RMA Fall 2021 Submitted Resolutions

1) Call to Order
2) Acceptance of Order Paper
3) Resolution Session

1-21F **Emergency Medical Services Capacity and Service Delivery in Rural Alberta** *(Wheatland County)*

2-21F **Disaster Recovery Program Cost Allocations** *(Brazeau County)*

3-21F **Vegetation Management on Alberta Provincial Highways** *(County of Two Hills)*

4-21F **Provincial Health Restriction Decisions** *(Lac la Biche County)*

5-21F **Seniors' Foundation Requisitions** *(Wheatland County)*

6-21F **Historical Resources Impact Assessments** *(MD of Willow Creek)*

7-21F **Awareness Campaign for Small Modular Reactors (SMRs)** *(Starland County)*

8-21F **Privatization of Land Titles** *(County of Barrhead)*

9-21F **Increasing Knowledge-Sharing Among Regulators of Cannabis Production Facilities** *(Kneehill County and Wheatland County)*

10-21F **Site C Dam – BC Hydro** *(County of Northern Lights)*

4) Vote on Emergent Resolutions
5) Closing of Resolution Session

Resolution 1-21F

Emergency Medical Services Capacity and Service Delivery in Rural Alberta

Wheatland County

Endorsed by District 2 (Central)

WHEREAS the Government of Alberta took responsibility for the delivery of **emergency medical services** (EMS) as it was a provincial health responsibility; and

WHEREAS at the time EMS transitioned from a municipal responsibility to a provincial responsibility the Government of Alberta committed to maintaining service levels; and

WHEREAS even prior to the COVID-19 pandemic the capacity of the provincial EMS system had not increased adequately to meet escalating needs; and

WHEREAS this capacity issue has been exacerbated, both directly and indirectly, by the COVID-19 pandemic; and

WHEREAS the number of "code reds", where no ambulances are available in a community or in larger geographical areas of the province, is increasing; and

WHEREAS the health and safety of citizens continues to be a priority for municipalities; and

WHEREAS municipalities continue to frequently support the provincial health care system by providing medical first response through fire departments; and

WHEREAS there has been a recent upward trend in fire service wait times due to the increased length of time it takes for EMS to arrive on scene in municipalities that provide medical first response; and

WHEREAS a lack of EMS capacity is compromising timely access to emergency healthcare for all Albertans, and particularly those in rural areas;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request the Government of Alberta to immediately consult with municipalities to develop a plan to make urgently needed improvements to the capacity, delivery, and performance of the emergency medical services system.

Member Background

When the Government of Alberta transitioned EMS service from a municipal responsibility to a provincial responsibility there was a commitment to maintaining service levels. However, as populations have grown, and demand for EMS has increased, a historical lag in corresponding capacity has created intense pressure on the emergency care system.

Provision of emergency health care in rural communities has significant, unique challenges, including low population densities and large geographic areas. Large geographic areas inherently result in longer EMS transport times, making EMS response times even more critical where timely care is critical, and delays may result in compromising patient care and safety.

The borderless provincial delivery model utilizes system status management, where resources are shared across jurisdictions, and deployed where statistical probabilities project they will be required. Therefore, when resources are exhausted in major urban centres resources are drawn from surrounding communities. While attempts are made to provide cross coverage, lack of capacity frequently results in large areas lacking adequate EMS resources and facing longer response times.

In rural areas, the repositioning of resources to more densely populated urban areas amplify response time issues where large geographic areas already create challenges. The full benefit of a provincial model can only be realized when resources are adequate to provide timely response and performance for all Albertans.

The transition to a provincial EMS system has also impacted municipalities, who support emergency medical care by providing medical first response. Impacts include an increasing need for municipal fire services to provide medical first response due to a lack of EMS presence, which can result in increased stress on firefighters responding to medical incidents and increased costs.

Though a provincial EMS dashboard has been recently established to measure EMS performance, up to date information is challenging to access. Transparent reporting regarding performance indicators, in which municipalities do not have to use of freedom of information requests to access data for their communities, is key to trust in the emergency care system. Analysis of this data will assist in determining impacts of decisions on patient safety and quality of care.

EMS service levels have become an urgent, even critical issue with potential life and death consequences. Every citizen experiencing a medical crisis across Alberta is impacted, as the time of EMS response increases, the survival rate of patients decreases. Service delivery improvements will require an innovative multidimensional strategy. Timely access to emergency care has both direct health benefits and broader community benefits. These include attracting new residents, stimulating economic growth, and ultimately supporting viability and contributing to the sustainability of rural communities.

RMA Background

14-19F: Provincial Funding for Regional Air Ambulance

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request that the Government of Alberta provide funds to locally- and regionally-operated emergency response air ambulance services at the same ratio as Shock Trauma Air Rescue Society (STARS) funding;
>
> FURTHER BE IT RESOLVED that the Government of Alberta commissions an independent review, which includes engagement with the public, industry stakeholders and municipalities acoss Alberta, of the helicopter emergency medical services system in Alberta.
>
> Click here to view the full resolution.

Resolution 2-21F

Disaster Recovery Program Cost Allocations

Brazeau County

Endorsed by District 3 (Pembina River)

WHEREAS rural municipalities have recently experienced reductions in revenue and financial support from the Govenrment of Alberta, including but not limited to changes to or the elimination of linear assessment, well drilling equipment tax, grants in place of taxes, and reductions to Municipal Sustainability Initiative program funding; and

WHEREAS rural municipalities have recently absorbed increased expenditures due to the downloading of provincial costs in areas such as policing and augmenting Alberta Health Services through medical first response programs; and

WHEREAS rural municipalities do not have direct access to any federal disaster relief funding or resources; and

WHEREAS in March 2021 Alberta Municipal Affairs introduced changes to the **Disaster Recovery Program** (DRP) that require municipalities to contribute 10% of the costs of eligible claims made under the DRP;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta urge the Government of Alberta to remove the requirement for municipalities to contribute 10% of the costs of eligible claims made under the Disaster Recovery Program for disasters within their boundaries.

Member Background

Brazeau County, like other rural municipalities across the province, is concerned with the Government of Alberta's decision to now require municipalities to contribute to disaster relief funding under the Disaster Recovery Program.

Brazeau County, like other rural municipalities across the province, have had revenues streams significantly reduced and/or eliminated by the Government of Alberta while being forced to take on additional expenditures to augment the funding to support provincial services. Brazeau County is strongly opposed to and will not accept further downloading from the Government of Alberta.

RMA Background

13-20F: Provincial Government Disaster Recovery Program Payments

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta advocate that the Government of Alberta review its Disaster Recovery Program processes to ensure municipalities receive payments within a defined timeline for resources deployed to assist during regional disasters.
>
> Click here to view the full resolution.

16-20F: Federal and Provincial Disaster Support

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta advocate to the Government of Alberta for continued Disaster Recovery Program funding to support community resilience and enable the relocation of affected property owners where re-construction is impractical or inadvisable.
>
> Click here to view the full resolution.

Resolution 3-21F

Vegetation Management on Alberta Provincial Highways

County of Two Hills

Endorsed by District 5 (Edmonton East)

WHEREAS the Government of Alberta has not adequately maintained control of noxious and prohibited noxious weeds within provincial highway rights of way in recent years; and

WHEREAS this lack of control is affecting neighbouring landowners, as these invasive weeds are spreading into their fields; and

WHEREAS due to this lack of control, landowners adjacent to provincial highways are faced with increased costs to their vegetation control programs; and

WHEREAS invasive plants cause significant changes to ecosystems which may result in economic harm to agricultural and recreation industries; and

WHEREAS highway corridors facilitate the spread of invasive plants both locally and internationally; and

WHEREAS allowing noxious and invasive plant growth along highways increases the risk to human health (poisonous plants) and public safety by reducing visibility along road shoulders where wildlife is crossing or grazing; and

WHEREAS the most cost-effective strategy against invasive species is preventing them from establishing rather than relying on eliminating them after an infestation has begun; and

WHEREAS the Government of Alberta is responsible for weed control within the rights of way of the 31,000 kilometres of provincial highways in the province, as per the *Weed Control Act*; and

WHEREAS the Government of Alberta must allocate sufficient funds and capacity to meet its weed control requirements along provincial highways; and

WHEREAS in 2017, Alberta Transportation developed a four-year provincial vegetation management plan, which included a plan to manage noxious weeds in highway rights of way; and

WHEREAS the provincial vegetation management plan expires in 2021;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) advocate to the Government of Alberta to reinstate a provincial vegetation management plan;

FURTHER BE IT RESOLVED that the RMA request that the provincial vegetation management plan enhance the previous plan's approach to managing noxious weeds, prohibited noxious weeds, and any unsafe vegetation on the full rights of way of all primary and secondary provincial highways;

FURTHER BE IT RESOLVED that the enhanced plan should include but not be limited to an appropriately timed herbicide application in order to control all legislated weeds and a focus on mowing of the full right of way at a time that limits the spread of weed seeds.

Member Background

This is not a new issue, as municipalities across the province have been dealing with inconsistent vegetation management since the province privatized Alberta Transportation services in the mid 1990s. There has been less and less vegetation management along provincial highways every year since.

Adjacent landowners are frustrated with the weeds in the provincial rights-of-way because the weeds are propagating onto their lands causing financial burden and the overgrowth is impacting the safety of travelling motorists and migratory wildlife along Alberta highways.

