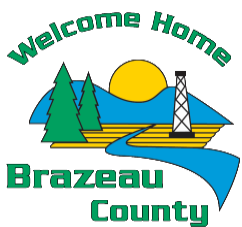




# NATURAL RESOURCE OPERATIONS PERMIT GUIDE



Prepared by the Planning and  
Development Department

# A Guide to Natural Resource Operation Development in Brazeau County

This document is intended to assist applicants in the process of applying for approval of a natural resource extraction and/or natural resource processing operation (“Natural Resource Operation”). The information in this document provides a basis for understanding the process but is not intended to provide a comprehensive explanation of all issues related to this type of development. Additional regulations and policies are outlined in the *Municipal Government Act*, the *Matters Related to Subdivision and Development Regulation*, Brazeau County’s *Municipal Development Plan*, and Brazeau County’s *Land Use Bylaw*, as well as any applicable Area Structure Plans. Please contact the Planning and Development Department at 780-542-7777 or [planning@brazeau.ab.ca](mailto:planning@brazeau.ab.ca) if you have any questions or require assistance.

Any development or changes to your property may affect your property assessment and taxes. If you have any questions or concerns, please call the Finance Department at 780-542-7777.

## 1. TYPES OF NATURAL RESOURCE OPERATIONS

### **New Natural Resource Extraction and Natural Resource Processing Operations**

It is important that you talk with Brazeau County’s Planning and Development Department to discuss the application requirements prior to submitting any applications.

Any gravel, sand, clay, peat or similar type excavation and/or processing uses proposed for lands within Brazeau County must have the appropriate zoning (also referred to as designation or district) and Development Permit approval prior to commencing any work.

Rezoning is required for all Natural Resource Operations on lands which are not zoned for such use. Rezoning applications are considered by Council after a public hearing is held. If the appropriate zoning is not already in place, or rezoning is not granted, a Development Permit for Natural Resource Operation cannot be accepted. Once the appropriate zoning is confirmed, approval of a Development Permit is required prior to any Natural Resource Operation activities.

### **Expansion of Existing Natural Resource Extraction and Natural Resource Processing Operations**

Any Natural Resource Operations must have appropriate zoning in place for expansion beyond the previously approved boundaries.

The expansion of an existing Natural Resource Operation beyond the previously approved boundaries will require a new Development Permit which will replace that which was previously issued. The Development Permit application will require the supporting information set out below and will be evaluated under the Brazeau County bylaws and policies in place at the time of consideration.

## 2. APPROVAL PROCESS

### a. Provincial Approval

Under the *Environmental Protection and Enhancement Act* (EPEA), the Alberta Ministry of Environment and Protected Areas, or its successor agency, reviews and evaluates applications for aggregate extraction pits under the *Alberta Code of Practice for Pits*. Note: Class II<sup>1</sup> pits are exempt from meeting provincial regulations.

If the project involves withdrawing water, altering natural water flow, or draining a water source, approval under the *Water Act* is also required.

### b. Pre-Application Community Consultation

While seeking provincial approval, an applicant/landowner may also begin the municipal approval process. In accordance with the County's policies, an applicant/landowner is required to conduct community consultation prior to submitting a rezoning and Development Permit application. The applicant/landowner should:

- hold at least one open house to present the project and gather feedback; and
- offer additional engagement opportunities for residents who can't attend the open house.

A complete Community Consultation Summary should be included as part of an application package that details the feedback received from the community and how the concerns raised are being addressed in the application (see section 3 below).

### c. Rezoning Application

Once community consultation is complete, the applicant/landowner may submit an application for a Land Use Bylaw Amendment (rezoning). A rezoning application seeks to alter the land use designation provided within the County's Land Use Bylaw ("LUB") to a district that includes aggregate extraction and processing as a discretionary use. In support of the rezoning application, the applicant/landowner is encouraged to provide detailed information regarding the proposed operation of the subject lands to allow the public and Council to have a clear understanding of the future vision of the land.

