

UPEI Environmental Studies

Submission to the

Commission on the Land and Local Governance, PEI

17 June 2009

Introduction

The purpose of this submission is to convey the message that we need to collectively consider how to incorporate sustainability into every aspect of land use and local governance on PEI. Our communities are made up of people with deep connections to the places in which we live and about relationships between people and the environment. These connections and relationships are always evolving, continuously shaped by government laws, regulations and policies, market forces, land use practices, development designs, civil society organizations and by the social, cultural, spiritual and emotional values we hold dear. Our hope, as part of these continuously changing relationships, is that we can learn new ways of planning and governing on a sustainable basis.

In my capacity as Director of UPEI's multidisciplinary Environmental Studies Program, and with the help of two colleagues who teach in our program and who helped craft this submission, I would like to present our suggestions for your consideration:

The Ecological Footprint of Islanders is Unsustainable

Any consideration of land use and local governance reform must take into consideration PEI's current ecological footprint (EF). EF analysis is a sophisticated tool "*to measure and account for the flows of energy and matter to and from a defined economy*"¹. Applying EF analysis to PEI, we might ask how much area of land that is required to sustain PEI's current resource use and waste generation.

We have the answer. According to statistics for 2003², PEI's ecological footprint is already 8.98 hectares per person. That means, nearly 9 hectares (or 22.2 acres) of land is currently required to sustain each Islander – the highest per capita EF of any province, and among the highest footprints in the world. Now with PEI's current population of about 140 000 residents, this means that in order to support our current matter and energy flows, we need 1.2 million hectares (or 3.1 million acres) of land. The problem is that PEI only has just over 500,000 hectares (or 1.4 million acres) of land. In other words, Islanders need a land area that is about 2.2 times larger than the size of PEI to sustain ourselves.

PEI's land use problem is serious, especially given that this footprint calculation does not include the large influx of seasonal residents and tourists to the Island every summer.

But we already know that our current degree of land use is not sustainable. Previous commissions have focused on PEI's natural resources, land use, watershed planning, and nitrate levels, among other issues. PEI's growing environmental problems are already well documented.

Furthermore, we have only recently begun to seriously consider the eventual impacts of climate change on our island environment, especially in coastal regions. We are now discovering our need to foster community resilience in order to prepare for, and adapt to, these anticipated environmental changes. The status quo leaves us increasingly vulnerable.

¹ Wackernagel, Mathis & Rees, William, "Our Ecological Footprint" (New Society Press), 1996, p. 3

² <http://www.gpiatlantic.org/ppt/environmental/pei-footprint.ppt>.

The current attention given by this *Commission on Land and Local Governance* offers Islanders an excellent vehicle to act upon these past recommendations, and to chart a sustainable course for PEI's future.

We suggest the following recommendations:

1. Develop a province-wide sustainability mandate
2. Encourage land use planning and development based on sustainability principles
3. Promote integrated urban-rural planning and development
4. Establish regional planning committees
5. Facilitate collaborative planning and capacity building
6. Expand Special Planning Areas

Recommendation #1: Develop a Province-Wide Sustainability Mandate

Sustainability must be the core ethic of land use planning, development and local governance for Prince Edward Island. We need to do more than pay lip service to this important ethic. Sustainability requires the balancing of the needs of the environment, society, and the economy with a view to providing for future generations³. There are hard decisions and trade-offs that need to be made to ensure that sustainability becomes authentically established on PEI. The provincial government's wide-ranging responsibility affords it the opportunity to take a comprehensive, integrated view of environmental and developmental problems that sectorial positions (whether municipal, industrial, civil, or other) cannot. We therefore recommend that the PEI government take the lead in the area of sustainability by including a clearly-worded, broadly defined, overarching sustainability mandate in the *Planning Act*, and in all other provincial legislation, regulations and policies, as appropriate. The provincial government should encourage sustainable decisions and discourage unsustainable decisions in all areas under its jurisdiction. Let the PEI government be known within the province, in Canada and around world for its forward-thinking approach to governance, and be an example of how to balance all matters of environmental, social and economic sustainability.

Recommendation #2: Encourage Land Use Planning and Development Based on Sustainability Principles

Complementing the overarching sustainability mandate, sustainability principles must be developed for land use planning and development. For example, general principles might include: (1) Effective protection and enhancement of natural environments; (2) Preservation and restoration of life-supporting natural resources; (3) Social and cultural inclusion, recognizing the needs of all; and (4) Maintaining and fostering local economic development and equal employment opportunities.

