

The placement of cables on the beds of freshwater lakes and rivers is a common practice used to deliver utility services (i.e., electricity and telephone) across water bodies when overhead lines are not feasible. The placement of underwater cables is more favourable than using unconfined open trench methods, which bury the cables within the substrate of the lake or river. Placing cables on the beds of freshwater lakes or rivers typically generates less sediment and avoids the need to use machinery in the water. In some instances, however, cables may need to be buried near to the shoreline for operational safety reasons.

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 measures to be used when placing your underwater cable in order to avoid negative impacts to fish habitat. You may proceed with your underwater cable project without a DFO review when you meet the following conditions:

- ▶ unconfined open trench methods, including ploughing and water-jetting, to bury cable are not used, and
- ▶ you incorporate the *Measures to Protect Fish and Fish Habitat when Placing Underwater Cables* 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 DFO's opinion on the possible options you should consider to avoid contravention of the *Fisheries Act*.

You are required to respect all municipal, provincial, territorial or federal legislation (for example, the *Navigable Waters Protection Act*) that applies to the work being carried out in relation to this Operational Statement. If you have questions regarding this Operational Statement, please contact the DFO by telephone at (418) 775-0726 or by email at [Habitat-qc@dfo-mpo.gc.ca](mailto:Habitat-qc@dfo-mpo.gc.ca).

We ask that you notify DFO, preferably 10 working days before starting your work by filling out and sending the attached notification form to: Fisheries and Oceans Canada, 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.**

Aussi disponible en français.

## Measures to Protect Fish and Habitat when Placing Underwater Cables

1. Where cables are buried within 10 metres of the high water mark, ensure that:
  - 1.1. To prevent disruption to spawning fish and incubating eggs adhere to the following timing windows: between June 27 and September 1, unless it is clearly established that the work schedule will not interfere with the fish species life cycles.
  - 1.2. Isolate trench work to contain suspended sediment and prevent it from entering the surrounding waters.
  - 1.3. Install effective sediment and erosion control measures before starting work to prevent entry of sediment into the water body. Inspect them regularly during the course of construction and make all necessary repairs if any damage is discovered.
2. Any natural woody material or boulders that are moved to facilitate the placement of the cable on the substrate should be relocated to a similar depth within the water body in close proximity to their original location.
3. Operate machinery in a manner that minimizes disturbance to the banks or bed 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 away from the water to prevent any deleterious substance from entering the water.
  - 3.3. Keep emergency spill kit on site in case of fluid leaks or spills from machinery.
  - 3.4. Restore banks to original condition if any disturbance occurs.
4. While this Operational Statement does not cover the extensive clearing of riparian vegetation, the removal of select plants may be necessary to accommodate the cable. This removal should be kept to a minimum.
5. Vegetate any disturbed areas by planting and seeding preferably with native trees, shrubs or grasses and cover such areas with mulch to prevent soil erosion and to help seeds germinate. If there is insufficient time in the growing season remaining for the seeds to germinate, stabilize the site (e.g., cover exposed areas with erosion control blankets to keep the soil in place and prevent erosion) and then vegetate the following spring.



# NOTIFICATION FORM

Québec  
Operational Statement

VERSION 2.0  
Valid until March 31, 2007

<b>PROPONENT INFORMATION</b>			
NAME:			
STREET ADDRESS:			
CITY/TOWN:		PROVINCE/TERRITORY:	POSTAL CODE:
TEL. NO. (RESIDENCE):		TEL. NO. (WORK):	
FAX NO:		EMAIL ADDRESS:	
<b>CONTRACTOR INFORMATION</b> (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:	
<b>PROJECT INFORMATION</b>			
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)			
<b>PROJECT LOCATION (S)</b> (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:	Northing:
		Latitude:	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](http://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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