

Maintenance dredging refers to the routine removal of accumulated sediment from channel beds to maintain the design depths of navigation channels, harbours, marinas, boat launches, and port facilities. As defined within this Operational Statement, routine maintenance dredging is conducted regularly for navigational purposes (at least once every five years) and does not include any expansion of the previously dredged area. Dredging is typically conducted by mechanical methods such as clam buckets, draglines or backhoes. From a fisheries perspective, the largest threat to fish habitat from these activities is the increased amount of suspended sediments introduced to the water column during the dredging process.

Fisheries and Oceans Canada (DFO) is responsible for protecting fish and fish habitat across Canada. Under Section 35 of 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 measures to incorporate into your routine maintenance dredging project in order to avoid the HADD of fish habitat. You may proceed with routine maintenance dredging project without a DFO review when you meet the following conditions:

- ▶ the site has been previously dredged at least once every five years and no expansion of the dredged area occurs,
- ▶ dredging of contaminated sediments does not occur,
- ▶ hydraulic methods such as suction dredges and propeller washing are not used,
- ▶ the dredged material will not be used to infill the shoreline or adjacent wetlands, and
- ▶ you incorporate the Measures to Protect Fish and Fish Habitat when doing Routine Maintenance Dredging 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 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 closest DFO office 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 respect all municipal, provincial, territorial or federal legislation (for example, the Navigable Waters Protection Act) that applies to the work being carried out in relation to this Operational Statement. In British Columbia, please consult the publication 'A User's Guide to Working in and Around Water' for the Provincial Water Act approval requirements when planning to conduct any type of routine maintenance dredging in or around BC waters. If you have questions regarding this Operational Statement, please refer to the list of Frequently Asked Questions or contact DFO Regional Headquarters at 1866 845-6776.

We ask that you notify DFO, preferably 10 working days before starting your work by filling out and sending the 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 and it is recommended you have a copy on hand at the work site.

Area of Application:

This Operational Statement applies to freshwater and marine systems in the province of British Columbia and Yukon Territory.

Measures to Protect Fish and Fish Habitat when doing Routine Maintenance Dredging

1. Minimize the riparian area disturbed by access activities along the adjacent upland property, and preserve trees, shrubs and grasses near the shoreline. Use existing trails, roads or cut lines wherever possible as access routes to avoid disturbance to the riparian vegetation.
2. Time routine maintenance dredging to protect spawning fish and incubating eggs by adhering to fisheries timing windows specific to your area.
3. If necessary, install effective sediment control measures before starting work to prevent the entry or re-suspension of sediment in the waterbody. Inspect sediment control measures regularly to ensure they are functioning properly. Make all necessary repairs if any damage occurs. Remove these control measures in a way that prevents the escape of settled sediment.
4. Restrict the amount dredged to the area and depth previously required for navigation.
 - 4.1. Prevent fish from being trapped within the dredging area.
 - 4.2. Dredge on calm days to minimize the suspension of fine sediment particles into the water column.
 - 4.3. Avoid bottom stockpiling or side casting during dredging.
5. Operate machinery on land or on water (i.e. from a barge or vessel) in a manner that minimizes disturbance to the banks or bed of the water body.
 - 5.1. Machinery is to arrive on site in a clean, washed condition and is to be maintained free of fluid leaks.
 - 5.2. 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.
 - 5.3. Keep an emergency spill kit on site in case of fluid leaks or spills from machinery.
 - 5.4. Restore banks to original condition if any disturbance occurs.
6. For water-based operations, avoid placing vertical spuds or other anchors into sensitive fish habitat areas such as eelgrass or kelpbeds, saltmarshes, shellfish harvesting areas and known spawning areas.
7. Dredgeate should be disposed of offsite and in accordance with appropriate legislation. For ocean disposal, dredgeate must be of a benign character (i.e. uncontaminated) and adhere to federal Disposal at Sea permitting requirements.
8. While this Operational Statement does not cover the clearing of riparian vegetation, the removal of select plants may be necessary to provide access to the site. This removal should be kept to a minimum.
9. Vegetate all disturbed soils, banks and riparian areas by seeding and/or planting trees and shrubs in accordance with the DFO guidance on Riparian Revegetation. Cover seeded and vegetated areas with appropriate measures to prevent soil erosion and to help seeds germinate. If there is insufficient time in the growing season remaining for the seeds to germinate, the site should be stabilized (e.g., cover exposed areas with erosion control blankets to keep the soil in place and prevent erosion) and vegetated the following spring.



ROUTINE MAINTENANCE DREDGING

Pacific Region
Operational Statement

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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

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