

# ALBERTA WATER COUNCIL

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MEETING #36

March 21, 2013

Calgary Water Centre

## Executive Summary

This business meeting was immediately preceded by the Council's 2013 annual general meeting.

The board was very pleased to receive and approve final reports from two project teams:

- The report from the Sector Planning for Water Conservation, Efficiency and Productivity Project Team contained three consensus recommendations and recognized the completion of voluntary sector CEP plans by Alberta's seven major water-using sectors. As requested by the board, the team described its discussions in areas where it did not reach consensus and identified several important issues that need to be addressed.
- The Non-Point Source Pollution Project Team presented its report and five consensus recommendations. Two major reports were commissioned by the team to a) describe the state of NPSP in the province, and b) examine how other jurisdictions are dealing with NPSP. The team's subsequent analysis led to its recommendations for improving NPSP management in Alberta.

The board also approved the ecological definition of riparian lands as developed by the Riparian Land Conservation and Management project team. This team will conduct sector engagement shortly and present its final report in October. The Council's other project now underway is the symposium planned for early 2014; the intent is to provide a foundation for sharing global water re-use knowledge, challenges, and solutions and how they apply in the Alberta context.

The Government of Alberta provided an update on recent activities related to water. Input to the recent water conversations shows continuing support for the three WFL goals and partnerships. Water conservation was identified as an important issue, and participants were also keen to see a wetlands policy finalized and approved. A summary report of the water conversations will be prepared and vetted through a focus group, then shared with participants for public review. Work on the new arm's length monitoring agency continues to advance, as does implementation of the regulatory enhancement project and the single regulator. With respect to the Land Use Framework, the intent is that five regional plans will be in place by fall 2015.

Several items related to Council operations were discussed at this meeting. The Council's 2013 operational plan was approved, and work will begin shortly on a new three-year business plan. The board also agreed to shift its reporting on implementation progress of Council recommendations from a semi-annual to an annual basis.

## Summary of Discussion

Rob Pritchard convened the business meeting at 9:23 a.m., immediately following the AGM. The Chair welcomed Greg Sears, the new director for the Cropping Sector, and Brett Purdy, the new alternate director for Alberta Innovates – Energy and Environment Solutions to the board. He noted that this is Canada Water Week, and also recognized a number of Council partners who have been nominated this year for an Emerald award.

### 1 Administration

#### 1.1 Welcome and Approve Agenda

The Chair reviewed the agenda, which was approved by consensus.

#### 1.2 Summary Report from October 25, 2012 Meeting

*Decision 36.1: The summary report for the October 25, 2012 meeting was adopted by consensus and will be posted on the Council website.*

#### 1.3 Action Items from October 25, 2012 Meeting

No administrative action items were noted at the October 2012 meeting.

#### 1.4 Management Report

Gord Edwards referred the board to the management report in the briefing package. Three project teams have made substantial progress since the last board meeting, and two are bringing forward their final reports at today's meeting. He advised that Jennifer Beepat has resigned as office manager and Mr. Sunny Yeung is now handling financial management and administrative duties.

#### 1.5 Alberta Environmental Network (AEN) Request for Support

Gord Edwards reviewed the AEN request for support, with reference to the information sheet in the briefing book. The AEN is proposing a fee for service arrangement with the Council to coordinate and facilitate communication between the Environmental sector groups in support of Council processes, and to identify participants for the board and for Council teams. Council members have been providing this service as an in-kind contribution. Thus the AEN request represents an increase to Council's current stakeholder support practice and is a policy matter that requires the Board to make a decision before approving the 2014 budget. Jason Unger provided additional context, noting that Alberta Environment and Sustainable Resource Development (ESRD) has traditionally supported AEN participation in multi-stakeholder processes, including the AWC through a fee-for-service agreement up until 18 months ago. Now the AEN only receives coordination support from ESRD for GoA lead initiatives. Receiving coordination support from ESRD to participate in multi-stakeholder processes has been a fundamental underpinning of AEN participating in these processes, so a lack of such funding could be a barrier to continued AEN involvement with the Council.

Gord noted that other Council member organizations could potentially request similar support if it were available; he asked board members to indicate to him by April 30<sup>th</sup> if their organizations were likely to make such a request. If desired, the information sheet in the board book could be shared with others as part of the discussion on this item.

