

February 12, 2014

Comment submitted for discussions relating to the Municipal Government Act Review currently in progress:

Kneehill County has recently given third reading to a direct control land use bylaw establishing a district encompassing approximately 3 quarter sections for the Badlands Motorsport Resort. A substantial portion of the proposed uses, including the race track itself, will occur in the Rosebud River Valley which had earlier been identified as an "environmentally significant area" pursuant to environmental studies undertaken and approved by the municipal council pursuant to the Provincial Land Use Policies. The municipal council seems to be under the impression that once the environmental studies were complete the resulting reports and recommendations need only be put into the local library, but otherwise ignored.

The land use approval was given despite both the municipal MDP and Provincial Land Use Policies that go to great lengths to encourage environmental protection in Environmentally Significant Areas. A complete and independent Environmental Impact Assessment for the proposed Motorsports Resort has not yet been done and quite obviously should have been done before the Area Structure Plan, let alone the land use district, for this development was approved. Denial of racetracks weaving among wetlands and on the slopes of an unstable riverbank should, quite frankly, be a "no brainer". There are other locations where racetracks can be built with few environmental impacts.

The Alberta Government seems to have endless rhetoric which leads Albertans and the rest of the world to believe that they value environmental protection highly. The current MGA is "heavy" on protecting the rights of Municipal Councils to make local decisions but "light" on actually directing and educating Municipal Councils as to the process they must follow to evaluate developments on an environmental basis. This development is a blatant example of how Provincial environmental policies have failed to be effectively incorporated into the Municipal Government Act or implemented.

Please have a careful look and decide what changes need to be made in the MGA to ensure the decision Kneehill County has made will not be repeated. Municipalities need a MGA and a set of Land Use Policies that clearly direct decision makers to enforce environmental protection. Developers should not assume they can purchase any piece of land and massage weak environmental policies to suit their desires. Please refer to the website savetherosebud.com for more information on this particular example.

In addition to the foregoing, the project was universally opposed by directly affected and neighboring property owners. Over 100 people spoke in opposition to the approval, but to no avail. I understand that planning is not simply a matter of plebiscites. But, if public hearings are of no consequence, then why are they required? Why ask for the public's opinion if you are going to ignore it.

Sincerely,
Wendy Clark