

‘TO FOSTER THE WELL-BEING OF THE ENVIRONMENT’: INTERPRETING ALBERTA MUNICIPALITIES’ NEW PURPOSE



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A white paper to catalyze discussion on the new municipal purpose ‘to foster the well-being of the environment’, introduced in Alberta’s revised Municipal Government Act of 2017

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Why the Miistakis and the Environmental Law Centre Undertook this Work

Municipalities are the front lines of land use. Virtually every square inch of the province is within a municipal jurisdiction, and each one is responsible for creating a comprehensive land use bylaw and issuing permits for built activity.

Environmental management and conservation is inextricably connected to land use. How we use our land base – whether developing, stewarding, or protecting – dictates the health of our environmental systems.

From over two decades of work exploring the legal, scientific and governance dimensions of environmental conservation, both the Environmental Law Centre and the Miistakis Institute have come to focus increasingly on this municipal / environmental nexus. The two organizations have worked both independently and collaboratively in this area, undertaking practical, applied research that has been requested and used by several Alberta municipalities, as well as the provincial government. The demonstrated expertise of the two organizations sees them addressing similar issues, but applying complementary skillsets: Miistakis has demonstrated expertise in conservation planning, ecological research, tool and program development, and policy analysis; the Environmental Law Centre has demonstrated expertise in environmental law, legal review, legal tools, and policy development.

Both organizations have received many inquiries from Alberta municipalities regarding policy, legislation, tool development, program review, and related requests for assistance. When the Municipal Government Act (MGA) was reviewed and modernized from 2014-2016, both organizations were actively involved. When the final version of the MGA was released, with its new purpose for municipalities of fostering the well-being of the environment,' both organizations recognized that Alberta's municipalities would need assistance understanding what was intended by this very high-level policy, and what opportunities might emerge for municipalities and their communities.

Executive Summary

The well-being of Alberta's natural environment is heavily dependent on decisions made at the municipal level. The overhaul of the Municipal Government Act (MGA) recognized this with a new purpose for municipalities: "to foster the well-being of the environment." However, there was no accompanying policy direction as had been the case with other revised elements of the Act.

Since that time, several municipalities have begun trying to interpret this new purpose in varied ways, risking the creation of isolated and inconsistent approaches. This paper is intended to be an initial step to better understanding the implications of this significant change in the MGA.

While the literature offers little insight into the concept of "well-being of the environment", there was clearly an intent behind this phrasing, so it is therefore worthwhile understanding the three critical elements – *foster*, *well-being*, and *environment* – informed by definitions, common usage, and associated legislation.

It is significant that the inclusion of 'well-being of the environment' in the Municipal Government Act was codified as a municipal *purpose* inserted immediately after the "good government" purpose, suggesting it should be interpreted more pervasively than the specific 'service, facility, safety, and viability' purposes.

Even with definitional clarity, municipalities are still challenged with understanding how decision-making processes would be affected. The authors suggest a common set of process characteristics be clearly reflected in municipal policy or decision rationale: Due Consideration, 'Two Roads' Assessment, Proactive Approach, Measured and Evaluated, and Liability Mitigation. Undertaking this approach would have the benefits of reinforcing current efforts, supporting regulatory alignment, enabling innovation, and increasing clarity and accountability

Recognizing it would not be possible to comprehensively describe all discrete decision-making circumstances, but that greater direction is needed, the authors suggest 'categories' based on the well-being of the environment powers in the Big City Charters.

Implementation of the well-being of the environment purpose will need to be embedded in municipal governance and regulatory frameworks, including bylaws, plans, policies, strategies, and measurements, with tool choice dependent on the specific environmental application or media.

More work is now needed to clarify the environmental decision-making areas affected (or created) by this new purpose, and to offer pragmatic direction for municipalities with regard to implementation. That work prerequisites a broader conversation amongst municipalities to come to some consensus, and high-level policy direction from Municipal Affairs.