Specific concerns with the current inconsistent vegetation management practices include:

Expense:
Landowners are spending large sums of money on weed control, but are also seeing their results diminished because of a lack of responsibility by the Government of Alberta regarding the *Weed Control Act*. The *Weed Control Act* was introduced in 1907 to ensure landowners practice good land husbandry and stewardship. As a fellow landowner, the Government of Alberta, by not proactively controlling weeds on public lands, is insinuating private landowners should wait until a weed notice is issued before conducting any weed control. Additionally, the amount of time taken to respond to a weed infestation has increased recently, leading to larger infestations. This affects ratepayers/landowners and municipalities, as both must increase their budgets for weed control.

Potential transfer of weeds provincially, nationally and internationally:
Inconsistent vegetation management has local, provincial, national, and possibly international impacts as hay, grain, and other commodities are transported via Alberta's highway network daily. Any vehicle that stops on the side of the highway could potentially transfer weed seeds anywhere. The impact is two-fold: increased weed control costs within Alberta and dockage to grains and forages sold into the marketplace. The added costs affect the overall net profits at the farm level.

Safety:
In addition to not controlling weeds in highway ditches, the Government of Alberta has reduced its mowing program along highway ditches. Mowing, also a method of controlling weeds, used to be conducted twice per year along highway shoulders, and every four to five years as prescribed from shoulder to fence-line. In 2021, the Government of Alberta informed the County of Two Hills that no funds had been budgeted for ditch mowing. After raising concerns to Alberta Transportation, provincial roads within the County received one mow during the 2021 season, of only one pass along the shoulder of the highway. Not only does this impact control of the weeds along highways, but also leads to safety concerns for the public travelling these highways. The visibility of wildlife crossing the highways is hindered by the tall weeds and grass. Several county residents have reported increased wildlife and bird strikes along two- and three-digit highways and are concerned about their own safety, as well as that of wildlife. Furthermore, this has a financial impact from the aspect of automobile insurance rates and premiums.

Government of Alberta ignoring its own Act:
The best control of weeds comes from prevention, not reaction. The Government of Alberta is not abiding by its own legislation intended to control the spread of noxious and prohibited noxious weeds. By not controlling the ditches, municipalities are put in the uncomfortable position of having to issue weed notices to the Government of Alberta.

History and legislation:
Alberta highway shoulders have historically been mowed twice per season. Approximately every four years, a manager would prescribe additional shoulder to fence-line mowing. In 2015 Alberta Transportation stopped mowing along all highways. Alberta Transportation proactive weed control plans changed in 2014. Alberta Transportation stopped spraying weeds proactively, and would only spray if they were issued a weed notice.

The Alberta *Weed Control Act* was proclaimed in the Province of Alberta in 1907. It is reviewed and proclaimed every four or six years. It was last reviewed and proclaimed in 2016. The Alberta *Weed Control Act* aims to regulate noxious weeds, prohibited noxious weeds, and weed seeds through various control measures, such as inspection and enforcement, together with provisions for recovery of expenses in cases of non-compliance. Additionally, it mandates the licensing of seed cleaning plants and mechanisms. An excerpt is included:

> **Part 1:**
>
> **Noxious weeds — control**

2 A person shall control a noxious weed that is on land the person owns or occupies.
Prohibited noxious weeds — destroy
3 A person shall destroy a prohibited noxious weed that is on land the person owns or occupies.
Spread of weeds prohibited
4(1) Subject to the regulations, a person shall not use or move anything that, if used or moved, might spread a noxious weed or prohibited noxious weed.
Other Stakeholders
Alberta Invasive Plants Council - This group of individuals and organizations work hard to educate, the public on invasive species (plants, and organisms) not only in our province, but also those that can potentially be introduced in our province. This group tries very hard to stop the spread of invasive species.
Association of Alberta Agricultural Fieldmen - This is a group of about 160 members from across the province, these men and women work hard every day to try and reduce or eradicate the invasive species in their respective Counties or MD's. We are bound by the Alberta Weed Act in our own jurisdiction to both keep Right of Ways clean, but also educate and enforce weed concerns to local producers.
Agricultural Services Board - There are 69 municipalities that have an Agricultural Services Board, this board and its members create and uphold strategic plans that include proactive measures to reduce invasive populations in their jurisdiction. We work hard every year to improve our stewardship on the lands around us.
Alberta Transportation - Alberta Transportation has a very high invested interest as they are in control of the highways, these roads must be kept safe for all travelers. Letting unwanted vegetation stay on the shoulders of the roads, growing tall allows for very unsafe driving conditions, as wildlife can emerge with little notice, as well as, travelers when stopping on the sides of the roads can unknowingly transfer invasive species.
Alberta Agriculture and Forestry – The Alberta Weed Act is an act that has been around since 1907. This is an act that was created by Alberta Agriculture and Forestry. If the expectation is to educate and enforce this act upon the public, they must abide themselves.
CP and CN rail lines - The rail lines cross over provincial highways all over the province, when the two cross, there is a chance of transferring weeds further on, even out of province.

Past Advocacy Efforts

Provincial Agricultural Services Board Conference Resolutions:

- 2006: Resolution #10 - Weed Control Along Primary and Secondary Highways

A resolution was passed that requested "the Provincial Government allocate sufficient funds to control the weeds and undesirable vegetation along their primary and secondary highways within the province."

At that time Alberta Infrastructure and Transportation indicated that they placed a "high priority on weed control within all highway rights-of-way." The department also stated that in 1999 a process was initiated "to involve the Fieldmen more directly in the weed control programs by allowing them, in urgent situations, to order work directly from highway maintenance contractors or to undertake weed control using their own forces. This process has been quite successful on a provincial basis."

- 2008: Resolution #15 - Weed Control of Alberta Infrastructure and Transportation Roadways

Agricultural services boards across Alberta are/were interested in providing weed control along provincial highways in their municipality in the most effective and efficient way possible. Weed control within all highway rights-of-way is a priority for government. The department has contractual obligations to have weed control work done by the highway maintenance contractors. Staff from Alberta Infrastructure and Transportation (INFTRA) and Alberta Agriculture and Food work closely with agricultural fieldmen and highway maintenance contractors to determine the weed spraying and mowing requirements along each roadway within their jurisdiction. Also, agricultural fieldmen identify problematic locations that need special attention and ensure they are addressed.

- 2010: Resolution #4 - Alberta Transportation Roadside Weed Control

A resolution was passed that requested "Alberta Transportation review their current weed control program to ensure the effectiveness of the program and give consideration to an increase in the current width of ditch that is

sprayed as well as implementing a monitoring and assessment program to ensure that severe populations are dealt with proactively not reactively.”

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 4-21F

Provincial Health Restriction Decisions

Lac la Biche County

Endorsed by District 5 (Edmonton East)

WHEREAS on September 15, 2021, the Government of Alberta implemented new COVID-19 restrictions, including a **Restrictions Exemption Program** (REP) that require municipalities to determine whether to opt into the REP for their facilities for programming and events; and

WHEREAS starting September 20, 2021, in-scope businesses, entities and events must follow one of two options: implement the REP, which requires those entering facilities to provide proof of vaccination or negative test result, plus mandatory masking, or operate at a reduced capacity in compliance with all public health restrictions as outlined in Order 42-2021; and

WHEREAS the responsibility for provincial health measures lies with the Government of Alberta and not with local municipalities or businesses; and

WHEREAS the requirement to choose between the two options is a download from the Government of Alberta to municipalities; and

WHEREAS municipalities are struggling to continue to implement frequently changing restrictions to large community facilities, recreation centres, and other municipal offices; and

WHEREAS the decision by the Government of Alberta to force municipalities and businesses to divide residents based on vaccination history is further dividing communities; and

WHEREAS the complex rules and restrictions resulted in a shift in focus from municipal issues to provincial public health decisions during the campaigning period prior to the 2021 municipal elections;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta advocate to the Government of Alberta for provincial health restrictions and decisions to be made at the provincial level and not downloaded onto municipalities.

Member Background

Municipalities in Alberta have been given direction from the Government of Alberta to make decisions relating to the global COVID-19 pandemic. Since March 2020, the Government of Alberta has increased its expectations of municipalities to decipher and enforce new and changing pandemic-related regulations. This delegation of what are typically provincial decisions onto municipalities includes decisions as whether to implement the Restrictions Exemption Program in municipal facilities.

The responsibility for provincial health measures lies with the provincial government and not with the local municipalities or businesses. During the ongoing COVID-19 pandemic, municipal governments have had to make decisions regarding the implementation of the Restrictions Exemption Program but are further struggling to adapt to continually changing restrictions to large community facilities, recreation centres, and other municipal offices.

Local businesses are also struggling to provide services to residents and industries. The division created with the Restrictions Exemption Program has not only divided residents, but also municipalities.

In addition to RMA, Lac la Biche County has submitted this resolution to the AUMA and ASB.

CMOH Order 42-2021 is attached as further background on this issue.

RMA Background

RMA has no active resolutions directly related to this issue.

Office of the Chief Medical Officer of Health
10025 Jasper Avenue NW
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Edmonton, Alberta T5J 2N3
Canada

RECORD OF DECISION – CMOH Order 42-2021

Re: 2021 COVID-19 Response

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Whereas under section 29(2.1) of the *Public Health Act* (the Act), I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Whereas a state of public health emergency for the province of Alberta was declared on September 15, 2021.

