

New *Water Act* Code of Practice for Wetland Replacement Works

Alberta Environment and Parks is pleased to announce a new Code of Practice for Wetland Replacement Works, which came into force on December 23rd, 2020. A copy of the Code is available in the Open Government Portal (Open Alberta) at:

- [Code of Practice Wetland Replacement Works](#)

The Code of Practice for Wetland Replacement Works is a key red tape reduction priority for the department. It will reduce red tape for proponents restoring or constructing wetlands by replacing *Water Act* approval requirements with a notice process for activities that meet the Code of Practice; thereby eliminating approval wait times. This will help to increase participation in conservation offset programs, accelerate the addition of wetlands on the landscape and stimulate Alberta's economy by creating the right regulatory and economic conditions for wetland replacement proponents.

To what activity does this Code of Practice apply?

The Code applies to specified wetland replacement activities including:

- Wetland construction - the manipulation of the physical, chemical, biological or hydrological characteristics of a site with the goal of creating a wetland replacement area at a location that was non-wetland, and where the wetland replacement area created has
 - (i) a storage capacity less than or equal to 6,250 cubic metres,
 - (ii) an average depth of water, being the ratio of the volume of a wetland to the surface area of the wetland at design full capacity, of at least 10 centimetres but no more than 60 centimetres under normal hydrologic conditions,
 - (iii) a maximum depth of water of 2 metres, and
 - (iv) a 1:100 year flood magnitude of less than or equal to 1.5 cubic metres per second at an outlet;
- Wetland restoration - any manipulation of the physical, chemical, biological or hydrological characteristics of a wetland, that has been partially or completely lost by drainage, infilling or other forms of degradation or impairment, with the goal of re-establishing the pre-disturbance area, natural drainage pattern, hydrology and natural processes but only applies to
 - (i) a catchment area less than or equal to 300 hectares in size, and
 - (ii) a 1:100 year flood magnitude of less than or equal to 1.5 cubic metres per second at an outlet

A *Water Act* approval is required for any activities related to wetland replacement that fall outside of the scope of this Code.

Will the diversions of water for the purpose of wetland replacement activities require a *Water Act* licence?

The following diversions of water and any operations of works associated with those diversions will not require a *Water Act* licence:

- (i) a diversion of water for the purpose of wetland restoration, as defined in the Code;
- (ii) a diversion of water for the purpose of maintaining all of the following with respect to an existing wetland:
 - a. the quantity of water in that wetland;
 - b. the flow rate of water in or to that wetland;
 - c. the timing of the flow of water to that wetland;
- (iii) a diversion of water for the purpose of wetland construction, as defined in the Code, except where the total diversion of water is greater than 6,250 cubic metres per year.

How does this align with the Wetland Policy?

The goal of the Alberta Wetland Policy (the Policy) is to conserve, restore, protect and manage Alberta's wetlands to sustain the benefits they provide to the environment, society and economy. The mitigation hierarchy under the Policy describes avoidance or minimization of impacts on wetlands as primary or preferred option and replacement as the last resort. Wetland replacement activities defined under this Code are necessary for the successful implementation of a provincial wetland management system under the Policy. Policy outcomes will be maintained through the Code's standards and conditions.

How do I submit a notice under the new Code of Practice?

Notice under the Code is submitted through the Environmental Approvals System (EAS) OneStop.

The notice form and more information regarding the Code can be found at:

- [Water Codes of Practice](#)
- [EAS OneStop](#)

How should I manage my pending approval application?

In some cases, it may be easier and preferable for an applicant to withdraw an existing *Water Act* application and resubmit it under the new Code of Practice. Please contact the local Alberta Environment and Parks office if you wish to withdraw any pending *Water Act* approval applications related to wetland replacement activities.

Local contact information can be found at:

- [Local AEP Offices](#)

Where can I get more information?

For questions or further information regarding the new Code, please contact Steve Wallace at Steve.Wallace@gov.ab.ca

For technical support related to EAS OneStop, please contact EAS OneStop support at easonestop.support@gov.ab.ca