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Introduction

The well-being of Alberta's natural environment is heavily dependent on decisions made at the municipal level. Because of their role in land use planning, permitting, infrastructure development, community building, etc., Alberta's local governments have an outsized impact on the promotion of human activities that can help or harm the environment. As well, they are the primary regulatory body when it comes to activities on private land.

When the Municipal Government Act (MGA) was overhauled from 2014-2017, this reality was formally recognized with the insertion of a new purpose for municipalities: "to foster the well-being of the environment."

In some ways, this seemed to be a bit of a non-event. Many municipalities were already doing significant work to do just this. The environmental dynamics of many municipality activities were already covered under other legislation. And there was no accompanying policy direction or 'change management' resources, as had been the case with other revised elements of the Act.

However, given this is Alberta's largest piece of legislation, one that enables an entire level of government, and which contains over 700 sections, the fact that this new provision was inserted in Section 3, Purposes, is significant.

But what is that significance? And what are the practical implications for municipal decision makers?

The Role of this White Paper

Since the newly-modernized Municipal Government Act (MGA) was fully passed in 2017, the authors are aware of several municipalities who have begun trying to interpret this new purpose, and those interpretations have varied dramatically. Those early-adopting municipalities are to be commended, but continuing along this path risks the creation of isolated and inconsistent approaches, confounding citizens, businesses, environmental groups, and others.

This paper is intended to be an initial step to better understanding the implications of this significant change in the MGA. The hope is that it will engender greater consistency between municipalities, and help ensure the new policy effectively does what was intended. It seeks to answer three questions:

- How should the new purpose be interpreted at a broad policy level?
- How should municipalities incorporate this new perspective into their decision making?
- What more-specific areas of municipal decision making will likely need more guidance?

This report is presented, not as the definitive direction, but as a non-municipality-specific consideration of the issues, with the authors' conclusions and suggestions. There are general recommendations here, but — at this stage — only identification of the specific areas municipalities will need to address, rather than comprehensive recommendations for those. Likewise, there is an initial consideration of some of the tools (both existing and conceptual) that might be used to align with this change in legislation, but not an exhaustive list.

It is also important to note that, as much as possible, this paper has tried to be conscious of the following realities:

- Municipalities have limited resources to address their mandate, and these are already stretched thin; complex, resource-intensive approaches will not be viable
- Alberta's municipalities vary dramatically (from cities of a million people to municipal districts with 100 people, yet this new purpose applies to all, and therefore all municipal governments must see themselves in this new policy

A Fundamental Shift

The actual change to the Act is relative minor in terms of verbiage (an addition of only seven words). Despite this — and perhaps the most compelling reason for creating this paper and seeking to address this policy change head on — is that those few words have created a fundamental shift for municipalities relationship to the environment.

Prior to this change, municipalities were deemed to exist to provide services and facilities, and create safe and viable communities. Therefore environmental factors were viewed as subject to this mandate. The result was that, in pragmatic terms, environmental considerations came to be viewed through a lens of 'harm reduction.' Environmental assessments, for example, have tended to assume the assessed activity will proceed, but goes on to propose mitigations to limit harm to the environment.

Provision for the environment is now a purpose at the same level as services, facilities, and community building (arguably above). This now suggests that municipal decisions will have to actively *support* the well-being of the environment, not simply reduce harm to it.

Alberta's municipalities may not yet be ready to accommodate that shift.

Definitions

What does it mean to "foster the well-being of the environment"? As the Municipal Government Act was being overhauled, the concept that eventually came to be the well-being of the environment passed through several stages. Early discussion drafts saw the concept of environmental stewardship arise, then the Big City Charters added environmental conservation and stewardship, and finally the new MGA included the new purpose "to foster the well-being of the environment."

Neither the physical science literature (ecology, natural resource management, etc.) nor the social science literature (psychology, human geography, etc.) nor the planning literature give much insight into the concept of "the well-being of the environment". Well-being is an idea much more closely aligned with human health than environmental health.

