



Request for Assistance For Drainage Works

The Request for Assistance (RFA) process provides clients with access to WSA support. Under the RFA process, a person experiencing a drainage issue (a Petitioner) makes a request for assistance to WSA. WSA first determines if drainage works exist in the area of concern, whether the drainage works have an approval and if they are being operated within the conditions in the approval. Our goal is to provide clients with support to achieve an approved project that supports sustainable agricultural development and addresses impacts.

In some cases, individuals are impacted by drainage works and the Water Security Agency (WSA) is committed to helping these clients develop solutions to address local water management issues.

Drainage is a key part of growing Saskatchewan. It has made land available for communities, roads, crops and resource development. Many producers rely on drainage works to improve efficiency and profitability on the farm. Responsible drainage ensures that landowners can manage water while addressing the impacts on neighbours and the environment. Supporting clients through approval of properly designed drainage projects that manage key agri-environmental priorities is a goal of the Water Security Agency's Agricultural Water Management Strategy.

Request for Assistance Guide

What is an RFA?

The Request for Assistance (RFA) process is intended to assist individuals who are experiencing water management issues related to drainage works. The submission of an RFA provides a formal way for individuals to request support from WSA to resolve a local issue. The process is intended to ensure that individuals who are experiencing drainage related water management issues are heard and responded to in a way that is fair. The process also places a focus on addressing issues through drainage approvals rather than strictly on closures.

What types of issues are handled via the RFA process?

Any person (Petitioner) who has a water management issue related to agricultural drainage works that they believe has caused or has the potential to cause damage to their property may submit a request for assistance form to WSA for support.

What types of issues are not handled via the RFA process?

Not all water management issues are the result of drainage works and may not be handled through the RFA process. WSA is granted certain authority through *The Water Security Agency Act* and if the issue does not fall within this authority, WSA has limited ability to resolve the issue. Certain issues are more appropriately handled through other agencies and legislative powers.

For example, the following items are typically not eligible for assistance through the RFA process:

- If you have flooding associated with subdivision stormwater management, beaver dams, or an exceptional natural event.
- If you require access to water, but it is being impeded by a beaver dam or lack of roadway culvert maintenance.
- If you have concerns relating to water allocation issues for irrigation, or industrial uses.
- Water quality concerns.

For these or other non-drainage issues, please contact Client Services at 1.866.727.5420 and they will direct your inquiry to the appropriate division within WSA or an agency responsible outside WSA.

If I have an issue related to drainage works, what should I do?

The first step is for a Petitioner to call WSA at 1.866.727.5420.

WSA Compliance staff will be in touch within five (5) business days to discuss your issue. Depending on the information you provide, they will be able to assess whether the issue is best addressed through the request for assistance process or if your issue is better resolved through another WSA unit or an outside agency.

If it is determined that the RFA process is the best way to address your needs, the technologist will walk you through the next steps, including providing support to complete the RFA form and providing you with the options to pay the filing fee.

The Water Security Agency has implemented a fee for filing a Request for Assistance. If the RFA is deemed valid, the fee will be refunded to the client. If the RFA is deemed invalid and dismissed, the fee will be retained by WSA. This fee has been introduced to minimize the number of invalid RFA submissions and to assist WSA Compliance Assurance resources to focus on resolving valid RFAs.

How will WSA determine if my RFA is valid?

Every drainage project is unique, however typically, an RFA is considered valid if there are unapproved drainage works on the lands identified in the RFA which are impacting the petitioner's lands identified in the RFA.

WSA considers many facts when determining if an RFA is valid and can only determine if the RFA is valid following an investigation.

When an RFA is deemed valid, WSA will provide a Recommendation to the Respondent to bring their works into compliance by obtaining a drainage approval or closure of works. If the RFA is determined to be invalid it will be dismissed.

What are the Respondent's options when there are issues with unapproved works?

I. Go through the Approval Process

Providing assistance to clients to achieve approvals is our priority and preferred route. If the Respondent decides to pursue an approval, they must be able to show that, within the specified deadline, they can work together with landowners in their community and network. This includes the ability to get permission or land control from their neighbors in the network. WSA takes a risk-based approach and in some areas unapproved drainage may pose a higher risk. In these areas, a Respondent may also need to employ the services of a Qualified Person to carry out the technical design and administrative process.

II. Go through the Closure Process

If the Respondent is unsuccessful in pursuing an approval, or if they prefer to restore the works to natural conditions, they can choose to voluntarily close their drainage works. In these cases, WSA can provide on-site technical assistance to aid the Respondent in restoring the works to natural conditions at the proper location. If drainage works have been voluntarily closed, the Respondent and Petitioner will receive a letter indicating that the works have been closed and natural conditions restored.

RFA Process Overview

Step 1

If an individual has a water management issue related to drainage and local collaboration has not resulted in a solution, the Petitioner can contact WSA Compliance to determine the likelihood the issue they are experiencing can be addressed through the RFA process.

If the issue cannot be handled through the RFA process, WSA Compliance will work with the Petitioner to refer them to the appropriate WSA division or outside agency.

Step 2

Following consultation with WSA Compliance, in situations where the RFA process is deemed appropriate, the Petitioner has the option to file an RFA. The Petitioner will need to complete the RFA application form and provide payment of the filing fee to WSA.

Step 3

Upon receipt of the RFA application form and fee, WSA will ensure completeness of the application form and prepare an Acknowledgement letter that will be sent to both the Petitioner and the Respondent.

Step 4

WSA will investigate the RFA and issue a Recommendation or Dismissal letter to the Respondent with a copy to the Petitioner. The RFA fee will be refunded or retained according to the outcome of the investigation.

- On straightforward files, WSA has set an objective to have the decision and recommendation letter issued within six months of issuance of the Acknowledgement letter.
- On complex files, WSA has set an objective to have the decision and recommendation letter issued within twelve months of issuance of the Acknowledgement letter.
- Time to complete an investigation and issue a decision will be dependent on the time of year, field conditions and the type of information to be collected.

Step 5

The Recommendation will provide the Respondent with options for either approval or voluntary closure and 30 days to advise WSA of their preferred pathway forward. WSA will continue to provide support to the Respondent throughout the entire compliance process. In this 30-day window, the Respondent should review the land control requirements for their drainage works and contact landowners involved.

Step 6

The timeline for voluntary closure will be dependent on seasonality and suitable field conditions to complete the work. Typically, this will be four to eight months. The timeline for the approval process will depend on project size, complexity, and the level of cooperation between the landowners involved. Typically, this can take 12 to 18 months.

Step 7

If the Respondent does not make a reasonable effort to obtain an approval or voluntarily close the drainage works, WSA may escalate compliance and enforcement activities through Orders, forced closure and/or prosecution.