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## REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, NOVEMBER 13, 2024

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**SUBJECT**     **AAP Requirements for Bylaw No. 4575 – Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023**

### **ISSUE SUMMARY**

The CRD Board must establish the process for conducting an alternative approval process (AAP) by establishing the total number of electors, approving the deadline to receive elector responses, approving a synopsis for the bylaw, the statutory notice, and the elector response form.

### **BACKGROUND**

At its meeting held December 13, 2023, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4575, “*Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023*” (Appendix A).

The purpose of Bylaw No. 4575 is to establish a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship. The service will include conducting research, obtaining data, managing problem species, establishing partnerships with government and non-government organizations including First Nations, and facilitating an environmental stewardship strategy along with public outreach and education.

Prior to adopting a new service establishment bylaw, participating area approval is required and will be obtained by regional alternative approval process. The service area applies to all municipalities and electoral areas of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands.

The following documents have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter* and must be approved by the CRD Board:

- Synopsis of Bylaw No. 4575 (Appendix B)
- Notice of AAP for Bylaw No. 4575 (Appendix C)
- Elector Response Form for Bylaw No. 4575 (Appendix D)

With an AAP, the Board may proceed with adopting the bylaw if less than 10% of electors submit a signed Elector Response Form indicating that the Board must obtain the assent of the electors by way of assent voting (referendum). The total number of electors in the Biodiversity and Environmental Stewardship Coordination Service (i.e. Capital Regional District) is determined to be 331,937 of which 10% is 33,194 electors. The AAP Elector Response Form will be available when the statutory Notice of AAP is published on November 21, 2024 and due by 4:30 pm on January 15, 2025. Staff have extended the response period beyond the statutory minimum to account for the holiday season.

For additional information, please refer to the previous staff report dated November 15, 2023 (Appendix E).

## **ALTERNATIVES**

### *Alternative 1*

1. That in accordance with section 86(3) of the *Community Charter*, the date of January 15, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4575, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4575 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,937 and that 10% of that number is 33,194 electors.

### *Alternative 2*

That this report be referred back to staff for additional information.

## **IMPLICATIONS**

### *Communication Channels*

The AAP notification for Bylaw 4575 will launch on November 21, 2024. The purpose of the communication approach is to inform residents in the region about the Biodiversity and Environmental Stewardship Coordination bylaw and provide electors the opportunity and the deadline to submit response forms to the bylaw and address questions that may arise during the process. The AAP communication channels is attached for Board approval as Appendix F.

### *Financial & Service Delivery Implications*

The Biodiversity and Environmental Stewardship Coordination service can be established and requisitioned in 2025 if less than 10% of electors submit a signed Elector Response Form by January 15, 2025. The maximum amount that can be requisitioned for the service is \$500,000 (or an amount equal to the amount that could be raised by a property value tax rate of \$0.0028 per \$1,000 to the net taxable value of the land and improvements within the service area).

## **CONCLUSION**

The CRD Board had previously approved obtaining participating area approval for the entire service area by regional alternative approval process for Bylaw No. 4575, "*Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023*". Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as January 15, 2025, establish the number of eligible electors, and approve the Synopsis of Bylaw No. 4575 (Appendix B), Notice of Alternative Approval Process (Appendix C), and the Elector Response Form (Appendix D) in accordance with the applicable provincial legislation.

**RECOMMENDATION**

1. That in accordance with section 86(3) of the *Community Charter*, the date of January 15, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4575, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4575 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,937 and that 10% of that number is 33,194 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Glenn Harris, Ph.D., R.P.Bio., Acting General Manager, Parks, Recreation & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

- Appendix A: Bylaw No. 4575 at Third Reading
- Appendix B: Synopsis of Bylaw No. 4575
- Appendix C: Notice of AAP for Bylaw No. 4575
- Appendix D: Elector Response Form for Bylaw No. 4575
- Appendix E: Previous Staff Report dated November 15, 2023
- Appendix F: AAP communication channels for Bylaw No. 4575

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	13 <sup>th</sup>	day of	December,	2023
READ A SECOND TIME THIS	13 <sup>th</sup>	day of	December,	2023
READ A THIRD TIME THIS	13 <sup>th</sup>	day of	December,	2023
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	2 <sup>nd</sup>	day of	February,	2023
APPROVED BY REGIONAL ALTERNATIVE APPROVAL PROCESS THIS	th	day of		20__
ADOPTED THIS	th	day of		20__

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

**Synopsis of Bylaw No. 4575, “Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023”**

The purpose of Bylaw No. 4575 is to establish a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship. The service will include conducting research, obtaining data, managing problem species, establishing partnerships with government and non-government organizations including First Nations, and facilitating an environmental stewardship strategy along with public outreach and education.

