The Council of the Alberta Land Surveyors’ Association met on December 6, 2018. Here is a summary of Council’s discussions.

From the Registrar
Council approved a branch office application in Canmore for Element Land Surveys Inc. under the supervision, direction and control of Duong Le, ALS.

Committee Chairs
Council welcomed the committee chairs to the meeting. The committee chairs provided a mid-year report on the status of their terms of reference.

Director of Surveys
Council welcomed the Director of Surveys to the Council meeting.

Council asked the Director of Surveys about the comments made by MLAs and the cancellation of the ministerial order. The Director of Surveys replied that the government could have terminated the agreement with cause but decided to cancel with agreement with one year’s notice. Council asked the Director of Surveys why there was no consultation with the ALSA about his concerns. The Director of Surveys said that the business model had changed. He agreed to provide his report to the minister to the ALSA.

Council asked whether the government would add its own mark-up when it becomes responsible for the sale of iron posts and marker posts. The Director of Surveys said that it is too soon for him to say.

Council asked for a reply to its May 16th letter to the Director of Surveys requesting a Section 9 of the Surveys Act investigation. The Director of Surveys was not immediately familiar with the request and agreed to look into it and respond to the ALSA.

The Director of Surveys reported that the Fort McMurray resurvey consultation was complete.

The Director of Surveys indicated that changes are coming to how existing dispositions are renewed. The Director of Surveys said that there will be an announcement to ALSA members with enough lead time to before changes are implemented.

Council asked about the Director of Surveys sending an ALSA from his office to Council meetings if he is unable to attend. The Director of Surveys replied that public land dispositions and cadastral surveying are very important to him and this is a leadership opportunity but that the ALSA and the DOS will not agree on everything. There is a need to clarify the old relationship and streamline that position.

The ALSA met with the deputy minister about its concerns
with the relationship with the Director of Surveys and will have follow-up meetings with the assistant deputy minister.

Council approved a proposal from Izaak de Rijcke, an Ontario Land Surveyor and lawyer, to prepare a report for the ALSA to help clarify the respective roles and responsibilities between a professional regulator, a government office with certain statutory duties and yet another government office that has other statutory duties which are complementary but not identical.

A New Way to Deal with Dormant Plans

Council endorsed a “consent to registration of dormant right-of-way plan” statutory declaration for situations where an Alberta Land Surveyor is unable to obtain a consent from the client.

The statutory declaration will be added to the Land Titles Procedures Manual.

At the 2018 AGM, there was a new business motion “moved by Mr. Lee Andersen, seconded by Mr. Courtney Tripp, that it is recommended that the Council of the Alberta Land Surveyors’ Association ask an existing committee or create a new committee to engage with Land Titles and other relevant regulatory authorities to come up with a solution to our problem with being unable to register constructed right-of-way plans when we are unable to get the owner of the facility to sign the consent and present a report to next year’s AGM.”

The ALSA met with Minister Brian Malkinson and had follow-up meetings with Land Titles staff which led to the creation of the statutory declaration.

The statutory declaration states that the ALSA has been unable to obtain the Section 81(2) consent and that by virtue of their engagement/retainer agreement with the client, they are making the request as their agent as it is in the public interest.

The statutory declaration is also available on the ALSA website.

The ALSA would like to thank Minister Brian Malkinson for his assistance and, in particular, Richard Schlachter and Curtis Woollard of Alberta Land Titles, for working with Lee Andersen and Courtney Tripp on this collaborative effort.

Wetland Authentication

Council approved a new application for wetland authentication for Alberta Land Surveyors who wish to authenticate regulatory documents submitted as part of a Water Act application.

The application is on the ALSA website.

In 2017, Council endorsed the Professional Responsibilities in Completion and Assurance of Wetland Science, Design and Engineering Work in Alberta that was prepared in cooperation with the nine other professional regulatory organizations and Alberta Environment & Parks. As part of endorsing the document, the ALSA has taken on the responsibility to ensure its members are aware of, understand, and adhere to this document and the intent of the Alberta Wetland Policy. More specifically, the ALSA
may approve practitioners who wish to authenticate regulatory documents submitted as part of a Water Act application.