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#### <sup>1</sup> Classifications:

Natural Resource Operations involving the removal of aggregate materials shall be classified as follows:

- |                  |   |
|------------------|---|
| <b>Class I:</b>  | Pits greater or equal to five (5) hectares (twelve (12) acres), requiring municipal approval and provincial approval through Alberta Environment and Protected areas (as may be amended from time to time). These pits shall satisfy the requirements of Brazeau County's Land Use Bylaw, the <i>Environmental Protection and Enhancement Act</i> , the <i>Code of Practice for Pits</i> , the <i>Water Act</i> , the <i>Conservation and Reclamation Regulations</i> and all other statutory or regulatory requirements which may be applicable. |
| <b>Class II:</b> | Pits less than five (5) hectares (twelve (12) acres), requiring municipal approval. These pits shall satisfy the requirements of the Land Use Bylaw and all statutory plans of Brazeau County, and are subject to the <i>Environmental Protection and Enhancement Act</i> , the <i>Code of Practice for Pits</i> , the <i>Water Act</i> , the <i>Conservation and Reclamation Regulations</i> and all other statutory or regulatory requirements which may be applicable.   |

**d. Public Hearing Held for Rezoning**

In Alberta, a public hearing is required for all rezoning applications to allow Council to consider the community and overall public opinion on the matter. The public may provide submissions prior to the public hearing for consideration or speak directly to Council at the public hearing.

**e. Rezoning Decision**

Council will make a decision to amend the Land Use Bylaw and rezone the subject lands. If approved, the rezoning bylaw will be given second and third readings by Council and take effect upon passing.

**f. Development Permit Application**

Once zoning is approved, an applicant/landowner may submit a Development Permit application. To provide for greater clarity, the following guidelines have been established to provide specific requirements for Development Permits relating to Natural Resource Operations.

The County's Development Authority will assess the application and choose to approve or refuse it. If an application is approved, the Development Authority will include conditions that must be either:

- i. met prior to the commencement of operations; or
- ii. as ongoing conditions.

**g. Operations and Monitoring**

Once a Development Permit is approved and the prior-to-commencement conditions have been met, the applicant/landowner may begin operations in accordance with the ongoing conditions of the Development Permit.

**h. Site Reclamation**

The applicant/landowner is required to complete the reclamation of the site in accordance with the Reclamation Plan that was submitted to the province as part of the provincial approval process. When reclamation is complete, the applicant/landowner may apply for a Reclamation Certification under the *Conservation and Reclamation Regulation*. If a provincial inspector approves the reclamation, the operator obtains their Reclamation Certificate and all securities are returned as determined by the province.

**i. Transition of Land**

At the same time as applying for a provincial Reclamation Certificate, the applicant/landowner must also apply to rezone the land to reflect the new post-reclamation land use. All costs associated with this process are the responsibility of the applicant/landowner.

### 3. DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

The Development Permit application form specific to Natural Resource Operations must be:

- completed in full;
- signed by all registered landowner(s) - hand-signed and scanned signatures are acceptable, but digital/encrypted signatures are not acceptable;
- accompanied by evidence of corporate signing authority if the land is owned by a corporation, or the applicant is a corporation; and
- accompanied by a Site Plan and building/floor plans for any structure whether new construction, relocation or demolition/removal of a structure.

Brazeau County may require any information that the Development Authority deems necessary to make a decision regarding the application. Specific to Natural Resource Operation Development Permit applications, the following information must be provided in support of the proposed Natural Resource Operation activities:

#### Hours of Operation

- Space exists for input of the preferred hours of operation. However, unless the Development Authority is satisfied that community consultation and mitigation measures support extended hours, the hours of operation for natural resource extraction, processing and hauling operations have been most recently been established as 07:00 to 19:00, Monday through Friday, with weekend and statutory holiday closures.
- Expansion of operating days and hours may be considered by the Development Authority if the request is provided with:
  - support from adjacent residential landowners; and
  - submission of noise modeling analysis completed by an accredited professional.

#### Traffic/Hauling

- A Traffic Impact Assessment (TIA) prepared by a qualified professional should be submitted in support of any new Natural Resource Operation Development Permit application. This would include:
  - review of the proposed haul route;
  - an analysis of municipal infrastructure that will be impacted by the operation;
  - anticipated vehicle traffic associated within the operations on a daily, weekly, or monthly basis;
  - number of vehicles that will be used in the hauling of materials; and
  - recommendations for mitigation.
- A Traffic Management Plan (TMP) should be submitted and should include measures and commitments to ensure the quality of life is not materially impacted for those who use roadways identified as haul routes or live next to haul routes.