Board members briefly discussed this item and the following points were noted:

- Information gathered on this matter would be presented to the executive for review and then brought to the June board meeting for more discussion. The AEN has provided information on expected expenditures to Gord already and funds would be disbursed in response to an invoice.
- It is important to have the Environmental sector's voice at the table.

## 2 Government of Alberta (GoA) Update

Dana Woodworth provided an update on various GoA activities relevant to the Council.

- The water conversations are nearly finished. In addition to the four main themes initially identified by ESRD, participants have noted many others through the face-to-face meetings and the online survey. Among these:
  - The three *Water for Life* (WFL) goals remain valid and resonate with many participants. Partnerships involving the Council, WPACs, Watershed Stewardship Groups and others continue to be valuable and productive.
  - Water conservation is still an important issue.
  - Interest is still high in seeing a wetlands policy finalized and approved; associated with this is an interest in the health of riparian areas.

A summary report of the water conversations will be prepared and vetted through a focus group, then shared with participants for public review. Actions will emerge from that process, some of which may be new. The intent is to have an action plan that aligns with important areas identified by Albertans.

- Integration of the two departments to create ESRD continues. The two departments previously had a total of ten divisions and, as a result of the merger, there are now six. Five are relevant to the Council: Strategy, Policy, Operations, Integrated Resource Planning, and Forestry. Dana briefly described the five divisions and their roles, noting the increased importance of integrating air, land, water and biodiversity. The sixth division is focused on corporate operations (administration, human resources, etc.).
- Integration across departments is also moving ahead and the natural resources and environment "pod" is contributing to this integration.
- Ernie Hui is advancing the arm's length monitoring agency. Howard Tennant was appointed to help with the establishment of the new management board and create a governance model. The federal government is involved in this work.
- The regulatory enhancement project is also making progress. A chair has been selected but not yet announced for the single regulator. Both the chair and CEO are expected to be in place by June. Functions will be moved from the GoA and the ERCB in a measured manner to the single regulator.
- With respect to the Land Use Framework, the intent is that five regional plans will be in place by fall 2015. The Lower Athabasca Regional Plan is done, although some frameworks are still in development. Consultation is again occurring on the South Saskatchewan Regional Plan. The Upper and Lower Peace Regional Plans will be next, followed by the North Saskatchewan. The remaining two will be done later.

- The recent budget saw a \$22-million reduction for ESRD and more cuts are likely. Within three years, 10% of managers will also be cut. The challenge is to meet pressures on the department while continuing the integration and building new regulatory and monitoring agencies. The Council has provided good advice but long-term funding is not assured. The more closely the Council can link its work to the priorities and emerging policy of the GoA, the more likely that funding will continue.

Dana then responded to questions and comments from board members.

*Q: With the new single regulator focusing on upstream energy, what will be the implications for ESRD with respect to staffing and water approvals for other developments?*

A: ESRD will continue to have that expertise but not for upstream energy. It's important to remember that the new regulator will not make policy. That will continue to be the purview of ESRD and the regulator will be responsible for adhering to that policy.

*Q: Can you provide any clarity with respect to funding for capital projects related to WFL and certain other infrastructure? We are hearing different accounts, with some saying that cuts may be as high as 50%; this is an important issue for small municipalities.*

A: That's not ESRD's budget so although I don't know exactly what the cuts are, I know they are substantial. Cuts may also depend on what stage a project is at.

*Q: At one water conversation, ESRD staff suggested that Alberta may be looking at the Scottish model, which involves a massive corporation to deal with the oversight and management of water. Is this something under consideration?*

A: I've encountered this idea, but it's not one we are championing.

*Q: Another concern from the water conversations relates to oversight of groundwater and aquifer management. Is this part of the current discussion?*

A: Groundwater management is on the table. The aquifer discussion is a serious one and we need to be cautious in how aquifers are managed. More knowledge and information are definitely needed.

*Q: When will the summary reports from the water conversations be available?*

A: It's hard to say precisely.

*Q: How will GoA ensure consistency between decisions and functions of the new single regulator and ESRD?*

A: As both are governed by the same Act, the legal basis to the Act is the same and judgment will be applied in decision-making. The powers under the Act and the legal basis remain the same, so this is not a concern.

