

Surface Water Allocation Directive

What We Heard

The Surface Water Allocation Directive provides operational water allocation decision guidance based on scientifically defensible rulesets to address the cumulative effects of water diversions while considering economic objectives. The Directive provides decision guidance for areas in the province where no water management plan, framework or other policy has yet been developed or approved. The Surface Water Allocation Directive has been developed by Alberta Environment and Parks with extensive input from the Alberta Energy Regulator.

The intent of this directive is to minimize the incremental risk by addressing cumulative allocation impacts for both rivers and lakes. This directive incorporates the fundamental ecological principle of maintaining natural hydrologic variability. Maintaining the natural variability in river flow and lake level conditions is necessary for ecosystem protection of aquatic resources. In addition to maintaining natural hydrologic variability, this directive incorporates the following principles:

- a cumulative water allocation management approach;
- assessment of availability of water and sustainability of allocations at a water body and watershed scale;
- minimize impacts to downstream aquatic ecosystems;
- provide limits for rates of diversion from rivers/streams to maintain aquatic habitat;
- provide limits for rates of diversion from lakes/wetlands to maintain long-term hydrologic water balance and littoral zone habitat;
- minimize changes to winter dissolved oxygen in lakes/wetlands to maintain overwintering aquatic habitat, and;
- protection of critical wildlife breeding habitat.

Targeted stakeholder information sessions for key sectors involved in water allocations were held in Calgary and Edmonton, October 1-2, 2018. Environmental non-governmental organizations also attended. Information letters were sent to Indigenous communities and groups. The Directive document, information sheets, FAQs, Q&A, webinar, and survey to solicit feedback have been available online at <https://talkaep.alberta.ca/surfacewaterallocation>.

Valuable feedback has been received and Alberta Environment and Parks have incorporated revisions into the [Surface Water Allocation Directive](#) in consideration of the concerns and suggestions that have been shared and discussed.

What We Heard	Alberta Environment and Parks Response
<p>When and where does the Directive apply?</p>	<p>This Directive provides a provincially consistent and predictable approach for cumulative allocation of water for all sectors, where planning has not established specific water management objectives for the allocation of water.</p> <p>The Surface Water Allocation Directive:</p> <ul style="list-style-type: none"> • does not replace or override requirements specified in other guidelines, directives, regulations, policies or legislation. For example, existing and future water management plans, land-use frameworks, regional plans, environmental management frameworks, transboundary agreements, and fisheries management objectives take precedence over this Directive; • does not affect existing water licences which do not expire; • applies to new applications and temporary diversion licences (TDLs) and may be applied to existing term licences at time of renewal; • does not apply to regulated rivers. <p>A map has been developed to provide some clarity on the geographic applicability of the Directive and will be made available online.</p>
<p>How is the Directive applied?</p>	<p>The Directive is a desktop approach which requires an initial watershed assessment to determine the ability of the watershed to support the proposed allocation. If the application is for a river or stream, there is a determination on whether the proposed volume and rate is less than a percentage of the naturalized flow, including the existing cumulative allocation from the waterbody. If the application is for a lake, there is a determination of whether the proposed volume and rate is less than both a total annual allocation limit and seasonal rate limit, including the existing cumulative allocation from the waterbody. Lakes with sensitive wildlife species may also have timing restrictions. Low risk criteria are used to assess low risk applications for a more efficient approval process.</p>
<p>How is the low risk allocation criteria applied?</p>	<p>The low risk allocation criteria identifies lower risk applications which may not require further detailed analysis. An application that does not meet this 'low risk' criteria is not automatically deemed 'high risk' but rather would require further hydrological analysis as outlined in the Directive. This criteria was developed jointly by Alberta Energy Regulatory and Government of Alberta and is based on analysis using Alberta licencing data (temporary diversion licences in the North Saskatchewan, Athabasca, and Peace River basins). This does not indicate automatic approval of an application, but is intended to streamline the approval process.</p>

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Does this Directive change the application process?	No, this Directive does not change the application process for water allocations. This Directive sets out consistent criteria and expectations for licence applications and therefore reflects an update to existing internal Environment and Parks and Alberta Energy Regulator water allocation guidance.
Can additional site-specific monitoring data be provided in a water allocation application under this Directive?	<p>Site specific information or monitoring may be considered if it can better inform water allocation decisions and demonstrate the intent of the Directive is met. In order to achieve broad applicability with minimal data requirements, the Directive sets out default characteristics regarding the physical environment that are considered representative for the province and precautionary toward aquatic ecosystems. However, the Directive does not preclude a Director under the <i>Water Act</i> from considering relevant matters and factors with respect to the applicable area of the province.</p> <p>The Directive has been revised to provide clarity to allow the use of site-specific monitoring to improve application of the directive and not unintentionally preclude potentially viable water sources. A proponent must contact Alberta Environment and Parks water approvals or Alberta Energy Regulator prior to data collection or monitoring. The flexibility allows for improved knowledge of the water source and intent of the directive is being met.</p>
It is unclear how diversion limits for lakes may affect water availability during the winter period when rivers and streams are at their lowest flow.	In consideration of winter operational requirements, the winter monthly diversion limit has been adjusted from a volumetric equivalent of 4 cm to a 5 cm. There will be ongoing review of these limits to assess if the thresholds are meeting the environmental intent of the Directive to maintain the long-term water balance for lakes.
Is there any flexibility regarding the wildlife sensitivity timing restrictions?	The Directive has been revised to clarify the referral process for consideration of site-specific flexibility under the wildlife sensitivity (timing) restrictions. Additional text has been added to provide a proponent the ability to request a referral for a deviation if reasonable, conditions are warranted, and the intent of the directive is met.
Will this Directive be reviewed?	Alberta Environment and Parks, in collaboration with Alberta Energy Regulator, will continue to work closely with stakeholders during the first year of policy implementation to ensure the Directive is meeting the intent of environmental protection while considering economic requirements.