

New Approach to Agricultural Water Management





Overview

- Introduction - What are People Asking For? What Things Can We Change ?
- Approval Process:
 - Changes to Legislation and Proposed Policies
 - Progress So Far and Next Steps
- Complaint Process:
 - Changes to Legislation and Proposed Policies
 - Progress So Far and Next Steps
- 2015 Consultation Process
- Staged Implementation



What Are People Asking For?

- Consultations with stakeholders suggest that:
 - Drainage is not a landowner right
 - Drainage should not be allowed if impacts cannot be mitigated
 - Support for greater scrutiny of higher risk projects
 - Enforcement of policy principles and approaches regardless of project size.

What Are People Asking For?

- Feedback from individuals and large organizations regarding the old system
 - Concerned about number of illegal drainage projects and the impacts they cause and would like to see them brought into compliance.
 - Address the length of time it takes to:
 - Obtain approvals; and
 - Resolve problems through the drainage complaint process
 - Calls for increased enforcement

What things can we change ?

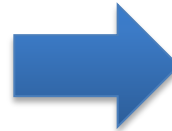
- Legislation
 - Acts - Water Security Act
 - Process takes years
 - Regulations - Water Security Agency Regulations
 - Process takes months
- Policy



Changes to Legislation (so far)



NOTE:
This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.



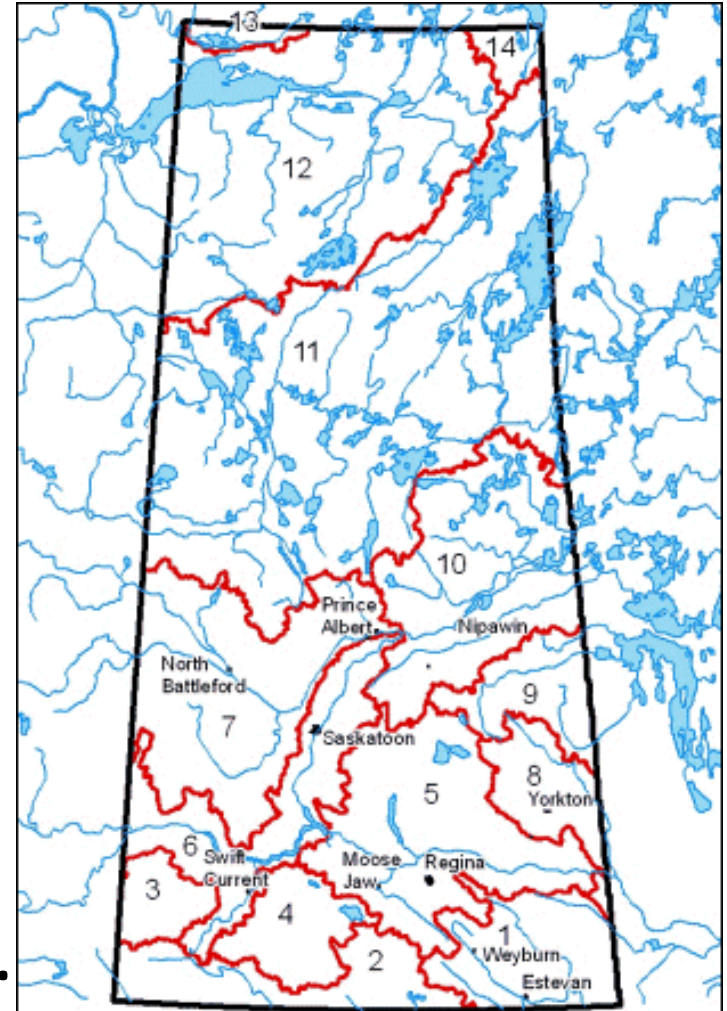
*The
Water Security
Agency
Regulations*

being
Chapter W-8.1 Reg 1 (effective August 21, 2015).

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Changes to Policies

- Have made major steps forward in improving both Approval and Complaints Systems
- Have used the lessons learned from two Pilot Projects in Upper Spirit Creek and Gooseberry Lake to guide changes in policies.





