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Alberta Land Stewardship Act and Property Rights

- Farmers and other landowners are angry with several sections in the Alberta Land Stewardship Act (ALSA – Bill 36), which trumps other legislation, as well as the Land Assembly Projects Act (LAPA – Bill 19) and the Electric Statutes Amendment Act (Bill 50) that could potentially undermine or “extinguish” their property rights.
- Edmonton lawyer Keith Wilson reviewed Bills 36, 19 and 50 for the Environmental Law Centre (ELC). The review noted that Section 11 of ALSA allows for licenses and approvals to be amended or eliminated by regional plans without notice, compensation or appeal. The ELC also recommends the repeal of Section 15, which they say limits the ability of Albertans to judicially challenge Cabinet’s powers and decisions made under ALSA. See www.youtube.com/watch?v=2EdIASAi9v4 for some videos on the issue.
- Premier Stelmach has blogged on this subject, no doubt in response to numerous inquiries from irate landowners. He notes that it was not the intention of the government to extinguish anyone’s property rights but to create predictability on land use issues. The government is looking at the legislation again to make sure there are no misinterpretations of their intent. The blog post can be found at <http://alberta.ca/blog/home.cfm/2011/1/13/Were-committed-to-property-rights>
- Debate over Cabinet intentions and broad powers under ALSA and the other Acts has unfortunately overshadowed the huge amount of work that has already been done on regional plans. Given the growth pressures in Alberta, coordination of planning is critical to make sure the economic, social and environmental needs of everyone are considered. Farmers and ranchers are the biggest private land owners in Alberta and the regional plans have the potential to have major impacts on them.
- Cabinet must deal with the problems in ALSA now and not after the leadership race or the next election. Whatever the government’s intentions are in the Land-use Framework and ALSA, the plans will need to have input from those most affected. Farmers and ranchers have to get involved in the regional planning process by educating themselves on the issues, attending the stakeholders meetings in their regions and making sure their concerns and needs are heard.

Environmental Farm Plan – The Next Generation

- Alberta Agriculture and Rural Development is managing the Environmental Farm Plan (EFP) now rather than the Environmental Farm Plan Company. Changes were made following federal policy changes from the Agriculture Policy Framework to Growing Forward.
- Over 12,000 farmers and ranchers have participated in the EFP process to date – a huge percentage of the 45,000ish farms in Alberta.
- The EFP binders have been revised and there is a CD version now available. An informal working group is looking at how to improve the EFP process.
- Increasingly, processors, food companies and consumers are looking for evidence of environmental sustainability all along the value chain. An EFP is one tool that can be used to identify and manage environmental risks on the farm and show environmental stewardship.
- EFP's are not mandatory, nor should they be. The decision to build and implement an EFP should be a business decision and not a regulatory requirement. Should every farmer and rancher have an EFP? Probably. The world is watching and at some time in the future, having an EFP may well be the minimum that is required to market what we grow.
- For more information on the EFP see www.albertaefp.com

GM Alfalfa

- A recent article in The Economist titled “Seeds of Change” notes that the US Department of Agriculture (USDA) is thinking about regulating Roundup Ready Alfalfa by setting rules on the extent of planting allowed.
- The safety of genetically modified (GM) alfalfa is not the issue – most of the corn, soybeans and cotton grown in the US are GM and GM alfalfa was approved by the USDA in 2005.
- The USDA is trying to figure out how to use regulations to help GM, conventional and organic crops co-exist without having their arguments settled by lawsuits in the courts.
- As The Economist notes, “wind has an unfortunate tendency to blow GM seed onto organic fields.” There have been numerous lawsuits filed by opponents of GM crops with demands for compensation.
- The USDA has presented two options – allow GM alfalfa to be grown freely or institute planting rules to prevent contamination such as an 8km separation between GM and conventional or organic fields.
- The USDA received comments until January 24th with a decision expected soon after.

Mark your calendars...

AEPA Ag Forum

March 15, 2011

Executive Royal Inn, Leduc

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