

Mackenzie County

Title	Surface Water Management Policy	Policy No.	ASB023
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Legislation Reference	
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Purpose

Mackenzie County understands the need to find solutions to agricultural surface water management issues and the construction of permanent or temporary agricultural surface water management channels on or impacting road allowances may be necessary for effective resolution to surface water management issues but these projects must protect the integrity of natural watercourses. These projects shall only be performed with the approval of Mackenzie County and in accordance with all applicable County standards and specifications and those imposed by other levels of government.

DEFINITIONS

Applicant – person(s) and/or corporation(s) submitting an application or applying for permission to construct a road, surface water channel or access that may impact a developed or undeveloped road allowance.

Affected Landowner – person(s) affected by an application to construct a surface water channel as determined by the Mackenzie County Agricultural Service Board and the Agricultural Fieldman.

Road Allowance – any public road right-of-way under the jurisdiction of Mackenzie County but does not include any public road right-of-ways under the jurisdiction of the Province of Alberta.

Temporary Access – an access constructed for a short period of time (6 months or less) that will be removed at the end of its use.

Permanent Agricultural Surface Water Channel – a surface water channel that crosses a road allowance, discharges into a ditch along a developed road allowance or is constructed within any undeveloped road allowance and is intended to be permanent.

Temporary Agricultural Surface Water Channel – a surface water channel that crosses a road allowance, discharges into a ditch along a developed road allowance or is constructed within any undeveloped road allowance but is temporary, with a

maximum depth of two (2) feet, and used to drain low areas of private property on a seasonal basis (October of each year to April of the following year).

Residence – a residence in accordance with the Municipal Land Use Bylaw and subject to all approved permits.

AAI – the Province of Alberta Agriculture and Irrigation.

AEP – the Province of Alberta Environment and Parks.

Penalties – fines or other penalties that shall be imposed by Mackenzie County, as established in the Fee Schedule Bylaw, for the construction of agricultural surface water management channels that use or may impact road allowances which do not have the approval of Mackenzie County.

Major Agricultural Surface Water Management Channel – channels which provide surface water management to a minimum of 10,000 acres and shall require the consent of 75% of benefiting landowners.

SURFACE WATER MANAGEMENT

Guidelines

1. Applications for the construction of permanent or temporary agricultural surface water management channels, in the form contained in Surface Water Management Application Form, will be accepted by Mackenzie County any time throughout the year, which applications will be referred to the Agricultural Service Board for consideration and the applicant shall be provided with an initial response within 60 days of receiving the application.
2. Applications shall be submitted in the form contained in the form and may be required to include a survey plan showing:
 - approximate location of legal property boundaries;
 - the area to be drained by the proposed agricultural surface water management channel;
 - the alignment of the proposed agricultural surface water management channel;
 - the existing ground elevations;
 - the proposed design elevations;
 - a typical cross-section of the proposed surface water management channel; and,
 - the location, size and elevation of existing and proposed surface water management structures (i.e. culverts).
 - Plan for topsoil
 - Erosion control on drops and around culverts

3. In order to avoid potential conflicts, the applicant must obtain consent and signatures of all adjacent and affected landowners.
4. For permanent and temporary agricultural surface water management channels discharging into a ditch adjacent in a undeveloped road allowance, the County's licensed ditch, or requiring a ditch to be constructed within an undeveloped road allowance, the Applicant may be required to submit an application to AEP, along with the survey plan, for approval and may be required to submit a copy of said AEP application and their approval to the County prior to their application being considered further.
5. For permanent surface water management channels constructed within undeveloped road allowances the alignment, profile and cross-section shall match the design of the future road ditch, should the road allowance be developed. Top soil shall be stripped, reapplied into ditch bottom after ditch construction and an approved grass seed be applied. All excess dirt shall be stockpiled on road allowance.
6. The Applicant shall be responsible for all costs relating to the development of permanent and temporary agricultural surface water management channels including application, construction and operation/maintenance. In addition, the Applicant shall be required to enter into a Road Allowance Use Agreement with Mackenzie County.
7. The construction of permanent or temporary agricultural surface water management ditches that have a detrimental effect on adjoining private property may give rise to civil liability and the Applicant shall be solely responsible for resolving these matters.
8. The Applicant shall consent to the filing of caveats on property owned by the Applicant that the County deems necessary for the protection of the proposed agricultural surface water management ditches.

Mackenzie County Endeavour to Assist

Although all costs relating to application for, construction of and operation/maintenance of surface water management channels shall be borne by Applicants, Mackenzie County, at its sole discretion, may provide assistance for:

1. the mediation of disputes between property owners that pertain to surface water management matters and attempt to find solutions to the disputes;
2. obtaining approvals from other levels of government; and,

3. the funding of all or a portion of the costs associated with the construction of major agricultural surface water management channels, subject to the cooperation of benefiting property owners and budget availability.

	Date	Resolution Number
Approved	2024-11-27	24-11-849
Amended		
Amended		
Amended		