However, there was clearly an evolved intent behind this phrasing, so it is therefore worthwhile to break it down to understand at least at a high level what was likely intended. There are three critical elements of this new clause: *foster*, *well-being*, and *environment*.

Foster

The Oxford English Dictionary defines '*foster*' as: "encourage the development of something (especially something desirable)." It goes on to note that it comes from the Old English word *fostrian*, meaning to feed or to nourish.

Again, this is not a term common to either the academic, management, or operational realms of municipalities. However, from the perspective of how this might relate to municipalities and their decision making, three features are clear.

First, the term implies providing benefit and seeking to ensure something thrives, rather than simply reducing the harm done to it. The most common example of this word is likely associated with the phrase 'foster child'.

Second, the term implies action, rather than a passive consideration; a proactive nourishment of something, rather than just resuscitative, remedial action. This is important for municipalities as many of their tools and traditional approaches to interfacing with the natural environment require waiting until something detrimental has happened or has been proposed, or relying on other levels of government to make decisions. On the other hand a proactive approach clearly aligns with the planning function that municipalities play.

Third, the term implies a stewardship of something in order to allow it to thrive, not simply maximizing the withdrawal of value from it. This means ensuring something is nourished and developing, before consideration of the benefits that flow from it.

Well-being

As mentioned above, the literature does not tend to equate the concept of "well-being" with "the environment" in any tangible way. Where they do occur together, it is generally as one type of well-being added to a list of other types. So, again, a valid starting point is to look at the term itself.

Dictionary definitions relate '*well-being*' to *comfort*, *health*, and/or *happiness*. In the context of the environment, it would be difficult to think of it as having *comfort* or *happiness*. However, the concept of a *healthy* environment is one that has been actively used since the 1990's to provide an analogous frame that facilitates both better understanding and measurement.

This allows for a consideration of the health of individual elements of the environment, as well as the health of the entire 'system.' This is analogous to measuring heart health versus a full physical in the context of human health.

Environment

Unlike *foster* and *well-being*, we have a strong legislative basis for understanding what is meant by 'the environment.' The *Alberta Environmental Protection and Enhancement Act*, the *Alberta Land Stewardship Act*, and the *Water Act* all define what is meant by 'the environment', and all use the exact same wording:

“Environment” means the components of the earth and includes

(i) air, land and water,

(ii) all layers of the atmosphere,

(iii) all organic and inorganic matter and living organisms, and the interacting natural systems that include components referred to in subclauses (i) to (iii);

This is actually a very robust definition of the environment. *Air, land, water* and the *atmosphere* speak to the **realms**; *organic and inorganic matter and living organisms* speak to the **natural elements** within those realms; and *interacting natural systems* speaks to the **flows** between the natural elements.

Taken in the context of municipality’s requirement to foster its well-being, this definition of the *environment* could be interpreted as such:

‘Air’ and ‘all layers of the atmosphere’ speaks to the need to manage for the well-being of the airshed, ensuring air-borne pollutants don’t impair environmental health and greenhouse gases don’t impair the function of the atmosphere.

‘Land’ speaks to the need to manage for the well-being of the terrestrial landscape, ensuring the persistence of wildlife habitat, riparian areas, and topographical variation.

‘Water’ speaks to the need to manage for the well-being of the hydrosphere, ensuring the persistence and non-polluted state of lakes, rivers, streams, wetlands, and groundwater.

‘All organic and inorganic matter and living organisms’ speaks to the need to manage for vital natural elements, ensuring the health of natural vegetation, animals, soil, and insects.

Perhaps the most important part of the definition is the reference to the *interacting natural systems*, as this speaks to the ability of the whole to function, and not be just a collection of isolated and ineffectual pieces. From the perspective of a municipality, and it’s purpose of fostering the well-being of the environment, this speaks to the need to manage for these interactions, ensuring:

- the flow of water above and below ground through a watershed (also reflected in s.60 of the MGA) and into the atmosphere;
- the movement of animals between habitats, or of their genes between populations;
- the transfer of pollen from one plant to another on the backs of insects; or
- the decay of organic matter and its uptake as nutrients for other organisms.