Alberta Environment and Parks was tasked with developing a new Alberta Wetland Policy and to provide assurance to Albertans that our wetlands are being managed to a high professional standard. It is the purpose of this document to set forth those requirements.

There are two purposes to this document.

• Support the addition of a wetland-focused practice area to each PRO-10. The PRO-10 has agreed to implement this practice standard for professional practice. However, it is not in the scope of this document to provide specific advice on how recommendations in this report should be implemented within each profession.

• Provide authenticating professionals within the PRO-10 a competency guideline for wetland science, design, and engineering in Alberta under the Alberta Wetland Policy. Authenticating professionals should use this document for self-evaluation, and to assist in the selection of appropriate contributing professionals so as to meet all of the requirements under the Alberta Wetland Policy.

Electronic Voting for Council Members
Council tabled a recommendation from the Legislation Committee to amend the bylaws to allow for electronic voting of Council members at the AGM.

The concept of voting electronically for Council members was approved by the membership at the 2018 AGM and the Legislation Committee was directed to put forward a bylaw amendment for approval at the 2019 AGM.

Council determined that one aspect of the proposed bylaw amendment needed clarification and referred the matter back to the Legislation Committee so Council may consider the recommendation at its January meeting.

Disposition Plans Showing Activity within Public and Private Land
Council approved a recommendation from the Standards Committee to forward an amendment to the Manual of Standard Practice for consideration by the membership.

If approved, Part D, Section 5.14 would be added to the MSP as follows:

Part D
Section 5.14 – Disposition Plans Showing Activity Within Public and Private Land
When surveying linear activities on private and public lands, see the acceptable methods listed in the AEP Content Requirements for Survey Plans and Sketches. Factors to be considered when determining which method to use may include:

• The disposition type (PLA/DPL, LOC/DLO, EZE);

• The relative length on public lands and private land;

• Whether the same plan is also being used for other purposes than land application such
as construction, and/or licensing;
• Whether the plan is a pre-construction plan or an as-built plan.

If preparing a single plan, ensure areas are segregated and that the plan clearly differentiates between private and public lands.

The intent of the recommendation is to provide land surveyors with some literature in the MSP on how to deal with linear activities and develop some consistency with how this is dealt with. The addition to the MSP will also direct the surveyor to the AEP Content Requirements for Survey Plans and Sketches document.

The problem is survey companies have been dealing with linear activities that are in both private and Public Lands a little differently. AEP currently accepts a plan in 3 different ways.

The recommendation adds a section to the MSP to provide guidance on how to determine how to deal with the situation of a linear activity in both private and Public Lands.

**Hybrid Cadastre Surveys**
Council approved a recommendation from the Standards Committee to forward an amendment to the Manual of Standard Practice for consideration by the membership.

If approved, Part D, Section 5.13 would be added to the MSP as follows:

**Part D**
**Section 13: Hybrid Cadastre Surveys**
This section deals with public lands disposition surveys conducted under the Hybrid Cadastre Standards established by the Director of Surveys.

A practitioner may prepare a hybrid plan of survey in lieu of a conventional plan of survey as stipulated within the Public Lands Administration Regulation (PLAR) Tables A1 and A2.

Before carrying out surveys for a hybrid plan or a survey interacting with a hybrid plan an Alberta Land Surveyor should be familiar with the following documents:

• Hybrid Cadastre Standards,
• PLAR Tables A1 and A2,
• Content Requirements for Survey Plans and Sketches

The most recent version of these documents can be found at the Alberta Environment and Parks website.

The intent of the recommendation is to add a section to the MSP acknowledging the hybrid standards to make practitioners aware of them.

Council also approved expanding the Standards Committee’s term of reference to include surveying practices related to hybrid cadastre surveys.

**Position Papers**
Council gave unanimous approval to a recommendation from the Future Committee to retain Bryan Bates, ALS and his company Cognitact to prepare a position paper for the Alberta Land Surveyors’ Association on the dormant
plan issue. Mr. Bates will review existing materials, consult with stakeholders, analyze gaps and prepare recommendations. Council approved the proposal based on an upset fee with funds to come from the Position Paper Research Fund.