*Q: The WFL action plan has timelines for each identified action. How will the outcomes of the water conversation be integrated with the currently identified actions in the WFL action plan?*

A: We will see some synergies in both the short and longer term. Before 2015, we could see some policy outcomes that were identified as being important to Albertans in the conversations and that relate to WFL.

### **3 Business Planning**

Gord Edwards presented the proposal for developing the Council's next three-year business plan. An environmental scan would be done prior to the June board meeting, at which time members would participate in a facilitated workshop to, among other things, assess Council work to date and revisit strategic direction and operational priorities. A draft business plan would be prepared, followed by a second workshop in the fall to discuss the draft plan. The final plan could be approved at the fall meeting or early in 2014.

The following points were noted in discussion with board members:

- Sectors are likely to bring a lot of information and ideas to the environmental scan and to the June workshop. The board can consider these in light of known priorities from the water conversations.
- The executive might want to consider having another body or two to discuss ideas with. This can be discussed as more information is gathered in the coming months.
- It might be prudent to build in more time at the June meeting to ensure sufficient discussion, which might mean starting the day before on June 12.

**Action 36.1: Gord Edwards will email board directors and alternates and ask them to book the afternoon of June 12 in addition to the agreed-upon date of June 13 for the next board meeting.**

*Decision 36.2: The board approved the Business Planning proposal.*

### **4 Symposium Update**

Judy Stewart provided an update on the work done to date by the Symposium Steering Committee. They have focused on the purpose, target audience, and other logistical aspects of the planned symposium. The intent is to provide a foundation for sharing global water reuse knowledge, challenges, and solutions and how they apply in the Alberta context. The main themes are: business and environmental sustainability; technology, innovation and research; and political drivers. Sub themes are: policy, research and information, public/social aspects.

Board members suggested that the proposed title (Alternatives to Potable Water) may be misleading. Water may be re-used for purposes other than potable water. Also, in parts of Alberta, rain is a major source of surface water and it would be helpful to have information on how to treat it for domestic purposes.

The committee will revisit the title to ensure it accurately reflects the symposium's intent.

## 5 Operational Planning

Gord summarized Council activities for 2013, noting that the Aquatic Invasive Species Working Group has been established. Three teams are wrapping up in 2013, and two new initiatives have been started; staff have capacity to start one more project in 2013 pending the submission and board approval of a statement of opportunity.

Several points arose during the board's discussion of the operational plan and Gord responded:

- Item 2.8 regarding water research is a formal report each October from Alberta Innovates-Energy and Environment Solutions (AI-EES). This reporting could occur more often if desired or necessary.
- The work related to Aquatic Invasive Species has different tasks and different start and end dates, which is why there are different numbers in the table. It was suggested that numbering be changed to 2.4a and 2.4b.
- It was previously suggested that the Council and AI-EES explore opportunities for the board to hear more about ongoing AI-EES research (e.g., align a board meeting with the AI-EES research presentation in November or invite AWC board members to attend the November session).

**Action: 36.2: AWC staff will coordinate with AI-EES representatives to ensure AWC board members have an opportunity to hear about AI-EES research work.**

- Given the time and effort to prepare a statement of opportunity, it would be helpful if GoA could provide some guidance on the areas of work that would be most valuable. GoA noted that the results of the water conversations need to be examined first and that will take several months. Some ideas may emerge at the business planning session, and the board could decide to reserve space in the 2013 operational plan until outcomes of the water conversation are clearer.

*Decision 36.3: The board approved the draft AWC 2013 Operational Plan.*

## 6 Sector Planning for Water CEP Project

John Skowronski reviewed the history of CEP work by the Council and the main accomplishments of each team. He briefly described the objectives and activities of the current team since its formation in early 2009, and presented the proposed communications plan for releasing the report. The team has consensus on all three of its recommendations. The final report includes a section that does not have consensus. This section was prepared in response to a previous board request that the team document these discussions to help the next CEP team, the board and stakeholders better understand the breadth of discussion and issues that the team had considered. In response to one specific question, John noted that the team was very committed and knowledgeable and, in many cases, the lack of consensus related to views on what was in or out of scope for the team to consider.

