



Alberta Grains

June 30, 2025

Alberta Environment & Protected Areas
9920-108 Street NW
Edmonton, AB
T5K 2M4
Via email: EPA.Water@gov.ab.ca

RE: Alberta Grains Submission Phase II Engagement on Proposed Amendments to the Water Act to Improve Water Availability

Alberta Grains is a farmer-funded and directed organization representing the interests of over 14,000 wheat and barley producers across Alberta. Under our mandate through the *Alberta Marketing of Agricultural Products Act*, we invest in the long-term economic sustainability of Alberta's cereal sector through research, agronomy, grower extension, market development, and government policy advocacy.

We appreciate the opportunity to participate in the [Phase II engagement](#) on proposed amendments to the Water Act and commend Alberta Environment and Protected Areas for recognizing the importance of modernizing water policy to reflect evolving pressures on water availability.

Our enclosed submission reflects Alberta Grains' support for efficient, science-based, and farmer-informed water policy. We draw from the priorities of Team Alberta Crops, and express our alignment with submissions made by the Alberta Irrigation Districts Association and the Intensive Livestock Working Group. In particular, we highlight the need for streamlined regulatory processes, improved clarity for dryland water management, and enabling frameworks for innovation such as controlled tile drainage.

Thank you for your consideration of our recommendations. Please direct any follow-up questions to Shannon Sereda, Director of Government Relations, Policy and Markets, Alberta Grains, at ssereda@albertagrains.com or 587-899-5299.

Sincerely,

Director, Government Relations, Policy & Markets
Alberta Grains

Introduction

Alberta Grains appreciates the opportunity to provide feedback on the proposed amendments to the Water Act. As the voice of Alberta's wheat and barley farmers, we are committed to ensuring that water policy supports efficient, equitable, and sustainable agricultural production. This submission draws from and aligns with the positions of our sectoral partners, including the Alberta Irrigation Districts Association (AIDA), the Intensive Livestock Working Group (ILWG), and the Team Alberta Crops submission to the Phase 1 and Phase 2 Water Availability Engagements.

We recognize and support Alberta's foundational water management principles, including:

- The priority-based First-in-Time, First-in-Right (FITFIR) allocation system;
- Watershed-based management;
- The protection of existing licence rights;
- A measured approach to regulation and enforcement;
- A commitment to collaboration with agricultural stakeholders.

1. Streamlining Decision-Making for Water Licensing and Transfers

1.1 Point of Use & 1.2 Point of Diversion

We support amendments to section 54 that enable more flexibility in modifying points of use and diversion without adversely affecting other users. These changes reduce administrative burden and allow producers to adapt to infrastructure improvements or weather-related changes. AIDA and ILWG have expressed similar support, noting the importance of clear oversight and minimized risk.

1.3 Director-Initiated Amendments

We are cautiously supportive of Director-initiated amendments that clearly benefit the licence holder, provided transparency and consultation are built into the process. As ILWG notes, the term "benefit" should be clearly defined to avoid ambiguity.

1.4 Notice to Appropriate Parties

We support this amendment to ensure both applicants and authorization holders receive timely and transparent communication.

1.5 Time Limits on Issuance of Authorizations

We strongly support timelines for regulatory decisions. This is critical for farmers making time-sensitive operational decisions. ILWG recommends this be embedded in policy to preserve flexibility. We agree with that approach.

1.6 Limiting Supplemental Information Requests

Limiting redundant or excessive information requests will reduce delays and uncertainty. We support a policy-based approach that also allows applicants to proactively provide relevant information.

1.7 New and Expanded Exemptions

We support increased exemption thresholds for dugouts, dust control, and emergency preparedness. However, we echo AIDA's caution that cumulative effects on small water bodies be considered. Additionally, exemptions must account for the difficulty farmers currently face when constructing dugouts in areas misclassified as wetlands, as described in the Team Alberta Crops Phase 1 submission.

2. Enhancing Water Use Information

2.1 Measurement and Reporting Conditions (Sections 54, 18, 169)

Alberta Grains refers to and supports the detailed position expressed by Team Alberta Crops in the Phase 1 submission, which recommends maintaining the current system of water measurement and reporting while improving education and outreach. Most licences of consequential volume already include reporting requirements. The focus should be on:

- Engaging with licence holders to identify and reduce barriers to compliance;
- Providing education on the value of reporting beyond enforcement;
- Addressing communication gaps between departments that contribute to the perception of incomplete water data;
- Offering aggregated, non-identifiable reporting at the watershed level to improve public understanding.

Rather than introducing broad new measurement and reporting conditions—especially for small users—efforts should concentrate on building trust, improving participation, and reducing confusion about existing obligations. Small and seasonal users should not face disproportionate compliance burdens given their minimal impact on the system.

This approach aligns with the recommendations of both AIDA and ILWG, who emphasize the importance of scalability, flexibility, and low-cost solutions to maintain compliance and confidence in Alberta's water management system.

2.2 Licences in Good Standing

Clear criteria for "good standing" are needed and should be defined through policy. ILWG is right to caution against rigid definitions that could lead to unfair cancellations. A pathway to return to good standing should be part of the framework.

