

Working with Water Update

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The AEPA Water Working Group (WWG) continues to work with Alberta Environment and Parks (AEP) to clarify the regulations affecting water and wetlands.

There was further information that would be of special interest to agriculture. The Water Act, Wetland Policy, Public Lands Act and others all have requirements that farmers should be aware of, as well as exemptions that can be useful.

AEP is rolling out a new online process for Water Act approvals. Water Act approvals, approval amendments, and Code of Practice notices will be available through an online application process under a new Environmental Approvals System called OneStop. This new system is designed to streamline the application process and increase the efficiency for approving applications. Applications under a Code of Practice can start on Nov 30, 2018 and Water Act approvals on January 18th, 2019.

<http://aep.alberta.ca/water/forms-applications/water-act-forms.aspx>. A user guide is planned for mid-year.

An Authorization Viewer, where you can view what approvals are already on your land, is available here: <https://avw.alberta.ca/ApprovalViewer.aspx>. For those who want to get into the nitty gritty of regulations, the Water (Ministerial) Regulation (with exemptions) is here: http://www.qp.alberta.ca/documents/regs/1998_205.pdf

Water Act *approvals* deal with activities in a water body. Both activities and water bodies have very broad definitions. Ditches are a common practice that needs a Water Act approval, as well as pumping of low areas. Agriculture has exemptions for fencing, landscaping, beaver dam removal, and dugouts under 2500m³, however there are certain conditions that need to be met for the exemptions to apply. More information can be found at: <http://aep.alberta.ca/water/legislation-guidelines/water-act.aspx>.

Water Act *licenses* deal with consumptive use of water. A Temporary Diversion license is one example, an online process good for one year : <http://aep.alberta.ca/water/forms-applications/online-application-for-a-temporary-diversion-licence.aspx>. Agriculture has a certain amount of exemption for household and agricultural use, however there are certain conditions that need to be met for the exemptions to apply. Can be more complicated in closed basins like the South Saskatchewan.

The Wetland *policy* adds additional considerations to wet areas, and it is important to know that from a regulatory point of view, *wetlands don't have to be wet*. AEP identifies them based on vegetation and soils, not what their water state is at the current time. The policy requires that wetlands which are to be drained or have dugouts placed in them to have assessments completed (ABWRET-A or ABWRET-D) and replacement values paid. More information on the Alberta Wetland Policy can be found at: <http://aep.alberta.ca/water/programs-and-services/wetlands/alberta-wetland-policy.aspx>. If you have any further policy questions then you can send an email to :Aep.wetlands@gov.ab.ca

The Public Lands Act is an additional factor to be aware of as it grants the crown ownership of the bed and shore of all permanent and natural water bodies.

It is important to note that the purpose of the Water Act is a balance between the environment and economic growth/prosperity. AEP has offered to work with the WWG to help explain these requirements with a series of webinars to help explain the details of water regulations and guide agriculture through the processes, as well they are working on a print guide for tile drainage, surface drainage, and dewatering.

The WWG has emphasised the importance of agriculture identifying and building what it needs to ensure access to water and water management in the long term.

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