
Dedication of Conservation Easement

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Lead Role: Chief Commissioner	Replaces: n/a
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Administrative Responsibility: Planning and Development Services	

Special Notes:

Cross reference with Policy SER-008-015, Dedication of Municipal and Environmental Reserve Lands.

Strathcona County's CONSERVATION GOAL is to protect the integrity of our heritage and natural resources while providing opportunities for appropriate forms of use that will benefit the community. Our conservation goal includes:

- a) maintaining viable sustainable populations of native plants and wildlife in their natural habitats;
- b) maintaining heritage resources and values, whether it be a building, monument, or landscape feature;
- c) identifying a network of conservation areas to promote the sustainable use of native habitat and heritage resources to enhance quality of life for all;
- d) restoring and rehabilitating degraded ecosystems, where practical;
- e) developing and implementing management plans to ensure long term viability of the natural and heritage resources; and
- f) educating the public on conservation and sustainability.

Several ecological assessment documents specific to Strathcona County are available for reference to determine the environmental sensitivity and significance of natural areas. The documents include:

- ✓ Prioritized Landscape Ecology Assessment of Strathcona County (GEOWEST 1997)
- ✓ Strathcona County Southeast Watershed Ecosystem Assessment (Griffiths 1992)
- ✓ Environmentally Sensitive Areas: County of Strathcona and M.D. of Sturgeon (Infotech 1989)
- ✓ A Survey of Wetland Wildlife Resources in Strathcona County (Griffiths 1987)
- ✓ Significant Natural Features and Landscapes of Strathcona County (Westworth 1987)
- ✓ Outdoor Master Plan (Strathcona County Recreation and Parks 1987)
- ✓ Ducks Unlimited List (1986) of Significant Wetland Habitat with Management Potential in Strathcona County

Policy Statement

Under Division 2 of the Alberta Land Stewardship Act, Strathcona County has the authority to serve as a "qualified organization" for the purpose of holding an interest in a conservation easement in partnership with a private landowner.

Strathcona County will fulfill the role of "qualified organization" and shall have in place principles and procedures for the assessment and voluntary dedication of Conservation Easement lands by private landowners.

Principles

1. Conservation Goal
The County shall promote the Conservation Goal by educating private landowners on voluntary legal Conservation Easement Agreements.
2. Conservation Education
The County shall educate private landowners about existing and potential Conservation Easements.
3. Conservation Easement Agreement
The County shall assess potential Conservation Easement lands, educating the landowner regarding the Conservation Easement process and drafting the Conservation Easement Agreement.
4. Inspections
The County shall regularly/annually inspect the Conservation Easements to ensure compliance.
5. Enforcement
The County shall enforce the Conservation Easement as per Section 22(3) of the Environmental Protection and Enhancement Act.

Procedures

1. **Purpose**
To have in place a formal process for the negotiation and execution of Conservation Easement Agreements in Strathcona County based on municipal, community and environmental needs. The Conservation Easement Agreements will be entered into with private landowners. The County will hold an interest in the Conservation Easement as a qualified organization.
2. **Definitions**
Conservation Easement Agreement (CE) – A binding voluntary legal agreement between Strathcona County and the landowner for the purposes of conserving an environmentally significant area or important wildlife habitat. The agreement is registered on the title of the land in perpetuity. The intent is to acknowledge the landowners previous environmental stewardship and to continue the appropriate use and management of the Conservation Easement area in the context of development.
3. **Responsibilities**
 - 3.1 The Manager of Environmental & Open Space Planning has a review and assessment responsibility regarding the dedication of conservation easement lands. In addition, the Environmental & Open Space Planning Branch is responsible for recommending and assessing potential Conservation Easement lands, educating the landowner regarding the Conservation Easement process and drafting the Conservation Easement Agreement.
 - 3.2 The Manager of Land Management Services has a responsibility to finalize the Conservation Easement Agreement.
 - 3.3 The Managers of Environmental & Open Space Planning and Land Management Services have a responsibility to maintain complete and accurate records of all properties acquired or with registered Conservation Easements pursuant to this procedure.

4. Review and Assessment

During the Area Concept Plan, Area Structure Plan, Conceptual Scheme and/or subdivision application process, each property will be assessed for potential Conservation Easement lands. A Biophysical Assessment (per Policy SER-009-032) is required, at a level of detail acceptable to the County.

5. Assessment Criteria

5.1 As per the Environmental Protection and Enhancement Act Section 22(2), a private landowner by way of a Conservation Easement may grant to the County all or part of the land for one or more of the following purposes:

- a) the protection, conservation and enhancement of the environment, including, without limitation, the protection, conservation and enhancement of biological diversity;
- b) the protection, conservation and enhancement of natural scenic or esthetic values;
- c) providing for any or all of the following uses of the land that are consistent with purposes set out in clause (a) or (b); (i) recreational use; (ii) open space use; (iii) environmental education use; (iv) use for research and scientific studies of natural ecosystems.

6. Conservation Easements and the Planning Process

6.1 Responsibilities

6.1.1 The Manager of Environmental and Open Space Planning is responsible to:

- a) assess and review the potential for conservation easements when reviewing all planning applications received on referral from Planning & Development Services, and
- b) provide Current Planning Services with the results of the review and assessment.

6.1.2 The Manager of Current Planning Services is responsible to:

- a) receive and incorporate the input regarding the potential for conservation easements into recommendations to the Subdivision Authority, and
- b) ensure that appropriate conditions are attached to subdivision approvals to require conservation easements, where appropriate and where required by policy

6.1.3 The Manager of Land Management Services is responsible to maintain accurate and complete records of all conservation easements acquired pursuant to this policy.

6.1.4 The Manager of Land Management Services, with the cooperation of the Transportation and Agricultural Services Department and Bylaw Services, is responsible in the Rural Services Area to carry out enforcement measures when conservation easements in which the County has an interest, are encroached upon or used for purposes contrary to the easement.

6.2 Review and Assessment

6.2.1 During the Area Concept Plan, Area Structure Plan, Conceptual Scheme and/or subdivision application process, lands that are the subject of each plan or application must be assessed for the potential for conservation easements.

6.2.2 In the Rural Services Area this assessment must include:

- a) Biophysical Assessments, the County's Priority Landscape Ecology Assessment (PLEA) mapping base, and other environmental studies that may be applicable, and

- b) relationship of the potential conservation easement(s) to other lands protected under conservation easements with the County or other qualified organizations, and Municipal Reserve and Environmental Reserve lands dedicated or proposed for dedication in adjacent areas.

6.3 Subdivision Process

- 6.3.1 Where lands that are the subject of a subdivision application have provided municipal reserves in full pursuant to the Municipal Government Act, the Subdivision Authority:
 - a) Shall, where identified through a Biophysical Assessment (per Policy SER-009-032), negotiate with the applicant the dedication of a conservation easement for lands that have been assessed as having significant environmental value, significant landscape features and that will provide community benefits, where required under County policies.
- 6.3.2 Where municipal reserve and environmental reserves are outstanding pursuant to the Municipal Government Act on lands that are the subject of a subdivision application, the Subdivision Authority:
 - a) Shall, where identified through a Biophysical Assessment (per Policy SER-009-032), negotiate with the applicant the dedication of a conservation easement for lands that have been assessed as having significant environmental value, landscape features and that will provide community benefits, where required under County policies and/or the Municipal Development Plan.