

Attention MD of Willow Creek Landowners – Important Information pertaining to Alberta Environment Water Act Approvals for temporary drainage projects.

Alberta Environment Water Act Approvals

Any actions by landowners that change the Rate, Timing or Flow of water requires a Water Act Approval.

Alberta Environment has initiated an expedited process for Water Act approvals that are required for mitigation of flooding on private land.

The process includes submission of one of two temporary water drainage application forms (one is for discharge to an irrigation district, and one is for discharge to land or a natural watercourse/water body). Both forms provide an email address to submit the completed form directly to our office here in Lethbridge.

For Landowners that are in need of a temporary water drainage approval please utilize one of the two appropriate forms and advise them to submit it to the email address indicated. The applications will come to an email inbox accessible to all our approvals staff; and the applications will be processed in a timely manner. All legal requirements are still in effect (plan drawing(s) and written consent from potentially affected stakeholder resulting from the drainage activity for example)...a written consent and plan drawing templates are attached as well as a plan example.

The application form, and the expedited approval process is only for temporary drainage projects resulting from snow melt or rain events that create overland flooding events. If you have enquiries regarding long-term/permanent drainage projects, those drainage applications must be submitted via routine channels (EAS OneStop) and will be processed based on the date of submission.

In addition, if there are emergency water pumping needs to protect critical infrastructure (homes, barns, utility, road etc.) the Water Act and Environmental Protection and Enhancement Act does not provide the authority for AEP staff to verbally authorize the pumping activity.

If emergency pumping is required, it is important that the activity is conducted in a manner that does not impact adjacent landowners and/or downstream/down-gradient water users; and the emergency pumping activity must be reported to AEP by calling 1-800-222-6514. In addition, the person conducting the emergency pumping must record the pump start date and time, the pump stop date and time and estimate the volume of water discharged by multiplying the pump hours by the pump rate. Finally, emergency pumping should be limited to the amount necessary to provide protection of critical infrastructure, and no more.

File:	
App:	
Inspector:	
Standard Approval	Yes <input type="checkbox"/> No <input type="checkbox"/>

Water Act Approval for Temporary Drainage – 2019 Flood Recovery Outlet to Irrigation District Infrastructure

PART 1 – Applicant Information

Application Date:		Proposed Pump Start Date:
Name or Business Name:		
Phone Number(s):		
Mailing Address:		Proposed Pump End Date:
Fax and/or e-mail:		

PART 2 – Please fill in the sections below in relation to the proposed drainage:

What is the Legal Land Location(s) where the drainage activity is to take place (1/4-Sec-Twp-Rng-Mer)?

Are you the registered landowner of where the drainage activity is to take place? Yes ☐ No ☐

If the answer above is NO, please attach written consent from the registered landowner to carry out the drainage activity.

What is the current land use of the area to be drained (e.g. irrigated farmland, grazing, feedlot, residence, etc.)?

Is there a known source of potential contamination of the water (e.g. agricultural by-products, industrial by-products, hydrocarbons, etc.)? If yes, specify:

What is the approximate volume of water to be drained? This can be estimated by multiplying the approximate area (acres) of the flooded area by the approximate depth (feet) of water (e.g. 20 acres x 0.5 feet = 10 acre-feet of water)

What will be the approximate rate of flow of the proposed drainage activity? (e.g. pump rate; please indicate units)

How is the water proposed to be drained from the land (e.g. pump, ditch, existing) and conveyed to the Irrigation District (e.g. MD/County ditch, pipe, natural drainage across land, etc.)? What equipment will be used to carry out the drainage activity?

What is the Legal Land Location where drained water enters Irrigation District Infrastructure (1/4-Sec-Twp-Rng-Mer)? This is the "Adequate Outlet" location. Road ditches are not an "Adequate Outlet." Please attach written consent from the Irrigation District to carry out the drainage activity.

Is your proposed drainage activity going to impact any other landowners, such as draining across/through other lands (e.g. Private Landowners, Municipality, Irrigation District)? Yes ☐ No ☐

As this approval will be appurtenant to the undertaking of drainage, the appurtenance includes the land(s) to be drained and the lands and infrastructure used to convey the drained water into Irrigation District infrastructure (Adequate Outlet). If the answer above is YES, please include the written consent from each of the affected parties for your proposed drainage activity. You can use the Drainage Consent form provided, or another format that states the equivalent.

