

TOWN OF HIGH RIVER
TOWN OF HIGH RIVER - SOUTHWEST DIKE

SUPPLEMENTARY DOCUMENT FOR ALBERTA ENVIRONMENT AND SUSTAINABLE RESOURCE
DEVELOPMENT REGULATORY PERMIT APPLICATION

1. INTRODUCTION

The June 2013 Highwood River flood (2013 flood) demonstrated that the downtown portion of the Town of High River (the Town; Figure 1) and adjacent residential neighbourhoods are susceptible to flood inundation. To lower risk of flooding within their community, the Town embarked on an ambitious diking program with the support of the Government of Alberta (GoA) and its neighbour, the MD of Foothills (the MD). The design of the dike system and other flood mitigation measures was supported by WorleyParsons Canada Services Ltd., operating as Advisian¹ (WorleyParsons).

As part of the overall diking scheme, the Southwest Dike (SWD) discussed herein is an essential yet alternative flood mitigation solution to protect the southwest portion of the Town. The initial flood mitigation proposal for this area of Town was the Little Bow Enhanced Natural Floodway (LB-ENF). However the GoA has indicated that neither the initial LB-ENF (proposed by the Town and MD based on the flow split management objective) or the Little Bow River Diversion (proposed by the GoA) are being supported. Additional background information pertaining to the overall diking scheme and Highwood River - Little Bow River flood hydrology in relation is provided in Section 2.

The purpose of the SWD is to protect the southwest and central areas of Town, including McLaughlin Meadows, Montrose, downtown, and numerous other residential, commercial and industrial areas south of the Highwood River. With several diking projects on the south side of the Highwood River through Town nearly complete (see Figure 1), including the Town Dike (TD), the West Town Dike (WTD) and the Little Bow Canal Dike, the SWD is the last major piece of flood mitigation infrastructure requiring approval to complete protection for the southern portion of the Town.

The purpose of this report is to present the rationale for the SWD to support regulatory permitting. Detailed design of the SWD including discussion of various options is provided in ISL's Southwest Dike-Choose-Design Report (Appendix 1).

¹ As of July 1, 2015, Advisian became the independent consulting business line of WorleyParsons.

After the flood of 2013 we met with Harry Riva Cambrin with the intent of discussing what could be done to mitigate future flooding on our properties. Instead Harry introduced us to the Town of High Rivers staff and told us they would be looking after us as their S.W. Dike would be the cause of future flooding of our lands. It is obvious the Town has no interest in dealing with us and have stated they have no mandate to protect us to the same level as the county is protecting its residents or what the Town of High River is protecting their residents to. He also stated if we had any problems to come back and talk to him.

We asked to meet with the County three different times and were refused three times.

We appealed the Alberta Environment decision to approve the S.W. Dike. The Alberta Environmental Appeal Board ruled the the Director made the wrong decision when he approved the construction of the S.W. Dike without making an agreement to flood our properties. The Board ruled the S.W. Dike project needs our properties to store flood water. It gave the Town 6 months to make agreements with us, the town asked for an extension and the director granted them another 10 months.

The minster of Environment followed the Appeal Boards decision with a Ministerial Order 52/2022 . (see attached)

Not sure why he granted them an extension as the Town has made no attempt to try and settle anything.

The County of Foothills has made no attempt to help us. We understand they have bought several properties along the Little Bow and the Highwood rivers that are subject to flooding. Not sure what criteria they use to determine who they help and who they don't help but you would think all taxpayers would be entitled to the same considerations.

