



Approval Application or Notification for Changes In and About a Stream

Under Section 9 of the *Water Act* and Part 7 of the *Water Act Regulations*

*Incomplete or inaccurate forms do not constitute **Notification** & will not be accepted.*

Proceeding with works after submission of an incomplete or inaccurate form would be a violation of the Water Regulation

APPROVAL APPLICATION

NOTIFICATION¹ (see USERS' GUIDE)

1. Applicant Information

Name:		
Address:		
City:	Province:	Postal code:
Phone:	e-mail:	

2. Location of Works

Street Address of Works (or nearest town):		
Stream Name:	Flows Into:	
Location on Stream:		
Reference Landmarks:	Amount of disturbance in m ² :	
Multiple Sites: YES / NO:	Number of sites:	
Latitude:	Longitude:	Elevation:
Legal description of property where work is proposed:		

3. Drawing, Plan and Site Map

1. Attach drawing showing lot boundaries, location of buildings and of proposed works, stream direction and flow.
2. Attach a key map at an appropriate scale showing the location of the site.
3. Attach engineering drawings (may be required for works identified with ^ε under **Requires Approval** section below).

4. Proposed Timing for Work

Start (day/month/year):	Finish (day/month/year):
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FOR OFFICE USE ONLY

Date Received:	Water File Number:
	Client Number:
	Application Number:
	Amount Received:
	Receipt Number:

5. Type of Works

<p>Requires Approval:</p> <p><input type="checkbox"/> Bank Erosion Protection ^E</p> <p><input type="checkbox"/> Bridge Installation/maintenance/removal (other than clear span) ^E</p> <p><input type="checkbox"/> Stream Diversion ^{QP} Diversion berm structure plan required</p> <p><input type="checkbox"/> Large Debris Removal – by machine ^{QP} plan required</p> <p><input type="checkbox"/> Gravel Removal ^{QP}</p> <p><input type="checkbox"/> Other: Provide details in space below</p> <p>*Provide culvert dimensions:</p> <p>Length:</p> <p>Width:</p> <p>Diameter:</p> <hr/> <p>^E Professional Engineer may be required</p> <p>^{QP} Qualified Professional may be required</p>	<p>Requires Notification:</p> <p><input type="checkbox"/> Installation*/maintenance/removal of road crossing culvert (*follow Forest Practices Code Stream Crossing Guidebook)</p> <p><input type="checkbox"/> Construction/maintenance/removal of a clear span bridge</p> <p><input type="checkbox"/> Construction/maintenance of a pipeline crossing</p> <p><input type="checkbox"/> Construction/maintenance/removal of a pier or wharf</p> <p><input type="checkbox"/> Cutting of annual vegetation in a stream channel</p> <p><input type="checkbox"/> Repair/maintenance of existing dike or erosion protection works</p> <p><input type="checkbox"/> Construction/maintenance of storm water outfalls</p> <p><input type="checkbox"/> Control of Eurasian Watermilfoil or other aquatic vegetation</p> <p><input type="checkbox"/> Construction/maintenance of ice bridge, winter ford or snowfall</p> <p><input type="checkbox"/> Maintenance of minor and routine nature by a public utility</p> <p><input type="checkbox"/> Removal of a beaver dam (As authorized under the Wildlife Act)</p> <p><input type="checkbox"/> Small debris removal – by hand</p> <p><input type="checkbox"/> Construction of a temporary ford</p> <p><input type="checkbox"/> Construction of a temporary diversion around a worksite</p>
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The following require Notification and may only be undertaken by the Crown in right of either Canada or British Columbia, or their Agents:

Federal/Provincial

Construction/maintenance/removal of a flow or water level **measuring device**

Construction/removal of a **fish fence** or **screen, fish or game guard**

Restoration/maintenance of **fish habitat**

The following require Notification and may only be undertaken by the Crown in right of either British Columbia, or a Municipality, or their Agents:

Provincial/Municipal

Restoration/maintenance of a **stream channel**

Clearing of an obstruction from a bridge or culvert during a flood emergency¹

Construction or placement of **erosion protection works or flood protection** works during a flood emergency²

¹ Some activities fitting the description for Notification may be reviewed by Ministry/Agency staff, who may decide that an Approval is required

² Must be completed under direction of the Crown. No notification is required prior to undertaking works, but a description of changes must be submitted to a habitat officer within 72 hours of the change

^{QP} QP means a professional who through suitable education, experience, accreditation and knowledge may be reasonably relied on to provide advice within their area of expertise.

