

# The Application Process and Farmer Involvement in the Wetland Policy

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## Issue

People value wetlands for their significance and the functions they provide. Some of these functions include flood control, improvement of downstream water quality, biodiversity and recreational benefits. While the wetland policy has been in place for over 25 years, in its current form, the application process is burdensome for farmers. This has implications not only for our agriculture sector, but also the other sectors which rely on agriculture for production.

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## Background

Alberta has enjoyed economic prosperity; however, this has created challenges and responsibilities regarding the environment, social and economic needs of Albertans. In 1993, it was recognized that the cumulative effect of rapid population and economic growth were placing considerable pressure on Alberta's landscapes. In response to this, the Alberta Wetland Policy was initiated to manage areas in wetlands to "sustain the social, economic and environmental benefits that wetlands provide now and, in the future," (Alberta Water Resource Commission, 1993). While Alberta was one of the first provinces to adopt a wetland policy, a mechanism to fully adopt this policy was not developed until 1999 with the introduction of the Water Act, which created a legislative requirement to obtain a permit to conduct activities that negatively impact wetlands.

Despite these changes, a loss of wetlands has continued, prompting the Government of Alberta in 2013 to issue a new policy that shifts the focus of wetland protection from preservation to a focus on ecological function and replacement. Consistent with the previous policy, avoidance is the preferred action; where this is not possible, "the goal is to minimize impacts on cumulative wetland value over regional scales by enforcing replacement of wetland values within the same region" (Alberta Environment Parks, 2016). Replacement can take the form of restoring previously removed or degraded wetlands, constructing new wetlands, or contributing funds to help preserve, restore or change wetland functions through educational outreach or research that advances wetland science (Alberta Environment Parks, 2016). "Replacement is based on the value of the removed wetland relative to those other regional wetlands, with policy targets requiring (1) a 1:1 area-for-ratio wetlands with low level functions and up to a 8:1 area-for-area ratio for wetlands with high level functions, and (2) a total ratio of 3:1 for all wetlands in the settled area of Alberta" (Sarran and Creed, 2016). This policy has been in effect since June 2015.

The new wetland policy requires the simultaneous development of rapid assessment tools to (1) provide estimates of wetland functions and values at broad regional scales for planning purposes and (2) provide site-based assessments for regulatory approval. The Government of Alberta commissioned the Alberta Wetland Relative Value Evaluation Tool-Estimator to determine off-site estimates of relative value for all wetlands in the settled area of Alberta. These guidelines estimate how farmland is to be assessed in specific terms, resulting in agriculture use value. This aspect of the policy has been cited as an example of governmental overreach in the wetlands application process and a barrier to growth.

Farmers know and understand the ecological cycle of their land, which invariably involve a flux in precipitation and understand the difference between temporary standing water and an actual wetland. Despite this, they are not able to make this determination anymore and must wait to have it independently verified. This is a major issue as it causes prolonged delays with seeding, which is a critical time for farmers. Delays jeopardize the growing season and the viability of their harvest in any given year, as they must wait for a declaration that the land is not in fact a wetland. This regulation is inefficient, and the negative outcome for farmers is greatly disproportionate to the outcomes the regulation is trying to achieve.

To improve the efficiency of the application processes within our agriculture industry, the Lethbridge Chamber of Commerce recommends that the government decrease their involvement in applications processes that the market and alternative regulatory institutions are designed to control. The government should be prepared to take on a role as a supporter, and facilitate communication between industry and regulatory bodies, instead of increasing the regulatory burden on farmers by overregulating an issue that farmers are in a better position to evaluate and respond to.

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**The Alberta Chambers of Commerce recommends the Government of Alberta:**

1. Make changes to the wetland assessment to account for farmers knowledge of their land so seeding is not delayed, while still being effective environmental stewards of the wetlands.