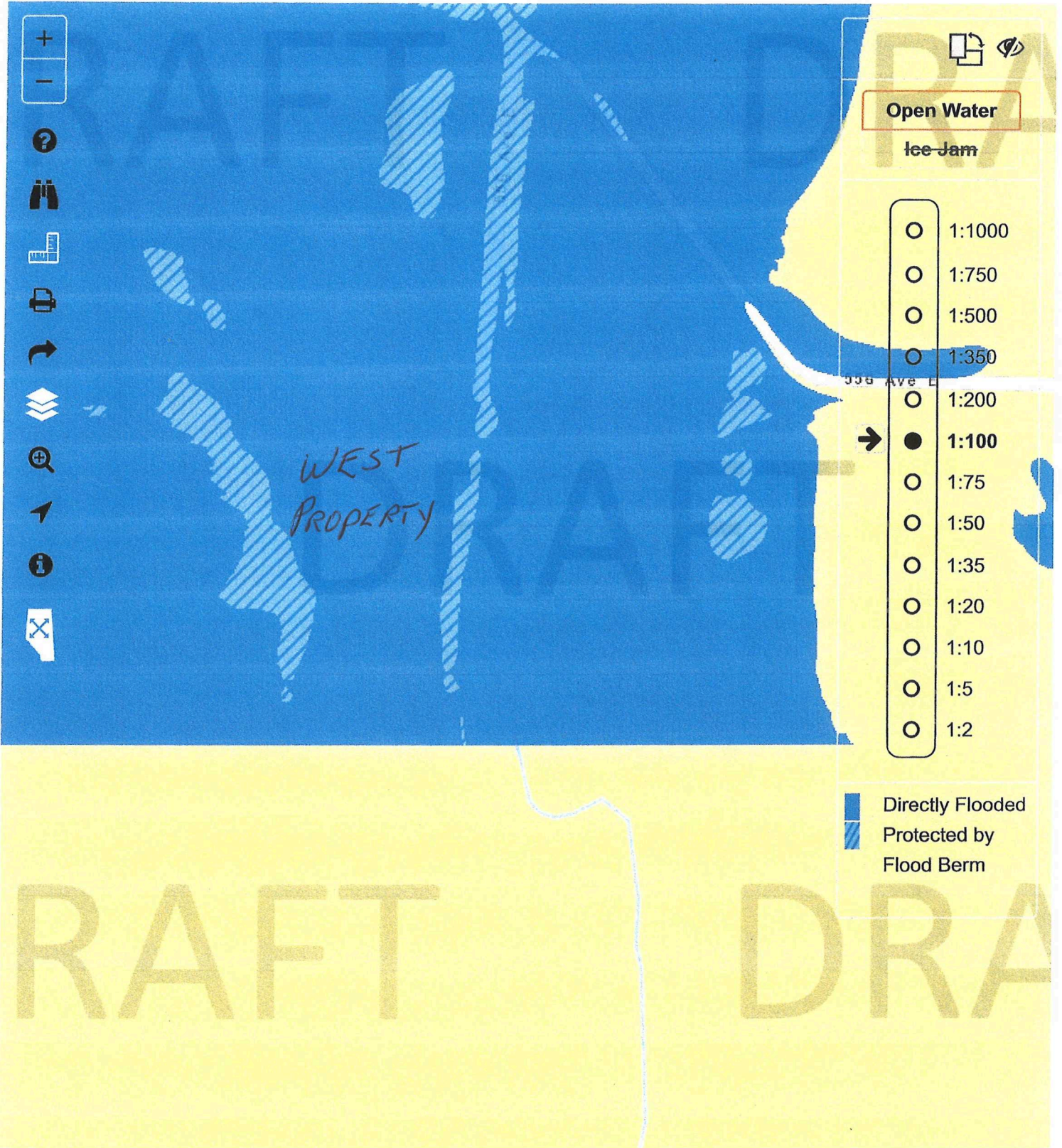
According to the new draft flood mapping our home is under water and our access is cut off. (see flood mapping)

Due to the laws of disclosure we don't believe that our home could be sold to anyone without revealing that any occupants would be in danger in the event of a 1in a 100 year flood.

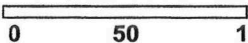
For that reason we feel our home has little or no market value and the taxes on our home should reflect that.