Board members noted the following points during discussion of this report:

- Bringing together the seven major water-using sectors and other stakeholders in support of a common goal is a remarkable accomplishment.

- This voluntary approach on water CEP is not happening anywhere else in Canada. The sector plans will be a big part of meeting the GoA's commitment to achieve the 30% reduction identified in WFL.
- The team has clearly identified other important issues that need to be addressed and this is very valuable.
- Some of the lack of consensus related to the fact that sector CEP plans were not necessarily developed by consensus.
- It became apparent during the team's discussions that, although sectors are doing a lot of good work, the ultimate responsibility for healthy aquatic ecosystems rests with the GoA and ESRD in particular.

The Council hopes to release this report before the June meeting and will work with ESRD to involve the Minister if desired.

***Decision 36.4: The board:***

- 1. Approved the Project Team's report, Sector Planning for Water Conservation, Efficiency and Productivity.***
- 2. Approved the communications plan for the report, including any future amendments regarding the ESRD Minister's involvement.***
- 3. Disbanded the Sector Planning for Conservation, Efficiency and Productivity Project Team.***

The board commended the team for its excellent work and dedication to completing this challenging task.

## **7 Non-Point Source Pollution (NPSP) Project**

Stephanie Neufeld and John Englert presented background on the NPSP project, describing the project objectives and process. The team focused first on the state of NPSP in Alberta, and then on how other jurisdictions are dealing with NPSP. The report describes the existing policy framework in Alberta and, drawing on the results of its earlier work, makes five consensus recommendations for improving NPSP management. The proposed communication plan for the report was also presented.

The following points emerged during the board's discussion of this report:

- Although the team did not have a member from ESRD, the GoA members were supported by a cross-ministry group, including ESRD. They provided input to the recommendations, including the timelines, and have indicated their support for them.
- With respect to the Implementation Advisory Partnerships in recommendation 3, ESRD intends to use existing stakeholder groups as much as possible to avoid creating new structures. Regarding recommendations 4 and 5 related to research, Alberta Enterprise and Advanced Education is already working on a water research strategy, and the intent would be to align with that strategy as it is developed.
- The team noted that NPSP research is underway but it is not coordinated, which would be an important aspect of managing NPSP.
- The cumulative effects research proposed in recommendation 4 might be best accomplished on a watershed, or place- based approach. The team noted that this approach is being used in some places (e.g., phosphorus management), but a lot of

other cumulative effects knowledge is not being coordinated or shared sufficiently to effectively improve decision making.

- Most of the ideas in the NPSP report can be applied at any scale.

***Decision 36.5: The board:***

- 1. Approved the team's report: Recommendations to Improve Non-Point Source Pollution Management in Alberta.***
- 2. Approved the communications plan for the report.***
- 3. Disbanded the Non-Point Source Pollution Project Team.***

The board congratulated the team for its work on this timely and important topic.

## **8 Riparian Land Conservation and Management Project**

Norine Ambrose and Stephanie Neufeld described the objectives and history of this project, noting that team members and their sectors have been very actively involved. The team has a solid draft final report in place, including an ecological definition of riparian lands, which it is asking the board to approve. The report will go out shortly for sector engagement. The team needs a little more time to finalize discussions on recommendations and is asking that the deadline for completing its work be extended to October 2013.

The following points emerged during the board's discussion of this item:

- A riparian area is not viewed as an aquatic ecosystem, but it could be very relevant to healthy aquatic ecosystem function.
- The following text should be added to the second sentence in the second paragraph of the preamble: "affect legal rights or to", as noted in decision 36.6 below.

***Decision 36.6: The board approved:***

- 1. The ecological definition of riparian lands, as presented by the team, with the amendment to the second sentence in the second paragraph of the preamble; the revised text now reads: "This ecological definition is not meant to affect legal rights or to preclude or predetermine ..."***
- 2. An amendment to the team's terms of reference to extend the timeline for completion to October 2013.***

## **9 Tracking Implementation Progress of Council Recommendations**

Andre Asselin reviewed the process for tracking implementation progress of Council recommendations and the approach of providing semi-annual updates that was piloted for the first year. Given the effort required to prepare update reports, it is proposed that updates be done annually. Since March 2012, about 20% of Council recommendations have been implemented, about 10% are ongoing, about 5% are no longer being considered, and about 65% are specifically linked to GoA policy development or WFL renewals. The latter category may not show significant progress beyond "it is underway" or "ongoing" until a final product is released.

