

## Overview of Municipal, Provincial, and Federal Environmental Planning and Approval Processes

### Public Lands Act

The bed and shore of the North Saskatchewan River are owned by the Government of Alberta under the *Public Lands Act*. Temporary work in, or permanent occupation of, the bed and shore of the river requires a provincial *Public Lands Act* disposition. This process ensures alignment of the proposed activity with provincial plans, policies, and management objectives, including the sustainable and responsible use of public land. Any work related to accessing the temporary beach or the beach itself falls under provincial legislation. Securing a *Public Lands Act* disposition may take between six and 18 months, depending on the complexity of the application and application processing times at the time of submission.

### Water Act

The Government of Alberta owns all water in the province and regulates activities and development in waterbodies through the *Water Act*. As such, development and construction activities related to the creation and maintenance of a beach in Cloverdale would require provincial approval under the Act. As part of the application process, biophysical and hydrological assessments are required and impacts to water quality, fish and wildlife habitat, and river geomorphology and hydrology as a result of beach establishment or use must be avoided or mitigated. Securing approval under the *Water Act* may take between 12 and 18 months, depending on the complexity of the application and application processing times at the time of submission.

### Environmental Protection and Enhancement Act

The Alberta *Environmental Protection and Enhancement Act* governs the protection of air, land, and water. Under the Act, there is a duty to report releases of substances into the environment that may cause an adverse effect and to take reasonable remediation measures. Sources of contamination associated with a beach may include contamination in fill materials, sediment, construction machinery and equipment, and waste. In order to ensure compliance with the Act, a water quality assessment and protection plan would need to be developed. Securing approval under the *Environmental Protection and Enhancement Act* may take between 12 and 18 months, depending on the complexity of the application and application processing times at the time of submission.

### Fisheries Act

The federal *Fisheries Act* requires that projects avoid harm to fish and fish habitat. Potential impacts of a beach on fisheries in the North Saskatchewan River include direct loss of fish habitat within the footprint of the beach as well as

loss or deterioration of fish habitat downstream of the beach due to changes in stream morphology (e.g., erosion and sedimentation), water quality (e.g., contamination, nutrient regimes, and water temperature), and hydrology (e.g., flow velocity and water levels). Where impacts to fish and fish habitat cannot be avoided, a habitat restoration or creation plan would need to be developed. Securing approval under the *Fisheries Act* may take between 12 and 18 months, depending on the complexity of the application and application processing times at the time of submission.

*Navigation Protection Act*

The *Navigation Protection Act* is administered in Alberta by Transport Canada and authorizes and regulates interferences with the public right of navigation. Modifications to the river associated with the creation and use of a beach would require a notice to the Minister of Transport and may require an approval pursuant to the Act. As part of the planning and design of a beach in Cloverdale, the City would need to ensure that modifications to the river would not substantially interfere with navigation or obstruct passage through the river. Securing approval under the *Fisheries Act* may take between 12 and 18 months, depending on the complexity of the application and application processing times at the time of submission.

*North Saskatchewan River Valley Area Redevelopment Plan (Bylaw 7188)*

The City of Edmonton's North Saskatchewan River Valley Area Redevelopment Plan Bylaw 7188 requires the completion of an environmental assessment for public development projects or development on public land. The creation and use of a beach in Cloverdale, including associated infrastructure, would require that an environmental review be completed and that impacts to the natural environment are avoided or mitigated. Technical and feasibility studies would be required to ensure that any proposal is safe, maintainable and considers impact to the adjacent neighbourhoods and ecological system. Completion of the environmental review process in accordance with the plan may take between two and six months, depending on the complexity of the application.

In addition to the requirements above, depending on the intensity of recreational development and amenities (i.e. washrooms, commercial uses, etc.), the following may be required:

- Reclassification from an Ecological Park to a Metropolitan Park as per BREATHE: Edmonton's Green Network Strategy, in order to facilitate an increased level of recreational use and amenities. This is an administrative process.
- Rezoning from (A) Metropolitan Recreation Zone to (AN) River Valley Activity Node Zone under the *Edmonton Zoning Bylaw 12800* in order to facilitate ancillary retail development if that becomes a component of the project.