

**Policy Name**

Groundwater Evaluation Policy for New and Existing Developments



**Policy Number**

PD-14

**Policy Statement**

To evaluate and minimize the affects of proposed subdivision and development on existing wells, by ensuring that sufficient ground water is available before the drilling of more wells on the affected quarter section is supported.

**Policy**

**Legal Requirements**

Section 23(3) of the Province of Alberta's *Water Act*;

*If, after the Act comes into force, a subdivision of land of a type or class of subdivision specified in the regulations is approved under the Municipal Government Act, a person residing within that subdivision on a parcel of land that adjoins or is above a source of water described in section 21 has the right to commence and continue the diversion of water under section 21 only if*

- a) A report certified by a professional engineer, professional geologist or professional geophysicist, as defined in the Engineering, Geological and Geophysical Professions Act, was submitted to the subdivision authority as part of the application for the subdivision under the Municipal Government Act, and the report states that the diversion of 1250 cubic metres of water per year for household purposes under section 21 for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, and*
- b) The diversion of water for each of the households within the subdivision under section 21 is not inconsistent with an applicable approved water management plan.*

Section 4 (4) *Subdivision and Development Regulation*

***The applicant must submit***

- (a) if a proposed subdivision is not to be served by a water distribution system, a report that meets the requirements of section 23(3)(a) of the Water Act*

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Section 9 (1) *Water (Ministerial) Regulation*

***Subject to subsection (2), a type of subdivision of land for the purposes of section 23(3) of the Act is a subdivision that results in 6 or more parcels of land in a quarter-section or in a river lot.***

**Policy**

Phase 1 Groundwater Availability Study – This Study consists of a desk top review of well driller’s reports and other historical information available and will be required:

- 1) for developments approved and established prior to 1999, which has reached development beyond five (5) parcels where subdivision continues to occur on the quarter section concerned.
- 2) for development in hamlets not supplied by a municipal water distribution system and where the County did not have a recent Water Study conducted, which determined if the availability of ground water in a specific geographic area can sustain the proposed further subdivision of land located in the hamlet concerned.
- 3) if the County is concerned about ground water availability, due to hardship to existing water users in the area.
- 4) for any subdivision of development proposal, where the Development Officer determines that such a Study is required in order to make an informed decision on the proposal.

Phase 2 Groundwater Availability Study – This Study consists of an actual aquifer test and will be required when:

- 1) six (6) or more parcels are proposed on a quarter section.
- 2) a development approved and established on or after January 1<sup>st</sup> 1999 has reached development beyond five (5) parcels on the quarter section (as per Section 23(3) of the *Water Act*).
- 3) the Development Officer deems a Phase Once Study insufficient.

**Policy Summary**

Phase 1 Groundwater Availability Study – A desk top review of driller’s reports and any other historical information available.

Phase 2 Groundwater Availability Study – A desk top review of driller’s reports and any other historical information available and an aquifer test to gauge recovery rates and determine if there is sufficient groundwater available to service a proposed development, without having a detrimental effect on existing water wells in the area.

**Implementation**

The drilling of additional wells on a ¼ section will only be supported if the Phase One or the Phase Two Groundwater Availability Study proves that:

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- 1) there is sufficient ground water available for the proposed development; and
- 2) that existing wells in the area will not be adversely affected by the drilling of additional wells on the subject ¼ section.

If the results of the Study indicate that there is not sufficient ground water available to support additional wells, Brazeau County will require the developer to service sites with cisterns, providing that the developer can, to the satisfaction of the Development Officer, prove that water is available to supply water users by truck.

In accordance with the *Water Act*, Brazeau County will only accept Phase One and Phase Two Studies completed by a qualified professional geologist or professional geophysicist, as defined in the *Engineering, Geological and Geophysical Professions Act*. Qualified professionals must determine the scope of the Study; what relevant historical data should be used to prepare a Phase One Report and how many test wells must be drilled to prepare a Phase 2 report.

Alberta Environment allows the creation of five (5) parcels with three (3) residences per lot for a maximum of fifteen (15) wells on a ¼ section before Section 23(3) of the *Water Act* must be implemented. Fifteen is the maximum number of wells allowed in an existing or expanding subdivision before an aquifer test is required.

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