

# Changes to the Watercourse Alteration Program: What are the new regulatory submission requirements?

Nova Scotia Environment's new regulatory requirements for watercourse alterations come into effect on October 1, 2014. This document compares and describes changes to submission requirements for various types of work. It is intended to provide guidance only. For legal interpretation, refer to the Activities Designation Regulations.

	Existing Submission Requirements (before Oct. 1, 2014)	New Submission Requirements (as of Oct. 1, 2014)		
Activity		No submission	Notification required if	Approval required if
<p><b>culvert or closed bottom crossing for roads, railbeds, trails or footpath crossings</b></p> <p><b>new or modification</b></p>	<p><b>Culvert "notification"</b> construction of a culvert between June 1 and Sept. 30 (Note: pre-2014 notification involves a review and permission from NSE to continue activity)</p> <p><b>Culvert approval</b> construction of a culvert outside the summer window (June 1 to Sept. 30)</p> <p><b>Blanket approval (optional)</b> replacement of an existing, or the installation of a new circular concrete, corrugated steel or plastic pipe on watercourses with slopes under 0.5% (work completed between June 1 and Sept. 30)</p>	No option	<p>watercourse has a slope of less than 0.5% and structure is designed by certified sizer, or</p> <p>watercourse has a slope of less than 8% and structure is designed by professional engineer, and</p> <p>watershed above crossing site is less than 20 km<sup>2</sup>, and</p> <p>culvert is less than 25 metres long, and</p> <p>work is completed between June 1 and September 30</p>	<p>notification conditions are exceeded</p> <p>or</p> <p>wetland is altered</p>
<p><b>bridge or open bottom crossing for roads, rail beds, trails, or footpaths</b></p> <p><b>new or modification</b></p>	<p><b>Approval</b> construction or maintenance of a bridge where</p> <p>i) a portion of the structure of the bridge is in a watercourse, or</p> <p>(ii) use of equipment in the watercourse or 3 metres from edge of watercourse is required;</p> <p><b>Blanket approval (optional)</b> replacement of an existing, or construction of a new single span bridge (work completed between June 1 and Sept. 30)</p> <p>replacement of existing or installation of a new corrugated steel pipe arch or an open bottom arch on footings (not to exceed 1800 mm in diameter and 18.3 m in length (work completed between June 1 and Sept. 30)</p>	<p>if the bank or bed of watercourse is not altered, and</p> <p>structure and associated works do not disturb watercourse</p> <p><b>examples:</b></p> <ul style="list-style-type: none"> <li>-- temporary crossings that entirely span watercourse</li> <li>-- bridges that entirely span watercourse</li> <li>-- work on bridges taking place above the ordinary high-water mark (installing decking on bridge)</li> <li>-- use of equipment within 3 metres of watercourse</li> </ul>	<p><b>bridge</b> span is 15 metres or less, and</p> <p>bed of the watercourse is not altered, and</p> <p>abutments or associated works disturb the banks of the watercourse, and</p> <p>work is completed between June 1 and September 30</p> <p><b>other open bottom structure</b> span is 3600 mm or less, and</p> <p>arch cannot be more than 25 metres long, and</p> <p>bed of the watercourse is not altered, and</p> <p>bank of the watercourse is altered, and</p> <p>work is completed between June 1 and September 30</p>	<p>notification conditions are exceeded</p> <p>or</p> <p>the bed of the watercourse is altered,</p> <p>or</p> <p>wetland is altered</p>
<p><b>maintenance</b></p>	<p><b>culvert "notification"</b> maintenance of a culvert between June 1 and Sept. 30</p> <p><b>culvert approval</b> maintenance of a culvert outside the summer window (June 1 to Sept. 30)</p> <p><b>blanket approval (optional)</b> maintenance of an existing culvert or bridge (work completed between June 1 and Sept 30)</p>	<p>if maintenance is above ordinary high water mark</p> <p><b>please note:</b> maintenance does not include modifications</p> <p>modification includes replacement, removal, or work that will change the size of the structure (either making it larger or smaller)</p>	<p>maintaining or restoring a structure and work is below ordinary high-water mark of watercourse</p> <p>work completed between June 1 and Sept. 30</p> <p><b>examples:</b> placement of rock to repair erosion protection at inlet or outlet of a culvert, or replacement of timbers on bridge abutment, and</p>	<p>notification conditions are exceeded</p>