What measures will you take to minimize erosion of affected parties land and/or infrastructure (e.g. silt fence, matting, rock, etc.)?

Please provide any other applicable details that have not been included above (or attach further information where needed):

PART 3 – Drainage Plans

Plans are a requirement for an Application under the *Water Act*. Please attach a plan with Quarter Section lines and the Legal Land Location. The plan must clearly show the water to be drained, the method of draining, and where the water will be drained to. These plans can be completed on the provided plan template, or in another format that includes the equivalent information.

Please check the following box to indicate that plans have been attached. ☐

PART 4 – Alberta Environment and Parks (the Department) has the following requirements for your drainage activity as the Approval Holder:

- This Approval does not authorize an activity that affects a Wetland. "Wetland" means land saturated with water long enough to promote the formation of water altered soils, growth of water tolerant vegetation, and various kinds of biological activity that are adapted to the wet environment.
- The drainage activity shall not be undertaken in any manner, or include the use of any material that causes or may cause an adverse effect on the aquatic environment, human health, private property or public safety.
- No aspect of the drainage activity shall impact any other landowners, licensees, household users or traditional agricultural users without their written consent.
- The Approval Holder shall take measures to ensure that any lands disturbed by the drainage activity are stabilized.
- The Approval Holder shall ensure the conditions of consent are adhered to for all landowners (Municipality, Irrigation District, Private Landowners, etc.) between the location of the drainage activity and the "Adequate Outlet".
- Upon completion of the temporary drainage activity, the Approval Holder shall return all disturbed ground, vegetation or other material to pre-disturbance conditions.
- The Department may, at the Department's discretion, specify the rate, timing, or volume of the dewatering for the drainage activity.
- The drainage activity shall be undertaken in accordance with the attached plans, referred to in Part 3.

Additional Conditions:

PART 5 – Applicant's Affirmation:

I proclaim that I am the owner or person responsible for the drainage activity described above. I have read and understand the above, and understand that by signing this document I affirm that my temporary drainage activity will be carried out in accordance to the information and requirements described herein.

Date Signed

Signature

Printed Name

This form and all consents and plans need to be submitted by email to AEP.FloodRecoveryLethbridge@gov.ab.ca or by fax to (403) 381-5337.

PERSONAL INFORMATION COLLECTION AND USE NOTIFICATION

Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act and will be used to administer the Water Act and its associated regulations. **This form is a public record and is available to anyone.** All information contained on this form (including personal information) is disclosed by Alberta Environment and Parks to anyone requesting a copy in accordance with Section 15(1)(a) of the Water (Ministerial) Regulation. For further information about the collection and use of this information, please contact Alberta Environment and Parks Regulatory Approvals Centre at aep.waapplications@gov.ab.ca or call (780) 427-6311.

WATER (MINISTERIAL) REGULATION - REQUEST FOR CONFIDENTIALITY

As identified in Section 15(4) of the *Water (Ministerial) Regulation*, If the applicant wishes that a trade secret, process or technical information in the application be kept confidential, the applicant may make a written request to the Director within 30 days after the information is submitted, identifying the information, and requesting that the information be kept confidential and not be disclosed. The written request must identify the specifics of the information to be kept confidential and not to be disclosed. Ultimately, it is the Director who makes the decision regarding the confidentiality of the identified information.

If you are submitting a request to assure confidentiality of certain information such as a trade secret, process or technical information for the Directors consideration, **submit this information in a separate attachment to the application form.**

PART 6 – Directors Decision

The activity is approved subject to the conditions described in Part 4, and as specified in Plan(s):

_____.

Upon signing below by the Director, this document is deemed an Approval under the *Water Act* appurtenant to the undertaking described as Temporary Drainage located at the Legal Land Location(s) to be drained to the Legal Land Location of the "Adequate Outlet" specified in Part 2. The Approval is issued to the Approval Holder identified in Part 1 as the "Applicant".