Whereas having determined that additional measures are necessary to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19, I hereby make the following order:

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Part 1 – Application

1.1 This Order applies throughout the province of Alberta.

1.2 This Order comes into force on September 16, 2021 except where otherwise stated in this Order.

1.3 If a section of this Order is inconsistent or in conflict with a provision in Record of Decision – CMOH Order 37-2021 or 38-2021, the section in those Orders prevail to the extent of the inconsistency or conflict.

1.4 This Order rescinds Record of Decision – CMOH Order 40-2021.

Part 2 – Definitions

2.1 In this Order, the following terms have the following meanings:

(a) "adult" means a person who has attained the age of eighteen years.

(b) "authorizing health professional" means one of the following regulated members under the *Health Professions Act* who holds a practice permit:

i. nurse practitioners;

ii. physicians;

iii. psychologists.

(c)“child care program” means any of the following:

i. a facility-based program providing day care, out of school care or preschool care;

ii. a family day home program;

iii. a group family child care program;

iv. an innovative child care program.

(d) “Class A, B or C liquor licence” has the same meaning given to it under the *Gaming, Liquor and Cannabis Regulation, AR 143/96*, under the *Gaming, Liquor and Cannabis Act.*

(e) “cohort”, as the context of this Order requires, means:

i. for a person who resides on their own, one or two other persons with whom the person who resides on their own regularly interacts with during the period of this Order;

ii. for a household, the persons who regularly reside at the home of that household;

iii. for a household in which all eligible persons who regularly reside at the home are fully vaccinated, the members of that household and the members of a second household whose eligible members are fully vaccinated, up to a maximum of 10 fully vaccinated persons, excluding children eleven and younger who are not vaccinated;

iv. for a fully vaccinated person who resides on their own, the person who resides on their own, and up to a maximum of nine fully vaccinated persons of a household, excluding children eleven and younger who are not vaccinated;

v. for a person attending an overnight camp, the group of campers and staff members assigned to them who stay together throughout the day, day to day, and overnight;

vi. for a school, the group of students and staff who primarily remain together for the purposes of instruction as a COVID-19 safety strategy.

(f) “commercial vehicle” means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation, but does not include a private passenger vehicle.

(g) “day care” has the same meaning given to it in the *Early Learning and Child Care Regulation*.

(h) “drive-in activities” means outdoor activities that a person can participate in or observe while remaining in a motor vehicle including the following:

i. a worship service;

ii. a drive-in movie;

iii. a graduation ceremony;

iv. physical activity, performance activity or recreational activity;

v. any activity similar in nature to those listed in this definition.

(i) "eligible person" means a person born in 2009, or before 2009, who is living, working or going to school in Alberta who is eligible to receive the COVID-19 vaccine.

(j) "face mask" means a medical or non-medical mask or other face covering that covers a person's nose, mouth and chin.

(k) "facility-based program" has the same meaning given to it in the *Early Learning and Child Care Act*.

(l) "Facility Licence" has the same meaning given to it under the *Gaming, Liquor and Cannabis Regulation*, AR 143/96, under the *Gaming, Liquor and Cannabis Act*.

(m) "family day home program" has the same meaning given to it in the *Early Learning and Child Care Act*.

(n) "farming or ranching operation" means the primary production of eggs, milk, grain, seeds, fruit, vegetables, honey, livestock, diversified livestock animals within the meaning of the *Livestock Industry Diversification Act*, poultry or bees, an operation that produces cultured fish within the meaning of the *Fisheries (Alberta) Act*, and any other primary agricultural operation specified in the regulations, but does not include the operation of a greenhouse, mushroom farm, nursery or sod farm.

(o) "fitness activity" means a physical activity that occurs at a gym, fitness studio, dance studio, rink, pool, arena or recreation centre and includes dance classes, rowing, spin, yoga, boxing, boot camp, Pilates and other activities of a similar nature.

(p) "food-serving business or entity" means a restaurant, café, bar, pub or similar business or entity.

(q) "fully vaccinated" means a person who is eligible for vaccination who has:

i. received two doses of a World Health Organization approved COVID-19 vaccine in a two dose vaccine series or one dose in a one dose vaccine series; and

ii. had fourteen days elapse since the date on which the person received the second dose of the World Health Organization approved COVID-19 vaccine of a two dose series or one dose of the vaccine in a one dose vaccine series.

(r) "Gaming Licence" has the same meaning given to it under the *Gaming, Liquor and Cannabis Regulation, AR 143/96*, under the *Gaming, Liquor and Cannabis Act*.

(s) "group family child care program" has the same meaning given to it in the former *Child Care Licensing Regulation*.

(t) “health condition” means the following mental or physical limitations:

i. sensory processing disorders;

ii. developmental delays;

iii. mental illnesses including: anxiety disorders; psychotic disorders; dissociative identity disorder; and depressive disorders;

iv. facial trauma or recent oral maxillofacial surgery;

v. contact dermatitis or allergic reactions to face mask components; or

vi. clinically significant acute respiratory distress.

(u) “highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

i. a sidewalk, including a boulevard adjacent to the sidewalk;

ii. if a ditch lies adjacent to and parallel with the roadway, the ditch; and

iii. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,

but does not include a place declared by regulation not to be a highway.

(v) “innovative child care program” has the same meaning given to it in the former *Child Care Licensing Regulation*.

(w) “masking directive or guidance” means, as the context of this Order requires, either:

i. a directive or guidance document made by a regional health authority, or a contracted service provider of a regional health authority, which sets out directions or guidance respecting the use of face masks in facilities or settings operated by the regional health authority or the contracted service provider; or

ii. a directive or guidance document made by Alberta Health and posted on the Government of Alberta website which sets out directions or guidance respecting the use of face masks in the child care program setting.

(x) “medical exception letter” means written confirmation provided to a person by an authorizing health professional which verifies that the person has a health condition that prevents the person from wearing a face mask while attending an indoor public place and

i. clearly sets out the information required by section 3.6 of this Order; and

ii. is valid for a period of one year from the date on which it is made.

(y) “outdoor food and beverage services” means services which an operator of a food-serving business or entity provides in an outdoor area to persons who remain at the food-serving business or entity while consuming food or beverages. For greater

certainty, outdoor food and beverage services are provided in an area that meet the following requirements:

i. patios and dining areas with a roof must not have more than one enclosing wall;

ii. patios and dining areas without a roof may have one or more enclosing wall;

iii. for the purposes of this Order umbrellas and pergolas are not considered to be roofs;

iv. for the purposes of this Order, a fence or a half-wall is not an enclosing wall.

(z) "out of school care" has the same meaning given to it in the Early Learning and Child Care Regulation.

(aa) "performance activity" means singing, playing a musical instrument, dancing, acting or other activities of a similar nature and includes, but is not limited to, a rehearsal, concert, theatre, dance, choral, festival, musical and symphony events.

(bb) "person who resides on their own" means a person living on their own or a person living on their own who has one or more youth living with them and under their care.

(cc) "physical activity" means a fitness activity or sport activity.

(dd) "preschool care", has the same meaning given to it in the *Early Learning and Child Care Regulation*.

(ee) "post-secondary institution" means a public or private post-secondary institution operating under the *Post-Secondary Learning Act* and includes the physical location or place where the post-secondary institution provides a structured learning environment through which a program of study is offered.

(ff) "private place" means a private place as defined under the *Public Health Act*.

(gg) "private social gathering" means any type of private social function or gathering at which a group of persons come together and move freely around to associate, mix or interact with each other for social purposes rather than remaining seated or stationary for the duration of the function or gathering, but does not include a cohort consisting of persons referred to in section 2.1(e) of this Order.

(hh) "public place" has the same meaning given to it in the *Public Health Act*, and for greater certainty does not include a rental accommodation used solely for the purposes of a private residence.

(ii) "recreational activity" means any structured or organized activity or program where the purpose of the activity or program is intended to develop a skill, including but not limited to, Girl Guides, Scouts, choir, arts and crafts, pottery or other substantially similar activities.

(jj) "school" has the same meaning given to it in the *Education Act.*

(kk) "school building" has the same meaning given to it in the *Education Act*.

(ll) "Special Event Licence" has the same meaning given to it under *Gaming, Liquor and Cannabis Regulation*, AR 143/96, under the *Gaming, Liquor and Cannabis Act*.

(mm) "sport activity" means sports training, practices, events, games, scrimmages, competitions, gameplay, league play, and other activities of a similar nature.

(nn) "staff member" means any individual who is employed by, or provides services under a contract with, an operator of a school.

(oo) "student" has the same meaning given to it in the *Education Act.*

(pp) "visitor" means any individual who attends a school, but who is not a student or staff member.

(qq) "youth" means a person under eighteen years of age.

(rr) "youth activity" means any physical activity, performance activity or recreational activity youth are participating in.

Part 3 – Masking

A. Indoor masking requirements

3.1 Except as set out in this Order, a person must wear a face mask at all times while attending an indoor public place.

3.2 For greater certainty, indoor public places include, but are not limited to:

(a) a school building;

(b) commercial vehicles transporting the driver and one or more other persons who are not members of that persons household, or if the person is a person living alone, then the person's close contact;

(c) the common areas of a day camp or overnight camp; and

(d) all indoor spaces under the control of a business or entity, including all areas where the public or employees of the business or entity may attend.

3.3 For greater certainty, except as otherwise set out in this Order:

(a) face masks must be worn at a wedding ceremony or funeral service that is held in an indoor public place; and

(b) a person must comply with all masking directives or guidance while attending at:

i. a facility operated by a regional health authority under the *Regional Health Authorities Act* or a facility operated by a contracted service provider of a regional health authority; or

ii. a childcare program.

