



**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, NOVEMBER 15, 2023**

SUBJECT **Bylaw No. 4575 – Regional Coordination of Biodiversity and Environmental Stewardship**

ISSUE SUMMARY

To initiate the conversion of the invasive species program under the Climate Action Service to a separate service focused on regional biodiversity and protection of ecological assets.

BACKGROUND

The Capital Regional District (CRD) Board identified a strategic initiative to “explore options for a regional approach to biodiversity and the protection of ecological assets” in its 2023-2026 Strategic Priorities. Protecting and enhancing regional biodiversity and ecological assets will help build climate resiliency, improve watershed and harbour health, support food security and enhance the livability, sustainability and resilience of the region through environmental stewardship.

Staff propose converting the existing invasive species program into a new Biodiversity and Environmental Stewardship Service that integrates coordination of biodiversity, protection and stewardship of ecological assets and invasive species management. This proposed service supports the following Board priorities: (1) regional action around protection of biodiversity and ecological assets (i.e., invasive species, urban forests, terrestrial ecosystems, waterways and wetlands, and intertidal/near shore marine habitats); (2) engagement with First Nations partners on collaborative stewardship of key ecological and cultural features in support of meaningful reconciliation and restoration; and (3) to enhance regional collaboration and action in building climate resiliency.

Staff have drafted a new establishment bylaw (Appendix A) and a proposed cost apportionment (Appendix B) for consideration.

Initially the service will regionalize the invasive species program, including support to the Electoral Areas, at the current level of support and formalize local government requisition for the part-time invasive species coordinator. Currently, the invasive species program is funded through an allocation model from Regional Parks, Watershed Protection and Environmental Protection divisions. Additional staff capacity and operational funds will be considered in future budget cycles.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the CRD Board:

1. That Bylaw No. 4575, “Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023”, be introduced and read a first, second and third time;
2. That participating area approval be obtained by regional alternative approval process; and
3. That Bylaw No. 4575 be forwarded to the Inspector of Municipalities for approval.

Alternative 2

That the report be referred back to staff for more information to be considered in the 2025 budget process.

IMPLICATIONS

Environmental and Climate Implications

Healthy environments form the foundation for healthy communities and biodiversity is a key metric of healthy and resilient environments. The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services released the Global Assessment Report on Biodiversity and Ecosystem Services in 2019, which found that biodiversity is being altered at an unprecedented rate. Five direct drivers of biodiversity loss were identified:

- 1) Land/Sea-Use Change
- 2) Invasive Alien Species
- 3) Climate Change
- 4) Overexploitation of Resources
- 5) Pollution

The existing CRD program is a good basis for the new service; invasive species management is an integral component of environmental stewardship that restores, protects and enhances healthy ecosystems.

Social Implications

Enhanced knowledge and awareness relating to biodiversity will inform the ways citizens across the region relate to the environment. Our goal is to prompt more environmentally conscious actions, such as ecosystem restoration and protection, watershed protection, planting of trees and native species and removal of invasive species to enhance and protect biodiversity and ecological assets in the region.

Intergovernmental Implications

A regional approach to biodiversity and protection of ecological assets requires coordination across multiple levels of government, First Nations, environmental organizations, landowners, and residents of the region. Currently, staff collaborate and coordinate with many of these partners through CRD-facilitated, multi-stakeholder initiatives around watershed and harbour stewardship, invasive plants, and Canada geese. The CRD is well-positioned to take on a role in the regional enhancement and protection of biodiversity and ecological assets.

Financial Implications

Currently the invasive species program is funded through an allocation model across three divisions: Regional Parks, Watershed Protection and Environmental Protection. The proposed new service would shift funding to a regional requisition at the current budget (approximately \$100,000). This new regional service would be cost-shared based on population (50%) and converted assessment (50%). The proposed cost apportionment for the participating partners for 2024 is in Appendix B.

Legal Implications

A regional district may operate any service it deems desirable provided that, on establishment of the service by way of service establishing bylaw, it received participating area approval. There are three options to obtain participating area approval for Bylaw No. 4575: regional alternative approval process; municipal consent on behalf with alternative approval process (AAP) in the electoral areas; and referendum/elector assent.

A regional district's bylaw-making powers are subject to certain levels of provincial approval, such as for bylaws relating to public health or, in this case, bylaws that may relate to regulation of the natural environment. As this bylaw is for coordination, engagement and public education, and not for regulation, no additional Ministry of Environment & Climate Change Strategy approval is required. The draft bylaw contains a provision for clarity, stating it is not for regulation, to avoid confusion on the Inspector of Municipalities' review.

As a regional biodiversity and environmental stewardship service is most effective if all municipalities and electoral areas participate, a regional AAP is advised. This would put the responsibility of objecting to the service on the electors who, if 10% were not in favour, could determine not to proceed. An alternative is the municipal consent process, which would permit any municipality or electoral area to effectively veto the creation of the service if they were not in favour of its establishment. Given an AAP is already required in the Electoral Areas, it is recommended a regional AAP be pursued.

