



AQUATIC VEGETATION REMOVAL IN LAKES

Fisheries and Oceans Canada
Pacific Region Operational Statement

Version 3.0

This Operational Statement applies only to small-scale removal of aquatic vegetation in freshwater systems for purposes of recreation (e.g., swimming) and navigation. Removal methods include the use of hand tools or mechanical means, or hand pulling that does not result in a large release of sediments. Freshwater aquatic vegetation plays an important role as habitat for fish and other aquatic species. However, in some freshwater lakes, it can be dense enough to interfere with recreation and navigation. This occurs in water bodies with high nutrient levels that create favourable conditions for aquatic vegetation growth.

In many water bodies, even small amounts of vegetation removal can be harmful to fish and other aquatic life due to the limited extent of vegetation available to them as cover and feeding areas. Excessive disturbance of bottom sediments can result in harm to fish and siltation of important feeding and spawning areas. However, in some water bodies, limited removal of aquatic vegetation using proper techniques can be done while protecting fish and fish habitat.

Fisheries and Oceans Canada (DFO) is responsible for protecting fish and fish habitat across Canada. Under 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 the conditions under which it is applicable to your project and the measures to incorporate into your project in order to avoid negative impacts to fish habitat. You may proceed with your aquatic vegetation removal project without a DFO review when you meet the following conditions:

- your project is targeted at the removal of an invasive, non-native aquatic species (e.g. Eurasian water milfoil) below the **high water mark (HWM)**, (http://www-heb.pac.dfo-mpo.gc.ca/decisionsupport/os/definitions_e.htm),
- the removal activities do not involve dredging or mechanical disturbance of the bottom of the lake, or the use of bottom barriers (e.g. geotextile material), and
- you incorporate the *Measures to Protect Fish and Fish Habitat during small-scale Aquatic Vegetation Removal* 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 the 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 comply with all municipal, provincial, territorial and/or federal legislation that applies to the work being carried out in relation to this Operational Statement. In British Columbia, please contact the Water Stewardship Division, Ministry of Environment (http://www.env.gov.bc.ca/wsd/water_rights/licence_application/section9/index.html) for information on the Provincial *Water Regulation* notification requirements when planning to conduct aquatic vegetation removal in lakes in or around BC waters.

The activities undertaken in this Operational Statement must also comply with the *Species at Risk Act* (<http://www.speciesatrisk.gc.ca>). For general information on aquatic SARA species visit the following web site: http://www.dfo-mpo.gc.ca/species-especies/actMeans/actMeans_criticalHabit_factsheet_e.asp and/or contact DFO by email at: SARA@pac.dfo-mpo.gc.ca.

If you have questions regarding this Operational Statement, please refer to the list of **Frequently Asked Questions** (http://www-heb.pac.dfo-mpo.gc.ca/decisionsupport/os/os-faq_e.htm) or contact DFO Regional Headquarters at 1-866-845-6776.

Please notify DFO 10 working days before starting your work by filling out and sending the Pacific Region Operational Statement **notification form** directly to DFO Regional Headquarters. This information is requested in order to evaluate the effectiveness of the work carried out in relation to this Operational Statement. It is recommended that you keep a copy of the Operational Statement at the work site to demonstrate to Habitat and Fishery Officer staff that the conditions and measures, as outlined in the OS, are being followed.

Area of Application

This Operational Statement applies to the province of British Columbia and Yukon Territory freshwater lakes only.

Measures to Protect Fish and Fish Habitat during small-scale Aquatic Vegetation Removal

1. Time aquatic vegetation removal to prevent disruption to sensitive fish life stages by adhering to appropriate fisheries **timing windows** (http://www-heb.pac.dfo-mpo.gc.ca/decisionsupport/os/timing_e.htm).
2. The removal of aquatic vegetation for navigation and recreation purposes will not exceed a 4 metre wide band.

This 4 metre wide band extends out perpendicular from the shoreline into the water body until you reach the navigable channel and includes any existing plant-free areas.