B. General exceptions to indoor masking

3.4 Despite this Part of this Order, a person is not required to wear a face mask at all times while attending an indoor public place if the person is:

(a) a youth under two years of age;

(b) a youth participating in an indoor performance activity in circumstances where it is not possible for the youth to wear a face mask while participating in the indoor performance activity;

(c) a youth participating in an indoor physical activity;

(d) an adult participating in an indoor physical activity or performance activity;

(e) unable to place, use or remove a face mask without assistance;

(f) seated at a table while consuming food or drink or, if standing at a standing table while consuming food or drink, as long as the person remains at the standing table at all times while consuming the food or drink;

(g) providing or receiving care or assistance where a face mask would hinder that caregiving or assistance;

(h) alone at a workstation and separated by at least two metres distance from all other persons;

(i) the subject of a workplace hazard assessment in which it is determined that the person's safety will be at risk if the person wears a face mask while working;

(j) separated from every other person by a physical barrier that prevents droplet transmission;

(k) a person who needs to temporarily remove their face mask while in the public place for the purposes of:

i. receiving a service that requires the temporary removal of their face mask;

ii. an emergency or medical purpose, or

iii. establishing their identity.

C. Exceptions for health conditions

3.5 Despite this Part of this Order, a person who is unable to wear a face mask due to a health condition as determined by an authorizing health professional is excepted from wearing a face mask while attending an indoor public place.

3.6 For the purposes of section 3.5, the health condition must be verified by a medical exception letter that includes the following:

(a) the name of the person to whom the exception applies;

(b) the name, phone number, email address, professional registration number, and signature of the authorizing health professional; and

(c) the date on which the written confirmation was provided.

3.7 For greater certainty, although the medical exception letter must verify that a health condition applies, the medical exception letter must not include specific information about the health condition.

D. Exception for child care programs

3.8 Despite this Part of this Order, a youth attending at a child care program is not required to wear a face mask except in accordance with any masking directive or guidance issued by the child care program operator.

E. Exceptions for performance activities

3.9 Despite this Part of this Order, a person participating in a performance activity during a worship service is not required to wear a mask.

F. Exceptions for professional physical activities and performance activities

3.10 Despite this Part of this Order, a member of, or for, a professional or semi-professional sports team or as a professional or semi-professional athlete, is not required to wear a mask while participating in a physical activity related to their professional or semi-professional sports team or athletics.

3.11 Despite this Part of this Order, a member of, or for, a professional or semi-professional performance organization, is not required to wear a mask while participating in a performance activity related to their professional or semi-professional performance.

G. Exceptions for farming or ranching operations

3.12 Despite this Part of this Order, a person does not need to wear a face mask while working at a farming or ranching operation, unless the person is interacting with a member of the public.

Part 4 – Physical distancing

A. Two metres physical distance required

4.1 For all indoor and outdoor activities, a person must maintain a physical distance of two metres from any other person who is not part of the person's cohort as referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

4.2 For greater certainty, a person must maintain a physical distance of two metres from any other person who is not a member of the person's cohort as referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order, when the person:

(a) is attending as a spectator at an indoor location of a business or entity for the purposes of observing indoor physical activity, performance activity or recreational activity;

(b) is attending as a spectator at a school building for the purposes of observing indoor youth activity;

(c) is participating in an outdoor private social gathering including a wedding ceremony or reception and a funeral service or reception where the only indoor spaces are washroom facilities;

(d) is a youth or staff member attending at a day camp;

(e) is attending a place of worship.

4.3 For greater certainty, staff and students at post-secondary institution must maintain a physical distance of two metres from any other person who is not a member of their cohort as referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

4.4 Despite section 4.1 of this Order, an adult or youth can participate in outdoor group physical activity, performance activity or recreational activity.

B. General exceptions to two metre physical distance requirement

4.5 Despite this Part, a person is not required to maintain a physical distance of two metres from any other person when the person is receiving a service from a business or entity that the person cannot receive while maintaining a physical distance of two metres.

4.6 Despite this Part, a coach, instructor or trainer is not required to maintain two metres physical distance from the person being coached, guided or instructed for physical activity, performance activity, or recreational activity if doing so inhibits the guidance or instruction being provided.

4.7 Despite this Part, a youth is not required to maintain two metres physical distance while participating in a physical activity or performance activity.

4.8 Despite this Part, an adult is not required to maintain two metres physical distance while participating in an outdoor physical activity or performance activity.

C. Three metres physical distance required

4.9 An adult must maintain a physical distance of three metres from any other person who is not a member of their cohort, referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order, when the person is participating in indoor solo or 1:1 physical activity.

4.10 An operator of a business or entity providing a place for indoor solo or 1:1 physical activity must ensure that an adult who is participating in indoor solo or 1:1 physical activity maintains three metres distance from any other person who is not a member of their cohort, referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

D. Exceptions to three metre physical distance requirement

4.11 Despite this Part, a coach, instructor or trainer is not required to maintain three metres physical distance from the person being coached, guided or instructed for physical activity, performance activity, or recreational activity if doing so inhibits the guidance or instruction being provided.

Part 5 – Work from one's private residence

5.1 An employer must require a worker to work from the worker's own private residence unless the employer determines that the worker's physical presence is required at the workplace to effectively operate the workplace.

Part 6 – Private Residences

6.1 Subject to sections 6.3, 6.4 and 6.5 of this Order, a person who resides in a private residence must not permit a person who does not normally reside in that residence to enter or remain in the residence.

6.2 Section 6.1 of this Order does not prevent a person from entering the private residence of another person for any of the following purposes:

(a) to provide health care, personal care or housekeeping services;

(b) for a visit between a child and a parent or guardian who does not normally reside with that child;

(c) to receive or provide child care;

(d) to provide tutoring or other educational instruction related to a program of study;

(e) to perform construction, renovations, repairs or maintenance;

(f) to deliver items;

(g) to provide real estate or moving services;

(h) to provide social or protective services;

(i) to respond to an emergency;

(j) to provide counselling services;

(k) for a visit between a person who is at the end of their life (last four to six weeks, as determined by that person's primary health care provider) and a family member, friend, faith leader or other person as long as no more than three visitors enter the private residence of the dying person at one time;

(l) to provide or receive personal or wellness services;

(m) to provide physical activity or performance instruction; or

(n) to undertake a municipal property assessment.

6.3 A person who resides on their own may have their cohort described in section 2.1(e)(i) of this Order attend at their own private residence and may attend at the private residence of the one or two other persons described in section 2.1(e)(i) provided the following conditions are met:

(a) each person whose residence the person is attending at lives alone at their private residence; or

(b) each of the two people at the residence the person is attending at live together.

6.4 A cohort for a household as defined at section 2.1(e)(iii) of this Order, can choose one other household to visit with at each other's private residences provided that the following conditions are met:

(a) the two households, when meeting together, are limited to a maximum of ten eligible persons; and

(b) all eligible persons who are part of the household must be vaccinated.

6.5 A cohort for a fully vaccinated person who resides on their own, as defined at section 2.1(e)(iv) of this Order, can choose one other household to visit with at each other's private residences provided that the following conditions are met:

(a) the two households, when meeting together, are limited to a maximum of ten eligible persons; and

(b) all eligible persons who are part of the household must be vaccinated.

Part 7 – Private social gatherings

7.1 Sections 7.4, 7.5 and 7.6 of this Part of this Order come into effect on September 20, 2021.

7.2 All persons are prohibited from attending a private social gathering at an outdoor private or public place except in accordance with this Part of the Order.

7.3 All persons are prohibited from attending a private social gathering at an indoor public place.

7.4 For greater certainty, an indoor wedding reception or a funeral reception is a prohibited private social gathering.

7.5 Despite Part 6 and section 7.3 of this Order, a private social gathering of fifty persons or fifty percent of the total operational occupant load, whichever is less, as determined in accordance with the Alberta Fire Code and the fire authority having jurisdiction may occur at an indoor public or private place for the purposes of a wedding ceremony or a funeral service.

7.6 A private social gathering of two hundred persons or less may occur at an outdoor public or private place including for the purposes of a wedding ceremony or reception or a funeral service or reception.

A. Private social gatherings for protests

7.7 Despite this Part of this Order, a person may attend at an outdoor public place to exercise their right to peacefully demonstrate for a protest or political purpose without limit to the number of persons in attendance if the person:

(a) remains outdoors except where necessary to use the washroom;

(b) wears a face mask at all times;

(c) maintains a minimum physical distance of two metres from any other person in attendance, including any other person who is a member of the person's household, unless:

i. either the person or the other person is, or both persons are, eleven years of age or younger; and

ii. both persons are members of the same household;

in which case this subsection does not apply;

(d) does not offer food or beverages to any other person in attendance, regardless of whether the food or beverage is provided for sale or not; and

(e) immediately disperses in a coordinated fashion at the conclusion of the gathering, while at all times adhering to the requirements in this section.

7.8 For greater certainty, a protest or political purpose as described in section 7.7 means for the purpose of expressing a position on a matter of public interest.

Part 8 - Places of worship

8.1 A faith leader may conduct a worship service at a place of worship if the number of persons who attend the worship service at the place of worship is limited to thirty-three percent of the total operational occupant load as determined in accordance with the Alberta Fire Code and the fire authority having jurisdiction.