Thank you
Delbert Edey

Alberta Floods

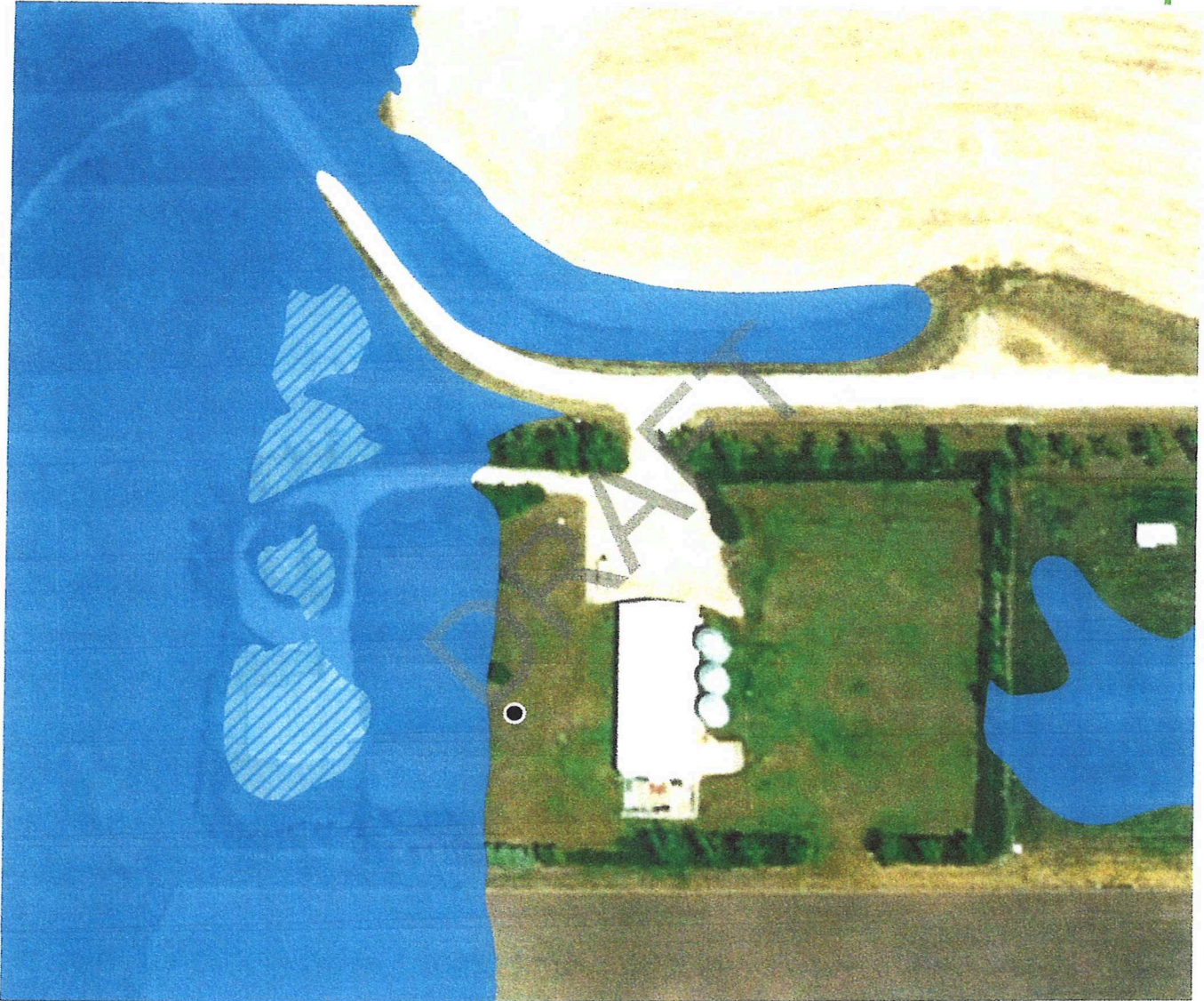


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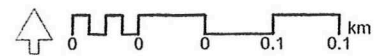





Draft Study Mode


Flood Inundation Map



1:100 Open Water Flood



-  Directly Flooded
-  Protected by Flood Berm
-  Other

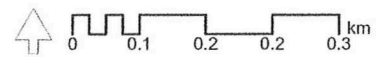
-  Point of Interest (details on next page)

Map Projection: Mercator Auxiliary Sphere
Map Datum: World Geodetic System 1984
Flood Level Datum: Canadian Geodetic Vertical Datum of 1928

The flood information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at the time of use.