## **From AAMDC's Municipal Guide to Sand and Gravel Operations in Alberta**

**Although not required as part of the Development Permit Application submission, the following resource is included for reference as a example hauling commitment in support of the Natural Resource Operation Development Permit application:**

- Once all truck haul participants are employed, a general meeting will be held to discuss:
  - The Code of Conduct for Truck Operators;
  - The haul route and all identified special situations which exist along it, including but not limited to:
    - school bus routes;
    - school zones;
    - areas specifically noted on the haul route map where special conditions exist and extra care must be taken;
    - public expectations of general truck haul operations; and
    - concerns expressed initially by citizens.
- Every two weeks during truck haul operations, our site supervisor will conduct a meeting of all employed truck operators to discuss any concerns expressed by members of the public and any that have been identified by members of our organization. Any truck operator considered in violation of good operating practices will be interviewed and the nature of the infraction discussed. Corrective action will be taken as necessary. If the infraction is considered minor, the operator will be dismissed upon a second occurrence. Any truck operator who commits what is considered a major offence will be dismissed immediately upon recognition of the infraction.

### **Noise**

- A Noise Impact Assessment (NIA), prepared by a qualified professional, performed on the subject lands, should be submitted in support of any new Natural Resource Operation Development Permit application. This would include:
  - mapping showing setbacks of all dwellings within one (1 km) kilometre of the boundary of the subject lands;
  - determination of projected noise levels;
  - consideration of the cumulative impact from nearby sites;
  - acoustic mapping of the site.
- A written description of the measures that will be undertaken to address noise emanating from the operations within the pit area and on haul routes. Description to include but not limited to:
  - berms constructed at pit boundaries;
  - positioning of crushing equipment;
  - positioning of noise mitigation around the crusher;
  - specialized methods (i.e. enclosing or blanketing crusher, approved alternatives to back-up alarms, avoiding use of engine retarder brakes, etc.); and
  - methods that will be used for monitoring the noise at the pit on a regular basis to ensure compliance with acceptable decibel levels (specific methods and frequency must be indicated).

- At the request of the Development Authority, noise assessment studies may be required prior to project initiation establishing baseline data. This may be followed by ongoing noise monitoring programs as defined by the Development Authority.

## Water

- A Hydrogeology Report, prepared by a qualified professional, consistent with the *Water Act* and Alberta Environment *Guide to Groundwater Authorizations* should be submitted in support of any new Natural Resource Operation Development Permit application. Where extraction occurs below the water table, the Report should include:
  - location and description of existing water users (i.e. water wells);
  - description of the geology, hydrogeology, and surface water features on and surrounding the site;
  - hydrogeological cross-sections showing hydro stratigraphy and groundwater levels;
  - aquifers;
  - surface water and groundwater interactions;
  - proposed dewatering plan and discharge locations;
  - groundwater quality;
  - water diversions;
  - site water budget;
  - impact assessment including existing water uses and natural features; and
  - mitigation and monitoring measures, including:
    - appropriate number and location of monitoring wells;
    - sampling, testing, and reporting; and
    - availability of results to the public.
- For expansion or renewal of existing Natural Resource Operation Development Permit applications, a Hydrogeology Report prepared by a qualified professional, consistent with the *Water Act* and Alberta Environment *Guide to Groundwater Authorizations* should be provided and include:
  - impacts on water quantity as it has and may continue to affect adjacent users over the course of the life of the operation;
  - quantity and quality of well water and soil tests for the systems that may be used in conjunction with the operation;
  - amount of water required for the operation on a daily, weekly, or monthly basis; and
  - mitigation and monitoring measures, including:
    - appropriate number and location of monitoring wells;
    - sampling, testing, and reporting; and
    - availability of the results to the public.
- The applicant/landowner is required to submit in support of a Development Permit application for a Natural Resource Operation, whether the operation is new, expanding or due for renewal, a Stormwater Management Plan in accordance with the County's Minimum Design Standards.