8.2 A person attending a worship service at a place of worship must remain in a cohort consisting of persons referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

Part 9 – Businesses and entities

9.1 Sections 9.2 and 9.3 of this Part of this Order comes into force on September 20, 2021.

9.2 An operator of a business or entity must limit the number of members of the public that may attend the location where the business or entity is operating to the greater of:

(a) thirty-three percent of the total operational occupant load as determined in accordance with the Alberta Fire Code and the fire authority having jurisdiction; or

(b) five persons.

9.3 A person may only attend at a business or entity with a cohort consisting of the persons referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

9.4 Despite this Part of this Order, a business or entity operating exclusively outdoors, excepting washrooms, is not subject to any capacity limits.

9.5 Despite this Part of this Order an unlimited number of persons may attend a drive-in activity if the persons who attend the drive-in activity:

(a) remain within a motor vehicle that is designed to be closed to the elements while attending and observing or participating in the drive-in activity except where necessary to use the washroom or access other amenities; and

(b) position their motor vehicle at least two metres away from other motor vehicles.

Part 10 – Restaurants, cafes, bars and pubs

10.1 Sections 10.2, 10.3, 10.4(a) of this Part of this Order come into effect on September 20, 2021.

10.2 An operator of a food-serving business or entity is prohibited from offering or providing indoor food and beverage services.

10.3 A person who attends a food-serving business or entity that offers or provides outdoor food and beverage services, may eat or drink alone or with a cohort where the cohorts participating are the persons referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

10.4 An operator of a food-serving business or entity that offers or provides outdoor food and beverage services must:

(a) limit the number of persons seated at the same table to a maximum of six persons for persons who are members of same household and a maximum of three persons for persons who reside on their own; and

(b) require persons to remain seated while consuming food or beverages and must prohibit persons seated at a table or standing at a standing table from interacting with persons seated at a different table or standing at a different standing table.

10.5 An operator of a business or entity with a Class A or C liquor licence, including but not limited to restaurants, bars, lounges, pubs, cafes, legions or private clubs is prohibited from serving liquor after 10 p.m. and must ensure that liquor consumption at the business or entity ends at 11 p.m..

10.6 An operator of a business or entity with a Gaming Licence or Facility Licence or a Class B liquor licence, including but not limited to bowling alleys, casinos, bingo halls, pool halls and indoor recreation entertainment centers is prohibited from serving liquor after 10 p.m. and must ensure that liquor consumption at the business or entity ends at 11 p.m..

10.7 A person who holds a Special Event Licence is prohibited from serving liquor after 10 p.m. and must ensure that liquor consumption at the event ends at 11 p.m..

10.8 For greater certainty, an operator of a food-serving business or entity may, subject to applicable laws, provide food or beverages, including liquor, by take-out, delivery or drive-thru at any time, including after 10 p.m..

Part 11 – Adult physical activity, performance activity and recreational activity

11.1 This Part of this Order comes into force on September 20, 2021.

11.2 No adult may attend at an indoor location of a business or entity for the purposes of participating in a group physical activity, group performance activity, group recreational activity, or a competition or similar activity.

11.3 For greater certainty, despite anything in this Order, an adult is not prohibited from participating in 1:1 or solo indoor physical activities and a business or entity is not prohibited from offering or providing services to, or a location for, an adult to participate in 1:1 or solo indoor physical activities.

11.4 An operator of a business or entity is prohibited from offering or providing services to, or a location for, adults to hold a competition or similar activity or participate in group indoor physical activity, group performance activity or group recreational activity.

11.5 For greater certainty, this Part of this Order does not apply to indoor group physical activity, indoor performance activity, or indoor recreational activity when the adults in the cohorts participating are the persons referred to in sections 2.1(e)(i) or 2.1(e)(ii) of this Order.

A. Professional physical activities and performance activities

11.6 Part 11 of this Order does not apply to:

(a) a person attending or an operator of a business or entity, providing or hosting a physical activity as member of or for a professional or semi-professional sports team or as a professional or semi-professional athlete;

(b) a person attending or an operator of a business or entity, providing or hosting a performance activity as a member of or for a professional or semi-professional performance team or as a professional or semi-professional performer.

Part 12 – Youth activities

12.1 A parent or guardian of a youth must screen a youth for symptoms of COVID-19 prior to the youth participating in indoor youth activities in accordance with the COVID-19, Alberta Health Daily Checklist (for children under the age of eighteen).

Part 13 – Schools

A. Physical distancing in schools

13.1 An operator of a school must assign each youth enrolled in kindergarten to grade six to a cohort as in accordance with the guidance on the Government of Alberta website.

13.2 Students, staff and visitors at a school building must maintain a physical distance of two metres from any other person who is not a member of their cohort as referenced in

sections 2.1(e)(i), 2.1(e)(ii) or 2.1(e)(vi) in accordance with the guidance on the Government of Alberta website.

13.3 Despite this Part and in accordance with the guidance on the Government of Alberta website, students and staff at a school building are not required to maintain two metres physical distance if doing so inhibits the guidance or instruction being provided or where it is not possible to maintain two metres physical distance.

B. Masking requirements in schools

13.4 All students enrolled in grades four through twelve, staff, and visitors must wear a face mask while attending at a school building.

13.5 An operator of a school must ensure that all students enrolled in grades four through twelve, staff, and visitors wear a face mask while attending at a school building.

C. Exceptions to masking in schools

13.6 Despite Part 3 and this Part of this Order, students, staff or visitors are not required to wear a face mask at all times while attending at a school building if the student, staff or visitor:

(a) is unable to place, use or remove a face mask without assistance;

(b) is unable to wear a face mask due to a health condition;

(c) is consuming food or drink in a designated area;

(d) is engaging in a physical activity;

(e) is seated at a desk or table

(i) within a classroom or place where the instruction, course or program of study is taking place, and

(ii) where the desks, tables and chairs are arranged in a manner

(A) to prevent persons who are seated from facing each other, and

(B) to allow the greatest possible distance between seated persons;

(f) is providing or receiving care or assistance where a non-medical face mask would hinder that caregiving or assistance; or

(g) is separated from every other person by a physical barrier.

13.7 An operator of a school must use its best efforts to ensure that any student, staff member or visitor who is not required to wear a face mask:

(a) as permitted by section 13.6(a) or (b) of this Order is able to maintain a minimum of two metres distance from every other person;

(b) as permitted by section 13.6(c) of this Order is able to maintain a minimum of two metres distance from every other person, if the designated area is not within a classroom or place where the instruction, course or program of study is taking place.

D. School buses

13.8 Subject to section 3.10 of this Order, an operator of a school must ensure that the following persons wear a face mask while being transported on a school bus:

(a) all students attending grades K through grade 12;

(b) all staff members;

(c) all visitors.

13.9 For greater certainty, section 13.8(b) applies in respect of any individual who transports students attending grades kindergarten through 12 on a school bus to a school, regardless of whether that individual is a staff member.

13.10 All students attending grades kindergarten through 12, staff members and visitors must wear a face mask that covers their mouth and nose while being transported on a school bus, unless the student, staff member or visitor:

(a) is unable to place, use or remove a face mask without assistance;

(b) is unable to wear a face mask due to a mental or physical concern or limitation;

(c) is providing or receiving care or assistance where a face mask would hinder that caregiving or assistance; or

(d) is separated from every other person by a physical barrier.

E. Exception to masking where physical distancing can be maintained

13.11 Subject to section 13.12 of this Order, sections 13.4 to 13.10 of this of Order do not apply in respect of an operator of a school who is able to ensure that all students, staff members and visitors maintain a minimum of two metres distance from every other person while attending an indoor location within a school or while being transported on a school bus.

13.12 An operator of a school must:

(a) create a written plan that sets out how physical distancing will be maintained;

(b) provide the plan upon request from the Chief Medical Officer of Health, Medical Officer of Health or Alberta Education; and

(c) receive an exemption from the Chief Medical Officer of Health.

13.13 Despite section 13.11 of this Order, an operator of a school does not need to ensure that students, staff members and visitors are able to maintain a minimum of two metres distance from every other person when a student, staff member or visitor is seated at desk or table:

(a) within a classroom or place where the instruction, course or program of study is taking place, and

(b) where the desks, tables and chairs are arranged in a manner

(i) to prevent persons who are seated from facing each other, and

(ii) to allow the greatest possible distance between seated persons.

Part 14 – Exemptions under Alberta Government's Restrictions Exemption Program

14.1 Notwithstanding anything in this Order, the Chief Medical Officer of Health may, pursuant the Alberta Government's Restrictions Exemption Program, exempt a person or class of persons from the application of some, or all, parts of this Order.

Part 15 – General

15.1 Notwithstanding anything in this Order, the Chief Medical Officer of Health may exempt a person or a class of persons from the application of this Order.

15.2 This Order provides the minimum standards for public health measures in Alberta for those matters addressed by this Order.

15.3 For greater certainty, nothing in this Order relieves a person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or licence covering those matters which are addressed in this Order.