Council approved the distribution of a request for proposal to engage qualified researchers to produce in-depth background material on a coordinate based cadastre. The paper should identify stakeholders and discuss the impacts on each if a coordinate based cadastre is implemented within the Province of Alberta.

Council considered two other potential position papers to be prepared under the direction of the Future Committee but these ideas were referred back to the Future Committee.

Council gave second and final reading to the establishment of a Position Paper Research Fund shall be used to pay subject matter experts to research a topic and prepare a position paper on the matter. Any position paper or topic must be approved by Council before the Association enters into a contract. Unless otherwise agreed to, monies shall not be paid to the subject matter experts until such time as the position paper has been accepted by Council. Each year, Council shall set the balance of the fund at $50,000.

**What to Show on an RPR**

Council approved sending a questionnaire, similar to the one distributed to the membership last month, to realtors and real estate lawyers to get their feedback on what improvements should be shown on commercial and residential RPRs.

The ALSA RPR Working Group (RPRWG) is looking for feedback as to what should be shown on an RPR for residential and commercial properties.

**Number of Exam Sittings**

Council accepted a recommendation from the Registration Committee to not change the number of times that each of the written examinations is offered.

Council, based on a new business motion at the 2018 AGM, directed the Registration Committee to revisit the feasibility of allowing for the simultaneous administration of both articled pupil examinations.

The Registration Committee reviewed the matter and decided to recommend to Council that it is not feasible to offer both exams at this time. In summary, there would be a significant amount of extra time required to set each additional exam.

Approximately 280 volunteer ALS hours would be required to set, mark and review both extra exams. Four to eight weeks’ worth of salary and extra hours would need to be put in by the Registrar. The Registration Committee also felt it is too soon to deviate from the recommendations of the Articling Pupil Ad Hoc Committee which was used to establish the current process.

**Alberta Underground Infrastructure Legislation**

*Bill 211*, the *Alberta Underground Infrastructure*
Notification System Consultation Act, was introduced in the fall 2018 sitting of the Alberta Legislature.

The Alberta Land Surveyors’ Association will write a letter expressing its concern with the proposed definition of “ground disturbance” and that “ground disturbance” is defined in a number of different health & safety documents in different ways.

The bill passed first reading and was referred to Standing Committee on Resource Stewardship.

Diversity and Inclusion
Council gave second and final reading to a recommendation from the Communications & Public Relations Committee that the following diversity and inclusion statement be added to the ALSA policy manual.

The Alberta Land Surveyors’ Association is committed to a diverse membership that reflects the qualities and differences of the broader population it represents. The Alberta Land Surveyors’ Association is equally committed to an inclusive membership that welcomes, respects and values the diversity of members and supports them to actively engage in the association and achieve their full potential.

It is expected that, in the 2019-2020 term, each committee will have a term of reference to review the actions and policies under its sphere of influence to ensure compliance with diversity and inclusion statement.

FOSS4G Calgary 2020 Bid
Council agreed to contact the OSGeo Conference Committee and indicate that the Association supports the efforts of the Calgary LOC as they seek to be selected for the FOSS4G conference.

FOSS4G is the acronym for Free and Open Source Software for Geospatial. It is the annual recurring global event hosted by OSGeo since its inception in 2006.

Award Nominations
Council gave first reading to a policy that would consolidate the existing ALSA awards (Professional Recognition Award, Outstanding Service Award and Geomatics Award of Excellence), provide more specific criteria for the award and establish a more formal vetting process.

The proposed revised wording for the Professional Recognition Award is available here.

The proposed amendments will come back to the January Council meeting for second and final reading. Members who have any comments or concerns should contact any Council member or the ALSA office.

The existing awards will remain in effect for the 2019 AGM.

Financial Policies
Council gave first reading to amending the Association’s financial policies based on the review conducted by the Secretary-Treasurer.
The intent of the amendments is to clean up some wording, clarify some sections and ensure consistency. References to the ministerial order will be removed. Each of the reserve funds will have a dollar value associated with it.

The proposed amendments are available here.

The proposed amendments will come back to the January Council meeting for second and final reading. Members who have any comments or concerns should contact any Council member or the ALSA office.