## Waste & Wastewater

- A plan for solid waste, on-site wastewater, and if required, areas for cleaning and maintenance of equipment shall be submitted in support of a Development Permit application for a Natural Resource Operation, whether the operation is new, expanding or due for renewal.

## Dust

### From AAMDC's Municipal Guide to Sand and Gravel Operations in Alberta

**Although not required as part of the Development Permit Application submission, the following resource is included for reference as an example dust control commitment** in support of the Natural Resource Operation Development Permit application:

- Dust Control on the Haul Route (Municipal Roads)
  - During stockpiling and hauling, the roads will be watered once per hour and more frequently if visibility is an issue. Alternately, dust abatement materials such as calcium chloride will be used.
- Dust Control in the Pit
  - The roads in the pit shall be watered as required to prevent any dust carrying from the pit into the neighbouring properties or impairing visibility on adjacent municipal roads. To minimize dust generation in the pit, the following practices will be implemented:
    - maximum drop height of aggregate of two metres; and
    - all conveyor free-fall areas will be covered with tarpaulin covers.

## Air Quality

- An Air Quality Impact Assessment (AQIA) should be submitted in support of any new Natural Resource Operation Development Permit application. This would include:
  - details of the anticipated air quality impact on nearby dwellings from the operation;
  - measures which will improve any expected air quality;
  - consideration of the cumulative impact from nearby sites; and
  - parameters that will be established to monitor a site to ensure the acceptable thresholds are not being exceeded.
- For expansion or renewal of existing Natural Resource Operation Development Permit applications, an Air Quality Mitigation Plan that details both hard and soft measures that will be implemented to limit the air quality impact on nearby residential buildings should be submitted.



## **Safety**

- A safety plan should be submitted in support of a Development Permit application for a Natural Resource Operation, whether the operation is new, expanding or due for renewal and should include:
  - signage along the haul route, at the entrance of the pit, the highway and any intersections along the haul route and alternate haul route;
  - code of conduct for truck operators;
  - methods to be used to restrict public access;
  - methods to protect wildlife, neighbouring livestock and domestic animals.

Example: The pit boundary shall be posted with No Trespassing, Danger – Open Excavation signs at the pit entrance/exit and the mid-point of each side and where any trail intersects with the property. The main entrance gate shall be closed nightly. The gate and signs shall be inspected bi-weekly during operations to ensure they are functioning as designed. After seasonal shutdown, the operator shall complete monthly inspections.

## **Community Consultation Plan**

- An application for a Natural Resource Operation which is proposed for expansion or renewal should require pre-application community consultation, which should adhere to the following criteria:
  - The applicant should host an open house and invite all landowners within two (2) kilometres of the boundaries of the subject lands and all landowners located along the haul route and any alternate haul route.
  - Notice of the open house must be mailed a minimum of two (2) weeks in advance of the open house and provide an alternate opportunity for information provision and discussion for those community members unable to attend the open house.
  - A minimum of one (1) representative from Brazeau County's staff must be in attendance.
  - The open house must include an opportunity for landowners to ask questions and discuss topics of interest with the applicant.
  - A report summarizing the results of the pre-application community consultation must be provided to Brazeau County in support of the Development Permit application.
  - Results of the pre-application community consultation may inform any other conditions deemed appropriate by the Development Authority.

- A Community Consultation Plan should be submitted in support of any new Natural Resource Operation Development Permit application and should provide answers to the following:
  - Have all landowners affected by the proposed operation (those adjacent and within two (2) kilometres of the subject lands) been notified in writing of the intent to develop the site? Have all those who responded to the notice or attended the open house been engaged regarding their questions and/or concerns?
  - Are there plans laid out for adjacent residents to be notified prior to activation of pit operations?
  - Are there provisions for affected residents to be consulted on an annual basis throughout the lifespan of the operation?
    - Each operator should hold at least one (1) community event each year for the affected landowners and should allow landowners to ask questions. All affected landowners within two (2) kilometres of the operation and adjacent to haul routes will be invited via a direct-mail invitation sent at least two (2) weeks in advance of the event. An annual report summarizing the results of the community consultation should be provided to Brazeau County in support of the Development Permit.
  - How has input from affected residents been integrated into the proposal?