15.4 This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 16th day of September, 2021.

Deena Hinshaw, MD
Chief Medical Officer of Health

Resolution 5-21F

Seniors' Foundation Requisitions

Wheatland County

Endorsed by District 2 (Central)

WHEREAS the *Housing Act* (hereafter referred to as "the Act") provides that a management body may annually requisition municipalities for which the management body provides lodge accommodation for the amount of the management body's annual deficit for the previous fiscal year, and any amounts necessary to establish or continue a reserve fund for the management body; and

WHEREAS the Act provides that the management body shall supply a copy of its calculation of the requisitioned amount to the municipality; and

WHEREAS the Act provides that if a municipality agrees to contribute to the operating costs of any housing accommodation, other than lodge accommodation, provided by a management body, it shall make the contribution agreed to within 90 days after the mailing of the invoice by the management body; and

WHEREAS the Management Body Operation and Administration Regulation (hereafter referred to as "the Regulation") provides that each year, a management body must prepare and submit to the Minister a business plan that includes the operating budget for the upcoming three-fiscal-year period, a capital plan for the upcoming five-fiscal-year period, and any other information required by the Minister; and

WHEREAS the Regulation places limits on reserve funds, including a requirement for ministerial approval to establish reserves and limits on the amount of reserves in relation to the management body's estimated capital and operational costs; and

WHEREAS the current Act and Regulation lacks clarity regarding the scope of housing management body requisitions, specifically relating to capital project costs; and

WHEREAS this lack of clarity has resulted in situations in which housing management bodies have attempted to requisition municipalities for capital costs, expenses based on the current year's budget, and to contribute to reserve funds not approved by members, all of which do not align with the intent of the Act and Regulation;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) request the Government of Alberta to engage municipalities, and membership associations such the Alberta Seniors and Community Housing Association in a review of the *Alberta Housing Act* to provide clarity on requisitioning for capital assets, associated interest costs and debenture payment obligations for member municipalities; and

FURTHER BE IT RESOLVED that the RMA request the Government of Alberta to review the oversight of the Ministry of Seniors and Housing over housing management bodies (HMBs) to ensure that all HMBs are correctly and consistently requisitioning municipalities under the requirements of the *Housing Act*; and

FURTHER BE IT RESOLVED that RMA request that the Government of Alberta provide enhanced training and education, including a training guide to municipal councils and HMBs on the *Housing Act* and the Management Body Operation and Administration Regulation to ensure they have a clear understanding of their financial powers, limitations and responsibilities, including related to requisitioning and reserve creation; and

FURTHER BE IT RESOLVED that RMA request the Government of Alberta to amend the *Housing Act* to clearly state the ability of municipalities to approve or deny requests for capital projects.

Member Background

The *Housing Act* provides parameters for how housing management bodies may requisition member municipalities for operating deficits and reserve funds. It is the general understanding that housing management bodies may requisition funds for the operating deficit of the previous year as well as any reserve funds, both capital and operating, as agreed upon between the management body and the member municipalities. There are some housing management bodies across the province that have been requisitioning municipalities for capital funds outside of

any agreement that creates an operating or capital reserve between member municipalities and the housing management body.

The discrepancies between housing management bodies' understanding of their requisitioning abilities may be due to a lack of oversight and clarity in the Act and Regulation from Alberta Seniors and Housing. While many housing management bodies appear to be following the correct process in working with their municipal partners to raise capital funds through official agreements for reserve contributions and operating deficits, there are other housing bodies that are not following the proper process and approaching capital projects as a requisition, to which the municipality has no ability to deny.

Further, some housing management bodies have been requisitioning municipalities based on the current year's operational budget. The Act states that the operating requisition must be based on the previous year's operating deficit. This discrepancy should also be rectified under the oversight of Alberta Seniors and Housing or clarified in the Act and Regulation.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 6-21F

Historical Resources Impact Assessments

MD of Willow Creek

Endorsed by District 1 (Foothills Little Bow)

WHEREAS the Historical Resources Management Branch of Alberta Culture administers matters related to the *Historical Resources Act*; and

WHEREAS historical resources fall into four categories: archaeological sites, paleontological sites, historic buildings and other structures and aboriginal traditional use sites; and

WHEREAS approvals for new surface material operations are administered through the Code of Practice for Pits by Alberta Environment and Parks which requires compliance to Section 37 of the *Historical Resources Act*; and

WHEREAS for surface material operations less than five hectares in size on public land or Class 2 pits on private land (as defined in the Code of Practice for Pits), the applicant must consult Alberta Culture's Listing of Historical Resources prior to initiation of any development activities; and

WHEREAS the Listing of Historical Resources administered by Alberta Culture identifies lands as containing or having high potential to contain historic resources; and

WHEREAS designation of the historic resource value on lands (which evaluates the potential of the land to contain historic resources as determined by the Alberta Historic Resources Management Branch) is made without widespread public consultation; and

WHEREAS many landowners are unaware of the regulatory requirements that exist as a result of historical resource designations placed without notification on private lands; and

WHEREAS the regulatory requirements linked to the designation of lands as having potential for a high historic resource value places a high financial risk upon those developing resources upon those lands, as development requires a historical resources impact assessment and approval from Alberta Culture; and

WHEREAS existing gravel pits that expand beyond five hectares require *Historical Resource Act* approval, which may require numerous historical resources impact assessments to be undertaken despite the disturbances that have already occurred in the immediate area; and

WHEREAS all costs to undertake a historical resources impact assessment are the responsibility of the landowner or developer; and

WHEREAS all historical resources are the property of the Crown;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request the Government of Alberta to review the requirements and costs for historical resources impact assessments be funded by the Government of Alberta;

FURTHER BE IT RESOLVED that the Government of Alberta develop a formula for financial compensation to landowners should discoveries of historical resources on the land result in restrictions to land use.

Member Background

The Historical Resources Management Branch (HRMB) of Alberta Culture administers matters related to historical resources including archeological resources in Alberta.

Alberta Culture's Land Use Procedures Bulletin for Surface Materials Historical Resources Act (HRA)

Compliance Section B, requires that applicants must apply for HRA approval for all proposed surface materials developments over 5.0 hectares in size. At Alberta Culture's discretion, a historical resources impact assessment (HRIA) may be required.

For surface material operations five hectares or larger on public land or Class 1 pits as defined in the Code of Practice for Pits on private land applicants must apply for HRA approval through Alberta Culture's online permitting and approval system for ALL proposed surface materials developments over five hectares in size. Development activities cannot proceed until HRA approval has been obtained.

At Alberta Culture's discretion, activities that are targeted for lands that will, or are likely to, contain significant historic resource sites MAY require an HRIA prior to the onset of development activities.

A copy of the HRA approval document must be included with the Conservation and Reclamation Business Plan that is submitted to Alberta Environment and Parks. This plan is mandatory for registration of a gravel pit under the Code of Practice. In 2021, during the application stage to expand an existing gravel pit the Municipal District of Willow Creek undertook an archaeology survey as part of a Stage 1 historical resources impact mitigation review which is a requirement of the HRIA.

During the review of the lands upon where the existing gravel pit was located it was determined that the "Listing of Historical Resources" index described the land as having Historic Resources Value (HRV) of five. Given that lands with an HRV of five are considered to have "high potential" but do not contain known historic resource sites, there is no requirement to seek HRA approval for development on such lands. However, Section 31 of the HRA requires that anyone who discovers an historic resource during the course of development must notify Alberta Culture for direction on the most appropriate action.

Through the HRIA a historical resource site was newly discovered consisting of heated stones and stone chips. It was determined that additional archaeology work would be required which would consist of excavation of an area approximately 80 m2 with work expected to take approximately 14 days. The cost for this work was expected to be $139,941.51. Following the completion of the field work an interim report would be issued summarizing the results of the HRIM fieldwork which would be provided to the HRMB that would guide their regulatory review of the gravel pit expansion application and provide the basis for the regulatory response which may include an HRA approval or alternatively the issuance of a Stage 2 historical resources impact mitigation study which would require an unknown amount of additional archaeology work at a unknown additional cost.

The Historical Resources Management Branch Schedule requirements state that "depending on the results of the Stage 1 investigation, Stage 2 investigation may be required." This caveat is intended by the HRMB to reserve the possibility that during the required fieldwork materials may be found that warrant additional work however this placed a significant and unknown risk to the municipality and the landowner in terms of cost and as such the expansion of the application to expand the gravel pit did not proceed.

As a result of the requirements of the Historical Resource Management Branch substantial costs already spent by the Municipal District and the landowner on the application process were lost and more significantly scarce gravel resources immediately adjacent to a working gravel pit have been permanently sterilized from future development and use.

Maps of Southern Region

Alberta Historic Resources Management Branch – Listing of Historic Resources (Map)

https://geoculture.maps.arcgis.com/apps/webappviewer/index.html?id=068e8b3b073d477caffdfcd7a9a52a92

Blue areas indicate HRV of five which result in a requirement for reporting of any historic resources and potential for Alberta Culture to order additional work as a condition of its approval.

Note that the HRV five follows every river, stream or major coulee feature in southern Alberta: an area where gravel resources are prominently found.

Historical Resource Impact Assessment Process

https://www.alberta.ca/historic-resource-impact-assessment.aspx

If an activity is likely to result in the alteration of, damage to or destruction of a historic resource, the person or company undertaking the activity may be required by the Government of Alberta to:

- conduct a historical resources impact assessment (HRIA)
- submit a report of the HRIA results
- avoid any historic resources endangered by activity
- mitigate potential impacts by undertaking comprehensive studies
- document historic structures
- consult with First Nations

Project-specific requirements are issued in response to a Historic Resources Application, but all assessments must comply with some standard conditions.

