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| <b>Policy:</b>               | N48 – Surface Water Management |
| <b>Policy Department(s):</b> | Public Works                   |
| <b>Adoption Date:</b>        | May 3, 2021                    |
| <b>Adoption Reference:</b>   | CM20210503.014                 |
| <b>Effective Date:</b>       | May 3, 2021                    |
| <b>Last Amended:</b>         | February 18, 2022              |

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## Policy Purpose

To provide the public, Administration and Council an order of priority, with criteria, of how the County of Grande Prairie will protect its infrastructure while endeavoring to assist residents with drainage and adhering to the Environmental Regulations of Alberta.

## Policy Statement

The County of Grande Prairie No. 1 builds on its natural environment to provide an unmatched quality of life and opportunity for all. This policy serves as a guideline to manage and coordinate surface water management activities within the County.

## Definitions

“Conveyance” means the positive grade, connectivity, and capacity requirements to transmit storm water from one area to another.

“Council” means the duly elected Council members of the County of Grande Prairie No. 1.

“County” means the municipality of the County of Grande Prairie No. 1 having jurisdiction under the Municipal Government Act and other applicable legislation.

“County Infrastructure” means the physical components of interrelated systems providing commodities and services essential to enable, sustain, or enhance societal living conditions and maintain the surrounding environment within the County of Grande Prairie No.1.

“Flooding” means a natural or man-made occurrence, meaning the covering or submerging of normally dry land with large amount of water.

“Private Drainage” means a structure or an activity on a private property (residential lot, farmland or industrial/commercial) to remove excess surface water.

“Right-of-Way” means the publicly owned property typically used for the location of roads, sewers, watermains, sidewalks and walkways.

“Road” means any trail, street, road or highway under the management and control of the County of Grande Prairie No. 1 used as a public roadway including bridges and culverts.



“Road Ditch” means the open storm water system located on one or both sides of the roadway and which is used for the collection and conveyance of snow or storm water within a ditch system of a road to the nearest point of relief to maintain natural drainage as much as possible.

“SCAP” means Soil Conservation Area Program. “SCAP ditch” refers to a structure whereby assistance was provided by the Provincial and Federal governments to landowners in the design of structures to reduce soil erosion. While the County assisted with carrying out some work related to these structures, the landowner is responsible for maintenance of these structures.

## Policy Guidelines

1. The County and private landowners have responsibility to follow the provincial and federal regulations including:
  - 1.1. Water Act (Alberta)
  - 1.2. Alberta Wetland Policy
  - 1.3. Fisheries Act
  - 1.4. Public Lands Act
  - 1.5. Migratory Bird Convention Act
  - 1.6. Species at Risk Act
  - 1.7. Canadian Navigable Waters Act

## County Infrastructure

2. The County owns and maintains various storm drainage infrastructures such as culverts, bridges, storm ponds, ditches, and swales. To protect the County’s infrastructure, the County will:
  - 2.1. Repair or fix drainage concerns which have damaged or have the potential to damage County infrastructure including roads, bridges, and any County owned structures;
  - 2.2. Endeavor to be consistent in their direction with respect to preserving drainage patterns;
  - 2.3. Undertake drainage repair which have damaged or have the potential to damage County roads, bridges, and County owned structures. This includes items such as:
    - 2.3.1. Damaged or corroded culverts.
    - 2.3.2. Removal of siltation, debris and/or gravel build up in the ditches; and
    - 2.3.3. Erosion repairs in the County right-of-way



- 2.4. Prioritize these repairs in addition to other County projects and priorities; and
- 2.5. Utilize road ditches to temporarily alleviate a flooding concern when there is no evidence of downstream impacts to other properties or environmental contamination from flooded septic field, gasoline, diesel, etc. if applicable.