Islanders, it was mentioned, enjoy and are deeply attached to our island. We do not want to lose that special connection to our cities, towns and villages, and our precious unique landscapes, under the burden of market forces, or in the absence any sustainable planning.

There are excellent and effective examples in Canada and beyond, of land development scenarios in urban and rural contexts as a result of forward-thinking planners, developers, designers and government officials that have implemented new concepts of land use and development. The new concepts are characterized by several related movements, including "sustainable communities", "new urbanism", "livable communities", "healthy communities", and "smart growth"⁴, which manages urban

³ [United Nations World Commission on Environment and Development](#) (Brundtland Commission) *Our Common Future*, Oxford: Oxford University Press, 1987.

⁴ See, for example, www.smartgrowth.bc.ca

growth by fostering unique urban identity, social diversity, regeneration, and environmental values, and halts urban sprawl all within a fiscally sound and profitable context.

Land use planning based on sustainability principles and forward-thinking requires creativity, and a willingness to design with both people and nature in mind, and specifically tailored to local conditions. That way, land use plans will enhance our quality of life, recognize diversity, preserve our natural environment, and be fiscally responsible over the long-term.

Recommendation #3: Promote Integrated Urban-Rural Planning and Development

Rapid and uncoordinated urban and rural land development is of great concern on PEI. We need a comprehensive Provincial Land Use Plan which integrates urban and rural land use planning. The current land planning system discourages informed integrated development and enables:

1. Difficulties in balancing provincial planning coverage with the need for appropriate targeting in rural areas;
2. Imbalances in the distribution of resources, such as financial resources, across the province, favoring political influence and piece-meal land development; and,
3. The absence of strategic coordination in supporting public infrastructure, such as facilities for public services (police, fire-protection, etc).

What is required, as part of this comprehensive Provincial Land Use Plan, is some form of island-wide spatial targeting – that is, the selection of specific roles for specific physical locations – for their benefits to the overall planning system. For example, regional planning can be arranged around agricultural areas, industrial areas, residential areas, recreational areas, culturally-significant areas, coastal areas, and environmentally sensitive areas (e.g. flood risk and hazard areas, biodiversity protection areas, etc).

This practice promotes development originating from within each region and encourages the diversity, protection, and enhancement of economic, social, cultural and environmental values.

Regional planning should be done to retain PEI's distinctive rural and urban identities, and to enhance appropriate future uses and values within each spatially-defined planning area.

Recommendation #4: Establish Regional Planning Committees

Through spatial targeting, a strategic territorial focus – essentially a Provincial Land Use Plan - will demand a clear understanding of how decision-making authority and responsibilities would be better exercised at the regional level where the focus of land use planning can take place.

The spatial boundaries that define these planning regions would need to be defined in such a way to ensure that the people living within each region are comfortable with them, so as to not impose arbitrary divisions upon Islanders.

From an ecosystems perspective, watersheds might make up useful regions for planning purposes. In 2007, the provincial government commissioned consultations on the management of land and water on a watershed basis⁵. The report *We Are All Downstream, We Are All Upstream, We Are All Part of a Watershed* indicated that “the idea that the provincial government manage our island on a watershed basis was widely supported” (p. 37). Further, the report continues, “Organizing electoral boundaries on the basis of watersheds was [seen as] a valuable idea that would facilitate governance on a watershed basis” (p. 37). There was much interest in the idea of enhanced communication between different levels of government and watershed groups. But there was also hesitation on the

⁵ <http://www.gov.pe.ca/envengfor/index.php3?number=1017072&lang=E>

part of watershed groups to have the provincial government devolve their authority to them. The prevailing view was that “*regulation is and should remain a government responsibility*” (p.37).

Keeping this in mind, the provincial government should explore the feasibility of establishing regional planning committees made up of local watershed council members, elected municipal councilors and other interested parties to look into the matter of land use planning on a watershed basis.

Regardless of how these planning regions are defined, the number, size, composition, and the terms of reference of regional committees should be established collectively – as an exercise of deliberative democracy which combines traditional electorally-based decision-making with participatory (or direct) involvement by affected groups. We are not talking another layer of government, or another bureaucracy, or devolution of provincial authority and responsibility. We are talking about a working partnership with those people and groups who are closest to the issues.