CONCLUSION

The Capital Regional District (CRD) Board identified the preservation of regional biodiversity and protection of natural assets as a strategic priority and directed staff to explore options for a regional approach to the issue. Converting the current invasive species program to a service under a new establishing bylaw will support the Board's direction, expand the service more broadly towards environmental stewardship and allow for service level amendments based on future Board direction. Staff have prepared a service establishment bylaw to pursue a regional approach to biodiversity and the protection of ecological assets and to coordinate partnerships between land use agencies under various jurisdictions, including First Nations, federal and provincial agencies, local and regional governments, environmental stewardship groups and residents. Increased environmental stewardship and action on biodiversity and protection of ecological assets can improve watershed health, build climate resiliency and create more sustainable and livable communities.

RECOMMENDATION

The Environmental Services Committee recommends to the CRD Board:

1. That Bylaw No. 4575, "Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023", be introduced and read a first, second and third time;
2. That participating area approval be obtained by regional alternative approval process; and
3. That Bylaw No. 4575 be forwarded to the Inspector of Municipalities for approval.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

Appendix A: Bylaw No. 4575, “Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023”

Appendix B: Participants Cost Apportionment – Regional Biodiversity and Environmental Stewardship Service

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4575

A BYLAW TO ESTABLISH A SERVICE FOR REGIONAL COORDINATION OF BIODIVERSITY AND ENVIRONMENTAL STEWARDSHIP

WHEREAS:

- A. The Board of the Capital Regional District wishes to establish a regional Biodiversity and Environmental Stewardship service (the "Service") to pursue a regional approach to biodiversity and the protection of ecological assets with public authorities and groups across the capital region under s.332 of the Local Government Act.
B. Participating area approval is required and assent of the electors has been obtained by regional alternative approval process, pursuant to ss.342(4) and 345 of the Local Government Act; and,
C. The approval of the Inspector of Municipalities has been obtained under s.342 of the Local Government Act.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Service

- 1.1 The Service being established and to be operated is a service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship ("the Service"), including:
a. Conducting research and obtaining biodiversity and ecological asset inventory and data, monitoring, mapping and managing their key stressors and problem species (i.e. invasive plants and animals);
b. Coordinating, communicating and establishing collaborative partnerships with municipalities, First Nations, large landowners, other government agencies, and stewardship groups to protect, restore and enhance key biodiverse habitats and ecological assets, and to minimize and manage the impacts of stressors and problem species (i.e., coordinating training on managing invasive species, provision of educational resources, and establishment of a shared treatment and monitoring contract); and
c. Facilitating the development and implementation of an environmental stewardship strategy and public outreach and education program to increase public awareness of, and engagement in, the protection of biodiversity and ecological assets and managing invasive species.
1.2 For clarity, this bylaw does not establish a service to regulate the natural environment under the Community Charter.

2. Service Area Boundaries

The boundaries of the service area are coterminous with the boundaries of the Capital Regional District (the "Service Area").

3. Participating Areas

All municipalities and electoral areas within the Capital Regional District are the participating areas for this service (the "Participating Area").

4. Cost Recovery

As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- a. property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;
- b. fees and charges imposed under Section 397 of the *Local Government Act*;
- c. revenues raised by other means authorized by the *Local Government Act* or another *Act*;
- d. revenues received by way of agreement, enterprises, gift, grant or otherwise.

5. Cost Apportionment

- a. The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
 - i. Fifty (50) per cent of the costs shall be recovered on the basis of the population of the participating areas; and
 - ii. Fifty (50) per cent on the converted value of land and improvements in the participating areas.
- b. Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

6. Maximum Requisition

The maximum amount that may be requisitioned under Section 339(1)(e) for the Service will be the greater of:

- a. Five hundred thousand dollars (\$500,000); or
- b. An amount equal to the amount that could be raised by a property value tax rate of \$0.0028 per one thousand dollars (\$1,000.00), which when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

7. Citation

This Bylaw may be cited as Bylaw No. 4575, "Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	th	day of	20__
APPROVED BY REGIONAL ALTERNATIVE APPROVAL PROCESS THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

CHAIR

CORPORATE OFFICER

PARTICIPANTS COST APPORTIONMENT
REGIONAL BIODIVERSITY AND ENVIRONMENTAL STEWARDSHIP SERVICE

November 2023

50/50 Converted Assessment/Population

	Basis of Apportionment		Percent of Total	2024 Requisition
	50%	50%		
	Regional Planning Population (2022)	Converted Assessments (2023 Revised)		
Municipalities				
Central Saanich	18,689	923,380,888	4.35%	4,234
Colwood	20,766	809,693,136	4.32%	4,204
Esquimalt	19,155	671,867,225	3.81%	3,704
Highlands	2,599	136,960,528	0.63%	609
Langford	49,345	2,121,412,137	10.74%	10,446
Metchosin	5,142	226,870,368	1.13%	1,102
North Saanich	12,671	918,708,349	3.65%	3,549
Oak Bay	19,211	1,279,769,880	5.26%	5,119
Saanich	125,853	5,461,179,077	27.52%	26,760
Sidney	12,569	754,068,357	3.25%	3,156
Sooke	15,991	593,243,986	3.26%	3,167
Victoria	96,390	4,946,222,123	22.89%	22,264
View Royal	12,606	498,912,282	2.64%	2,569
	410,987	19,342,288,336	93.45%	90,882
Electoral Areas				
Juan de Fuca	5,651	367,942,462	1.53%	1,486
Salt Spring Island	11,828	723,420,921	3.09%	3,002
Southern Gulf Islands	5,388	550,734,297	1.93%	1,880
	22,867	1,642,097,680	6.55%	6,368
Total	433,854	20,984,386,016	100.00%	97,250