1:100 Open Water Flood

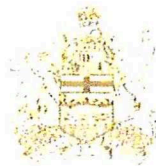


- Directly Flooded
- Protected by Flood Berm
- Other

- Point of Interest (details on next page)

Map Projection: Mercator Auxiliary Sphere
Map Datum: World Geodetic System 1984
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ALBERTA

ENVIRONMENT AND PARKS

*Office of the Minister
MLA, Calgary-Glenmore Constituency Office*

**Ministerial Order
52/2022**

Environmental Protection and Enhancement Act
R.S.A. 2000, c. E-12

Water Act
R.S.A. 2000, c. W-3

**Order Respecting Environmental Appeals Board
Appeal Nos. 19-089 and 19-093-094**

I, Whitney Issik, Minister of Environment and Parks, pursuant to section 100 of the *Environmental Protection and Enhancement Act*, make the order in the attached Appendix, being an Order Respecting Environmental Appeals Board Appeal Nos. 19-089 and 19-093-094.

Dated at the City of Edmonton, in the Province of Alberta, this 11th day of August, 2022.

Whitney Issik
Minister

APPENDIX

Order Respecting Environmental Appeals Board Appeal Nos. 19-089 and 19-093-094

With respect to the decision of the Director, South Saskatchewan Region, Regulatory Assurance Division, Alberta Environment and Parks (the "Director") to issue *Water Act* Approval No. 00419723-00-00 (the "Approval") to the Town of High River (the "Approval Holder"), I, Whitney Issik, Minister of Environment and Parks, order that the decision of the Director to issue the Approval is varied as follows:

1. Condition 3.0 is amended by adding the following after clause (a):
 - "(b) All of the Legal Subdivisions 11 and 12 and the South Halves of Legal Subdivisions 13 and 14 in the NW 25-18-29-W4M, containing 48.6 hectares (120 acres) more or less, excepting thereout Plan 0213185 Subdivision, 6.57 hectares (16.23 acres);

Plan 0213185, Block 4, Lot 1, in the NW 25-18-29-W4M, containing approximately 16.23 acres;

The North Halves of Legal Subdivisions 5 and 6 in the SW 25-18-29-W4M containing 8.09 hectares (20 acres) more or less;

* Plan 1014136, Block 1, Lot 4, containing 4.05 hectares (10.0 acres), in the SE 25-18-29-W4M;

* Plan 1014136, Block 1, Lot 1, containing 3.33 hectares (8.23 acres), in the SE 25-18-29-W4M;

Plan 0213188, Block 1, Lot 1, containing 65.2 hectares (161.11 acres) more or less, in the NW 25 and SW 36-18-29-W4M; and

NE 25-18-29-W4M; and
 - (c) any other lands as the Director prescribes in writing pursuant to the Minister's Order in the appeal of this Approval."
2. The following is added after condition 3.1:

"3.1.1 The Approval Holder shall within six months of the date of the Minister's Order in the appeal of this Approval, acquire and submit the written consent of the owners of the lands listed in Condition 3.0(b) and (c) for the use of their lands arising from the Activity."
3. The following is added after condition 5.1:

"5.2 The Approval Holder shall submit

 - (a) the as-built plans for the undertaking; and
 - (b) any other information requested in writing by the Director."

4. At the request of the Approval Holder, the Director may extend the time-period contained in Condition 3.1.1 of the Approval, providing the Approval Holder demonstrates progress towards acquiring the consents, and the Director deems an extension of the time-period appropriate.
5. The Director shall within 60 days of the date of this Ministerial Order, review the filed statements of concern that were accepted as directly affected in *Water Act* Application No. 001-00419723 and determine if any additional lands should be made appurtenant to the Approval pursuant to condition 3.0(c) of the Approval.
6. The Director shall within 60 days of the date of this Ministerial Order, prescribe in writing any lands the Director deems appurtenant to the Approval in condition 3.0(c) after reviewing the statements of concern referred to in clause 5 of this Order.

The supporting facts are contained in the Environmental Appeal Board Hearing which is available on google . Delbert Edey, Alberta Environmental Board Hearing. It is over 100 pages and took 2 days for the hearing. I don't have the capacity to bring all of this information forward.

All documentary evidence is provided.

I will be the only witness (Delbert Edey)

Our home is being sacrificed to protect the Town of High River. The Town of High River built a dike to divert flood waters away from High River but right at our property.

I believe the Ministerial Order which a portion of is attached presents Relevant case law.

10 to 20 minutes should be enough time for me to present our case. If there is questions then I can't estimate the time required.

Thank You
Delbert Edey