## **Surface Water Management – Request for Assistance on Private Land**

3. Private land drainage requests and concerns raised by landowners requesting improvements will be documented. Subject to an annual budget approval by Council for the surface water management projects, any scheduling of drainage repairs will be based as follows:
  - 3.1. Funding for approved projects will come from the Infrastructure Reserve.
  - 3.2. Landowners may apply to the County for assistance with maintenance on established, registered drainage channels or for a drainage channel created under the SCAP on private lands.
  - 3.3. Upon approval from the County, as it may assist in protection of the County's infrastructure, prior to the commencement of the project, the landowner must obtain and provide the following to the County:
    - 3.3.1. All necessary Environmental approvals received;
    - 3.3.2. Written consent from affected landowners including downstream to an agreed limit with Alberta Environment and Parks and the County;
    - 3.3.3. A signed maintenance agreement, attached as Schedule A of this policy with the County including but not limited to:
      - 3.3.3.1. Save harmless and indemnify the County of Grande Prairie No. 1 from all causes of action, losses, claims or litigation which may result from flooding, erosion, siltation, or any other damage caused to lands as a result of this work;
      - 3.3.3.2. Accepts that all future maintenance and repairs of the drainage ditch/channel remains the responsibility of the landowners;
      - 3.3.3.3. Registers on title, a utility right-of-way in the County the Grande Prairie No. 1;
      - 3.3.3.4. Understand that full or partial recovery or partnership to complete maintenance subject to annual budget availability and approval by Council;
    - 3.3.4. If the applicant is not approved, the Director of Public Works will advise the landowner that the drainage concerns are considered private



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- drainage, outside of the County's responsibility. Some of these drainage concerns are when:
- 3.3.4.1. It is unrelated to County activities and infrastructure;
  - 3.3.4.2. It is the result of natural drainage; or
  - 3.3.4.3. It is part of a historic drainage path.
- 3.3.5. When it is determined the request is private responsibility the County may assist with technical support such as LIDAR and provide Alberta Environment Emergency phone number to landowners that are complaining about another 3rd party altering a drainage path, 1-800-222-6514.
- 3.3.6. Landowners with unique drainage requests will be provided with information to schedule an appointment to present to council for a variance to Policy;
- 3.3.7. Should a landowner express concern due to a change in County Infrastructure, the County will conduct an investigation and bring back recommendations to the landowner and/or County Council.
4. Any work, disposal / placement of any material, or connection of any private drainage structures to or on the County's right-of-way without prior written approvals is prohibited.
- 4.1. Landowners may apply to the County to improve or change drainage pattern which may include activities on private land and/or County's right-of-way and must provide with their application:
- 4.1.1. A sketch of the proposal;
  - 4.1.2. Any environmental approvals;
  - 4.1.3. Consent letters from adjoining/effected landowners;
  - 4.1.4. Agree to construct the drainage improvements to a standard acceptable to the County; and
  - 4.1.5. Seed the disturbed area according to the County's standards, using certified seed.

## Attachments

Schedule A – Private Drainage Maintenance Agreement for Registered Drainage Channels



# Surface Water Management

Public Works  
Policy N48

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## References

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| <b>Legal Authorities</b>                     | Municipal Government Act, RSA 2000, c M-26 |
| <b>Related Plans, Bylaws, Policies, Etc.</b> | Policy B1 - Policy Development             |
| <b>Other</b>                                 | N/A  |

## Revision History

| <b>Review Date</b> | <b>Description</b>                  |
|--------------------|-------------------------------------|
| February 18, 2022  | Reviewed and Amended CM20220218.011 |
| May 3, 2021        | Adoption Date CM20210503.014        |



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**Schedule A – Private Drainage Maintenance Agreement for Registered Drainage Channels**

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

BETWEEN:

County of Grande Prairie No. 1

("County")

-and-

\_\_\_\_\_ of \_\_\_\_\_, Alberta.

**KNOWN ALL MEN BY THESE PRESENTS THAT I (WE)** \_\_\_\_\_ of \_\_\_\_\_, in the Province of Alberta, hereby request that the County of Grande Prairie No. 1 enter upon my (our) land for the purpose of clearing the private drainage ditch in or along \_\_\_\_\_.

I (We), \_\_\_\_\_, agree to jointly submit all necessary Environmental approvals required with the County of Grande Prairie No. 1.

I (We), \_\_\_\_\_, agree to partner with the County for notifying and obtaining written consent from downstream landowners for the work and shall save harmless and indemnify the County of Grande Prairie No. 1 from all causes of action, losses, claims or litigation which may result from flooding, erosion, siltation or any other damage caused to my land as a result of this work.

I (We), \_\_\_\_\_, accept that all future maintenance and repair of the ditch remains the responsibility of the landowners;



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Or

I (We), \_\_\_\_\_, agree to register, on land titles, a  
Utility Right-of-way in the County of Grande Prairie No. 1.

**IN WITNESS WHEREOF I (WE)** have hereunto subscribed my (our) name(s) this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Landowner

\_\_\_\_\_  
Landowner