Detailed Description of Work to be Performed (continue on next page):

Total area disturbed by proposed works (all sites): _____ m²

Detailed Description of Work to be Performed, continued (attach a separate document if more space is required):

6. Land Ownership

Please check one of the following:

The applicant is the owner of the property.

The property is Crown land. Tenure/licence number:

The property is owned by the following Landowner (i.e. Landowner is different from applicant):

Landowner's Name:

Address:

City:

Province:

Postal code:

Phone:

e-mail:

Do you have the Landowner's written approval to enter the land(s) to complete the works? Yes No

Note: a) Ownership of all parcels of land on which the proposed works will occur must be identified, b) do not attach the written approval with the application, but keep it for your files as you may be asked to produce it during an inspection or audit.

7. Who is doing the Work?

Contact information for company designing and supervising construction of the work (if different from applicant):

Company Name:

Contact Name:

Professional Affiliation:

Address:

City:

Province:

Postal Code:

Phone:

e-mail:

Contact information for company undertaking the construction (if different from applicant):

Company Name:

Contact Name:

Address:

City:

Province:

Postal Code:

Phone:

e-mail:

8. Statement of Intent

By submitting this application form, I declare that the information contained on this form is complete and accurate information. I have read, understood and will meet the requirements to construct works and changes in and about a stream in accordance with Section 9 of the *Water Act* and Part 7 Water Act Regulations including, for Notifications, **Terms and Conditions** as specified by a Habitat Officer of the Ministry of Environment.

Signed: _____

Application Date: _____
day/month/year

9. Submission Instructions

Send the completed form along with the following attachments to the local office in which the proposed works are located. Addresses for local offices are listed on the instruction sheet. **Please note that the Approval application fee of \$130 is non-refundable.** If the proposed works require an Approval, prior to proceeding further with this application please ensure that this project will be able to proceed under the Federal *Fisheries Act*.

- Sketch plan (mandatory) Engineering drawing (mandatory for works requiring approval noted with ^E)
- Key location map (mandatory) For works requiring an Approval, a cheque or money order for \$130 payable to: Minister of Finance. The fee is non-refundable.

10. Responsibilities

You are required to comply with all applicable federal, provincial and municipal laws and regulations. If you anticipate that the planned work may result in harmful alteration, disruption or destruction of fish habitat you should send a copy of your completed Notification/Approval Application directly to the nearest office of Fisheries and Oceans Canada. Review and comment by DFO may necessitate changes to the proposed works.

Has a copy of this notification/approval application been sent to Fisheries and Oceans Canada (check one)?
YES NO

If YES, indicate the DFO office that the notification/approval application has been sent (for DFO offices, see Users' Guide):

Instructions and Guidelines For Completing the Approval Application and Notification Form

Please fill in all sections of the form.

Incomplete forms do not constitute notification and will not be accepted.

Applications must be submitted to the appropriate office prior to commencement of any work, and must accommodate local fish timing windows.

After reading "[A Users Guide to Working In and Around Water](#)" and the [Water Regulation Part 7, Section 36 to 44](#), by checking one of the boxes, indicate at the top of the form whether you are submitting an Approval Application or making Notification.

1. Applicant Information

Enter your name, mailing address, telephone number, and e-mail address.

2. Location of Works

- Identify the street address of works and the name and location of the stream/lake on which you intend to carry out the proposed works. If works occur on more than one property all properties must be identified.
- Indicate what stream, river or lake the stream flows into.
- Specify where on the stream/lake the works are to take place. Be as specific as possible (e.g. provide the distance from road crossing or confluence with another stream) and reference landmarks were available.
- Indicate the latitude, longitude and elevation of the site.
- Indicate the location of works if different from your mailing address.
- Enter a complete legal description of the property on which the works are to be carried out (e.g. Lot 1 of Section 31, Township 20, Range 2, Coast District, Plan 18411). This information is listed on your annual assessment or land tax notice, or you may obtain it by requesting a copy of your Certificate of Title from the appropriate Land Title Office.