Linkages to Human Well-being

Human well-being is inextricably linked to the well-being of the environment. Our physical health, our economic health, our mental health, and our societal health are all dependent on the well-being of the

environment. There can also be little disagreement that we are, in fact, a component of the environment; we are living organisms and part of the biosphere.

Thus, the challenge in defining 'the environment' is determining the degree to which the definition is inclusive of humans, or focuses on our *relationship* to the environment as a whole. The authors suggest that in the context of the MGA-mandated responsibility *to foster the well-being of the environment*, the most appropriate approach is to focus on our relationship to the natural world and to the underlying processes that drive and maintain its various functions, functions on which we depend. This choice is based on the following rationale.

First, to support decision making, it is important to separate notions of *human reliance on the environment* from the definition of *the environment* itself. Before we can articulate and understand what it means to use the environment, benefit from the environment, draw resources from the environment, have cultural perceptions of the environment, derive health benefits from the environment, conserve the environment, etc., we must first need to be clear what we mean by *the environment*.

Second, in general usage, 'environment' is recognized as having two broad meanings: first, "the surroundings or conditions in which a person, animal, or plant lives or operate;" and second, "the natural world" ('natural' meaning "existing in or derived from nature; not made or caused by humankind"). It is clear from the way that the definition in the Alberta Acts is framed, there was a deliberate effort to steer clear of the wider connotation, and focus on the non-human connotation.

Third, as the authors describe below, the subsequent municipal purposes included in the Municipal Government Act (services, facilities, safe and viable communities) are all entirely focused on humans and their needs; this new purpose, again, was clearly directed at the responsibility to the natural world.

Big City Charters

The *City of Calgary Charter, 2018 Regulation* and the *City of Edmonton Charter, 2018 Regulation* — collectively known as the Big City Charters — also provide insight as to the policy intent of the foster the well-being of the environment purpose.

Though these Regulations apply only to Edmonton and Calgary, they were drafted at the same time as the Municipal Government Act was modernized, and make explicit mention of "the well-being of the environment."

Under the section giving enhanced bylaw powers to the big cities (sec 4 of the Regulations, referencing sec 7 of the Act), it enables big city bylaw powers for:

"the well-being of the environment, including bylaws providing for the creation, implementation and management of programs respecting any or all of the following:

- (i) contaminated, vacant, derelict or under-utilized sites;*
- (ii) climate change adaptation and greenhouse gas emission reduction;*

- (iii) environmental conservation and stewardship;*
- (iv) the protection of biodiversity and habitat;*
- (v) the conservation and efficient use of energy;*
- (vi) waste reduction, diversion, recycling and management;*

Despite being drafted for this specific use, this list represents a comprehensive catalogue of the environmental needs and issues reflective of what Alberta's municipalities are currently facing.

Municipal Purposes

It is significant that the inclusion of the well-being of the environment in the Municipal Government Act was codified as a municipal *purpose*. A desire to include the well-being of the environment in the Act could have gone many lower-level directions, including creating a separate part, discrete amendments to planning and other sections, a new requirement of Municipal Development Plans, or new bylaw powers (as occurred in the Big City Charters).

Prior to the modernization of the Act, the purposes of a municipality under the MGA were:

- (a) to provide good government,*
- (b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and*
- (c) to develop and maintain safe and viable communities.*

While these can seem quite distant from the day-to-day operations of a municipality, all municipal powers and abilities draw a line back to them; they are the stated legal rationale for having local government in Alberta.