Effective Date

Designated Director under the Act

Expiry Date

File:	
App:	
Inspector:	
Standard Approval	Yes <input type="checkbox"/> No <input type="checkbox"/>

Water Act Approval for Temporary Drainage – 2019 Flood Recovery Outlet to a Water Body

PART 1 – Applicant Information

Application Date:		Proposed Pump Start Date:
Name or Business Name:		
Phone Number(s):		
Mailing Address:		Proposed Pump End Date:
Fax and/or e-mail:		

PART 2 – Please fill in the sections below in relation to the proposed drainage:

What is the Legal Land Location(s) where the drainage activity is to take place (1/4-Sec-Twp-Rng-Mer)?

Are you the registered landowner of where the drainage activity is to take place? Yes ☐ No ☐

If the answer above is NO, please attach written consent from the registered landowner to carry out the drainage activity.

What is the current land use of the area to be drained (e.g. irrigated farmland, grazing, feedlot, residence, etc.)?

Is there a known source of potential contamination of the water (e.g. agricultural by-products, industrial by-products, hydrocarbons, etc.)? If yes, specify:

What is the approximate volume of water to be drained? This can be estimated by multiplying the approximate area (acres) of the flooded area by the approximate depth (feet) of water (e.g. 20 acres x 0.5 feet = 10 acre-feet of water)

What will be the approximate rate of flow of the proposed drainage activity? (e.g. pump rate; please indicate units)

How is the water proposed to be drained from the land (e.g. pump, ditch, existing) and conveyed to the water body (e.g. MD/County ditch, pipe, natural drainage across land, etc.)? What equipment will be used to carry out the drainage activity?

What is the Legal Land Location where drained water enters the water body (1/4-Sec-Twp-Rng-Mer)? This is the “Adequate Outlet” location. Road ditches are not an “Adequate Outlet.” (NOTE: Drainage into an Irrigation District requires a different form).

Describe the water body (e.g. lake, river, creek, slough, wetland, reservoir, etc.) including proper name if applicable.

Is your proposed drainage activity going to impact any other landowners, such as draining across/through other lands (e.g. Private Landowners, Municipality, Irrigation District)? Yes ☐ No ☐

As this approval will be appurtenant to the undertaking of drainage, the appurtenance includes the land(s) to be drained and the lands and infrastructure used to convey the drained water into the receiving water body (Adequate Outlet). If the answer above is YES, please include the written consent from each of the affected parties for your proposed drainage activity. You can use the Drainage Consent form provided, or another format that states the equivalent.

What measures will you take to minimize erosion of affected parties land and/or the receiving water body (e.g. silt fence, matting, rock, etc.)?

Please provide any other applicable details that have not been included above (or attach further information where needed):

PART 3 – Drainage Plans

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Please check the following box to indicate that plans have been attached. ☐

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- The drainage activity shall not be undertaken in any manner or include the use of any material that causes or may cause an adverse effect on the aquatic environment, human health, private property or public safety; including erosion or siltation of the receiving water body (Adequate Outlet).
- No aspect of the drainage activity shall impact any other landowners, licensees, household users or traditional agricultural users without their written consent.
- The Approval Holder shall take measures to ensure that any lands disturbed by the drainage activity are stabilized.
- The Approval Holder shall ensure conditions of consent are adhered to for all landowners (Municipality, Irrigation District, Private Landowners) between the location of the drainage activity and the receiving water body (Adequate Outlet).
- Upon completion of the temporary drainage activity, the Approval Holder shall return all disturbed ground, vegetation or other material to pre-disturbance conditions.
- The Department may, at the Department's discretion, specify the rate, timing, or volume of the dewatering for the drainage activity.
- The drainage activity shall be undertaken in accordance with the attached plans referred to in Part 3.

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Printed Name

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Effective Date

Designated Director under the Act

Expiry Date

Drainage Consent

Applicant Name/Address:

Downstream Landowner Name/Address:

Legal Land Location(s) of area to be drained: _____

Legal Land Location(s) of Downstream Landowner: _____

I, _____ authorize _____ to
Downstream Landowner Applicant
temporarily drain water across my land or into an outlet that I control, according
to the attached drainage plan.

Applicant Signature

Downstream Landowner Signature

Print Name

Print Name

Dated

Dated

Site Plan

Dewatering/Pumping Site Plan
AEP – South Saskatchewan Region
Updated: April 3, 2018



Notes:

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