The following points emerged during the board's discussion of this item:

- Some aspects of reporting progress are not meeting the original intent, and we may need to look at some things in more detail to more accurately assess progress. We

may need to look more closely at whether we can develop recommendations that make it easier to determine what progress is being made and if not, why not.

- A lot of work may be happening behind the scenes, but until the GoA is ready to publicly release a policy, for example, the update details are usually limited.
- Even if the GoA does release a related policy, it may or may not reflect the language in a Council recommendation.
- Council may also want to look at recommendations that were not implemented and consider why that happened (e.g., superseded by something else).

***Decision 36.7: The board approved reporting of implementation progress of Council recommendations on a yearly cycle, at the first board meeting of each year.***

## **10 New or Other Business**

There was no new or other business.

The meeting adjourned at 2:07 p.m.

## **Attachment 1: Meeting #36 Attendees**

### **Council Directors and Alternates**

Peter Aku, NGO (Fisheries Habitat Conservation)  
Maureen Bell, NGO (Environmental)  
Rick Blackwood, GOA and Provincial Authorities (Alberta Environment and Sustainable Resource Development)  
Ken Brown, NGO (WPACs)  
Bob Cameron, NGO (Environmental)  
Carolyn Campbell, NGO (Environmental)  
Martin Chamberlain, GOA and Provincial Authorities (Alberta Energy)  
Lars DePauw, Industry (Oil and Gas)  
Chris Fordham, Industry (Mining)  
Jim Hackett, Industry (Power Generation)  
Jenny Hong, GOA and Provincial Authorities (Alberta Health)  
Al Kemmere, Government (Rural)  
Stuart Lunn, Industry (Mining)  
Perry McCormick, NGO (Wetland Habitat Conservation)  
Sharon McKinnon, Industry (Cropping)  
Ron McMullin, Industry (Irrigation)  
Tara Payment, Industry (Oil and Gas)

Rob Pritchard, Government (Large Urban)  
Brett Purdy, GOA and Provincial Authorities (Alberta Innovates – Energy and Environment Solutions)  
Tracy Scott, NGO (Wetland Habitat Conservation)  
Greg Sears, Industry (Cropping)  
John Skowronski, Industry (Chemical and Petrochemical)  
Judy Stewart, NGO (Lake Environment Conservation)  
Stuart Thiessen, Industry (Livestock)  
Jason Unger, NGO (Environmental)  
Jay White, NGO (Lake Environment Conservation)  
Dana Woodworth, GOA and Provincial Authorities (Alberta Environment and Sustainable Resource Development)  
Jamie Wuite, GOA and Provincial Authorities (Alberta Agriculture and Rural Development)  
Gord Edwards, AWC Executive Director

### **Presenters:**

Gord Edwards, *Management Report; Alberta Environmental Network Request for Support; Business Planning; Operational Planning* (Items 1.4, 1.5, 3.0, 5.0)  
Dana Woodworth, *GoA Update* (Item 2.0)  
Judy Stewart, *Symposium Update* (Item 4.0)  
John Skowronski, *Sector Planning for CEP Project Team* (Item 6.0)  
Stephanie Neufeld and John Englert, *Non-Point Source Pollution Project Team* (Item 7.0)  
Norine Ambrose and Stephanie Neufeld, *Riparian Land Conservation and Management Project Team* (Item 8.0)

### **Guests:**

Linda Jabs, Alberta Environment and Sustainable Resource Development  
Bernd Manz, Non-Point Source Pollution Project Team  
Jennifer Nitschelm, Sector Planning for CEP Project Team  
Lisa Sadownik, Alberta Environment and Sustainable Resource Development  
Kelly Scott, Sector Planning for CEP Project Team

