

**Terms and Conditions for changes in and about a stream specified by the Habitat Officer
Ministry of Environment, Lower Mainland Region (March, 2006)**

Part 7 of the *British Columbia Water Regulation* (the Regulation) specifies a number of general conditions applicable to those changes in and about a stream that can be undertaken without the necessity of obtaining an approval or licence. For some types of changes, prior notification of a habitat officer is required. Section 42(1) of the Regulation authorizes the habitat officer to specify additional terms and conditions for those changes. This document provides the terms and conditions of the habitat officer for the Ministry's Lower Mainland Region. The Ministry's [*Standards and Best Practices for Instream Works*](#) should be consulted for assistance in meeting these terms and conditions:

To protect habitat, a person making a change in and about a stream under the Water Regulation, other than under section 44(1)(o) to (s) or 44(2), must make that change in accordance with the following terms and conditions.

1. All activities must be undertaken in accordance with the most recent version of the [*Guidelines for Reduced Risk Instream Work Windows, Ministry of Environment, Lower Mainland Region*](#).
2. The natural rate of water flow must be maintained immediately upstream and downstream of the worksite during all phases of instream activity.
3. In fish streams, the removal of stable, natural materials from the stream or stream channel is not permitted. In non-fish streams, the permanent or temporary removal of stable, naturally occurring material must be minimized and completed in accordance with Part 7 of the *Water Regulation*.
4. If de-watering of the worksite is necessary, salvage of fish and aquatic wildlife by an appropriately qualified professional must occur prior to commencing works. All required salvage permits must be obtained prior to commencing salvage activities from the Ministry's [*Permit and Authorization Service Bureau*](#).
5. Adequate measures must be taken to ensure that equipment (e.g. water pumps) does not harm aquatic life.
6. Disturbance to natural materials and vegetation that contribute to fish and wildlife habitat or stream channel stability must be minimized.
7. Any disturbed areas (e.g. riparian areas) must be restored to function as they did in their pre-disturbance condition. Appropriate native seed/plant/tree species must be used to restore the site to pre-disturbance conditions. Restoration must be completed in a manner that will minimize colonization and spread of noxious weeds.
8. Proponents are responsible for determining whether the federal Department of Fisheries and Oceans (DFO) must be consulted and whether an authorization from DFO is required, prior to making the change. No harmful alteration, disruption or destruction (HADD) of fish habitat is authorized by this document.