It is also significant that the well-being of the environment purpose was inserted immediately after the "good government" purpose. Not all purposes have the same specificity; thus, how a municipality can be said to be fulfilling a given purpose, will likewise vary. For example, the degree to which a municipality satisfies the 'service-provision' purpose is much easier to assess than how it satisfies the 'good government' purpose. From this we can intuit that it was intended to be considered more like the broadly-framed 'good government' and less like the specifically-framed services, facilities, and safe and viable communities.

Those more specific purposes, (b) and (c), are reflected in several sections of the Act: services (roads, utilities, etc.), facilities (recreation centres, treatment plants, etc.), safety (police, fire, etc.), and viability (taxation, financial controls, etc.). However, no section of the Act could be said to speak directly and exclusively to 'good government'. Instead, it is assumed that that is a principle, flowing down from the constitution, that should underlie every municipal government decision.

It would therefore be valid to assume that the *well-being of the environment* purpose should be interpreted and applied by municipalities more pervasively than the specific 'service, facility, safety, viability' purposes, but more explicitly than the broad 'good government' purpose. That is, the responsibility exists regardless of the activity the municipality is pursuing.

It is also important to note that this does not suggest that it is the responsibility of municipalities to *ensure* the well-being of the environment. The well-being of the environment is dependent on numerous players and factors, not all of which have a connection with local government decision making. Rather, it would mean it is the non-discretionary responsibility of municipalities to *contribute* to the well-being of the environment.

Incorporating the New Purpose into Municipal Decision Making

Even with having clarity as to what "foster the well-being of the environment" might mean, municipalities are still challenged with understanding how it would (or would not) affect their decision-making processes.

Alberta's municipalities vary greatly. At a local level, each municipality will unquestionably need to make decisions specifically relevant to their community and their circumstances. However, all Alberta municipalities are now challenged by the same question of what it means to foster the well-being of the environment. The authors believe it is possible to identify a common set of process characteristics, useable in all decision-making and all municipalities. These could be applied in policy, planning, or operations; urban or rural municipalities; small or large municipalities; etc.

The authors propose the following process steps, to be clearly reflected in any municipal policy or decision rationale. The authors believe that if a municipality has incorporated these five characteristics in their decision making, they can credibly say they have *fostered the well-being of the environment*:

- Due Consideration
- 'Two Roads' Assessment
- Proactive Approach
- Measured and Evaluated
- Liability Mitigation

1. Due Consideration

Municipalities should ensure due consideration is given to how the well-being of the environment is fostered and facilitated in any decision. This would involve two components: first, ensuring the municipality understands the potential implications to the environment of a decision; and 2) understanding how the environment could benefit or thrive, and not simply see harm minimized. Due consideration would imply these learnings are central to the ultimate decision.¹

¹ *Again, it is important to be clear that ensuring the well-being of the environment is not the role of the municipality nor, we believe, the intent of the legislative revisions. Rather, the responsibility is to ensure the decisions of the municipality contribute to the well-being of the environment.*

2. 'Two Roads' Assessment

Any municipal decision will lead to a selection of choices, especially when framing statutory plans. The choice between any two (or more) options can be assessed based on which most capably supports the well-being of the environment. Employing a 'Two Roads' assessment in this case would mean that, faced with two viable ways to approach a municipal decision, a municipality should always choose the route that fosters the well-being of the environment.

3. Proactive Approach

Until this new purpose was added to the Municipal Government Act, much of the ability of municipalities to address well-being of the environment was reactive, occurring only in response to proposed activities, making it difficult to actively pursue initiatives based on the well-being of the environment.

Because a purpose to 'foster' implies an active cultivation, *the well-being of the environment* should be approached *proactively*. This suggests that policy, planning, and program wording that reflects contemplation or reaction, rather than positive action is likely insufficient to constitute proactivity. For example, phrases describing any potential action should be positive and outcome oriented; 'may', 'should consider', etc. would more correctly be 'will', 'must,' etc.