It will be important for the provincial government to provide a secure footing for such regional planning committees through legislation, increased funding and capacity-building support. Our 5th recommendation explains this approach further.

Recommendation #5: Facilitate collaborative planning and capacity building

A new model of partnership at the regional level called “Collaborative planning” or “shared decision-making” is now formally adopted as a preferred model in forest, land use, and watershed planning, regulatory rule-making and urban planning in many communities around the world. I have seen it working for land use planning in British Columbia⁶ and watershed planning in Quebec⁷.

The distinguishing feature of collaborative planning is that it delegates the responsibility for planning to planning tables through dialogue and interest-based deliberations. It is an exercise in deliberative democracy (as opposed to the top-down regulatory approach). It is a creative and effective means by which people affected by decisions can have a real say in how decisions are made, and can take ownership for the decisions they make.

There are four basic elements of collaborative environmental planning and decision-making⁸: (1) early and extensive engagement of community-level stakeholders in the process of planning; (2) strong and sound scientific information and analysis on which to base decisions; (3) integration of knowledge about environmental problems and their contexts, and pro-active efforts to resolve and prevent them; and (4) Integrated solutions including flexible regulation, economic incentives and compensation, negotiated agreements, and environmental education and awareness programs.

Successful collaborative planning is contingent on the support of government for it, and the capacity of the communities of interests to engage in the deliberative planning process.

Watershed-based regional planning committees tend to enable community capacity-building - a process of learning and community development – as well as make good use of local knowledge and expertise, social values, and other community assets and attributes.

Evidence elsewhere has shown that collaborative planning and capacity building, is a tried, tested and true approach that works and is closely in line with sustainability principles.

Islanders have already demonstrated considerable ability in collaborative planning for many areas of life. It would be timely, given our current focus on these important issues of land use and governance, to design a model that will work specifically for PEI.

⁶ See, for example, <http://ecoplan.mcgill.ca/?q=en/node/94>

⁷ See, for example, http://www.mddep.gouv.qc.ca/eau/bassinversant/index_en.htm

⁸ Randolf, John. Environmental Land Use Planning and Management. Washington, DC: Island Press, 2004, p. 53.

Recommendation #6: Expand Special Planning Areas

Special Planning Areas are established by government under the *Planning Act* to effectively promote and manage development and land use in accordance with the government's land use and development policies.

We feel that Special Planning Areas for PEI should be expanded to include coastlines, viewsapes, culturally significant lands (other than those protected under the Heritage and Archaeological Acts), endangered species habitats, forest areas, and buffer zones between urban and rural areas.

Management plans should be developed for each special planning area based on specific sustainability principles that would apply to the specific context, and these management plans should be monitored using specific performance indicators.

We need to especially consider how increased hazards along shorelines and in coastal areas (e.g. sea-level rise, storm surges, and emergency planning) will affect land use planning, in order to prevent potential unintended consequences of poor land development decisions.

The regional planning committees (mentioned earlier) would need to ensure that integrated planning policies address the particular land use issues and opportunities to be found in these special areas, and reduce potential conflicts between neighboring land uses.

Conclusion: Moving Beyond the Status Quo

From an environmental perspective, the measures that we have sketched above lend support to many of the recommendations made to previous commissions. Despite 30 years of studies, commissions, reports, recommendations and growing environmental and social impacts of our poor land use decisions, there has been little progress made to improve the situation. Why is this so?

The size of PEI can hardly be an obstacle; in fact we would argue that PEI's small size is an asset to communication and decision-making. Further, PEI shares no land boundaries with any other jurisdiction, resulting in a reduced complexity for land use planning and governance purposes – a situation often envied by landlocked areas with numerous neighbours.

Many blame the government for the inertia, believing it has been reluctant to act on land use recommendations because of political repercussions. If this opinion is valid, we must also consider the potential resistance of some Island constituents as an obstacle to land use planning.

To succeed in moving beyond the gridlock of the current status quo, we need a collaborative and sustainable approach uniquely-designed by, and for, Islanders.

We conclude by stating that as faculty members of UPEI's Environmental Studies Program, we are always willing to work with government, educators, and private and community partners to gather information and to analyze options for change, in order to help build PEI's capacity to address these land use and local governance challenges.

Respectfully submitted,

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