

Native Women's Association of Canada

L'Association des femmes autochtones du Canada



## Aquatic Habitat Rehabilitation: A Proposed Class in the Prescribed Works and Water Regulation



How Aquatic Habitat Rehabilitation (AHR) works will be included in the PWWR



Fisheries and Oceans Canada Pêches et Océans Canada Fisheries and Oceans Pêches et Océans Canada Canada



## Introduction:

Fisheries and Oceans Canada (DFO) is seeking public input on the categories of works being considered for inclusion under the Prescribed Works and Waters Regulation. The information in the brief below provides a summary of how Aquatic Habitat Rehabilitation works will be included in the PWWR.

# What is being proposed

- The DFO has received frequent requests to improve its management of AHR.
- The DFO is proposing to define AHR as a class within the PWWR. This new class would help to improve the processes of approving projects intended to enhance fish and fish habitats.



### AQUATIC HABITAT REHABILITATION

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## What is AHR?

 AHR is an umbrella term that describes a range of works aiming to improve fish habitats.

# What are the benefit of including AHR as a class in PWWR?

Currently, AHR projects that have the potential to cause death of fish and/or harmful alteration, disruption, or destruction, are subjected to the same rigorous review process as all other projects.

The inclusion of AHR into PWWR would provide the DFO with a means to streamline approvals of habitat improvement projects.









## What will an AHR class look like?

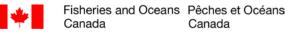


The DFO under The Fish and Fish Habitat Protection Program (FFHPP) are currently considering two potential classes of Aquatic Habitat Rehabilitation (AHR) works: 1) Named Works Aquatic Habitat Rehabilitation and 2) Broad-Scale Works Aquatic Habitat Rehabilitation



#### Named AHR works:

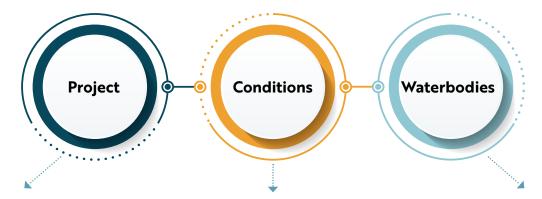
- This class is intended to support small-scale, routine AHR works. These typically present little long-term risk to fish and fish habitat.
- This class strives to enable good projects to proceed, while ensuring proper planning and oversight are applied to manage potential risks.





## How will new classes be defined?

Table 1: Components of Named AHR works, sub-class.



The placement or removal of materials below the ordinary, high-water mark of Canadian fish bearing waters for the purpose of implementing specific named works, designed to rehabilitate aquatic habitats.

#### Those named works include:

- Half logs.
- Rock groupings.
- Root wads.
- Digger logs.
- Rock sills.
- Low head barriers and weirs.

#### The works must:

- Only use hand-tools or light machinery.
- Take no more than three days to complete.
- Extend no further than 15 metres along, or across, a waterbody.

#### **Pre-project notification:**

- Contact information.
- Description, rationale, and plans for the proposed project.
- · Project location and timing.
- · Photographs of the work area.

#### **Post-project notification:**

- Summary of project implementation.
- · Photographs of the completed project.

#### **Qualified Environmental Professional (QEP):**

• A qualified, environmental professional with expertise in aquatic habitat rehabilitation must oversee the design and implementation of the work.

#### Measures to reduce impacts on fish:

- Works comply with established in-water timing windows for resident fish species.
- Appropriate fish screening and fish salvage techniques are applied in cases where dewatering is required.

#### Measures to reduce impacts on fish habitat:

- Sediment and erosion control measures are applied.
- Disturbed fish habitats are restored (e.g., shorelines replanted, bed and banks re-sloped, waste materials and temporary structures removed).
- Exposed soils are stabilized.

## All fish-bearing waterbodies in Canada, with the exception of:

- · Aquatic species at risk habitats.
- Critical habitats, as defined in a stock recovery plan.
- Federally recognized, ecologically significant areas.





### 2)

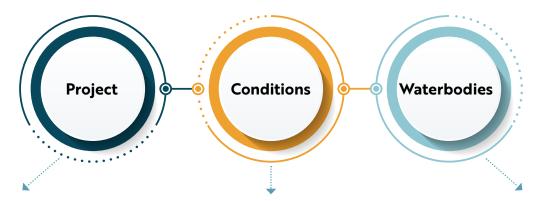
#### **Broad-Scale AHR Works:**

- This class is intended to enable large-scale, or unique AHR projects, which might not fit the description of a named work.
- This approach will rely on other well-established review and approval processes to essentially substitute site-specific reviews by the DFO.
- These review/approval references can be sourced internally or externally from the DFO, so long as they demonstrate that the project will result in an overall benefit to fish and fish habitat.



## How will new classes be defined?

**Table 2:** Components of Broad-Scale works and AHR sub-classes.



The placement, or removal, of materials below the Ordinary High-Water Mark (OHWM) of Canadian fish bearing waters, for the purpose of rehabilitating aquatic habitats where a project has been approved, as part of:

 (list of equivalent federal, provincial, territorial and Indigenous governing body approval processes).

#### **Pre-project notification:**

- Copy of sanctioned third-party approval, which must include:
- Contact information.
- Description, rationale, and plans for the proposed project.
- Project location and timing.
- · Photographs of the work area.

#### Post-project notification:

- Summary of project implementation.
- Photographs of the completed project.

#### Measures to reduce impacts on fish:

- Works comply with established in-water timing windows for resident fish species.
- Appropriate fish screening, and fish salvage, techniques are applied in cases where dewatering is required.

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## All fish-bearing waterbodies in Canada, except for:

- Aquatic species at risk habitats.
- Critical habitats, as defined in a stock recovery plan.
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The DFO's engagement on the proposed **AHR**, as a class under the PWWR, closed on June 30, 2022. However, opportunities to collaborate with, or to provide feedback to, the DFO on matters related to **AHR** are still ongoing.

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For more information on the addition of Aquatic Habitat Rehabilitation (AHR) as a class under Prescribed Works and Waters Regulation PWWR, please visit the DFO's **Talk Fish Habitat** engagement portal at, **talkfishhabitat.ca** 

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