- 2.1.** Removal techniques should avoid disturbing the bottom substrates of the lake. This means you should not create large clouds of suspended silt and muck when removing the aquatic vegetation.
 - 2.2.** Leave all rocks and woody material in the area that is being cleared of aquatic vegetation.
 - 2.3.** Avoid removal of upland vegetation above the **HWM**.
- 3.** Hand removal of aquatic vegetation by shearing or cutting is the most preferred method. If hand removal is not possible, use only floating machinery to prevent disturbance to the bottom substrates of the lake.
 - 3.1.** Machinery is to arrive on site in a clean condition and is to be maintained free of fluid leaks, invasive species and noxious weeds.
 - 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 an emergency spill kit on site in case of fluid leaks or spills from machinery.
 - 3.4.** Restore banks to original condition if any disturbance from machinery occurs
- 4.** Dispose of aquatic vegetation that is removed to prevent it from re-entering the water body. All storage of waste materials should be kept outside of the riparian area.

DFO REGIONAL HEADQUARTERS

Fisheries & Oceans Canada
Regional Habitat Manager
200-401 Burrard Street
Vancouver, BC V6C 3S4.
Toll Free: 1-866-845-6776
Fax: (604) 666-7907
Email: dfo_epmp@pac.dfo-mpo.gc.ca

Aussi disponible en français

http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index_f.asp

DFO/2007-1283

©Her Majesty the Queen in Right of Canada 2007



NOTIFICATION FORM

Fisheries and Oceans Canada Pacific Region Operational Statement

Version 3.1

PROPONENT INFORMATION

NAME: STREET ADDRESS:
CITY/TOWN: PROVINCE/TERRITORY: POSTAL CODE:
TEL. NO. (RESIDENCE): TEL. NO. (WORK):
FAX NO: EMAIL ADDRESS:

CONTRACTOR INFORMATION (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:

PROJECT INFORMATION

Select Operational Statements that are being used (check all applicable boxes):

- | | | |
|--|--|--|
| <input type="checkbox"/> Aquatic Vegetation Removal in Lakes | <input type="checkbox"/> Ice and Snow Fill Bridges | <input type="checkbox"/> Routine Maintenance Dredging for Navigation |
| <input type="checkbox"/> Bridge Maintenance | <input type="checkbox"/> Isolated Pond Construction | <input type="checkbox"/> Small Moorings |
| <input type="checkbox"/> Culvert Maintenance | <input type="checkbox"/> Maintenance of Riparian Vegetation
in Existing Rights-of-Way | <input type="checkbox"/> Small Clear-Span Bridges |
| <input type="checkbox"/> Directional Drilling | <input type="checkbox"/> Overhead Line Construction | <input type="checkbox"/> Temporary Ford Crossings |
| <input type="checkbox"/> Dock and Boathouse Construction
in Fresh Water Systems | <input type="checkbox"/> Public Beach Maintenance | <input type="checkbox"/> Underwater Cables in Fresh Water Systems |
| <input type="checkbox"/> Dry Open-Cut Crossings | <input type="checkbox"/> Punch and Bore Crossings | |

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"/> Pond or wetland (pond is less than 8 hectares) |
| <input type="checkbox"/> Lake (8 hectares or greater) | <input type="checkbox"/> Estuary | |

PROJECT LOCATION (S) (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	
Nearest Town to site	Easting: Latitude:	Northing: 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):	

Please notify DFO, preferably 10 working days before starting your work, by filling out and sending in, by mail, email or by fax, this notification form to the DFO Regional Headquarters. 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 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*.

This Notification Form (Version 3.1) may be updated as required by Fisheries and Oceans Canada. It is your responsibility to use the most recent version. Please refer to the Operational Statements web site at http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index_e.asp to ensure that a more recent version has not been released.

DFO REGIONAL HEADQUARTERS

Fisheries and Oceans Canada
Regional Habitat Manager
200 – 401 Burrard Street
Vancouver, BC V6C 3S4
Toll Free: 1-866-845-6776
Fax: (604) 666-7907
Email: dfo_epmp@pac.dfo-mpo.gc.ca

Aussi disponible en français

http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index_f.asp

DFO/2007-1283

©Her Majesty the Queen in Right of Canada 2007

This Notification Form (Version 3.0) may be updated as required by Fisheries and Oceans Canada. It is your responsibility to use the most recent version. Please refer to the Operational Statements web site at http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/modernizing-moderniser/epmp-pmpe/index_e.asp to ensure that a more recent version has not been released.