

What is a legislated re-survey?

A literal meaning of a re-survey would be to survey the previously surveyed boundaries. Arguably almost every survey requires some retracing or re-establishing of the existing boundaries, but that is not a re-survey within the context of the *Surveys Act* of Alberta (the **Act** can be found at <http://www.qp.alberta.ca/documents/Acts/S26.pdf>). The Act allows for a re-survey which is a legislated procedure that will establish governing survey monuments at the corners of parcels of land that had been previously surveyed under the Act.

In the case of the Fort McMurray wildfire, much of the survey evidence was damaged by post-fire cleanup operations. Upon a resolution passed by the Regional Municipality of Wood Buffalo, the Minister of Environment and Parks empowered the Director of Surveys to appoint an Alberta Land Surveyor (Larry Pals with Pals Geomatics, was selected through a competitive process) to conduct the re-survey in accordance with the Act.

The Act stipulates several requirements including public notifications and hearings. Following that, the Minister has the authority to confirm the re-survey. The Minister's confirmation of the re-survey is final and conclusive and shall not be questioned in any court even if original survey monuments are subsequently discovered.

The Director of Surveys has prepared a workflow diagram showing the statutory provisions at each stage of the resurvey. A pdf of the document can be requested via email. AEP.RESURVEYFM@gov.ab.ca.