The maximum amount that can be requisitioned for the service is five hundred thousand dollars (\$500,000) or 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) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4575 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap)

**NOTICE TO ELECTORS  
WITHIN THE CAPITAL REGIONAL DISTRICT**

**Alternative approval process for Bylaw No. 4575 to authorize the establishment of a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship**

**Notice is hereby given** that the Board of Directors of the Capital Regional District ("CRD") proposes to adopt Bylaw No. 4575, *"Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023"*. The service area applies to all municipalities and electoral areas of the CRD.

The proposed Biodiversity and Environmental Stewardship Coordination service was identified in the CRD Board's 2023-2026 Strategic Priorities to "explore options for a regional approach to biodiversity and the protection of ecological assets". 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.

The purpose of Bylaw No. 4575 is to establish a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship. The service will include conducting research, obtaining data, managing problem species, establishing partnerships with government and non-government organizations including First Nations, and facilitating an environmental stewardship strategy along with public outreach and education.

The maximum amount that can be requisitioned for the service is five hundred thousand dollars (\$500,000) or 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) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4575 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap)

**Take further notice** that the CRD may proceed with Bylaw No. 4575 unless at least 33,194 electors (constituting 10% of eligible electors) within the Capital Regional District indicate, by



signing the elector response form, that the Board must obtain the assent of the electors by way of an assent vote (referendum) before proceeding to adopt Bylaw No. 4575.

The elector response must be in the form as established by the CRD and is available from the CRD on request or from the CRD website at [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap). The only persons entitled to sign elector response forms are electors of the area to which the alternative approval process opportunity applies. The alternative approval process applies to all municipalities and electoral areas of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands.

The deadline for submitting signed elector response forms, in relation to Bylaw No. 4575, to the CRD is **4:30 p.m. on Wednesday, January 15, 2025**. Forms must be received by the deadline to be counted.

A copy of the elector response form may be downloaded from: [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap).

To obtain an elector response form, or for questions about the alternative approval process, contact Legislative Services, 625 Fisgard Street, Victoria, BC, V8W 1R7, email [legserv@crd.bc.ca](mailto:legserv@crd.bc.ca), telephone 250.360.3024 or toll free 1.800.663.4425 from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays).

Questions regarding Bylaw No. 4575 may be directed to Glenn Harris, Senior Manager, Environmental Protection, 625 Fisgard Street, Victoria, BC, 250.360.3090, [gharris@crd.bc.ca](mailto:gharris@crd.bc.ca), from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until January 15, 2025.

### **Qualifications for Resident and Non-Resident Property Electors**

**Resident Elector:** You are entitled to submit an elector response form as a Resident Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for at least 6 months and currently reside in the Capital Regional District prior to signing the elector response form.

**Non-Resident Property Elector:** You may submit an elector response form as a Non-Resident Property Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for 6 months, have owned and held registered title to property in the Capital Regional District for 30 days and do NOT qualify as a Resident Elector. If there is more than one registered owner of the property (either as joint tenants or tenants in common) only one individual may, with the written consent of the majority, submit an elector response form.

Elector response forms, a copy of Bylaw No. 4575, and a copy of this Notice may be inspected during regular office hours, 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until **4:30 p.m. on Wednesday, January 15, 2025** at the following CRD locations:

- CRD headquarters, 625 Fisgard Street, Victoria
- on the CRD website: [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap).

Given under my hand at Victoria, BC this 21<sup>st</sup> day of November 2024.

Kristen Morley  
Corporate Officer



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# ELECTOR RESPONSE FORM

Appendix D

## Alternative Approval Process for Bylaw No. 4575

By completing this elector response form I **oppose** the Capital Regional District's intention to adopt **Bylaw No. 4575, "Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023,"** to authorize the establishment of a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship, unless a vote is held.

### Please print using BLOCK LETTERS

Full name of elector: \_\_\_\_\_  
(one form per person)

Signature: \_\_\_\_\_  
\*\*\*A person must not sign more than one elector response form\*\*\*

Residential Address: \_\_\_\_\_  
# Street Name Municipality/Electoral Area Postal Code

### Choose one (see next page for eligibility requirements):

- I am a resident elector
- I am a non-resident property elector in the Capital Regional District who lives in another community in **British Columbia** and owns property at the below address\*:

\_\_\_\_\_

The deadline for submitting this elector response form to the **Capital Regional District** is: **4:30 p.m. on Wednesday, January 15, 2025.**

Address: c/o Legislative Services, CRD, 625 Fisgard Street, Victoria, BC, V8W 1R7  
Phone: 250.360.3024  
E-mail: [LegServ@crd.bc.ca](mailto:LegServ@crd.bc.ca) (please scan a legible signed copy as PDF)

The Capital Regional District may obtain Electoral Area approval for Bylaw No. 4575, "Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023" unless at least 33,194 electors sign and submit a completed copy of this elector response form to the Capital Regional District by the deadline.