See the following Standard Conditions document for details:
Standard Conditions under the *Historical Resources Act*

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 7-21F

Awareness Campaign for Small Modular Reactors (SMRs)

Starland County

Endorsed by District 2 (Central)

WHEREAS the Government of Alberta has now joined forces with the governments of New Brunswick, Ontario and Saskatchewan as a signatory to the ***Small Modular Reactor*** *(SMR) Memorandum of Understanding*; and

WHEREAS these provinces have collectively agreed to collaborate on the advancement of SMRs as a clean energy option to address climate change and regional energy demands, while supporting economic growth and innovation; and

WHEREAS the SMR feasibility study concludes that the development of SMRs would support domestic energy needs, curb greenhouse gas emissions and position Canada as a global leader in this emerging technology; and

WHEREAS there is a need for the public to be provided with more information and education on SMRs which is essential in helping them to understand, comprehend and support this emerging and innovative technology;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta encourage and collaborate with the Government of Alberta to create an awareness campaign to engage with the public on information related to nuclear technology and small modular reactors specifically.

Member Background

Small modular reactors are nuclear fission reactors, small in size and power output and portable, which function as a power source. SMRs produce significant energy while using a small footprint without emitting greenhouse gases during generation. Given Canada's commitment to reduce its greenhouse gas emissions by 40-45% from 2005 levels by 2030, SMRs may provide one feasible solution to meeting this ambitious goal.

In August of 2020, Alberta signed on to a memorandum of understanding with Ontario, Saskatchewan and New Brunswick, supporting the advancement and deployment of SMRs. Premier Jason Kenney noted the potential to power remote communities, the opportunity for economic diversification and the potential for job creation and reduced greenhouse gas emissions.

With both the federal and provincial governments supporting SMRs, it will be essential that a strong partnership between government, industry and stakeholders be forged. Public acceptance will also be crucial and there is a strong need to educate Albertans about the merits and benefits of this form of energy.

If nuclear technology is to advance within Canada, the need to educate the public is of the utmost importance starting now.

RMA Background

RMA has no active resolutions directly related to this issue.

Resolution 8-21F

Privatization of Land Titles

County of Barrhead

Endorsed by District 3 (Pembina River)

WHEREAS the Government of Alberta is considering the outsourcing of registry services including Alberta land titles, corporate registry and personal property registry to the private sector; and

WHEREAS in January 2021 Service Alberta posted a request for expression of interest in connection with the proposed transaction; and

WHEREAS registries support economic activity in Alberta by providing essential registration and search services; and

WHEREAS the current registry model generates ongoing and sustainable revenue for the province; and

WHEREAS municipalities currently have access to land title certificates and registrations free of charge through the Government of Alberta's **Spatial Information Search System** (SPIN) search application; and

WHEREAS other provinces have privatized similar registry services and report an increase in costs to municipalities and landowners; and

WHEREAS there is currently no information as to whether municipalities will lose free access to the SPIN search application if the privatization of registries is finalized; and

WHEREAS if privatized, the costs of accessing land titles services could have significant impact on municipal budgets;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request that the Government of Alberta engage with municipalities and municipal associations to explore, assess and mitigate the impacts of privatization of Alberta land titles registry on municipalities prior to a decision on privatization being made.

Member Background

- January 18, 2021 – Service Alberta posted to its online procurement site a request for expressions of interest (REOI) for sale of a concession which expects to modernize, operate, and maintain the province's land titles office, corporate registry and personal property registry with a response deadline of February 12, 2021 (SA-RFEI-001).
- From the REOI the following information was obtained:

- Service Alberta REOI is the first stage of three stages in the sale process.
    - Subsequent stages cannot be confirmed but are outlined in the REOI as follows:
        - Stage two (Request for Non-Binding Proposals) scheduled to occur from late February 2021 – late March 2021.
        - Stage three (Request for Binding Proposals) which was scheduled to occur from April 2021 – late 2021.
- Service Alberta indicates that some of the systems that support the registries are decades-old and in need of technology and security upgrades, so the government is looking to see if the private sector could assume responsibility for those upgrades while operating, maintaining, and managing them on behalf of the province which would involve collecting and retaining fees.
- Land Titles services used by most municipalities include:
    - Document and plan registrations
    - Document and plan searches
    - General register searches
    - Historical title searches
    - Certified title searches
- MILENET is a program which provides municipalities access to financial reporting forms and the Municipal Financial Indicator Graphs as well as ASSET (assessment data).
    - A link to the land titles search application (SPIN) is located within the ASSET module of MILENET and allows municipalities to access land title certificates and registrations free of charge.
    - County of Barrhead started using ASSET for SPIN access in 2019 and saw land title charges reduced 40-50%.
    - Currently there is no information as to whether municipalities will lose access to SPIN if land titles is privatized.
- March 26, 2014 – “Resolution 1-14S: Privatization of the Alberta Land Titles Registry System” was approved providing direction to RMA (then known as AAMDC) to request the Government of Alberta to retain the Alberta land titles registry system status quo or as a public system as a statutory non-profit corporation.
    - Service Alberta’s response to the 2014 resolution and through a discussion between the Minister of Service Alberta and the RMA (AAMDC) Board of Directors at that time was that the privatization of the province’s land title registry system is not being considered.

RMA Background

RMA has no active resolution directly related to this issue.

Resolution 9-21F

Increasing Knowledge-Sharing Among Regulators of Cannabis Production Facilities

Kneehill County and Wheatland County

Endorsed by District 2 (Central)

WHEREAS governing, managing, and enforcing cannabis legislation is a joint responsibility shared by the federal, provincial/territorial, and municipal levels of government; and

WHEREAS under the *Cannabis Act*, cannabis may be grown in various quantities depending on the specified purpose, as permitted by Health Canada, creating significant variance in the size of cannabis operations that may be deemed "legal"; and

WHEREAS all individuals wishing to obtain any of the available federal licences to grow, process, or sell cannabis are expected to comply with all applicable provincial or territorial laws, as well as municipal bylaws (e.g., zoning and building permits); and

WHEREAS individuals seeking licences, or having obtained licences, to cultivate, process, or sell cannabis from Health Canada for medicinal purposes are expected to notify the municipality of planned growing activities, however, are not required to obtain confirmation that municipal requirements have been met; and

WHEREAS instances of non-compliance or contravention of existing land use regulations have been difficult for municipalities to observe and/or take action against, due to a lack of knowledge of legal sites of cannabis production currently operating within the municipality's borders; and

WHEREAS the lack of information available to municipalities related to cannabis production sites has allowed for individuals licensed to grow small quantities of medical cannabis to abuse this license to grow excessive quantities; and

WHEREAS municipalities are responsible for land-use zoning and permitting of activities within their borders, which includes where cannabis can be commercially grown, processed, sold, and consumed; and

WHEREAS municipalities often struggle to manage land-use activities and conduct compliance monitoring on facilities producing cannabis because consistent information on the nature of such facilities is not available to municipalities; and

WHEREAS the risks to individuals or property related to the production of cannabis cannot be addressed or mitigated by municipalities without the municipality being aware of such activities taking place within its borders; and

WHEREAS there is currently no system available for municipalities to acquire information on planned or existing sites of cannabis production from other levels of government that currently possess that information; and

WHEREAS the only means by which municipalities may learn of sites of cannabis production come in the form of voluntary disclosure from the cannabis producer to the municipality, or if an individual lodges an official complaint to the municipality; and

WHEREAS existing gaps in cannabis legislation prevent municipalities from accurately distinguishing between legal and illegal growing operations; and

WHEREAS municipalities recognize that individuals have a right to privacy, particularly as it relates to medicating for medical conditions or ailments, and that the enforcement of local legislation must respect these rights to privacy;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta (RMA) collaborate with the Federation of Canadian Municipalities to advocate to Health Canada that municipalities be given open and continuous access to information on all licensed sites of cannabis production within their boundaries;

FURTHER BE IT RESOLVED that RMA advocate to Health Canada that municipalities be given open and continuous information for the purposes of compliance monitoring and enforcement, including the results of any investigation conducted by an "inspector," as described within the *Cannabis* Act.

Member Background

At present, regulations surrounding cannabis cultivation are problematic, with each level of government responsible for various capacities in regulating the cannabis industry, from growing and cultivation down the supply chain to consumers of cannabis products. Within the current cannabis regime, there is nuance and complexity within each facet of the industry. From the number of licences available for producers to grow, cultivate, and distribute cannabis products to the rules governing processors and retailers, there is a need to provide accurate and dependable information to all involved in this industry. However, there are currently significant gaps in legislation that prevent this reliable information from being accessed by municipalities.

This resolution aims to uncover the significant challenges currently experienced by municipalities to regulate land use applications and permit issues related to sites of cannabis production. Specifically, this resolution aims to address:

a) The limited ability municipalities have to determine the existing scope of cannabis producers within their borders, and

b) The challenges municipalities face to enforce land use bylaws due to lack of information necessary to enforce zoning and permitting regulations, where applicable.

Under the *Cannabis Act*, the federal government is responsible for setting industry-wide standards for the cannabis industry, such as the legality of the substance, health and safety requirements, and rules surrounding medical cannabis, and others, which Health Canada fulfills. Licences for cannabis cultivation from Health Canada often include an expectation that license holders notify local authorities. However, this requirement is problematic because only some, but not all, licences for sites of cannabis production require notification to be provided to municipalities. In addition, the nature of the “requirement” itself would better be described as an “expectation,” as no communication is conveyed to the municipality that Health Canada has received an application, or provided approval, for sites of cannabis production to operate within the municipality. Within the Cannabis Licensing Application Guide, "notice to local authorities" is a requirement of only a fraction of prospective cannabis growers. Furthermore, there is currently no way for the “local authorities” to ascertain who has been granted a license by Health Canada who has not, leaving uncertainty as to who may be growing cannabis legally, and who may be growing cannabis illegally.

