



Agricultural Water Management Strategy

A New Approach to Agricultural Water Management in Saskatchewan (Phase 1)

To fulfill commitments in the 25 Year Saskatchewan Water Security Plan, the Water Security Agency (WSA) is moving ahead with a new approach to drainage management. The new approach will move Saskatchewan toward responsible agricultural water management by streamlining the regulatory system, effectively addressing the risks associated with drainage in the approval process, and enabling development of sustainable drainage projects with more long-term certainty.

Why is a new approach needed?

Drainage has been an integral part of the settlement of our province, making land available for the establishment of communities, road development, crop production and resource extraction. However, poorly designed projects and uncoordinated activities have the potential to cause negative impacts, including:

- local to large-scale downstream flooding and infrastructure damage;
- degraded water quality from erosion and increased contaminants; and
- negative impacts on wetlands and beds and shores of other water bodies and watercourses.

Many of these problems can be avoided with carefully planned drainage and appropriate steps to reduce impacts. Consultation with the public, stakeholders, and agricultural producers has informed a new approach to drainage management in Saskatchewan that is intended to achieve the benefits of drainage while managing the risks.

What is the new approach?

Central to the new approach is the concept of responsible agricultural water management, where **the drainage proponent takes responsibility to design, construct and operate the project properly and undertake necessary actions to minimize the negative impacts of drainage to an acceptable level.** Responsible agricultural water management minimizes conflict and enables appropriate drainage to continue. A second key aspect of the system is the concept of an efficient, risk-based regulatory system.

What does the new approach aim to achieve?

- The main goals of the new approach are to achieve:
- An appropriate balance between achieving the benefits of drainage and reducing the potential for flooding, and negative impacts on water quality and habitat.
- An effective and practical regulatory system to facilitate responsible drainage.
- Implementation of practical solutions to deal with excess water on agricultural lands.

How will the new approach affect me?

1. **Approvals will be required for all drainage activities.** Over a period of time, all drainage works, including pre-1981 works, will be expected to obtain an approval or be closed.
2. **Written landowner agreements will serve as adequate land control downstream of works for many drainage projects.** This will be a significant change from the current approach which requires applicants to obtain a

registrable easement over potentially impacted lands. Legal easements on title will still be required for high investment projects, such as multi-party, organized, or publically funded works. All proponents will be made aware of the legal risks they are assuming by not obtaining a registrable easement, which provides the best guarantee of long-term operation of their works; however, it will be left to private parties to decide what level of business risk they are willing to carry.

3. **Reducing impacts will be a consideration of all drainage approvals and approval conditions will reflect risk.**

Approval holders will be required to use best practices in design and construction of works to reduce impacts of drainage on flooding, water quality and habitat.

- Low risk activities will be subject to simple and minimal design and operating conditions.
- Moderate risk activities will be subject to further conditions to minimize risks.
- High and extreme risk activities may be required to take additional steps to offset expected impacts and approvals may be denied in some circumstances.

4. **Approval holders may be required to install and operate structures to control the release of water from a drain.**

In order to prevent drained water adding to flood peaks, higher risk activities will be required to install permanent flow restriction structures, such as suitably sized culverts or gates.

5. **Approval holders may be required to retain some surface water or storage space for water.** In order to prevent drainage adding to flood peaks, higher risk activities may be required to permanently retain a portion of the surface water they are draining as wetland or dead storage (ability to fill).

6. **Protection and retention of wetlands will be a consideration in granting approvals.** If the loss is too great relative to the benefit the proponent may have to retain the wetland or otherwise mitigate the loss.

7. **“Qualified persons” will assist in drainage planning and damage assessment.** The inclusion of qualified persons in drainage management will improve access to responsible drainage works design and operation as well as to damage complaint resolution. An application prepared by a “qualified person” will require a lower level of review by WSA and will therefore usually receive a faster approval. Provision of training and certification for qualified persons will ensure standards and access for clients. The certification requirements for

qualified persons will vary according to project type, risk and complexity.

8. **Drainage complaints response will be focused on regulatory compliance rather than technical investigation.** Requests for assistance will lead to a preliminary investigation to confirm there are works and whether they are approved. If they are not approved the owner of the works will be given a period of time to obtain an approval or be required to close the works. The process will thus move the owner of the works into the regulatory system where he or she must establish that no impact on neighbouring lands is occurring or that appropriate land control has been obtained

How will this be implemented?

The new rules and programming will be phased in. Gradual expansion to stronger enforcement of compliance with the approval requirement and conditions, including the use of fines and orders, will occur over a number of years. The first target areas will be the Upper Spirit Creek Basin new Good Spirit Lake and the Gooseberry Lake Basin in the Upper Souris Watershed.

Work in these areas will include working with the local watershed group to implement the new drainage approval process for both new and existing works and promoting available incentive programs, including Farm Stewardship Program funding for flow control and erosion structures and wetland retention and restoration.

Local producers in these target areas will have an opportunity to get involved early in the new approach to drainage and provide feedback that will help form the ultimate program approach as it is implemented across the province.

Questions?

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