## From AAMDC's Municipal Guide to Sand and Gravel Operations in Alberta

Although not required as part of the Development Permit Application submission, the following resource is included for reference as an example community consultation commitment in support of the Natural Resource Operation Development Permit application:

- **Notification of Those Directly Affected:** All residents directly affected by the gravel pit development and pit operations who reside within two kilometres of the pit property have been personally interviewed and notified in writing of our intent to develop this site. We have also notified in writing and personally visited residents along the truck haul route. We have encouraged their input regarding their concerns and suggestions. Additional meetings have been held with those expressing initial concerns to address issues they raised.

During these personal interviews with directly affected people, we have developed and will continue to update a contact list of affected residents complete with address, phone numbers, fax numbers and email addresses, as applicable.

An open house was held in the local community center two weeks after a notice was placed in the local newspaper and notices were placed in various local area public buildings. Citizens' concerns have been dealt with and integrated into this proposal. Appendix A lists these concerns and references the manner in which they were addressed.

- **Affected Landowners and Residents:** One week prior to beginning pit development work, residents living within two kilometres of the site will be notified. They will also be notified one week prior to activation of pit operations as well as prior to reactivation of pit operations following seasonal shutdowns.

We expect that any concerns raised by those affected by pit operations or the truck haul will be directed to our dispatch/scale office contact person. A log will be kept of all concerns including the names of those who raised them. These concerns will be reviewed by the Pit Supervisor within 24 hours of notification and attempts will be made to mitigate or correct any problems identified. Subsequently, the person raising the concern will be advised of the action taken.

- **Haul Route Residents Between the Pit and the Highway:** Each year, haul route residents will be contacted by telephone and mail one week prior to the commencement of truck haul operations. They will be given a contact phone number and the name of the person to talk to should they have any concerns once truck haul operations are in progress. Since our truck haul will also go through Shady Nook, notification of the truck haul will be posted in the local newspaper. Occasionally, we expect to have contracts to supply highway construction projects which will create more intensive truck hauls. Haul route residents will be provided with specific notification in such cases.
- **Annual Interviews:** After the end of each season, we will conduct personal interviews of all affected residents including those on the haul route. They will be asked questions specifically related to our operations and asked to voice any concerns which they may have. Those residents which for any reason we cannot personally contact will be sent a questionnaire with a stamped, self-addressed return envelope. These annual interviews will provide the information needed to keep the affected residents contact list updated as well as address noted concerns about our operations.
- **Truckers – Operators:** All gravel truck operators will be provided with a copy of our Code of Conduct for Truck Operators, (see Appendix B) which includes special details about the truck haul route. Copies of this Code are available to interested members of the public from our dispatch/scale office at the pit site.

### **Proposed End Uses for Reclaimed Pit Area**

The end use of the land should be decided upon in consultation with the landowner, and determined based on the type of operation, location, surrounding uses, and requirements of Brazeau County's statutory plans and Land Use Bylaw. The end use may dictate sloping requirements.

Potential end uses may include agricultural, grassland, forest, wildlife habitat, waterbody, proposed subdivision, or a combination of uses. If any other use is proposed, details must be provided as part of the Natural Resource Operation application process.

If the end use is subdivision development, authorization for the proposed development must be obtained from Brazeau County. Site reclamation in preparation for subdivision will only be considered when this opportunity is permitted under the County's Municipal Development Plan and other local plans. Applicants interested in subdivision as an end use should inquire about the opportunities and requirements of Brazeau County in preparation of the reclamation plans.

**The Development Authority may refuse to accept or process an application if the required information has not been supplied, or if the quality of information is inadequate to properly evaluate the application. Contained within this document are suggestions for supporting material which we encourage applicants to submit along with their application to facilitate the decision-making process in the most efficient manner.**

## 4. SITE PLAN REQUIREMENTS

A detailed Site Plan must include the information as outlined in the Development Permit Checklist as well as the following details specific to Natural Resource Operations.

