barriers (HTCB) as the preferred barrier system and is a standard to replace the traditional guardrail systems where feasible; and

WHEREAS the Government of Alberta has conducted performance evaluations on the safety and operational performance of HTCB for use in medians between multi-lane roadways only; and

WHEREAS there is the potential for safety concerns created by having HTCBs installed on the shoulders (particularly both shoulders) of rural two-lane highways;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to review Alberta Transportation's Standard Practices for installation of High Tension Cable Barriers (HTCBs) on two-lane provincial highways to ensure Alberta has the safest possible highways.

Member Background

Since 2012, the province has identified HTCBs as the preferred barrier system and a standard to replace the traditional guardrail system. The province has advised that between 2014 and 2016 approximately 23 km of HTCB have been installed in the North Central Region. These devices consist of metal posts fixed into the sides of the roadways, often being located very close to the driving lanes, with metal cables extending the length of the barrier. HTCB height is generally 42 inches compared to the traditional guardrail at 28.75 inches or 32 inches high for new guardrails.

Evaluation of the safety and operational performance of HTCB installed in the median of multi-lane roadways has been conducted by several jurisdictions including Europe, New Zealand, United States and Canada. In Alberta, the Deerfoot Trail project in Calgary in 2011 and the Highway 2 project in 2013 have provided relatively conclusive evidence that HTCBs significantly reduce cross-median collisions, nearly eliminate cross-median fatalities, and reduce the number of severe injury cross-median collisions with a general increase in property damage only collisions. EBA Engineering Consultants Ltd. performed both evaluations and suggested that as a result of HTCBs the vast majority of head-on, sideswipe-opposite direction and off-road left collisions will be converted to median type crashes and that the median type crash severity is reduced due to the energy absorption characteristics of the flexible barrier system.

When HTCBs are installed in the median between multi-lane roadways the value of these devices is clear, so what is the problem?

When HTCBs are used on rural two-lane highways, the hazards created by HTCB are potentially much greater than the dangers they are meant to alleviate.

- HTCBs are being installed on the right shoulder in both directions on two-lane highways which often have a narrower right-of-way and a narrower distance between the driving lane and the edge of the road surface.

- Height of HTCBBs makes it difficult for wide loads lower than approximately four feet to travel on the highway (see attached photo). Highways are very critical for the efficient movement of large equipment utilized in a variety of industries such as agriculture, oil and gas and manufacturing. To deal with these challenges equipment operators will be forced to either drive down the middle of the roadway presenting a driving hazard for oncoming traffic that will have nowhere to go, or choose alternate routes using local roadways that may create access issues and cause damage to road surfaces.
- Purpose of HTCBBs on two-lane highways is to prevent motorists from entering the ditch, however in four-lane highways the focus is to prevent cross-over collisions. On a two-lane highway with HTCBBs there is no escape from a cross-over (head-on) collision where oncoming traffic crosses the center line.
- Evaluation of maintenance of HTCBB installed in the median of a multi-lane roadway suggested mixed concerns regarding snow removal and mowing which may be enhanced when working on a narrower two-lane roadway. Concerns were related to safety of maintenance staff and/or ineffective snow removal. Ineffective snow removal would only serve to make a narrow road even narrower.
- HTCBBs installed on narrower roadways may also hinder pedestrian and bicycle traffic.

Currently the County of Barrhead has two locations where HTCBBs were installed by Alberta Transportation in conjunction with a road project. Both locations require review based on the concerns above. In addition, standards for installation of HTCBB including placement and/or height, or potential alternatives must be reviewed on a site by site basis to ensure the safest possible highways in Alberta.

Attachment – Example of HTCBBs on a two-lane highway in the County of Barrhead.



AAMDC Background

The AAMDC has no active resolutions directly related to this issue.

Resolution 12-17S

Support for a Disaster Recovery Program in Support of the Agriculture Sector

Brazeau County

*Three-fifths Majority Required
Individual Resolution*

WHEREAS many communities in Alberta have been most harmed by the rain and snow last spring which continued throughout the summer and fall of 2016; and

WHEREAS producers had not been able to harvest crops, resulting in significant financial hardship;

THEREFORE, BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties urge the Government of Alberta to establish a disaster recovery program in support of the agriculture sector, which may include interest free loans, tax deferrals, acreage payment deferrals or freight subsidies, and assisting with grain contracts and crop insurance.

Member Background

Extremely wet conditions this year, specifically, excessive and persistent precipitation that began in the spring and lasted into the fall has resulted in very low crop harvests across Brazeau County and many other counties across the province. This has translated into devastating losses and financial hardship for agriculture producers in Alberta.

A disaster recovery program to address this state of economic ruin, when agricultural producers and entire communities suffer, is still a pressing issue for Brazeau County producers.

AAMDC Background

The AAMDC has no active resolutions directly related to this issue.