Approval Process Changes to Legislation and Proposed Policies

Approvals - Legislation - Regs

- Pre 1981 exemption removed
 - All drainage works now require an Approval
 - **Fairness – the impact downstream is the same regardless of when the drain was built**
- The regulations requires that WSA consider:
 - the current and future impact of drainage on:
 - the property of others;
 - hydrology or water quality;
 - fish or wildlife habitat; and
 - any other factor the corporation considers relevant;

Approvals – Legislation - Regs

- In issuing Approvals, WSA can:
 - Set the Term for a Drainage Approval; and
 - May include terms and conditions that the corporation considers to reduce the impacts mentioned in Section 13
- Allows for the use of Qualified Persons to assists in preparation of approvals
 - To be used in high risk landscapes and projects

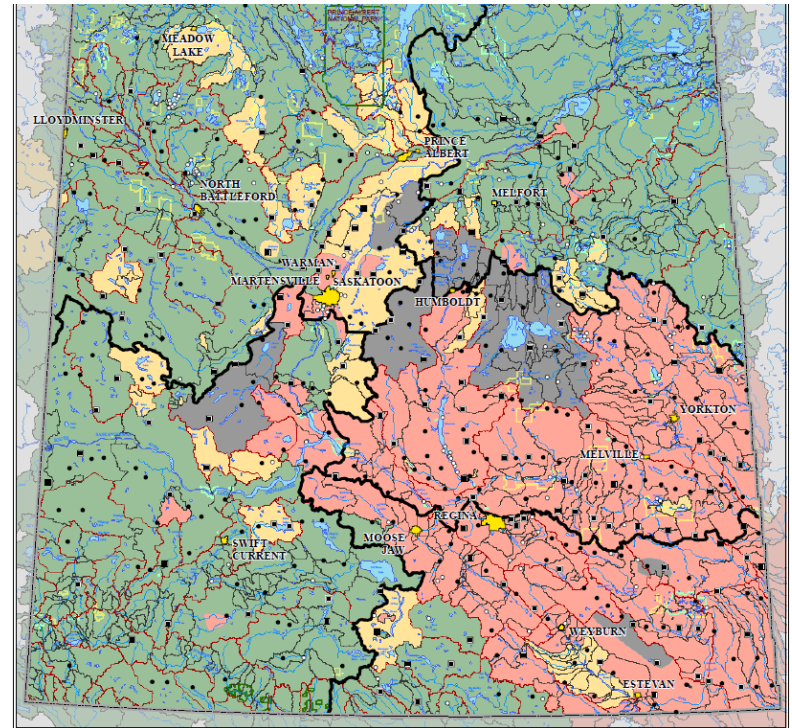
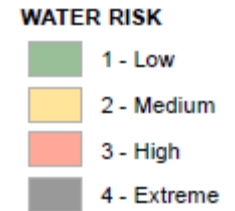


Approvals – Policies

- Creating Efficiencies in the Approval Process
 - Adopting a Risk Based Approach
 - Relaxing of Land Control Requirements
 - Development of a Qualified Persons Program
 - Development of Standard Mitigation Practices
 - On line application process
 - Wetland Inventory (Future)

Approvals – Policies

- Adopting a Risk Based Approach
 - Risks are considered at watershed and project scale
 - Larger impact projects in higher risk basins will have more scrutiny.
 - Early focus will be on the high risk basins



