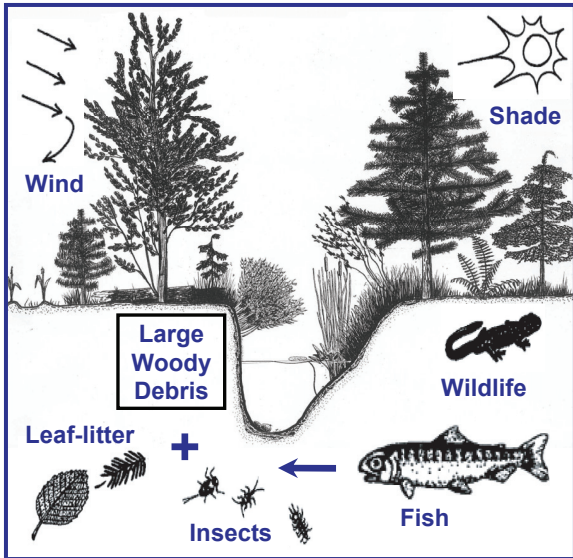


# What is a Riparian Area?

Riparian areas are the areas bordering on streams, lakes, and wetlands that link water to land. The blend of streambed, water, trees, shrubs and grasses directly influences and provides fish habitat.



## Fish need trees!

The riparian area is fish habitat. It provides shade and shelter from predators, as well as a home and food for the insects that are food for fish. It provides wood to the stream that provides shelter and nutrients. The Riparian Area also protects water quality by filtering rainwater runoff and slowing flow from heavy rains. The spongy soils soak up excess water and release it slowly, protecting you from floods and sudden bank erosion.

Riparian areas are highly productive ecosystems and are a critical source of British Columbia's biodiversity.

## What can I do?

Preventing damage to riparian fish habitat is easier than restoring it if damage has occurred. You can restore damaged riparian areas by allowing natural revegetation to take its course and by re-establishing native plants, as appropriate. Encourage your neighbours to do the same. Fish don't understand property boundaries!

## Value for fish and for people.

Permanently protected natural areas make neighbourhoods desirable and can have a positive impact on your property values.

Protected riparian areas mean:

- Better surface and ground water quality
- Lower water and waste treatment costs
- Higher aesthetic values
- Lower greenhouse gas emissions
- Healthy fish habitat
- Lower flood hazards
- Better air quality, and much more!

It will take all of us working cooperatively in our communities and with all levels of government to keep riparian areas healthy. To verify that our collective efforts are adequately protecting riparian areas, spot inspections and ongoing project monitoring of development will be conducted.



## For more information:

Consult your local government to learn about the permit and approval process for developments in your riparian area. To find out more about how you can protect and conserve riparian areas and obtain the RAR implementation guidebook visit:

- [www.env.gov.bc.ca/habitat/fish\\_protection\\_act/riparian/riparian\\_areas.html](http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/riparian_areas.html)

For a list of regional districts and municipalities where the Riparian Areas Regulation applies visit:

- [www.env.gov.bc.ca/habitat/fish\\_protection\\_act/riparian/documents/TablewithLocalgovernments.pdf](http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/documents/TablewithLocalgovernments.pdf)

For more information about riparian areas visit:

- [www.livingbywater.ca](http://www.livingbywater.ca)
- [www.stewardshipcentre.bc.ca](http://www.stewardshipcentre.bc.ca)

# Do you have a Stream, Lake, Wetland or Ditch on or beside your property?



## You need to know:

Provincial and Federal legislation may apply to you. This brochure is intended to assist land owners & developers who are planning development activities in riparian areas adjacent to streams or other water bodies.

*This pamphlet is a guide only.* It is not a substitute for the Federal Fisheries Act, the Riparian Areas Regulation or your local government's bylaws.

# It's the Law.

You will need to protect riparian fish habitat when your new development or redevelopment project is near a **stream, river, creek, pond, lake, or a connected ditch, spring or wetland**, if it provides fish habitat or provides nutrients to fish habitat.

Valuable riparian **fish habitat** is protected by the federal **Fisheries Act** and the provincial **Fish Protection Act** (including the **Riparian Areas Regulation (RAR)**), and the **Water Act** and municipal bylaws.

**Fish habitats** are areas on which fish depend on directly or indirectly for a variety of needs including **spawning, nursery, rearing, food supply and migration**.