4. Measured and Evaluated

Whether we are successful in meeting any particular municipal purpose requires measurement and evaluation. Paired with the responsibility to foster the health of something is the need to measure and evaluate it (for example, we expect that managing for our personal health requires various aspects of measurement and evaluation, from taking a pulse to a full physical). How a municipality delivers on its responsibility to foster the well-being of the environment cannot be measured by 'good intentions' (such as aspirational policy wording), but instead needs to be outcome focused.

Measurement and evaluation should consider two elements: first, the state of the environment (as measured by the municipality or other partners) so as to have a baseline regarding its wellness (or impairment); and second, the contributory connection between the decisions and the well-being of the environment.

This measurement/evaluation need not be overly complex. The advantage of this approach is that the *degree* of contribution is not so important as simply ascertaining that a contribution exists. And in the same way the task of assessing the degree of environmental harm from a project is passed to the proponent, assessing the contribution to the well-being of the environment can likewise be a proponent task.

5. Liability Mitigation

The well-being of the environment should also be viewed in the context of risk. Fostering the well-being of the environment as a central purpose of municipalities can further enable risk mitigation in terms of liability. Decisions that result in harm, whether economic or to a person, can typically be mitigated through an application of this purpose. From development decisions that pose environmental risks to citizens or

infrastructure, to how municipalities make decisions around water issues, the decision-making around environmental liability can mitigate these harms.

A related question is whether liability is likely to accrue to municipalities who somehow “fail” to foster the well-being of the environment. Like the other purposes under the MGA, it is now a guiding purpose of the MGA and therefore may be referenced in guiding judicial or tribunal interpretations that directly relate to the meeting of that purpose. While screening every decision for its contribution to the well-being of the environment is not practical, municipalities should still be conscious of this liability exposure. Therefore, municipalities should be prepared to make a cogent and credible case that any decision (policy, plan, practice) can be shown to foster the well-being of the environment.

Finally, it should be clearly recognized that the well-being of the environment relies on all levels of government, requiring both recognition and integration of decisions to minimize liability across regulatory jurisdictions.

Support for Municipal Activities

As noted in the introduction, fostering the well-being of the environment is a new purpose for municipalities, but not a new activity — numerous municipal initiatives have been undertaken to do just this. It begs the question as to why there is a new purpose, and what is the value of having it.

Reinforcing Current Efforts

Many environmentally-focused bylaws, plans, and practices currently trace a convoluted path through numerous policy statements, strategies, and decisions to outline policy goals, authority, and rationale. Programs can be based on a council decision that it is ‘the right thing to do’, but justifying specific actions at the administrative level can be challenging. Environmental best practices that arise in the fields of planning, engineering, water management, environmental management, conservation, etc. may be ahead of outdated policies. Knowing that fostering the well-being of these systems is a municipal purpose can expedite necessary program activity.

Supporting Regulatory Alignment

Municipalities are subject to numerous pieces of provincial and federal environmental legislation, and many provincial policies prescribe environmental requirements for municipalities (such as the stipulation that municipal plans align with the environmental outcomes of regional plans). The well-being of the environment purpose can enable the ability of municipalities to proactively pursue policies and programs that ensure alignment with policies and legislation of other jurisdictions.

Enabling Innovation

Much of the environmental context for municipalities encourages reacting to activities and seeking to remediate environmental harm; the antithesis of innovation. Yet like all players in the environmental realm, municipalities are regularly called on to be innovative. The well-being of the environment purpose can

support municipal efforts to step forward, seeking to get ahead of issues before they become unmanageable, and create and deploy innovative tools and programs.

Increasing Clarity and Accountability

The authors suggest above that measurement and evaluation are a fundamental characteristic of fostering the well-being of the environment. Such an approach increases a municipality's ability to hold itself accountable, and align with citizen demands and expectations around a municipality's role in fostering the well-being of the environment. The same approach increases the ability of a municipality to understand and plan for cumulative environmental effects, when different activities are collated in the context of understanding their contribution to the well-being of the environment. It is also important to note that the same exercise helps define the limits to this authority, managing expectations on the part of all parties.