### Site Plan

- Include other areas within or adjacent to the subject lands which are to be used in conjunction with the proposed operation (i.e. employee accommodation area).
- Show the location of existing and proposed:
  - buildings (whether permanent or temporary foundations) and indicate if they are subject to being moved throughout the site as operations progress;
  - wells;
  - septic tanks and discharge areas;
  - dugouts and lagoons;
  - garbage and storage areas and fencing and screening for same;
  - culverts;
  - crossings;
  - setbacks to any dwellings within 800 m of the boundary of the subject parcel; and
  - if worker accommodation is planned, the identification of proposed area.

### Setbacks

Unless required to be larger based on the setbacks established under the land use zoning, or as required by the province, a three (3) metre buffer must be maintained from the property line to the excavation with a minimum 3:1 slope ratio. A lesser setback is subject to variance approval from the Development Authority.

However, operations which cross property lines where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining landowner(s), the Development Authority will consider a zero (0) metre setback. If the adjoining lands are publicly owned, the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body responsible for authorization of use of the lands.

Where there is an undeveloped road allowance, mining and stockpiling may occur up to and within the road allowance but shall be at the discretion of Brazeau County Council, as well as Alberta Transportation and Economic Corridors, and subject to a road closure bylaw (either temporary or permanent). Resources extracted from any road allowances are the property of Brazeau County unless otherwise confirmed by resolution of Council. Further, it may be requested that reclamation of the mined road allowance not contain a future waterbody or otherwise, and as approved by the County and Alberta Transportation and Economic Corridors, that an alternative road plan be registered to accommodate a waterbody while maintaining the road right-of-way.

### **Miscellaneous Supporting Information**

- Copies of the Security Estimates and Activities Plans, as set out in the Code of Practice for Pits and/or other provincial/federal legislation, shall be provided to Brazeau County for all Class I pits.
- Copies of the Security Estimates and Activities Plans, as set out in the Code of Practice for Pits, shall be provided to Brazeau County for all Class II pits.
- A progressive Reclamation Plan and timeline for the development must be provided.
- Any facilities, storage area, RV use area, or other major features of the development area must be included within the application and the site plan.
- Approval will be granted for a specified period of time, not to exceed ten (10) years, at the end of which the applicant will be required to apply for a new permit in order to continue the operation. Expansion of the operation area will also require the issuance of a new replacement permit.

## From AAMDC's Municipal Guide to Sand and Gravel Operations in Alberta

**Although not required as part of the Development Permit Application submission, the following resource is included for reference as an example timeline statement** (see: "Municipal Guide to Sand and Gravel Operations in Alberta" from AAMDC):

- We plan to open ABC Pit #9 in the spring of 2003. Initial mining operations will include 37 acres (15 ha) in the NW corner of Section XX. As this area is depleted, mining operations will be extended southward. The size of the deposit and current market conditions indicate that the working life of this source will be between 12 and 17 years. This estimate is based on an average usage of 200,000 tonnes/year. Although the site will be reclaimed in a sequential manner, it is anticipated that reclamation work will lag behind the final pit depletion by one full calendar year before the land is available for its final use.
- (The pit has an estimated life of 15 years based on an average usage of 80,000 tonnes/year with peak usage of 160,000t in four of the years. Development shall occur in accordance with the CRP and other permits. The intent is to restrict the size of the open pit and stockpile site to four ha and two ha respectively. Reclamation of two ha shall occur once the pit has reached the four ha limit.)
- ABC has completed a Conservation and Reclamation Plan (C&R Plan). The C&R Plan is attached as Appendix A to this document. The following is detailed in the C&R Plan:
  - Proposed development area (the total area is xx acres/yy ha);
  - Mining plan – includes planned sequential mining and reclamation and locations of equipment and stockpiles;
  - Topsoil and subsoil salvage and replacement;
  - Surface and groundwater management; and
  - Reclamation plan – includes final grades, slopes and elevations, and final land use.
- The attached C&R Plan also contains plans and cross section drawings of the existing lands and proposed post-mined land. Placements of all overburden and topsoil piles are detailed on the plans, as are the locations of gravel stockpiles and the various production facilities.

