

Water Act: Approvals

FACTS AT YOUR FINGERTIPS

Before taking on any construction activity in a water body in Alberta, an approval under the province's *Water Act* must be obtained.

Approvals are NOT required for placing, constructing, installing, maintaining, replacing or removing:

- Floating platforms;
- Floating marker buoys;
- Portable or seasonal piers;
- Portable or seasonal boat launches;
- Portable or seasonal docks;
- Fences in water bodies;
- Portable pumps (if there are no significant alterations or disturbances to the water body's bed or shore);
- Beaver dams requiring removal on land owned by the individual;
- Some types of dugouts (see *Water Act Dugouts* fact sheet);
- Groundwater exploration to obtain information supporting an application for a licence to divert water;
- Some types of watercourse crossings (contact the Department for advice); and
- Other activities identified in Schedule 1 of the *Water (Ministerial) Regulation*.

How to apply

Complete and submit an application form, found under Forms/Applications on the Alberta Environment website.

Include with the application accurate drawings of the proposed project that show:

- Suitable scale, north arrow, date and legal land location, tied to section or quarter section lines;
- Features such as water bodies, with flow directions, roads and/or buildings such as pump houses, etc.;
- Water and wastewater conveyance structures, such as ditches, canals;

- Location of intake structures, control structures, spillways and/or dams and reservoirs, including cross-sections of structures, dams and reservoirs; and
- Proposed construction schedule.

Complex projects

Depending on the complexity of the project, you may be required to provide a project description that includes construction specifications, operational plans and method of operation.

Other requirements

Plans may require the professional stamp of an engineer registered with the Association of Professional Engineers, Geologists and Geophysicists of Alberta.

Where applicable, geotechnical information may be required for dykes and dams, as specified in the *Dam Safety Guidelines 2007* available from the Canadian Dam Association.

If wetlands are to be impacted, a wetland impact assessment may be required indicating how the wetlands may be altered and/or impacted by the proposed activity. Compensation for impacts to wetlands may be required.

Application Review

Applications are reviewed for:

- Hydraulic, hydrological and hydrogeological effects;
- Effects on the aquatic environment;
- Effects on public safety;
- Effects on nearby approval and licence holders including household and other water use;
- Third party impacts;
- Existing water management plans; and
- Any other matters the Director considers relevant.

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An application may also be referred to other agencies that have interests in the project.

The *Water Act* requires that you place a public notice in appropriate newspapers or to post it at specified locations. Alberta Environment requires resolution of statements of concern received on the proposed project.

Issuance

The approval is issued to the applicant with conditions attached. The approval holder is given a defined time period in which to construct, maintain and/or operate the project.

In some cases the approval holder is required to submit a signed Certificate of Completion which would have been included with the approval, and/or an environmental monitoring report following completion of construction.

Appeals

Decisions on approvals can be appealed by the applicant and individuals directly affected by an activity who submitted a statement of concern. Appeals are submitted to the Environmental Appeals Board.

Enforcement

Anyone who conducts an activity in a water body without an Alberta Environment approval or who diverts water without a licence may face enforcement action with a maximum fine of \$50,000 for an individual and \$500,000 for a corporation.

Anyone who sees a water-related activity that could be illegal should contact Alberta Environment at 1-800-222-6514.

Additional Web Site Information

The *Water Act* and *Water (Ministerial) Regulation* can be found at:
<http://environment.alberta.ca/02645.html>.

Information on Shorelands can be found on the Alberta Sustainable Resource Development web site:
<http://www.srd.alberta.ca/ManagingPrograms/Lands/Shorelands/Default.aspx>.