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Activity		No submission	Notification required if	Approval required if
<b>wharves, docks</b>	approval	if no excavation or disturbance is done to the bed or bank  <b>example:</b> seasonal wharves that float or are on posts that rest on the bed	there is alteration of the bank and alteration is less than 5 metres along the bank, and work is completed between June 1 and Sept. 30, and the bed is NOT altered	conditions of notification are exceeded  <b>example:</b> bed of watercourse is disturbed for cribwork or to drive pilings
<b>boat launches, slipways</b>	approval	No option	there is alteration of the bank and alteration is less than 5 metres along the bank, and work completed between June 1 and Sept. 30, and the bed is NOT altered	conditions of notification are exceeded
<b>water intakes (including dry hydrants, open loop geothermal heat pumps, lake water supplies)</b>	approval	if intake is placed on bank or bed of watercourse without any alteration or disturbance	there is alteration of the bank and alteration is less than 5 metres along the bank, and work is completed between June 1 and Sept. 30, and the bed is NOT altered  <b>example:</b> burying pipe in bank of watercourse	conditions of notification are exceeded  <b>example:</b> if the bed of watercourse is disturbed through excavation and/or infilling  An approval is required if greater than 23,000 litres of water is withdrawn per day.
<b>utility crossing (for example, pipelines or cable)</b>	approval	if there is no alteration or disturbance to bed or bank  <b>example:</b> aerial utility crossing	there is alteration of the bank and alteration is less than 5 metres along the bank, and work is completed between June 1 and Sept. 30, and the bed is NOT altered	conditions of notification are exceeded  <b>example:</b> if the bed of watercourse is disturbed
<b>removal of material from the watercourse  example, beaver dams, or foreign material</b>	approval	if there is no disturbance to watercourse, especially if material has been recently deposited  <b>example:</b> if the material is removed by hand or with grapples	No option	removal will result in disturbance to bed or bank of watercourse  <b>example:</b> if machinery is used to dig out material embedded in watercourse
<b>placement of rock or other erosion protection material</b>	approval	No option	placing rock to protect the bank of the watercourse, and protection is less than 5 metres along bank, and work is completed between June 1 and Sept. 30	erosion protection is more extensive than described under notification conditions  <b>example:</b> if the bank disturbance exceeds 5 metres
<b>fish habitat improvement structures (including digger logs, rock sills, weirs, fishways)</b>	approval	No option	work is being completed by hand (or with hand-held equipment) and does not extend more than 15 metres along the length of watercourse (bed & bank)  work is completed between June 1 and Sept. 30	conditions of notification are exceeded.  <b>example:</b> machinery is being used

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Activity		No submission	Notification required if	Approval required if
<b>fishing equipment, counting fences, aquaculture cages, weirs for purposes other than fish habitat or similar structure in a watercourse</b>	approval	if there is no excavation or disturbance to the bed or bank	there is alteration of the bank and alteration is less than 5 metres along the bank, and work completed between June 1 and Sept. 30, and the bed is NOT altered	conditions of notification are exceeded <b>example:</b> bed of the watercourse is disturbed or altered
<b>wetland alteration</b>	approval	No option	No option	wetland is altered
<b>dams, storage of water</b>	approval construction or modification of a dam, and storage of water in amounts of 25,000 m <sup>3</sup> or greater	No option	No option	constructing or modifying a dam, and storing water in amounts of 25,000 m <sup>3</sup> or greater
<b>other watercourse alterations</b>	approval dredging or any other modification of a surface watercourse construction or maintenance of a causeway diversion of a watercourse from its natural channel any other alteration of a surface watercourse or flow of water therein	No option	No option	dredging or any other modification of a surface watercourse constructing or maintaining a causeway diverting a watercourse from its natural channel (including bypass ponds) any other alteration of a surface watercourse or the flow of water