Environmental Decision-Making Areas

It will not be possible for this paper to comprehensively describe all the discrete circumstances where a municipality might make decisions that reflect the new well-being of the environment purpose. However, greater direction in this area is needed if municipalities are to understand the possibilities and limitations here, and also to be able to do so in some standardized fashion.

To that end, the authors offer the following start. Below are suggested categories, with illustrative notes of where the new purpose might come into play with regard to these environmental decision-making areas. These are based directly on the identified areas for potential well-being of the environment bylaws enabled by the Big City Charters:

- Contaminated, vacant, derelict or under-utilized sites,
- Climate change adaptation and greenhouse gas emission reduction,
- Environmental conservation and stewardship,
- The protection of biodiversity and habitat,
- The conservation and efficient use of energy, and
- Waste reduction, diversion, recycling and management.

Contaminated, vacant, derelict or under-utilized sites,

- Brownfields

Climate change adaptation and greenhouse gas emission reduction,

- Flood management
- Drought management
- GHG emissions

Environmental conservation and stewardship,

- Air quality and pollution abatement
- Water quality and pollution abatement

- Watershed management
- Stormwater management
- Potable water

The protection of biodiversity and habitat,

- Ecological networks, connectivity
- Wildlife habitat
- Wetlands, riparian areas
- Environmental Significant Areas, parks
- Regionally significant areas

The conservation and efficient use of energy

- Building energy consumption and labelling;
- Planning and policies around renewables;
- Transit planning;
- Infill policy;

Waste reduction, diversion, recycling and management

- Waste water management
- Solid waste

Implementation and Tools

Implementation of the well-being of the environment purpose will be embedded in municipal governance and regulatory frameworks. From policies, to plans (both statutory and non-statutory), to bylaws, there will be need to determine the appropriate regulatory tools that will enable and foster the well-being of the environment, and the policy support that will guide and direct decisions.

The tool choice will depend on the specific environmental application or media that is the focus of municipal efforts. For example, brownfield management may have a variety programs, policies, and bylaws in play around planning, taxation, and permitting. The depth and complexity of issues that might arise in a given instance will vary and further work will be required to provide a governance framework for each area to which the purpose applies.

What can be said at this point is that a the range of implementation mechanisms will need to include the following:

(NB: The bullet notes following are potential areas of focus and/or activity)

Bylaws

- Ranging from comprehensive well-being of the environment bylaws to specific operational bylaws (e.g., tree-cutting on private land to prevent disease)

- Bylaws to enable new tools (Property Assessed Clean Energy, conservation reserves, transferable development credits,)

Plans

- Clauses requiring proactive consideration of the well-being of the environment
- Restoration, rehabilitation, remediation plans
- Direction for deploying new tools within statutory plans

Policies and Strategies

- Direction for regulatory alignment to other environmental legislation
- Specific strategies for air, land, water, environmental management, biodiversity

Measurement and Evaluation

- Well-being of the environment audit that reviews overall performance, specific plans
- 'State of' the well-being of the environment measurement schemes and reporting requirements

Conclusion

The new purpose of Alberta municipalities to 'foster the well-being of the environment' is a comprehensive change, but perhaps one so comprehensive that it is difficult to identify where to begin. That is the intent of this paper: to identify some critical first steps, and offer some sign posts for potential directions. Much more needs to be done.

From the perspective of the 'holes' in this paper, more work needs to be done to clarify the environmental decision-making areas affected (or created) by this new purpose, and to offer pragmatic direction for municipalities with regard to implementation and available tools.

However, that work preresquires a broader conversation amongst municipalities, offering the chance to come to some consensus on the presumed implications of this fundamental shift. After that, there will be a need for Alberta Municipal Affairs to offer high-level policy direction around this issue; not a prescriptive road map, but at least an indication of the routes that are dead-ends, and some sense of the intended ultimate destination.