

SER-001-002

Strathcona County  
Municipal Policy Handbook

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## Surface Water Management, Water Management and Erosion Control Program

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**Date of Approval by Council:** 05/23/89; 09/27/94;  
05/11/99**Resolution No:** 484/89; 475/90; 888/94;  
356/99**Lead Role:** Chief Commissioner**Replaces:** 60-61-003**Last Review Date:** August 8, 2010**Next Review Date:** 08/2013**Administrative Responsibility:** Transportation & Agriculture Services

### Policy Statement

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Strathcona County will promote the sound management of surface water resources utilizing the technical and financial support of various levels of government, non-profit agencies and cooperating landowners where applicable.

#### 1.0 Purpose

The County will have in place a formal procedure to maximize water management opportunities provided by the Alberta Water Management and Erosion Control Program for the benefit of the cooperating landowners, the environment and the Corporation.

#### 2.0 Definitions

2.1 Manager: is the Manager of Transportation & Agriculture Services

#### 3.0 Responsibilities

3.1 Coordinator, Land Management Services:

- provide support services in matters related to land management control

3.2 Manager:

- ensure that the procedures of this policy are complied with in a timely fashion

3.3 Agricultural Services Board: (hereinafter referred to as the "Board")

- recommend to County Council the initiation of a water management project
- recommend to County Council the acceptance of the Preliminary Engineering Report
- approve a list of priority projects at the first Agricultural Service Board meeting each year.

3.4 County Council

- approve initiation of a water management project
- approve, for submission to Alberta Environment, the Preliminary Engineer Report

- approve any amendments to or variations from this procedure

#### **4.0 Authorization**

- 4.1 The process leading to a potential water management project may be initiated by a formal request from the Public or from the Municipality.

Comments will be requested from the Area Councillor, Engineering and Environmental Planning, and Planning and Development Services.

Alberta Environment will be requested to provide a preliminary investigation report to determine the suitability of the proposed project for funding under the Alberta Water Management and Erosion Control Program.

- 4.2 Ducks Unlimited will provide a waterfowl impact analysis where applicable.
- 4.3 If sufficient comments in opposition to the proposed water management project are received from the referral departments, Transportation & Agriculture Services will recommend to the Agricultural Service Board that the project not proceed.
- 4.4 If comments from the referral departments indicate that the project would be beneficial to the County and its residents and is eligible for cost sharing with Alberta Environment, the Transportation & Agriculture Services Department will recommend to the Agricultural Service Board to support the initiation of a water management project.

#### **5.0 Project Priority Ranking**

- 5.1 Projects will be ranked in order of priority utilizing the following criteria as detailed in the Preliminary Engineering Report.

5.1.1 safety/protection of assets, i.e. buildings/roads

5.1.2 benefit/cost analysis

- based on improved agricultural capabilities of land and/or the enhancement of assets in relation to the cost of the proposed improvements

5.1.3 environmental/wildlife impact

5.1.4 recreational/aesthetic enhancement of a water body

- 5.2 Priority ranking of projects will be approved by the Agricultural Service Board at the first regularly scheduled Board Meeting of the year and will form the basis for the Department's Five-Year Capital Projection. This list will be forwarded to Alberta Environment to assist in provincial budget preparation for the following fiscal year.

#### **6.0 Project Licensing**

- 6.1 All projects initiated under the Alberta Water Management and Erosion Control Program will be licensed in the name of Strathcona County.

## **7.0 Future maintenance Responsibilities**

- 7.1 It will be the responsibility of the County to ensure that the Project is maintained in an appropriate fashion through the use of County forces or private contractors.
  - 7.1.1 In the event a design indicates that a machinery accessible ditch is preferred, maintenance responsibility of such will be at the discretion of the Municipality.
- 7.2 The landowner may be requested to restrict livestock access to the drainage course to mitigate the damages such access may cause, i.e. slumping of side slopes. If a fence is constructed the following criteria should be observed:
  - (a) An access point must be provided to allow equipment entry to the drainage course for maintenance purposes.
  - (b) the fence must be set back a minimum of four (4) metres from the top edge of the bank on each side of the drainage course.
- 7.3 The County will not be responsible for the maintenance of improvements that are not specifically detailed in the construction easement, i.e. dugouts, fencing, etc.