Specific to Kneehill County, anecdotal accounts have indicated that individuals within the County are growing cannabis in greater amounts than what is permitted under "recreational use," as identified by the *Cannabis Act*. By consequence of the County not being effectively included in the approval process nor having reliable access to up-to-date information of what standards one is expected to abide by as a condition of one's federal license, the County is left struggling to manage these sensitive activities that require effective government oversight. Specific issues that have arisen included suspected cannabis growing through inaccurate or disingenuous development applications, suspected alterations made to buildings that would not satisfy current building codes, and concern of criminal activity operating within the municipality’s borders. Without having information on who is permitted to grow cannabis and details pertaining to the quantities and other logistical information, the municipality can only attempt to manage from what is disclosed to them by cannabis growers voluntarily providing this information. Voluntary disclosure, however, is not the norm, which prompts Kneehill County to raise these concerns with other RMA members and with Health Canada.

In discussing the issues experienced within Kneehill County, specific details have been identified by the County as worthy of consideration for what specific site information would likely benefit all municipalities. These details include:

- The name of the individual permitted to grow cannabis plants.
- The date an individual was granted a license to grow cannabis for medicinal purposes.
- The expiry date of said license.
- The location of the site.

- The number of plants permitted to be grown on the premises.
- Any alterations made to previously held agreements between an individual and Health Canada, that would affect the application of local legislation.

In conjunction with this resolution, two other resolutions pertaining to cannabis legislation have been identified as relevant to the issues proposed and remedies discussed. First*, Personal Cannabis Production for Medical Use* has been put forward by Wheatland County as an RMA resolution. This resolution seeks to include municipal governments in the approval process of growing cannabis for medicinal purposes by proposing that all municipalities "sign off" on the proposed Cannabis Production Facility as a prerequisite to receiving approval from Health Canada.

Second, *Improving the Medical Cannabis Regime* was a FCM resolution put forward by the Town of East Gwillimbury, Ontario, which sought to "propose amendments to the *Cannabis Act* that will remedy the problems experienced by municipalities." These issues are wide-ranging but largely stem from the system of licensing and regulation put in place by the federal government to oversee the cannabis industry. Included in these issues is a lack of communication between Health Canada and municipalities, where advance notice to municipalities need not be required for planned growing activities, nor evidence provided that cannabis growers are compliant with local regulations, which has led to issues of non-compliance with zoning bylaws and failing to meet building codes within municipalities.

The resolution proposed here within aims to supplement each of these previous resolutions by expanding on the access to information made available to municipalities by Health Canada to a permanent form of access to information, and expand on the existing compliance monitoring taking place for currently-approved sites of cannabis production.

As a result of the issues identified, there is a profound need for Health Canada and the municipalities across Canada to create a more effective way for municipalities to access information on sites of cannabis production. Recognizing that individuals have a right to privacy, this resolution puts forward that only the information necessary to enforcing land-use regulations would be made available to municipalities to mitigate any concerns over personal, sensitive information. Furthermore, if all sites of cannabis production within a municipality were made available to the municipality, sites of illegal activity could be easily identified, and proper courses of action could be taken. As Canada contends with the effects of changes in federal drug policy, this resolution advocates for recognizing cannabis as a legalized substance, not deregulated. With this distinction comes the need for greater coordination among various branches of government to ensure the safety and well-being of all individuals.

RMA Background

3-21S: Personal Cannabis Production for Medical Use

> THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta collaborate with the Federation of Canadian Municipalities to advocate to Health Canada that confirmation of municipal compliance for personal medical cannabis production facilities be required for existing license holders, and prior to approval for all future license applicants.
>
> Click here to view the full resolution.

Resolution 10-21F

Site C Dam – BC Hydro

County of Northern Lights

Endorsed by District 4 (Northern)

WHEREAS BC Hydro is constructing a hydroelectric dam (known as the "Site C Dam") on the Peace River near Fort St. John, British Columbia; and

WHEREAS the project is experiencing unprecedented geotechnical challenges including downstream movement of the spillway and powerhouse foundation due to weak and unstable geology underlying the site; and

WHEREAS BC Hydro and the Government of British Columbia are not forthcoming with important technical information regarding unprecedented efforts to reinforce the foundation to prevent further movement or failure of the dam itself; and

WHEREAS BC Hydro failed to undertake sufficient vital geotechnical surveys of material in the riverbed underlying the earth fill dam prior to beginning construction, despite the site being rejected in the 1990s for geotechnical concerns; and

WHEREAS Alberta has thousands of people residing in the Peace River valley downstream from this structure, and billions of dollars in vital infrastructure at risk in the event of a catastrophic dam failure; and

WHEREAS BC Hydro has not responded to questions regarding their financial liability in the event that their actions result in downstream damage in Alberta;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request the Government of Alberta to obtain from the Government of British Columbia all technical reports and other relevant information from the BC Hydro Site C project that is currently being withheld from the public;

FURTHER BE IT RESOLVED that the Government of Alberta use the information collected to conduct an independent safety assessment of the structure to ensure that Albertans, as well as extremely important infrastructure, are not being subjected to unacceptable risk.

Member Background

Site C, just outside Fort St. John, BC, was first considered as a potential hydro power site in the 1950s. In the late 1980s the project was rejected by the BC Utilities Commission as being too expensive, controversial, and not in the best interest of the public.

In 2010 the BC Liberal government (under Premier Christy Clark) passed the *Clean Energy Act*, which removed the BC Utilities Commission's authority to cancel projects deemed to be not in the public interest. BC Hydro could now proceed without interference and independent oversight. In place of the BC Utilities Commission, project oversight would now be provided by the Project Assurance Board, which included board members employed by BC Hydro. In 2014 the Government of British Columbia announced that the project would proceed at a cost of $8.3 billion.

In 2017, the BC Liberal government was replaced by the NDP. Newly elected Premier John Horgan, who had been a vocal critic of the project, ordered a review by the BC Utilities Commission. It was ultimately decided that too much had been spent at this point to turn back so the project continued.

In late summer of 2020 reports surfaced that there were problems with weak material underlying the powerhouse and spillway as well as both riverbanks. The foundation had actually slipped a few centimeters downstream in 2018 but that did not become public until two years later. In response Horgan appointed former Deputy Finance Minister Peter Milburn to conduct a review of the project and write a report on the escalating costs and safety issues stemming from the foundational problems.

A condensed/redacted version of Milburn's report was made public six months later and was critical of BC Hydro in that he found that they repeatedly downplayed geotechnical risks and cost estimates when reporting to the government prior to approval of the project.

After publication of Milburn's report, the BC government hired two independent dam experts (France and Hoeg) to assess the unprecedented plan proposed by BC Hydro for reinforcements using pilings to stabilize the powerhouse/spillway foundation. The report concluded that the foundation reinforcements were viable based on information they received from BC Hydro, but they made it clear that there were no guarantees and they assumed no liability. The information provided by BC Hydro that was used to compile the report is also not available to the public.

We now know the geology under Site C consists of shale which becomes mud when exposed to water. It also contains vertical and horizontal fractures as well as bedding planes which allow the passage of water throughout the material. Any excavation or disturbance can potentially create a path for water to infiltrate and weaken the foundation. Considering that the dam will be holding back a reservoir 200 feet deep, if anything goes wrong the consequences could be severe. The fact that there is no real bedrock under the site was not revealed until the project was well under way and after billions of dollars were spent.

On June 8, 2021, BC Hydro community relations manager Dave Conway, Site C project manager Mike Clark and planning director Martin Jaseck accepted an invitation to virtually attend a County of Northern Lights council meeting to answer questions on downstream safety concerns.

One question asked was "What would have happened if the slippage of the foundation had occurred after the reservoir had been filled?" Mr. Clark assured council that the movement would be "minimal." He also went on to describe the foundation piling reinforcements as "elegant". Mr. Clark could not identify another dam project on the scale of Site C that was built on similar shale material nor could he give an example of another similar structure that had to be reinforced using pilings.

Mr. Conway refused to answer any questions regarding the Milburn report. He also would not answer any questions regarding liability for potential downstream damage in Alberta stemming from BC Hydro's actions.

During the meeting, County of Northern Lights Council requested three informational items from BC Hydro: the full unredacted Milburn report, the unredacted France and Hoeg report and technical Advisory Board reports from 2021.

The Milburn report was provided in a more complete form that had been originally made public but the appendix which contains all the information used by Milburn to compile the report was redacted. This represents 296 pages of material.

The unredacted France and Hoeg report was not provided. Instead, a summary of the report and select excerpts that BC Hydro deemed worthy of release were shared. In the report summary it was revealed that material under the earth fill dam itself was not tested or sampled prior to diversion of the river. As with the Milburn Report the vast majority of information used to compile the report is being withheld.

The Technical Advisory Board reports for 2021 were not provided. What was provided were reports from 2020 with all the names of the meeting attendees redacted. The 2021 reports would inform how the foundation reinforcements are progressing.

Latest cost estimates for Site C are at $16 billion which is double the figure provided when the project was announced, and the completion date of 2025 is two years later than originally forecast. Sarah Cox at Narwal magazine has reported that engineering giant SNC Lavalin, which has been financially supportive of the BC Liberal party, has received $453 million from BC Hydro from 2010 to 2018. Much of that is from no bid contracts.

RMA Background

RMA has no active resolutions directly related to this issue.