### 3. DEVELOPMENT PERMIT PROCESS

Upon receipt of a Development Permit application, staff has twenty (20) days to determine if the application is complete or if additional information is required. Following that period, the *Municipal Government Act* mandates that a decision on all Permits must be given within forty (40) days. Due to Natural Resource Operations being discretionary within the Land Use Bylaw, all applications must be presented to either the Municipal Planning Commission (MPC) or Council. Accordingly, built into the Development Permit application for a Natural Resource Operation is an extension of time authorization for the applicant to sign.

Once deemed complete, meaning all of the required supporting information is included, staff processes the application. Processing includes the circulation of notification of the application, along with maps and information generated by the County, to the following interested parties:

#### a) Referral Agencies

Meaning:

- i) power and gas service providers, FortisAlberta, TELUS and school divisions;
- ii) all interests registered on the subject parcel's Certificate of Title (e.g. if the subject parcel includes a lease road and well site, the oil company will receive a referral notice); and
- iii) any agency or government body who may have an interest in the subject lands (e.g. if access to the proposed lot(s) or remnant parcel is from a highway, a referral notice is sent to Alberta Transportation and Economic Corridors).

Referral agencies are asked to provide their comments and are given the opportunity to provide conditions of approval or reasons for refusal.

#### b) Adjacent Landowners

The application is circulated for comment to all adjacent landowners whose property is directly abutting the subject parcel, or which would be abutting the subject parcel if not for a road or waterbody. For Natural Resource Operation Development Permit application, landowners along the haul route and alternate haul route are also sent notice. At the discretion of the Development Authority, the referral area may be expanded.

#### c) Internal Circulation

The application is circulated to all Brazeau County Departments for their review and comment. This will result in a response from the Public Works Department regarding any approach conditions, road use conditions, and upgrades which may be required. Other Departments may also provide comments or conditions, depending upon the nature of the development.



The comments received are used to evaluate the application and establish conditions of approval. The applicant/landowner is responsible for addressing any concerns or issues that may be identified by any agencies and/or adjacent landowners who comment on the application. County staff is available to review the circulation responses with the applicant/owner.

Prior to the MPC or Council meeting, staff prepares a report on the application to be presented. This report is based on review of the proposed development in consideration of County bylaws and policies, a potential site visit, and comments received through the referral process. Staff will provide a recommendation for approval, tabling or refusal, as well as conditions to be included in the Development Permit or reasons in support of their recommendation for the application.

## 7. DEVELOPMENT PERMIT DECISION

Applicants (and landowners, if they are different) will be provided with a copy of the decision of the Development Authority as outlined below.

1. Approval will include a list of conditions which must be met in order for the development to be considered compliant.
2. Refusal will include a list of the reasons that the application for the Development Permit was deemed unsuitable.

Appeal of the decision of the Development Authority, whether for approval or refusal, is initiated through either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, depending on whether the lands are subject to provincial interests. Information regarding submitting an appeal will be included with the decision.

### **Possible Conditions of an Approved Development Permit Include:**

- For pits which are less than 5 hectares in size, the applicant must enter into a surface restoration agreement with the County and provide a security deposit based on the cost of reclamation to the satisfaction of the County.
- The applicant must have a hydrogeological site investigation conducted by a qualified professional prior to commencing operations at the gravel pit to determine the appropriate number and location of monitoring wells, and the monitoring requirements. Consultation with the County and Alberta Environment is required. The applicant must develop and comply with a monitoring plan as directed and agreed to by the County and Alberta Environment.
- A drainage plan must be provided and implemented to ensure that surface drainage from adjacent lands can be prevented from entering into the aquifer.

- Any structures and equipment on the land are to be removed upon the expiry or cancellation of this Development Permit.
- An annual report of the status of the gravel pit must be submitted to Brazeau County. This report is to include the mining activities that have occurred during the calendar year complete with confirmation that the conditions of the Development Permit are being followed (i.e. hours of operation, haul route).
- All trucks shall tarp loads prior to leaving the site and entering onto a public roadway. (Note: verification will be required to ensure that all trucks are equipped with means to tarp loads).
- The applicant shall enter into a Road Use Agreement, which may require the following roadways be dustproofed in accordance with County standards:
  - all haul roads located on the same site as the operation that are within 800 m of a dwelling;
  - all vehicle access points onto a County road; and
  - any County road used as a haul road that is within 150 m of an existing dwelling or recreational development, shall be dust proofed for a minimum distance of 300 m on either side of the development.