## **SECTION II - PROJECTS INITIATED BY LANDOWNER**

### **8.0 Project Initiation**

- 8.1 Landowners who wish to initiate a water management project will submit to the Transportation & Agriculture Services Department a petition, available from the office, in a form as provided by (Sections 219 through 224, of the Municipal Government Act, SA 1994 c.M-26.1).
  - 8.1.1 This petition will contain the signature of all landowners directly affected by the proposed project.
  - 8.1.2 If comments from landowners indicate that the project is required to correct a situation that is perceived to be the result of a previous action by the municipality the Manager will research the claim to determine its validity.
  - 8.1.3 If the claim is valid, a recommendation to proceed with the project as a municipal initiative will be forwarded to the Board for approval.
- 8.2 On receipt of a petition, the Manager will determine the level of support for the proposed project from the appropriate departments and external agencies.
- 8.3 After all comments have been received the petition and an administrative recommendation will be presented to the Board for consideration.
- 8.4 If the petition receives the support of the Board, the County will notify landowners directly affected by the proposed project and host a Public Meeting with representatives from Alberta Environment, and any other agencies with an interest in the project to address questions/concerns that the public may have about the proposed project.
- 8.5 If the landowners agree unanimously to proceed with the project, a Committee consisting of three (3) landowners will be appointed from the landowner group directly affected by the project.

- 8.5.1 The Committee will be responsible to obtain from landowners directly affected by the proposed project:
  - a) Right of Entry Agreements (for survey purposes only); and
  - b) A deposit in an amount as specified in Appendix 'A'.
- 8.5.2 The Committee will provide items listed in 8.5.1 above within sixty (60) days of the Public Meeting. (item 9.2)

## **9.0 Preliminary Engineering Report Preparation and Construction Easement Acquisition**

- 9.1 Upon execution and receipt of all Right of Entry agreements and financial contribution from the landowners for the development of the Preliminary Engineering Report, the County will request proposals for the development of a Preliminary Engineering Report.
  - 9.1.1 A consultant will be selected by the Manager utilizing (Strathcona County Guidelines for Consultant Selection Policy FIN-001-003).
  - 9.1.2 Upon execution of a Consultant Contract with the County, the consultant will be instructed to proceed with Stage One of the Report, consisting of a level one survey, preliminary design, and benefit/cost analysis. Information gathered from the survey and discussions with the landowners will provide the basis for easement acquisition, and project prioritization
- 9.2 A Public Meeting will be held to provide an opportunity for the County and Consultant to present the findings of Stage One of the Report.
- 9.3 It will be the responsibility of the Manager, or his designate, to finalize construction easements with the landowners.
  - 9.3.1 An inability to secure the necessary construction easement, may result in the termination of all or portions of the Project.
  - 9.3.2 Upon successful completion of easement negotiations with the landowners, the Coordinator, Land Management Services will ensure that the easements are executed by the appropriate County officials and registered against the individual landowners' Certificates of Title.
- 9.4 The consultant will be directed to proceed with the completion of the Preliminary Engineering Report.
- 9.5 Upon completion of the Report a draft copy will be sent to the agencies providing technical and/or financial support to the Project for comment.

## **10.0 Project Approvals**

- 10.1 The final draft of the Report will be submitted to the Agricultural Service Board and County Council for approval.
- 10.2 The Report will then be submitted to Alberta Environment for approval and funding consideration under the Alberta Water Management and Erosion Control Program.
- 10.3 When approval for funding is received from Alberta Environment, the Engineering Consultant will be instructed to proceed with final design and tendering process.
- 10.4 Contracts will be awarded by the County in its sole discretion. The lowest or any tender may not be accepted.