### **AWC Staff and Contractors:**

Andre Asselin, Alesha Hill, Kim Sanderson

**Absent with Regrets:**

Dawn Friesen, GOA and Provincial Authorities (Alberta Health)  
Colin Jeffares, GOA and Provincial Authorities (Alberta Agriculture and Rural Development)  
Mary Onukem, Government (Métis Settlements General Council)  
Keith Murray, Industry (Forestry)  
Janelle Saskiw, Government (Small Urban)  
Jeff Surtees, NGO (Fisheries Habitat Conservation)  
John Zhou, GOA and Provincial Authorities (Alberta Innovates – Energy and Environment Solutions)

**Attachment 2: Meeting #36 Action Item Log**

| Action  | Who          | By when       |
|---|--------------|---------------|
| 36.1: Gord Edwards will email board directors and alternates and ask them to book the afternoon of June 12 in addition to the agreed-upon date of June 13 for the next board meeting. | Gord Edwards | April 1, 2013 |
| 36.2: AWC staff will coordinate with AI-EES representatives to ensure AWC board members have an opportunity to hear about AI-EES research work.                                       | Staff        | Ongoing       |

**Attachment 3: Meeting #36 Decision Log**

*Decision 36.1: The summary report for the October 25, 2012 meeting was adopted by consensus and will be posted on the Council website.*

*Decision 36.2: The board approved the Business Planning proposal.*

*Decision 36.3: The board approved the draft AWC 2013 Operational Plan.*

*Decision 36.4: The board:*

- 1. Approved the Project Team’s report, Sector Planning for Water Conservation, Efficiency and Productivity.*
- 2. Approved the communications plan for the report, including any future amendments regarding the ESRD Minister’s involvement.*
- 3. Disbanded the Sector Planning for Conservation, Efficiency and Productivity Project Team.*

*Decision 36.5: The board:*

- 1. Approved the team’s report: Recommendations to Improve Non-Point Source Pollution Management in Alberta.*
- 2. Approved the communications plan for the report.*
- 3. Disbanded the Non-Point Source Pollution Project Team.*

*Decision 36.6: The board approved:*

- 1. The ecological definition of riparian lands, as presented by the team, with the amendment to the second sentence in the second paragraph of the preamble; the revised text now reads: “This ecological definition is not meant to affect legal rights or to preclude or predetermine ...”*
- 2. An amendment to the team’s terms of reference to extend the timeline for completion to October 2013.*

*Decision 36.7: The board approved reporting of implementation progress of Council recommendations on a yearly cycle, at the first board meeting of each year.*

ALBERTA WATER COUNCIL  
AGENDA, MEETING #36

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**March 21, 2013**  
**Calgary Water Centre**

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**NOTE: Broad Category caucusing from 8:00 to 9:00 am.**

**GENERAL BUSINESS OF COUNCIL**

- 9:15 1.0 Administration – Chair 15 min**  
1.1 Welcome and approve agenda  
1.2 Approve Summary Report from October 25, 2012 meeting  
1.3 Review of actions from last meeting  
1.4 Management Report  
1.5 Alberta Environmental Network request for support
- 9:30 2.0 Government of Alberta Update 30 min**  
Hear an update from the GoA.
- 10:00 3.0 Business Planning 15 min**  
Hear a presentation on the process for developing a new 3-year business plan for the Council.
- 10:15 4.0 Symposium Update 15 min**  
Hear an update from the Steering Committee on progress towards hosting a symposium around “Exploring Alternatives to Potable Water for Household, Municipal and Industrial Applications.”
- 10:30 Break 15 min**
- 10:45 5.0 Operational Planning 30 min**  
Review and approve the Council’s 2013 Operational Plan, including new work.
- 11:15 6.0 Sector Planning for CEP Project Team 45 min**  
Approve the final report and communications plan.
- 12:00 Lunch (provided in the room) 45 min**
- 12:45 7.0 Sector Planning for CEP Project Team 45 min**  
Provide direction to the team on finalizing their report.
- 1:30 8.0 Riparian Land Conservation and Management Project Team 45 min**  
Approve the ecological definition for Riparian Lands and the proposed extension to the team’s terms of reference.
- 2:15 9.0 Tracking Implementation Progress of Council Recommendations 30 min**  
Hear a presentation on the detailed and update reports, and approve the frequency of reporting.
- 2:45 10.0 New or Other Business 15 min**  
New items of business or other items of information for Council.
- 3:00 Adjournment**