## If your project is...

...a residential, commercial or industrial activity **within 30 metres of a watercourse, AND**

**You are planning any of the following:**

- Removing or altering plants
- Disturbing soils
- Constructing buildings and structures
- Constructing roads, trails, docks, wharves, bridges
- Creating hard surfaces such as decks and pavement
- Installing works for flood protection
- Developing drainage systems and utility corridors
- Servicing sewage and water systems
- Servicing subdivisions

...the **Riparian Areas Regulation** may affect your development. The regulation encourages responsible development. It helps you conduct your activities responsibly to avoid degrading valuable riparian fish habitat.

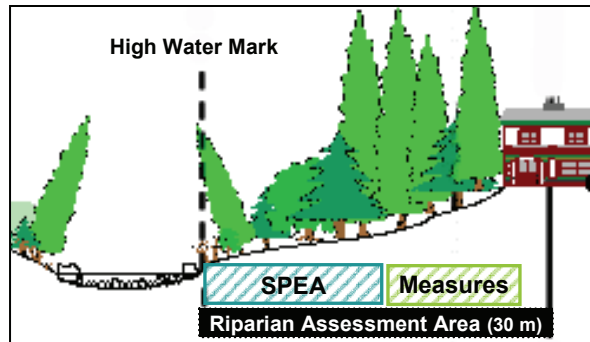
## About the Regulation:

Under the **Fish Protection Act** local governments may ensure the protection of riparian areas in a number of different ways. The Riparian Areas Regulation is **provincial legislation** that requires **local governments in applicable areas** to protect riparian areas during residential, commercial, and industrial development.

**Consult with your local government** to find out how their bylaws require your development project near a watercourse to recognize and protect riparian areas.

## When RAR applies to you:

If the **Riparian Areas Regulation** applies to your development, you need to have your property assessed by a **Qualified Environmental Professional**. The assessment will determine the **Streamside Protection and Enhancement Area (SPEA)** on your property, which represents the development setback to prevent degradation of fish habitat. Additional measures to maintain riparian fish habitat, such as sediment and erosion control, may be included in the assessment. SPEA vegetation must be left in, or allowed to return to, a natural, undisturbed state. Formal trails and landscaping may be restricted in SPEAS if they have the potential to damage vegetation and/or interfere with the ability of the riparian area to provide fish habitat.



**Qualified Environmental Professionals (QEPs)** include agrologists, biologists, foresters, geoscientists, and technologists who are in good standing with their respective professional organizations **working in their area of expertise**. To find a QEP who has undertaken training specific to the **Riparian Areas Regulation**, contact the Fisheries Extension Program at Malaspina College or visit [www.mala.ca/faep](http://www.mala.ca/faep).

## To get your project approved:

### Step 1

Check with your **local government** for the rules that apply to developing property within the riparian area (**30 metres of a stream, shore or ravine bank**)

### Step 2 (a)

If your local government has **determined setbacks** based on fish values in their bylaws, you need to abide by them. **Go to Step 6.**

### OR

### Step 2 (b)

Where your local government is willing to consider development in riparian areas and has **not established setbacks**, a **Qualified Environmental Professional (QEP) will be required** to assess the development site to determine the setbacks and protection measures. The QEP's assessment should be completed **early in the development process** so your project is **designed** to avoid impact on riparian area including for fish habitat.

### Step 3

The QEP completes the **assessment report** that evaluates the riparian area (see diagram previous panel) using a standard procedure. The assessment determines how to protect riparian fish habitat.

### Step 4

If it is not possible to accommodate the development based on the QEP report, the development proposal can usually be adjusted:

- By developing **outside the riparian area**,
- Through **redesign** of the development to avoid impacts on the riparian area, or
- Through the local government's **flexibility option or relaxing** of other setbacks (for more information see Implementation Guidebook).

If there is no buildable area outside of the setback, with support from your local government you can consult with **Fisheries and Oceans Canada (DFO)** to explore other options.

### Step 5

The **QEP submits the report** to Ministry of Environment (MoE) to notify them of the development. MoE then notifies the local and federal governments that the QEP report has been received.

### Step 6

If the SPEAS in the riparian areas can be protected, your local government **may now approve** your development subject to other conditions and bylaws.

When you fully and carefully implement the **Streamside Protection and Enhancement Areas (SPEAs)** and related measures within riparian areas, as provided by a Qualified Environmental Professional (QEP) following a RAR Assessment, you should not, in the opinion of Fisheries and Oceans Canada (DFO), cause a **harmful alteration, disruption or destruction (HADD)** of riparian fish habitat.