## **11.0 Project Funding**

### **11.1 Preliminary Engineering Report**

- 11.1.1 The County will, upon receipt of a financial contribution from the landowners affected by the proposed project (see Appendix "A"), provide the remaining funds required for the development of the Report.
- 11.1.2 If, for the reasons detailed below, the Project does not proceed to the construction phase, the financial contribution toward the development of the Report may be forfeited to the County.
  - a) provincial approval not granted
  - b) inability to secure easements
  - c) the landowners decide to abandon the Project.
- 11.1.3 The funds received from the landowners for the development of the Report will receive interest based on the County "prime" rate of interest and will be subject to interest compensation up to initiation of project construction.
- 11.1.4 If, after five years of the County priority process, a project has not been advanced to the construction phase, the County will refund to the owners of the land affected by the Project, 100 per cent of the deposit received for the development of the Report.
- 11.1.5 If the Project proceeds to the construction phase, the landowners will be reimbursed for the costs of developing the Report to a maximum of 65 per cent of costs. This reimbursement will occur after the Construction Completion Certificate is issued to the construction contractor.

### **11.2 Construction/Engineering Costs**

- 11.2.1 The level of financial support for construction and related engineering costs will be related to the level of financial support received from Alberta Environment under the terms of the Alberta Water Management and Erosion Control Program.
- 11.2.2 Whenever appropriate the County will pursue alternate financial options to decrease the municipality's financial contributions - i.e. Ducks Unlimited, Buck for Wildlife.

### **11.3 Maintenance of Project**

11.3.1 Financial support for the costs of maintaining each project will be the responsibility of the County subject to 11.3.2.

11.3.2 In a case where the Municipality deems it appropriate for the landowner to assume the responsibility for maintenance of a defined section of the ditch, the Municipality will not provide a financial contribution for the maintenance of the defined section of the ditch.

### **SECTION III - PROJECTS INITIATED BY MUNICIPALITY**

#### **12.0 Project Initiation**

- 12.1 A water management project may be initiated by the municipality if, in the opinion of the Board, such undertaking:
- a) is a significant contributor to the public good of the County as a whole as opposed to only the landowners directly benefiting from such an initiative; or
  - b) it can be shown that a water management project is required to mitigate damage caused by the action or lack thereof on the part of the municipality; or
  - c) an external agency (i.e. Ducks Unlimited) wishes to initiate a project.
- 12.2 Upon identification of a project deemed to meet one of the above criteria, Transportation & Agriculture Services will solicit comments from the appropriate departments and external agencies. (See Sec. 4.0)
- 12.3 Upon receipt of comments, an administrative recommendation will be forwarded to the Board for approval.
- 12.4 Upon ratification by the Board, a Terms of Reference will be prepared for the development of Preliminary Engineering Report and a consultant selected by the Manager.

#### **13.0 Preliminary Engineering Report Preparation**

- 13.1 Upon execution and receipt of all Right of Entry agreements, the County will request proposals for the development of a Preliminary Engineering Report.
- 13.2 An Open House will be held to discuss with the public the intent of the proposed project and to solicit input regarding their particular situation as it relates to the project.
- 13.3 The consultant will be directed to proceed with Stage 1 of the Report, consisting of a level 2 survey, preliminary design, and benefit/cost analysis. Information gathered from the survey and discussions with the landowners will provide the basis for easement acquisition and project prioritization.
- 13.4 It will be the responsibility of the Manager to finalize construction easements with the landowners.
- 13.5 The consultant will be directed, upon finalization of easement acquisition, to complete a draft of the preliminary engineering report.
- 13.6 Upon completion, the report will be forwarded to the agencies providing technical and/or financial support to the project for comment.

#### **14.0 Project Approvals**

- 14.1 The final draft of the Report will be submitted to the Agricultural Service Board and County Council for approval.
- 14.2 The Report will then be submitted to Alberta Environment for approval and funding consideration under the Alberta Water Management and Erosion Control Program.
- 14.3 When approval for funding is received from Alberta Environment, the Engineering Consultant will be instructed to proceed with final design and tendering process.

#### **15.0 Project Funding**

- 15.1 Those costs not funded by Alberta Environment or any other agency and are associated with:
  - a) the development of a Preliminary Engineering report,
  - b) construction and engineering supervision of a project,
  - c) future maintenance of a project, will be borne by the municipality.

**Fees and Charges Schedule**

**A. Preliminary Engineer Report**

- (a) landowner contribution - \$500/land parcel to a maximum of 50 per cent of the cost of developing the Report
- (b) municipal contribution - remaining funds necessary to develop the Report.

**B. Maintenance Costs**

- subject to section 11.3.2