

VERSION 1.0
Valid until March 31, 2007

Public and community beaches often require maintenance to uphold the recreational features that they offer. Beach maintenance activities include replenishing **existing** beaches with new beach material, grading and removing terrestrial vegetation that migrates onto the beach area. This Operational Statement does not apply to private beaches in front of individual cottage or residential properties due to the wide variability of environmental conditions encountered at such sites.

The near shore waters around beaches provide important habitat for aquatic organisms such as fish, invertebrates and aquatic vegetation. Many fish species lay their eggs, feed and seek protection from predators in these near shore areas. Maintenance of beaches can potentially result in negative impacts to this near shore fish habitat.

Fisheries and Oceans Canada (DFO) is responsible for protecting fish and fish habitat across Canada. Under Section 35 of the *Fisheries Act* no one may carry out a work or undertaking that will cause the harmful alteration, disruption or destruction (HADD) of fish habitat unless it has been authorized by DFO. By following the conditions and measures set out below you will be in compliance with Subsection 35(1) of the *Fisheries Act*.

The purpose of this Operational Statement is to describe the conditions under which it is applicable to your project and the measures to be incorporated into the design, construction and maintenance of your beach maintenance project in order to avoid negative impacts to fish habitat. You may proceed with your Beach Maintenance project adjacent to **freshwater lakes, rivers and streams** without a DFO review when you meet the following conditions:

- ▶ it is the maintenance of an existing public or community beach and does not include creating a new beach (this activity is addressed in the *Beach Creation Operational Statement*),
- ▶ maintenance activities do not include expanding the current size of the beach,
- ▶ new beach material will not be placed below the high water mark, and
- ▶ you incorporate the *Measures to Protect Fish and Fish Habitat when Maintaining a Beach* listed below in this Operational Statement.

If you cannot meet all of the conditions listed above and cannot incorporate all of the measures listed below then your project may result in a violation of Subsection 35(1) of the *Fisheries Act* and you could be subject to enforcement action. In this case, you should contact the DFO office in your area if you wish to obtain more information on the possible options you should consider to avoid contravention of the *Fisheries Act*.

This Operational Statement does not release you from the responsibility of obtaining any other permits or approvals that may be required under municipal, provincial, territorial and federal legislation that apply to the work being carried out in relation to this Operational Statement. If you have questions regarding this Operational Statement, please contact DFO by telephone at (418) 775-0726 or by email at Habitat-qc@dfo-mpo.gc.ca.

We ask that you notify DFO, preferably 10 days before starting your work, by filling out and sending the attached notification form to: Fisheries and Oceans Canada, Fish habitat management branch, 850 route de la Mer, C.P. 1000, Mont-Joli, Québec, G5H 3Z4; Fax: (418) 775-0658. This information is requested in order to evaluate the

effectiveness of the work carried out in relation to this Operational Statement.

This Operational Statement applies to the province of Québec.

Measures to Protect Fish and Fish Habitat when Maintaining a Beach

1. Place new beach material on a flat, gently sloping area of the beach to prevent excess material from entering the water body.
2. Beach material is to be clean (i.e. free of debris, silt, organic material or other contaminants) and is not to be taken from below the high water mark of any water body.
3. Operate machinery on land (above the high water mark) and in a manner that minimizes disturbance to the banks of the water body.
 - 3.1. Machinery is to arrive on site in a clean condition and is to be maintained free of fluid leaks.
 - 3.2. Wash, refuel and service machinery and store fuel and other materials for the machinery, which include hand tools, away from the water to prevent any deleterious substances from entering the water.
 - 3.3. Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
4. While this Operational Statement does not cover the clearing of riparian vegetation, the removal of select plants that have migrated onto the existing beach area may be needed to maintain recreational needs. This removal should be kept to a minimum and when practicable, remove vegetation by hand and prune or top instead of uprooting.
5. Any dead aquatic vegetation that washes onshore may be removed by hand.
6. Stabilize any vegetative waste material above the high water mark to prevent it from entering any water body.
7. If you need to remove aquatic vegetation refer to the Aquatic Vegetation Removal Operational Statement.