## 8. FURTHER INFORMATION

The information above is prepared and updated as of the date noted in the footer and reflects the requirements of Land Use Bylaw 1002-18. For additional information or to book a pre-application meeting, please contact:

Brazeau County  
 Planning and Development Department  
 7401 Twp Rd 494, Box 77  
 Drayton Valley, AB T7A 1R1  
 Email: [planning@brazeau.ab.ca](mailto:planning@brazeau.ab.ca)  
 Phone: 780-542-7777  
 Fax: 780-542-7770  
 Or visit our website at: [www.brazeau.ab.ca](http://www.brazeau.ab.ca)

### Natural Resource Operation Site Plan Requirements Checklist

Please use this checklist to help ensure that all portions of your Site Plan are included; separate pages showing the various aspects of a Natural Resource Operation are accepted. Any missing items will need to be added before the Development Permit application and Site Plan can be accepted.

Complete d by Applicant	Office Use Only	Site Plan Requirements
<input type="checkbox"/>	<input type="checkbox"/>	Completed in ink
<input type="checkbox"/>	<input type="checkbox"/>	North arrow
<input type="checkbox"/>	<input type="checkbox"/>	Scale of site plan (i.e. 1 square = 10 m, or 1 cm = 10 m)
<input type="checkbox"/>	<input type="checkbox"/>	Legal location of the property (long legal and lot/block/plan if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Property lines of the entire parcel
<input type="checkbox"/>	<input type="checkbox"/>	Labels for:
<input type="radio"/>	<input type="radio"/>	name of the county road or highway adjacent to the property
<input type="radio"/>	<input type="radio"/>	approach to the property
<input type="radio"/>	<input type="radio"/>	existing buildings
<input type="radio"/>	<input type="radio"/>	proposed buildings (with dimensions or area)
<input type="radio"/>	<input type="radio"/>	easements, rights-of-way, or public utility lines
<input type="radio"/>	<input type="radio"/>	hazard lands (steep slopes, ravines, etc.) and waterbodies
<input type="checkbox"/>	<input type="checkbox"/>	Setbacks for Operating areas to:
<input type="radio"/>	<input type="radio"/>	all property lines
<input type="radio"/>	<input type="radio"/>	hazard lands
<input type="radio"/>	<input type="radio"/>	all easements, rights-of-way or public utility lines
<input type="checkbox"/>	<input type="checkbox"/>	Setbacks of proposed building(s) to:
<input type="radio"/>	<input type="radio"/>	property lines
<input type="radio"/>	<input type="radio"/>	hazard lands
<input type="radio"/>	<input type="radio"/>	nearest easement, right-of-way and public utility lines, including oil & gas infrastructure
<input type="radio"/>	<input type="radio"/>	nearest well site, battery site, etc.
<input type="radio"/>	<input type="radio"/>	hazard lands or water course measured from the top of the bank
<input type="checkbox"/>	<input type="checkbox"/>	Location and type of waterbodies (rivers, end pit lakes, wetlands, dugouts, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Location and dimensions of:
<input type="radio"/>	<input type="radio"/>	undisturbed buffer areas
<input type="radio"/>	<input type="radio"/>	any outdoor or chemical storage areas
<input type="radio"/>	<input type="radio"/>	parking areas
<input type="radio"/>	<input type="radio"/>	any worker accommodation areas
<input type="checkbox"/>	<input type="checkbox"/>	Phasing of excavation and reclamation areas
<input type="checkbox"/>	<input type="checkbox"/>	Drainage within the overall site (include any impacts to/from adjacent lands)
<input type="checkbox"/>	<input type="checkbox"/>	Location of stockpiles and overburden to act as buffering
<input type="checkbox"/>	<input type="checkbox"/>	Location and setback of signs to overhead powerlines and property lines
<input type="checkbox"/>	<input type="checkbox"/>	Haul route map and alternate haul route map