3. Drawing, Plan and Site Map

Attach a drawing or map, which clearly shows:

- The total amount of disturbance (m²), including multiple sites if applicable
- A key map showing the general location of the proposed work site
- The lot boundaries of where the works are to take place
- The exact location of proposed works
- The stream and direction of flow
- The location of house/buildings/other works
- The approximate scale (e.g. 1 cm = 10 m)

A copy of part of a cadastral or topographic map or legal plan, at a reasonable scale, may be used for the drawing, including photographs of the site is beneficial.

4. Proposed Timing for Work

Indicate proposed start and finish date of the works (day/month/year).

For instream work window times for your area, check the Ministry of Environment regional websites: http://env.gov.bc.ca/esd/esd_reg_ops.htm .

5. Type of Works

Identify the nature of the works by checking one of the boxes. Also, note the dimensions of the works and list length, width and diameter where appropriate.

Provide a detailed description of the work to be performed and specify the maximum total area expected to be disturbed by the proposed works.

Only the types of works described under Section 44(1) in Part 7 of the Water Regulation may proceed by notification and without an approval under the Water Act.

Note that the following items do not require notification or approval, but must be carried out in accordance with the regulation:

- Installation or cleaning of drain tile outlets
- Repair/maintenance of superstructure of bridge
- Installation/repair/maintenance/removal of fences

6. Land Ownership

- If you own the land on which the works are to be carried out, check the first box and go to section 7 of the form.
- If you are not the owner of the land, indicate whether the land is privately owned or owned by the Crown.
- For all private lands, you must have the landowner's written approval. The application form must contain the landowners address, telephone number and postal code. Do not attach the landowner's written approval with the application, but keep it in your files as you may be asked to produce it during an inspection or audit.
- If you have Tenure or License on Crown Land, please include the Tenure or License number on your application.

7. Who is Doing the Work?

If you are not carrying out the work, indicate contractor/company's name, professional affiliation, mailing address, postal code and telephone numbers. If a different company is designing and supervising the work, please include this information as well.

It is the applicants responsibility to ensure that any contractor working on your behalf reads and understands the Approval, "A Users' Guide to Working In and Around Water"; the Water Regulation Part 7, Sec. 36 - and/or terms and conditions specified by a Habitat Officer under Section 42 and/or recommended by your Qualified Professional as related to the protection of habitat.

8. Statement of Intent

Make sure each section of the form is filled out and that the information is accurate and complete. After you have read and understood the conditions outlined in the Section 7 Water Act Regulation and ensured that your project meets all requirements and will comply with Section 9 of the Water Act or part 7 of the Water Act Regulations (including, for Notifications, Terms and Conditions specified by the Habitat Officer, Ministry of Environment), please sign and date the form.

9. Submission Instructions

When your form is complete, send it, along with the appropriate attachments to:

APPROVAL APPLICATIONS

The Ministry of Environment or field office indicated on the last page of this document.

NOTIFICATIONS

You must submit a notification form **prior to** starting proposed changes in and about a stream. Notifications must be provided to the Ministry of Environment office located nearest to the proposed works, except for those works located in the Thompson, Okanagan, Kootenay regions, where both Approval Applications and Notifications are to be provided to Ministry of Environment in Kamloops. Regional requirements such as Terms and Conditions and guidance material such as best management practices and useful local information are located on regional MoE web pages <http://env.gov.bc.ca/main/prgs/regions.htm>. Additional terms and/or conditions related to the protection of habitat may also be specified by a Habitat Officer.

It is the applicant's responsibility to ensure that all sections of the notification form are complete. Submission of an incomplete form **does not** constitute notification. For notifications, if you agree to all the requirements, including the Habitat Officers Terms and Conditions, you may proceed with your proposed changes without waiting for a formal response from MoE. Notifications received by regional offices of MoE will be used to plan and carry out on-site inspections and monitoring during and after the changes in and about a stream.