**Additional information can be found on the next page of this form about the subject of this alternative approval process as well as the elector qualifications.**

#### \*Notes for non-resident property elector(s):

- Section 86(7) of the Community Charter requires the elector's full name and residential address or the address of the property in relation to which the person is entitled to register as a non-resident property elector in order for this response form to be counted.
- Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.

Personal information collected by this form is authorized under the *Freedom of Information and Protection of Privacy Act* sections 26(a) and 26(c) and will be used only for the purpose of conducting an alternative approval process pursuant to Section 86 of the *Community Charter*. If you have any questions about the collection and use of this information, please contact Marlene Lagoa, Deputy Corporate Officer, Capital Regional District, 625 Fisgard Street, Victoria, 250.360.3127 OR [LegServ@crd.bc.ca](mailto:LegServ@crd.bc.ca).

## Bylaw No. 4575 – AAP Information Sheet

The proposed Biodiversity and Environmental Stewardship Coordination service was identified in the CRD Board's 2023-2026 Strategic Priorities to “explore options for a regional approach to biodiversity and the protection of ecological assets”. 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.

Therefore, the Capital Regional District (CRD) intends to adopt **Bylaw No. 4575, “Biodiversity and Environmental Stewardship Coordination Establishing Bylaw No. 1, 2023”**. The purpose of Bylaw No. 4575 is to establish a new regional service for the purpose of coordinating a regional approach to biodiversity, protection of ecological assets and environmental stewardship. The service will include conducting research, obtaining data, managing problem species, establishing partnerships with government and non-government organizations including First Nations, and facilitating an environmental stewardship strategy along with public outreach and education.

The maximum amount that can be requisitioned for the service is five hundred thousand dollars (\$500,000) or 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) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4575 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at [www.crd.bc.ca/biodiversity-aap](http://www.crd.bc.ca/biodiversity-aap)

### Additional Information About Elector Eligibility

In order to sign an elector response form, a person must either be a resident elector or a non-resident property elector.

A **resident elector** is an individual who is entitled to sign an elector response form during an AAP by virtue of living within that jurisdiction. *When signing an elector response form*, a resident elector must:

- be 18 years of age or older;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months;
- be a resident of the jurisdiction (e.g., municipality or electoral area);
- live in the area defined for the AAP (i.e. Capital Regional District); and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

A **non-resident property elector\*** is an individual that does not live in a jurisdiction and who is entitled to sign an elector response form during an AAP by virtue of owning property in that jurisdiction. *When signing an elector response form*, a non-resident property elector must:

- be at least 18 years of age;
- be a Canadian citizen;
- have been a resident in British Columbia for at least six months;
- be a registered owner of property in the area defined for the AAP (i.e. Capital Regional District); for at least 30 days; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.



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

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**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__

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CHAIR

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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% Regional Planning Population (2022)	50% Converted Assessments (2023 Revised)		
<b>Municipalities</b>				
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
<b>Electoral Areas</b>				
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
<b>Total</b>	433,854	20,984,386,016	100.00%	97,250

**TABLE: AAP Communication Channels for Bylaw No. 4575 (Biodiversity)**

<b>Publication</b>	<b>Channel Type</b>	<b>Cost</b>
Times Colonist	Print	\$1000
BlackPress <i>Additional Notice to visit crd.bc.ca to view Public Notice</i>	Print in 6 publications	\$2000
Salt Spring Exchange	Online	\$40
CRD website – Public Notice Page	Online	N/A
AAP launch email to Get Involved subscribers	Online	N/A
Facebook	Online	N/A
X (Twitter)	Online	N/A
Info bulletin/ Media Release	online distribution	N/A
Notice Boards - <b>Juan de Fuca</b>	<ul style="list-style-type: none"> <li>○ East Sooke Community Hall</li> <li>○ Port Renfrew Community Hall</li> <li>○ Willis Point Community Hall</li> </ul>	N/A
Notice Boards - <b>Salt Spring Island</b>	<ul style="list-style-type: none"> <li>○ Rainbow Recreation Centre</li> <li>○ SIMS Community Centre</li> <li>○ SSI Library</li> </ul>	N/A
Notice Boards - <b>Southern Gulf Islands</b>	<ul style="list-style-type: none"> <li>○ North Galiano Community Hall</li> <li>○ Montague Marina</li> <li>○ Corner Store, 61 Georgeson Bay</li> <li>○ South Galiano Community Hall Foyer</li> </ul>	N/A
<b>TOTAL (estimate)</b>		<b>\$3040</b>