Basin Vulnerability



Approvals – Policies

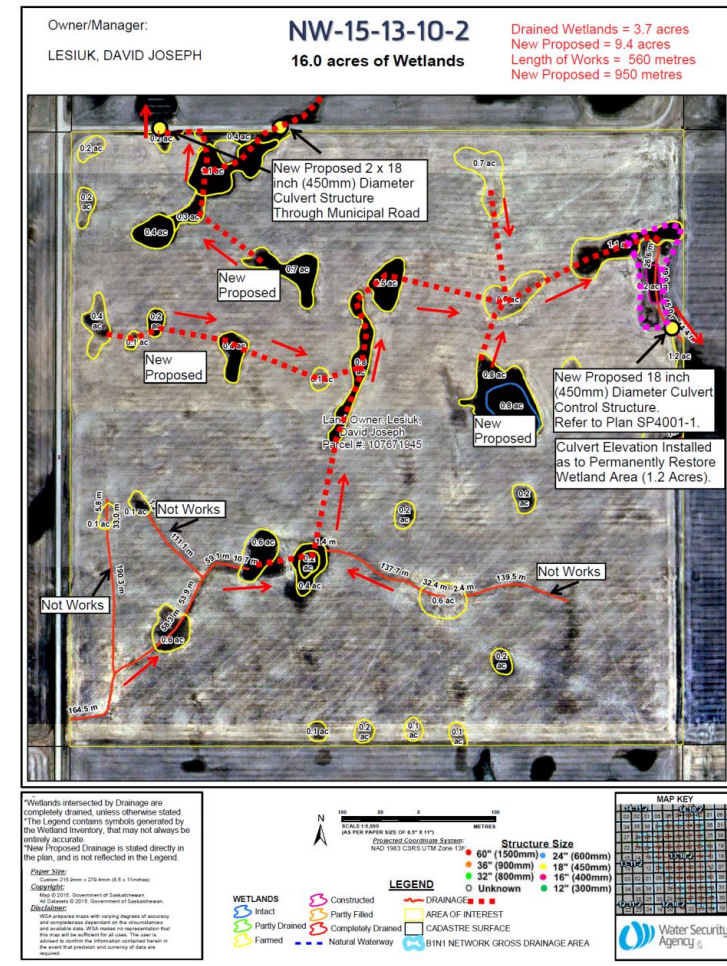
- Relaxing of Land Control Requirements
 - Use written agreements;
 - Joint applications;
 - Promoting “network” approach
- Development of a Qualified Persons Program



Approvals – Policies

- Development of Standard Mitigation Practices
 - Pilot Projects were used to test mitigation concepts:
 - Flow controls to mitigate peak flows
 - Tried various habitat and flood storage mitigation options and found they were relatively well accepted. Need further discussion with stakeholders and government as to which ones to adopt.

- On line application process
 - Increase efficiency
- Wetland Inventory
 - Possible future tool to be used in Approval process





Approval Process

Progress So Far and Next Steps



Progress So Far and Next Steps

- Legislation
 - Have changed the Regulations (Sept. 2015)
 - Approvals now required to consider current and future impacts and implement measures to reduce or eliminate impacts
 - Now requiring flow limiting devices on many projects
 - Have proposed and tested a number of different mitigation strategies thru the pilot projects. More consultation is needed to finalize and adopt a preferred strategy



Progress So Far and Next Steps

- Policies
 - Have developed a risk based system. Will begin to implement in the fall.
 - Have implemented the use of relaxed land control requirements
 - Have proven the QP Process works and will be developing a training program and materials over the next year or so.



Progress So Far and Next Steps

- Policies
 - Will be accepting on-line applications by the fall.
 - Will continue to acquire additional wetland inventory and validate the accuracy of the inventory for use in the Approval and Complaint Processes.



Complaint Process Changes to Legislation and Proposed Policies



Complaints - Legislation - Regs

- Pre 1981 exemption removed
 - All drainage works now require an Approval
 - Much more efficient to determine status of drainage works