10. Responsibilities

You are required to comply with all applicable federal, provincial and municipal laws and regulations.

The Federal *Fisheries Act* states “no person shall carry on any work or undertaking that results in harmful alteration, disruption or destruction of fish habitat” and “no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish”. Failure to show due diligence in the protection of fish and fish habitat could result in violations of the *Fisheries Act*.

If installing a culvert, you must use the Forest Practices Code: Fish Stream Crossing Guidebook, 1998, prepared by MOF and MoE and available at: <http://www.for.gov.bc.ca/tasb/legsregs/fpc/FPCGUIDE/FishStreamCrossing/FSCGdBk.pdf>, or you must contact Fisheries and Oceans Canada.

Many instream works also require approval under the Navigable Waters Protection Act: <http://www.pacific.ccg-gcc.gc.ca>

Also, it is strongly recommended that “Standards and Best Practices for Instream Works” be used, where applicable, when working in and around streams: <http://env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf>

The Provincial Water Act and Regulation can be found at: http://www.qp.gov.bc.ca/statreg/stat/W/96483_01.htm

11. Office Locations

A. THOMPSON, OKANAGAN and KOOTENAY REGIONS, all APPROVAL APPLICATIONS and NOTIFICATIONS are to be submitted to:

Front Counter BC-Natural Resource Opportunity Centre
Suite 210 - 301 Victoria St
Kamloops BC V2C 2A3
Tel: (250) 372-2127

B. FOR ALL OTHER REGIONS OF BRITISH COLUMBIA

APPROVAL APPLICATIONS must be submitted to the Ministry of Environment Service Regions or Field Offices nearest to the proposed works (click here to view regional map <http://www.lwbc.bc.ca/07contact/regions.html>):

Service Centre - Surrey

Suite 200-10428 153rd St
Surrey BC V3R 1E1
Tel: (604) 586-4400
Fax: (604) 586-4434
[Surrey](#)

Service Centre - Prince George

Suite 200, 1488 4th Ave
Prince George BC V2L 4Y2
Tel: (250) 565-6779
Fax: (250) 565-6941
[Prince George](#)

Fort St. John

Room 370
10003 110th Ave
Fort St John BC V1J 6M7
Tel: (250) 787-3415
Fax: (250) 787-3219
[Fort St. John](#)

Service Centre - Nanaimo

501-345 Wallace St
Nanaimo BC V9R 5B6
Tel: (250) 741-5650
Fax: (250) 741-5686
[Nanaimo](#)

Williams Lake

201-172 North Second Ave
Williams Lake BC V2G 1Z6
Tel: (250) 398-4574
Fax: (250) 398-4836
[Williams Lake](#)

Smithers

PO Box 5000
3rd Floor 3726 Alfred Ave
Smithers BC V0J 2N0
Tel: (250) 847-7334
Fax: (250) 847-7556
[Smithers](#)

NOTIFICATIONS must be submitted to Ministry of Environment Regional Offices except the Thompson, Okanagan and Kootenay regions as described above (Click here to view [regional map](#)):

[Vancouver Island Region](#)

2080 Labieux Road
Nanaimo BC V9T 6J9
Phone: (250) 751-3100
Fax (250) 751-3103

[Lower Mainland Region](#)

2nd Floor
#10470 152nd Street
Surrey BC V3R 0Y3
Phone: (604) 582-5200
Fax: (604) 930-7119

[Omineca Region](#)

4051 18th Avenue
Prince George BC V2N 1B3
Phone: (250) 565-6135
Fax: (250) 565-6629

[Peace Region](#)

400-10003 - 110 Avenue
Fort St. John BC V1J 6M2
Phone: (250) 787-3411
Fax: (250) 787-3490

[Cariboo Region](#)

#400 - 640 Borland Street
Williams Lake BC V2G 4T1
Phone: (250) 398-4530
Fax: (250) 398-4214

[Skeena Region](#)

PO Box #5000
3726 Alfred Avenue
Smithers BC V0J 2N0
Phone: (250) 847-7260
Fax: (250) 847-7591