2.3 Water Transfer Information

We support greater transparency in transfers, but agree with ILWG and AIDA that disclosing prices could:

- Undermine confidentiality;
- Introduce market distortions;
- Harm small producers;
- Open the door to speculative or inequitable trading.

Any disclosure should require the consent of both parties, and the Director should not have access to pricing information when evaluating applications.

3. Enabling Lower Risk Inter-Basin Transfers

We support establishing clear, risk-based criteria for inter-basin transfers, including:

- Projects that straddle basin boundaries;
- Treated wastewater and groundwater use;
- Transfers below volume thresholds.

We agree with AIDA and ILWG that oversight for lower-risk transfers should shift to Cabinet (via Order in Council), while higher-risk transfers continue to require a special Act of the Legislature. Additionally, treated wastewater should not be used for food production or livestock watering without extensive scientific review and public acceptance.

4. Enabling Alternative Water Sources

4.1 Wastewater Reuse

We support enabling reuse by non-producers, provided responsibilities are clearly defined and water quality is fit for purpose. Use of wastewater in agriculture—especially for irrigation—must be carefully regulated to avoid trade or safety concerns. AIDA and ILWG support a cautious, science-based approach.

4.2 Rainwater Use

We strongly support defining rainwater to include water captured before it hits the ground. This will provide clarity and legal confidence for farmers relying on rainwater. This was a key recommendation from Team Alberta Crops in Phase 1.

4.3 Stormwater Use

Defining stormwater use and applying a net difference allocation methodology is a practical approach, especially in urban contexts. Agricultural runoff, however, must be clearly excluded from the stormwater definition, as per AIDA's position.

4.4 Return Flow

We support clarifying return flow policies, but continue to advocate that:

- Gross diversion remain the licensing basis for agriculture;
- Return flow transfers be tightly limited;
- Credit systems be carefully reviewed and piloted before any broad implementation.

5. Addressing Controlled Tile Drainage and Regulatory Clarity

Alberta Grains supports the responsible adoption of Controlled Tile Drainage (CTD) as a modern, science-based tool to improve water availability and resilience on Alberta farms. CTD enables farmers to retain water during dry spells and release excess moisture during wet periods, increasing crop yields, reducing nutrient runoff, and helping manage saline soils. It is widely recognized as a Beneficial Management Practice (BMP) in Ontario and Manitoba.

Yet in Alberta, regulatory complexity and ambiguity have made CTD adoption virtually impossible. Farmers must navigate unclear wetland classifications, uncertain rainwater rules, and an approvals system not designed for innovative infrastructure. These barriers are especially punitive to dryland producers who have fewer tools to manage water risk and make up the majority of Alberta's agricultural base.

To address this gap, Alberta Grains recommends:

- **Streamlining Wetland Policy Requirements:** Over-classification of ephemeral water bodies—areas that appear wet only briefly after snowmelt or heavy rain—adds unnecessary complexity. The wetland policy should clearly distinguish between truly ecologically significant wetlands and temporary features that could support water retention and farm productivity.
- **Clarifying the Regulatory Pathway:** Farmers need a transparent, accessible process for installing CTD, including clear timelines, permitting steps, and roles. The current permitting system can require full environmental assessments, wetland compensation, or even Crown land claims for water bodies that are only seasonally wet. This is unworkable for producers trying to manage water responsibly.
- **Exploring a Code of Practice for CTD:** Alberta should develop a Code of Practice under the Water Act that outlines clear conditions under which CTD can be installed without case-by-case approvals. This would follow the precedent set for other low-risk activities, such as certain types of wetland crossings and stormwater reuse.
- **Clarifying Rainwater Reuse:** Dryland producers must have the right to retain water that falls on their land, including rainwater that collects on fields or is held through CTD. Current ambiguity creates legal risk where none should exist.

CTD supports Alberta's long-term environmental and economic goals by:

- Making more efficient use of existing water;
- Supporting local water retention rather than increasing dependence on regional systems;
- Reducing nutrient losses to the environment;

- Enhancing soil health and farm resilience to drought and flood conditions.

Most importantly, this technology respects the stewardship role of farmers, who already make water and land management decisions that balance productivity today with sustainability tomorrow.

6. Alignment with Sector Partners

Alberta Grains supports the positions put forward by both AIDA and ILWG. We particularly align on:

- Protecting FITFIR and existing licence rights;
- Ensuring flexibility in regulatory changes without increasing administrative burdens;
- Preserving confidentiality in transfer pricing;
- Taking a cautious, evidence-based approach to wastewater and return flow policy.

We also reaffirm the key priorities from our Phase 1 and 2 submissions through Team Alberta Crops:

- The need for streamlined and practical drainage and dugout policies;
- The critical role of rainwater in dryland farming;
- Maintaining an effective but fair licence transfer system;
- Investment in groundwater data and transparency;
- Preserving an impartial and accessible Environmental Appeals Board.

Conclusion

Water security and operational flexibility are key to the resilience and competitiveness of Alberta's farms. We support the proposed amendments as a step toward a more responsive and transparent water management framework and encourage further engagement with agricultural producers to ensure policies reflect both on-farm realities and regional diversity.

We thank the Government of Alberta for the opportunity to provide feedback and are ready to collaborate further on this important work.