Aussi disponible en français.

www.dfo-mpo.gc.ca/oceans-habitat/Index_f.asp



NOTIFICATION FORM

Québec
Operational Statement

VERSION 2.0
Valid until March 31, 2007

PROPONENT INFORMATION			
NAME:			
STREET ADDRESS:			
CITY/TOWN:		PROVINCE/TERRITORY:	POSTAL CODE:
TEL. NO. (RESIDENCE):		TEL. NO. (WORK):	
FAX NO:		EMAIL ADDRESS:	
CONTRACTOR INFORMATION (provide this information if a Contractor is working on behalf of the Proponent)			
NAME:			
STREET ADDRESS:			
CITY/TOWN:		PROVINCE/TERRITORY:	POSTAL CODE:
TEL. NO. (RESIDENCE):		TEL. NO. (WORK):	
FAX NO:		EMAIL ADDRESS:	
PROJECT INFORMATION			
Select Operational Statements that are being used (check all applicable boxes):			
<input type="checkbox"/> Aquatic Vegetation Removal	<input type="checkbox"/> Culvert Maintenance	<input type="checkbox"/> Maintenance of Riparian Vegetation in Existing Rights-of-Way	
<input type="checkbox"/> Beach Creation	<input type="checkbox"/> Directional Drilling	<input type="checkbox"/> Moorings	
<input type="checkbox"/> Beach Maintenance	<input type="checkbox"/> Dock Construction	<input type="checkbox"/> Overhead Lines	
<input type="checkbox"/> Beaver Dam Removal	<input type="checkbox"/> Ice Bridges	<input type="checkbox"/> Punch and Bore Crossings	
<input type="checkbox"/> Bridge Maintenance	<input type="checkbox"/> Isolated Ponds	<input type="checkbox"/> Routine Maintenance Dredging	
<input type="checkbox"/> Clear-Span Bridges	<input type="checkbox"/> Log Salvage	<input type="checkbox"/> Underwater Cables	
Select the type of water body or watercourse at or near your project:			
<input type="checkbox"/> River, Stream, Creek	<input type="checkbox"/> Marine (Ocean or Sea)		
<input type="checkbox"/> Lake (8 hectares or greater)	<input type="checkbox"/> Estuary		
<input type="checkbox"/> Pond or wetland (pond is less than 8 hectares)			
PROJECT LOCATION (S) (fill out this section if the project location is different from Proponent Information; append multiple project locations on an additional sheet if necessary)			
Name of water body or watercourse		Coordinates of the Project (UTM co-ordinate or Degrees, Minutes, Seconds), if available	
		Easting: Latitude:	Northing: Longitude:
Legal Description (Plan, Block, Lot, Concession, Township, Section, Range)		Directions to Access the Project Site (i.e., Route or highway number, etc.)	
Proposed Start Date (YYYY/MM/DD):		Proposed Completion Date (YYYY/MM/DD):	

We ask that you notify DFO, preferably 10 working days before starting your work, by filling out and sending in, by mail or by fax, this notification form to: Fisheries and Oceans Canada, 850 Route de la Mer, P.O. Box 1000, Mont-Joli, Québec G5H 3Z4; Fax : (418) 775-0658. This information is requested in order to evaluate the effectiveness of the work carried out in relation to the Operational Statement.

I, _____ (print name)
certify that the information given on this form is, to the best of my knowledge, correct and complete.

Signature

Date

Note: If you cannot meet all of the conditions and cannot incorporate all of the measures in the Operational Statement then your project may result in a violation of Subsection 35(1) of the *Fisheries Act* and you could be subject to enforcement action. In this case, you should contact the DFO office in your area if you wish to obtain DFO's opinion on the possible options you should consider to avoid contravention of the *Fisheries Act*.

Information about the above-noted proposed work or undertaking is collected by DFO under the authority of the *Fisheries Act* for the purpose of administering the fish habitat protection provisions of the *Fisheries Act*. Personal information will be protected under the provisions of the *Privacy Act* and will be stored in the Personal Information Bank DFO-SCI-605. Under the *Privacy Act*, individuals have a right to, and on request shall be given access to, any personal information about them contained in a personal information bank. Instructions for obtaining personal information are contained in the Government of Canada's Info Source publications available at www.infosource.gc.ca or in Government of Canada offices. Information other than "personal" information may be accessible or protected as required by the provisions of the *Access to Information Act*.

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