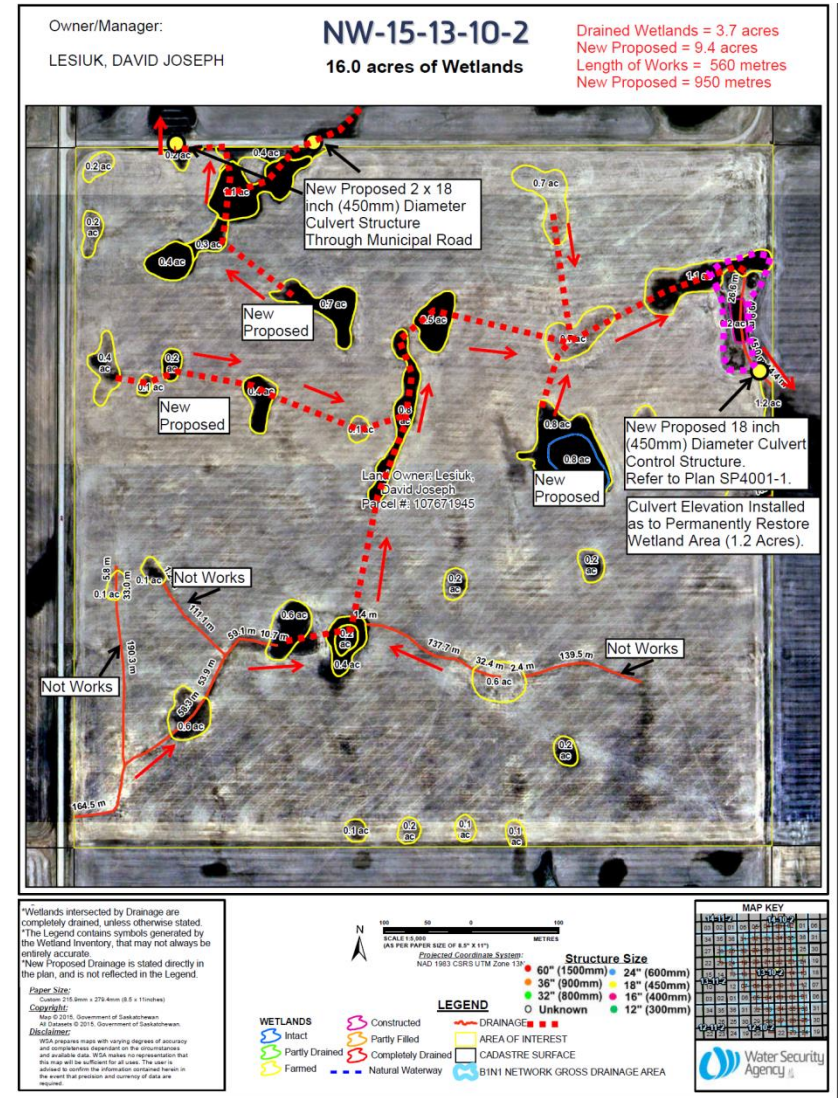
Complaints – Policies

- Major policy change to the Request for Assistance in Resolving a Complaint stage
 - Old system focused on mediation between the parties
 - New system will focus on compliance with legislation

Complaints – Policies

- If illegal works are found the Recommendation letter will request the closure of the works or an approval to be obtained.
- After a defined time period it will be “Ordered”
- Failure to comply:
 - WSA will close works and bill the client.
 - Reviewing ability to issue tickets with help of MoE staff

- Wetland Inventory
 - Currently being undertaken for the Province.
- Possible future tool to help with complaints and enforcement





Complaint Process

Progress So Far and Next Steps



Progress So Far and Next Steps

- Legislation
 - Have changed the Regulations (Sept. 2015)
 - Status of Drainage works much easier to determine



Progress So Far and Next Steps

- Policies
 - Have developed a compliance based system to deal with RFAs
 - Began implementing in January, 2016
 - Processing time of complaints has been greatly reduced:
 - Have completed 70 RFAs since April 1st.
 - Have approximately 140 RFAs to complete. Targeting to complete these by winter.
 - New system reduces overall length of total complaint process from years to months.



Progress So Far and Next Steps

- Policies
 - Will continue to acquire additional wetland inventory and validate the accuracy of the inventory for use in Complaint Processes
 - Will begin undertaking proactive enforcement using the same techniques (outside of the complaint process) in high and extreme risk basins this fall and winter.



Staged Implementation

- Estimate 100,000 to 150,000 quarter sections with unlicensed drainage works
- Staged approach necessary
 - Focus will be on the higher risk areas first
 - Enforcement will be phased in over time



2015 Engagement and Consultation

- Stakeholder meetings with Minister(s) and WSA
 - SARM, SUMA
 - Agriculture Producers Association of Saskatchewan, Saskatchewan Farm Stewardship Association
 - Saskatchewan Stock Growers Association,, Saskatchewan Cattlemen's Association, Saskatchewan Cattle Feeders Association, Saskatchewan Wheat Development Commission, Saskatchewan Canola Development Commission, Saskatchewan Pulse Crop Development Board
 - Ducks Unlimited Canada, Saskatchewan Wildlife Federation, Saskatchewan Environmental Society,
 - Saskatchewan Association of Watersheds, Saskatchewan Conservation and Development Association



2015 Engagement and Consultation

- Consultation set out all aspects of the proposed approach
 - Approvals required for all drainage
 - Online application process
 - Landowner agreements adequate for land control
 - Right mix of enforcement tools
 - Risk based review process
 - Minimization of impacts will be part of approval process

The End Questions?



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