



## STAFF REPORT

**Title:** Fischer Strom Water Pond - Environmental Approvals

**Meeting Date:** March 19, 2019

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### **Executive Summary:**

This report provides the latest update on the status of the regulatory approval required for the construction of Fischer Strom Water Pond.

### **Background:**

Fischer Storm Water Management Facility (SWMF) construction was initiated in 2006 through Joint Venture (JV) partnership between City of Cold Lake and Developers. Council is aware of the long history of this project and various hurdles it faced including federal and provincial regulatory approvals.

As part of the approval process and to response landowner ship issues with the crown, a land exchange was to happen between Province and JV group. The process for land exchange was initiated in 2016 with AEP issuing Letter of Intent on March 9, 2016 which was agreed to be effective April 16, 2016. AEP confirmed that the legal survey of land has been prepared and the next step is to prepare a formal offer and signed by all parties. This was communicated through an email on April 10, 2018, (nearly 2 years later).

Since then several inquiries were made to the office of Approvals and Disposition Service but unfortunately no outcome so far. The processing delay resulted in multiple joint venture parties leaving the project and additional costs to redesign the SWMF in order to keep the project moving for the remaining parties. The City of Cold Lake has now modified the JV agreement and is successful in bringing all parties to the table. Currently all the original parties are back and committed to completing the Fischer Pond Project to the original design to accommodate the growth in our community.

Due to the fact that the engineering consultant has become so frustrated with AEP, the City of Cold Lake contacted the office of Approvals and Disposition Service directly on Feb 5, 2019 (another year later) and was advised that they will provide an update in one month. We requested for an update on March 12, 2019 and were advised that some sort of progress was made but again failed to suggest completion timelines and hinted to further next steps (which is concerning).

It should also be noted that the Water Act approval granted by AEP for the construction of this Storm Water Management Facility will expire on March 23, 2019 (This month).



Despite having AEP's environmental approvals, the project could not proceed in any configuration due to the hold up from the AEP's Approvals and Disposition Service. An extension request for 24 months was sent to AEP on Feb 8, 2019. This is an added hurdle to many others due to delay in the land exchange by AEP.

Administration is of the opinion that the City of Cold Lake write a letter to Minister advising on the issue and request assistance to expedite the process.

**Alternatives:**

Committee may choose to take this report as information only and wait for Alberta Environment and Parks response.

**Recommended Action:**

Administration recommends that the Committee recommend that Council write a letter to the Minister advising on the issue and request assistance to expedite the process

**Budget Implications (Yes or No):**

No.

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer