

**Terms and Conditions for Changes In and About A Stream Specified by
MOE Habitat Officers, Cariboo Region**

Section 42 (1) of the *Water Regulation* gives authority to a Habitat Officer to add specific conditions to ensure the protection of habitat in addition to the conditions of general application. Under this authority, MWLAP Habitat Officers, Cariboo Region, require the following mandatory terms and conditions:

42 (1) To protect habitat, a person making a change in and about a stream under this regulation, other than under Section 44(1)(o) to (s) or (2), must make that change in accordance with terms and conditions specified by the habitat officer with respect to (Note: under the Water Act a “stream” includes a natural watercourse or source of water supply, whether usually containing water or not, ground water, and a lake, river, creek, spring, ravine, swamp and gulch);

(a) The timing window or the period or periods of time in the year during which the change can proceed without causing harm to fish, wildlife or habitat,

The timing window of least risk to fish and fish habitat must be applied to all activities in fish streams as well as tributaries that have a risk of depositing sediment into fish streams. Windows of least risk are designed to protect all fish species known to occur in a stream. One way fish presence can be confirmed is through a fish inventory database¹. Please note if using this database that the lack of fish records for a particular area is not necessarily equivalent to fish absence. All streams are assumed to have both spring and fall spawners, until proven otherwise. Windows of least risk for the Cariboo Region are as follows:

CONTACT THE APPROPRIATE DEPARTMENT OF FISHERIES AND OCEANS OFFICE FOR THE IN-STREAM WINDOWS FOR SALMON SPECIES.

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the 100 Mile House Forest District.

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Throughout, elevation greater than 1325 m	RB	August 7	October 15
Throughout, elevation less than 1325 m	RB	July 22	October 31
Throughout	KO	July 22	August 31
Throughout	EB	July 22	September 15
Throughout	MW	July 22	September 15

¹ Fisheries Inventory site <http://www.bcfisheries.gov.bc.ca/fishinv/>

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the 100 Mile House Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Boss Creek, Hendrix Cr., Deception Cr., Canimred Cr., Ruth Redfern Cr., Spanish Cr., Jim Cr. (upstream of outlet to Bowers Lake), Windy Cr., Bridge Cr. (upstream of Stack Lakes), Phinetta Cr., Tributaries to Birch Lake and Lac des Roches, McDonald Cr., Hihium Cr., Scot Cr., Brown Cr.	RB	August 7	October 15
Bonaparte River and Lower reaches of any creeks tributary to the Fraser river	ST, RB, Salmon	July 22	August 15
McKinley Cr., Lower reaches of Eagle Cr. and Bradley Cr., 111 Mile Cr., Dekka Cr. and Bridge Cr. (upstream of Buffalo Cr.), Lower reaches of Canimred Cr., Upper reaches of Bonaparte River.	RB, KO	July 22	August 31
111 Mile Cr., Scottie Cr., Fifty-nine Cr., Fifty seven Cr., Fifty One Cr.,	RB, EB, MW	July 22	September 15
All other streams	All	July 22	October 31

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Central Cariboo Forest District.

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Horsefly R. (downstream of falls) and tributaries, McKinley Cr. and tributaries, Woodjam Cr. downstream of falls, Moffatt Cr. downstream of falls, less than 1325 m elevation.	RB, BT, KO, CH, CO, SK, MW.	July 22	August 15
Horsefly R. (downstream of falls) and tributaries, McKinley Cr. and tributaries, Woodjam Cr. downstream of falls, Moffatt Cr. downstream of falls, greater than 1325 m elevation.	RB, BT, KO, CH, CO, SK, MW.	August 7	August 15
Horsefly R. (upstream of falls) and tributaries, Woodjam Cr. upstream of falls, McKusky R. and tributaries, MacKay R. and tributaries, Moffatt Cr. upstream of falls, less than 1325 m elevation.	RB, MW.	July 22	October 31
Horsefly R. (upstream of falls) and tributaries, Woodjam Cr. upstream of falls, McKusky R. and tributaries, MacKay R. and tributaries, Moffatt Cr. upstream of falls, greater than 1325 m elevation.	RB, MW.	August 7	October 31

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Central Cariboo Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Quesnel R. and tributaries, Cariboo River, Lynx Cr., Blue Lead Cr., Penfold Cr., Mitchell R., less than 1325 m elevation.	RT, BT, KO, CH, CO, SK, MW.	July 22	August 15
Quesnel R. and tributaries, Cariboo River, Lynx Cr., Blue Lead Cr., Penfold Cr., Mitchell R., greater than 1325 m elevation.	RT, BT, KO, CH, CO, SK, MW.	August 7	August 15
Beaver Cr. watershed and tributaries, less than 1325 m. elevation.	RB, KO.	July 22	August 31
Beaver Cr. watershed and tributaries, greater than 1325 m. elevation.	RB, KO.	August 7	August 15
Big Cr. and tributaries, less than 1325 m elevation	RB, BT, CH, CO	July 22	August 15
Big Cr. and tributaries, greater than 1325 m elevation	RB, BT	August 7	August 15
Churn Cr. and tributaries less than 1325 m.	RB, BT	July 22	August 15
Churn Cr. and tributaries greater than 1325 m.	RB, BT	August 7	August 15
Chilcotin R. tributaries,	RT, BT, CH, CO.	July 22	August 15
Fraser River and tributaries less than 1325 m.	ST, BT, KO, MW	July 22	August 15

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Central Cariboo Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Beedy Cr. watershed, Sheridan Cr., Big Lake Cr., San Jose River d/s of the falls less than 1325 m.	RB, KO	July 22	August 31
Beedy Cr. watershed, Sheridan Cr., Big Lake Cr., San Jose River d/s of the falls greater than 1325 m.	RB, KO	August 7	August 31
All other streams within the Central Cariboo District < 1325 m.	Fall and spring spawning species	July 22	August 15
All other streams within the Central Cariboo District > 1325 m.	Fall and spring spawning species	August 7	August 15
Throughout, greater than 1325 m elevation.	RB.	August 7	October 31
Throughout, less than 1325 m elevation.	RB.	August 7	October 31
Throughout, less than 1325 m elevation.	CT	July 22	October 31
Throughout, greater than 1325 m elevation.	CT	August 7	October 31
Streams with species not mentioned.	WF.	July 22	August 31
Throughout	KO	July 22	August 31
Throughout	BT	July 22	August 16
Throughout	MW	July 22	August 31
Throughout	ST	July 31	August 15
Throughout	DV	July 22	August 15
Throughout	CMC	Site specific.	

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Quesnel Forest District.

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Baker Cr. watershed downstream of Puntataenkut (Tibbles) lake, and for Merston sub-basin downstream of District Lot 2454.	RB, CH.	July 15	July 31
Baker Cr. watershed downstream of Puntataenkut (Tibbles) lake, and for Merston sub-basin upstream of District Lot 2454.	RB.	July 15	October 31
Nazko R., Euchiniko R., Blackwater R. and tributaries downstream of Nazko R.,.	CH, RB.	July 15	July 31
Blackwater R. and tributaries upstream of Nazko R.	CH, BT, RB.	July 22	July 31
Blackwater R. headwaters	RB, BT, CH	July 22	July 31
Bowron R. watershed.	CH, BT, RB.	July 22	July 25
Cariboo R. watershed	CH, BT, RB.	July 22	August 7
Swift R. and tributaries upstream of the falls including Bendixon Cr	CH, BT, RB.	July 15	July 31
Cottonwood/Swift R. and their tributaries, downstream of the falls.	CH, RB, BT.	No Reduced Risk Work Window	
Dean R. watershed.	All species	Not confirmed, site specific.	
Narcosli Cr. watershed.	CH, RB.	July 15	July 31
Quesnel R. watershed.	CH, RB.	July 15	July 31
Willow R. watershed.	CH, BT, RB.	July 15	July 25
Other Fraser R. tributaries.	All species	July 15	July 31

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Quesnel Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Creeks and rivers within the Kluskus Supply Area.	All species	Not confirmed, site specific.	

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Chilcotin Forest District.

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Lower Chilcotin R. (downstream of confluence with Chilko R.) Chilko R. downstream of Chilko Lake, Taseko R. and tributaries, less than 1325 m elevation.	ST, RB, BT, WF, CH, SK, CO, CMC.	July 31	August 15
Lower Chilcotin R. (downstream of confluence with Chilko R.) Chilko R. downstream of Chilko Lake, Taseko R. and tributaries, greater than 1325 m elevation.	ST, RB, BT, WF, CH, SK, CO, CMC.	August 7	August 15
Upper Chilcotin R. (upstream of the confluence of Chilko R.) and tributaries, less than 1325 m elevation.	ST, RB, BT, WF, CH, CO, CMC.	July 31	August 15
Upper Chilcotin R. (upstream of the confluence of Chilko R.) and tributaries, greater than 1325 m elevation.	ST, RB, BT, WF, CH, CO, CMC.	August 7	August 15

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Chilcotin Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Homathko R. watershed (including Mosely Cr.), less than 1325 m elevation.	RB, BT, DV.	July 22	August 15
Homathko R. watershed (including Mosely Cr.), greater than 1325 m elevation.	RB, BT, DV.	August 7	August 15
KlinaKlini R. watershed, less than 1325 m elevation.	RB, BT, CT.	July 22	August 15
KlinaKlini R. watershed, greater than 1325 m elevation.	RB, BT, CT.	August 7	August 15
Upper Dean R. watershed, less than 1325 m elevation.	RB, DV	July 22	August 15
Upper Dean R. watershed, greater than 1325 m elevation.	RB, DV.	August 7	August 15
All portions of the Nazko R. watershed less than 1325 m elevation.	RB.	July 31	August 15
All portions of the Nazko R. watershed greater than 1325 m elevation.	RB.	August 7	October 31
Puntzi Cr. watershed, less than 1325 m elevation.	RB.	July 22	October 31
Puntzi Cr. watershed, greater than 1325 m elevation.	RB.	August 7	October 31
All other streams within the Chilcotin Forest District, less than 1325 m elevation.	Any species	July 22	August 15

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Chilcotin Forest District (continued).

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
All other streams within the Chilcotin Forest District, greater than 1325 m elevation.	Any species	August 7	August 15
Streams with species not mentioned.	ST.	July 31	August 15
Streams with species not mentioned, less than 1325 m elevation	RB.	July 22	October 31
Streams with species not mentioned, greater than 1325 m elevation	RB.	August 7	August 15
Streams with species not mentioned.	KO.	July 22	August 31
Streams with species not mentioned.	BT.	July 22	August 15
Streams with species not mentioned.	DV.	July 22	August 15
Streams with species not mentioned, less than 1325 m elevation.	CT.	July 22	October 31
Streams with species not mentioned, greater than 1325 m elevation.	CT.	August 7	October 31
Streams with species not mentioned.	WF.	July 22	August 31
Streams with species not mentioned.	CMC	Site specific.	

Region 5 (Cariboo): Reduced Risk Work Windows for Fish and Fish Habitat for the Mid Coast Portion of the North Island and Mid Coast Forest District.

It should be known and understood that there is no actual time when fish (adults, fry, juveniles, alevins or eggs) are not within numerous watershed systems in the Mid Coast portion of the North Island and Mid Coast Forest District. However, these timing windows provide the time of least risk to fish and fish habitat. Salmon species are included.

CONTACT THE DEPARTMENT OF FISHERIES AND OCEANS FOR IN-STREAM WORK WINDOWS FOR SALMON SPECIES.

Location	Species	Reduced Risk Work Window	
		Start date	Finish date
Throughout	All Salmon	May 15	July 15
Throughout	RB, ST, CT	August 1	November 30
Throughout	KO	August 1	September 1
Throughout	DV, BT	June 1	September 15

Glossary of Abbreviations

Common Name, Scientific Name and Species Code of Fish identified in the Reduced Risk Work Window Tables.

Common Name	Scientific Name	Species Code
Steelhead	Oncorhynchus mykiss	ST
Rainbow trout	Oncorhynchus mykiss	RB
Cutthroat trout	Oncorhynchus clarki	CT
Coastal Cutthroat	Oncorhynchus clarki	CCT
Dolly Varden char	Salvelinus malma	DV
Bull trout	Salvelinus confluentus	BT
Lake trout	Salvelinus namaycush	LT
Brook trout	Salvelinus fontinalis	EB
Chinook salmon	Oncorhynchus tshawytscha	CH
Chum salmon	Oncorhynchus keta	CM
Coho salmon	Oncorhynchus kisutch	CO
Pink salmon	Oncorhynchus gorbuscha	PI
Kokanee	Oncorhynchus nerka	KO
Sockeye salmon	Oncorhynchus nerka	SO
Mountain whitefish	Prosopium williamsonii	MW
Chiselmouth	Acrocheilus alutaceus	CMC

Notwithstanding the above, if any one of the following conditions is met, the timing window is not applicable:

- If the stream channel is naturally dry (no flow) or frozen to the bottom at the worksite and the instream activity will not adversely impact fish habitat (e.g. result in the introduction of sediment into fish habitat).
- If construction of a winter crossing is proposed and such works does not adversely impact the stream channel (including stream banks), fish habitat or fish passage.

(b) The minimum instream flow or the minimum flow of water that must remain in the stream while the change is being made,

- The natural rate of water flow must be maintained at the worksite during all phases of instream activity. Instream activities must be conducted in the dry and the worksite must be isolated from water flowing in the stream channel.

(c) The removal of material from the stream or stream channel in connection with the change,

- In fish streams, the permanent removal of stable, naturally occurring material 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 only as necessary to make the change in accordance with Part 7 of the *Water Regulation*.
- The removal of material must not lead to stream channel instability or increase the risk of sedimentation into the watercourse.
- Any spoil materials must be placed to ensure that sediment or debris does not enter the watercourse.
- For works conducted in lakes, to maintain water quality and to ensure sediment does not affect possible spawning fish populations, the in-lake work site must be isolated from the remainder of the lake. The isolated work area must ensure that sediment is contained within the work site. The isolated area must remain in place until sediments within the work site have settled. If conditions prevent the containment of sediments within the work site then the work must cease. Only the bucket of the machine is permitted to enter the lake during the works and the machine must work from above the wetted perimeter. Any equipment needed on site for construction work must be used in a manner that will prevent deleterious substances, such as oil, grease and other chemicals from entering the lake. This may necessitate cleaning such products from equipment prior to use.

(d) The addition of substance, sediment, debris or material to the stream or stream channel in connection with the change,

- Measures must be taken to ensure that no harmful material (e.g. fuel and other hydrocarbons, soil, road fill, or sediment), which could adversely impact water quality, fish and other aquatic life, and/or fish habitat, can enter the wetted perimeter as a result of the project activities.
- All equipment must be located and operated in the dry.
- Equipment used in close proximity to the wetted perimeter must be free of deleterious material (e.g. hydrocarbons).

- Erosion and sediment control structures are to be available onsite and utilized as necessary.

(e) The salvage or protection of fish or wildlife while the change is being made or after the change has been made,

- If dewatering of the worksite is necessary, fish salvage must occur on a fish-bearing stream prior to commencing works. A fish salvage permit must be obtained from the Permit and Service Authorization Bureau (Victoria) prior to commencing salvage activities (<http://wlapwww.gov.bc.ca/pasb/index.htm>).
- Measures must be taken to ensure that equipment (e.g. water pumps must have intake screens) does not harm aquatic life.
- Do not disturb wildlife and/or their residences (e.g. beaver lodges²) within the project area.

(f) The protection of natural materials and vegetation that contribute to habitat or stream channel stability,

- Minimize disturbance to natural materials and vegetation that contribute to habitat or stream channel stability.

(g) The restoration of the work site after the change has been made, and

- Complete restoration activities (including erosion control), as required, that will lead to natural pre-disturbance conditions.
- Any disturbed areas must be restored to function as they did in their pre-disturbance condition.

(h) The requirement to obtain an approval from the federal Department of Fisheries and Oceans in connection with the change.

- Proponents are responsible for complying with the federal *Fisheries Act*. No harmful alteration, disruption or destruction (HADD) of fish habitat is authorized by this document.
- Fisheries and Oceans Canada (DFO) Habitat technologists may authorize a net loss of fish habitat, or HADD, where a mitigation/compensation package can be negotiated between DFO and the proponent.
- Proponents are responsible for determining whether the federal Department of Fisheries and Oceans (DFO) must be consulted with and whether an authorization from DFO is required prior to making the change (Williams Lake office, (250) 305-4002, Bella Coola office (250) 799-5345, Quesnel office (250) 992-7047).

This document does not supersede the requirements of the *Water Act* and *Regulations*, Federal *Fisheries Act*, BC *Wildlife Act*, *Wildlife Amendment Act*, *Species At Risk Act*, *Local Government Act*, *Land Title Act*, *Community Charter* or any other related

² If notification is for the removal of a beaver dam, a permit is required from MWLAP and guidelines for dam removal will be provided to the proponent.

legislation. The proponent is obligated to comply with all applicable federal, provincial or municipal enactments.