
Appendix 1 Provincial Regulations

Alberta

Water Licensing

The *Water Act* establishes that the Crown, the Province of Alberta, has ownership of all water. In Alberta, no license is required for household purposes **up to** 275,000 imperial gallons (1250 cubic meters of water) per year. Under the *Water Act*, household purposes are defined as water used for human consumption, sanitation, fire prevention, and watering animals, gardens, lawns, and trees.

Using water from dugouts is exempt from licensing if:

- Water is naturally impounded in the dugout from surface water runoff and no pumping has been done to facilitate the impoundment.
- The dugout is not situated within a watercourse, lake or wetland at any time.
- The capacity of the dugout is less than 2,750,000 imperial gallons (12,500 cubic meters).
- The total withdrawal of water from the dugout is less than 1,375,000 imperial gallons (6250 cubic meters) per year.

For more information, contact Alberta Environment in Edmonton.

Fish Stocking

Recreational and/or commercial licenses are required to stock fish in a dugout. The licenses are issued by the Aquaculture Section of Alberta Agriculture, Food and Rural Development. For more information, contact their office in Lethbridge. Licenses may also be required by Alberta Environment if dugouts are not used for household purposes and do not qualify under the exemption noted above.

Setbacks

Alberta Transportation requires a minimum setback of 40 meters (131 feet) from the highway property line on all primary and secondary highways. Local counties and municipalities also have similar setback distances from their roads for safety purposes. For further information, and to determine if a development permit is required contact your local county or municipality office as well as the nearest Alberta Transportation office.

Technical and Financial Assistance

For technical assistance and information about possible funding opportunities, contact the nearest PFRA district office or Alberta Agriculture district office.

British Columbia

Water Licensing

Under the *Water Act*, water is owned by the province, and therefore, all water uses from a surface water source must be licensed. In the Peace River Region, however, the province has a license exemption for domestic and livestock watering dugouts, unless dugout construction involves changes in and about a stream as defined by the *Water Act*. All in-stream work requires a permit. If a dugout impounds water above ground level with a dyke or berm, it should be assessed using the dam safety regulations. For more information, contact the Ministry of Environment, Lands and Parks, Fort St. John.

Fish Stocking

A permit is required to stock fish in a dugout. The only species currently allowed for stocking in the Peace River Region is trout. Grass carp is prohibited. Permits are issued by the Federal/Provincial Fish Transplant Committee. For more information, contact the Ministry of Environment, Lands and Parks, Fort St. John.

Setbacks

The Ministry of Highways classifies a dugout as a structure; therefore a dugout must be a minimum of 25 feet (7.6 meters) from the edge of the road allowance, or 150 feet (45.6 meters) from the center of the road. For more information, contact the Department of Highways, Dawson Creek.

The Peace River Regional District should also be contacted regarding potential setbacks between or adjacent to property lines. These setbacks are site specific and have no set parameters. For more information, contact the Peace River Regional District.

Technical and Financial Assistance

For technical assistance and information about possible funding opportunities, contact the nearest PFRA district office or British Columbia Ministry of Agriculture and Food, Fort St. John.

Manitoba

Water Licensing

Ownership of surface and groundwater is vested in the province of Manitoba. The size, location, and intended use determine the licensing requirements for water storage and use in Manitoba. Domestic use does not require approval. Domestic use is defined as rural household and livestock consumption up to 5500 imperial gallons (25,000 liters) per day. For more information, contact Water Rights Licensing Section, Manitoba Conservation, Winnipeg.

Fish Stocking

Aquaculture operations involving fish hatcheries require licensing and provincial environmental assessment. Dugouts used for commercial fishery operations also require a Fish Farming License. For more information, contact the Manitoba Fisheries Branch, Manitoba Conservation, Winnipeg.

Setbacks

The siting of dugouts closer than prescribed distances to provincial highways and roads requires a permit. Generally, minimum setback distances range from 125 to 250 feet (40 to 75 meters) unless the site is adjacent to an intersection control circle, in which case the required setback ranges from 500 to 1500 feet (150 to 450 meters). Each permit is assessed individually with consideration given to future highway development and highway safety requirements. For more information, contact the Highways and Government Services, Highway Planning and Design Branch, Winnipeg.

Technical and Financial Assistance

For technical assistance and information about possible funding opportunities, contact the nearest PFRA district office or Manitoba Water Services Board.

Saskatchewan

Water Licensing

Ownership of all surface and groundwater is vested in the Province of Saskatchewan through the *Water Corporation Act*. The act requires that approval to construct, followed by an approval to operate, must be issued for any commercial, municipal, irrigation, or tank-loading facility dugout. No approvals are required for construction or use if the dugout is intended for domestic purposes as defined by the *Water Corporation Act*. However, on a domestic dugout, if a dam or diversion ditch is constructed to divert water from a natural watercourse or water-body to the dugout, then an “Approval to Construct and Operate” is required. Approvals to construct and operate a dugout are issued through Sask Water, Regional Water Resource offices in Saskatchewan.

Fish Stocking

If a dugout is private and contained with no potential discharge, it may be stocked with certain types of fish. A list of permitted fish is available from your local Saskatchewan Environment and Resource Management (SERM) office. Dugouts in Saskatchewan may not be stocked with native fish such as walleye, pike, and pickerel. If there is a potential discharge from the dugout into the waterway, fish may not be stocked due to the potential spread of disease. Before stocking fish in a dugout, contact the local SERM office for up-to-date information.

Setbacks

Each Rural Municipality has its own regulations and bylaws governing the location of dugouts with respect to roads. If a dugout is to be situated near a road, prior approval must be obtained. The standard RM regulation is a distance of at least 150 feet (45 meters) from the centerline of the road. Refer to the RM office for further information

Technical and Financial Assistance

For technical assistance and information about possible funding opportunities, contact the nearest PFRA district office or Sask Water office.