
# Contractor Licensing Program

2024

# Acknowledgements

The Department of Environment, Energy and Climate Action would like to acknowledge the following organizations for their contributions to the PEI Contractor Licensing Program Certification Manual:

- Island Nature Trust
- Nova Scotia Environment
- PEI Department of Transportation, Infrastructure and Energy
- Sean Landsman Photography

# Contents

# 1.0 INTRODUCTION

The Contractor Licensing Program became part of the Watercourse and Wetland Protection Regulations established in December 2008. Under the regulations, licensed contractors can complete certain activities in watercourses, wetlands and buffer zones without an activity permit from the Department of Environment, Energy and Climate Action (EECA). This system enables knowledgeable, trained contractors to provide better service to their clients while reducing the workload for permit administration.

A Watercourse, Wetland and Buffer Zone Activity Certificate is granted to a person who successfully completes the required training. A Watercourse, Wetland and Buffer Zone Activity Business License can then be issued to a person(s) who has obtained a Certificate, or to a corporation that employs at least one person who holds a Certificate. The Certificate holder then supervises the work and ensures that it complies with the program standards.

The history of the Contractor Licensing Program goes back to a pilot program established in 2002 to improve client service in the Watercourse/Wetland Alteration Program (W/WAP), address the increasing environmental concerns by the public regarding construction work around sensitive environmental areas, and reward general contractors who have become knowledgeable in, and are compliant with, environmental legislation.

The pilot program allowed licensed contractors to perform a variety of tasks related to the W/WAP without requiring direct supervision or specific permits from the Department every time work was performed. In essence, the onus for performing high quality work, while upholding environmental safeguards, was placed on the contractors doing the work.

**The goals of the Contractor Licensing Program are:**

- To improve client satisfaction by decreasing turn around times for departmental project approvals.
- To allow contractors to provide more expedient service to clients.
- To increase the environmental awareness of contractors by expanding their knowledge of environmental protection techniques
- To reduce the amount of paperwork for both clients and the Department
- To reduce the environmental impact on construction activities

**The approved tasks covered by the Contractor Licensing Program are:**

- Shoreline stabilization
- Landscaping in a buffer zone without disturbance of any trees and/or shrubs
- Operation of machinery on a beach or shoreline
- Minor bridge repairs

*The document "Construction Standards for Activity in Watercourses and Wetlands" is the principle reference document for the course and should be used in conjunction with this instruction guide. All work carried out under the Contractor Licensing Program must follow the procedures set out in these two documents. Work carried out under the Contractor Licensing Program should also generally follow the Watercourse, Wetland and Buffer Zone Activity Guidelines available online at:*
***http://www.gov.pe.ca/photos/original/elj_planconsid.pdf***

# 2.0- FORMAT AND OUTLINE OF THE PROGRAM

## 2.1 TRAINING COMPONENT:

Participating contractors must have the background, training and knowledge necessary to carry out the approved tasks without direct supervision or visits to the job site by Departmental staff.

The training session and this instructional guide provide the necessary knowledge to carry out licensed activities.

This training is completed over a single-day classroom session and is composed of the following:

- Explanation of how the program works
- Watercourses, wetlands & buffer zones
- General enforcement & monitoring procedures
- Basic requirements of salmonids

- Mitigation procedures for all projects
- General and specific standards for approved activities
- Legal basis for watercourse/wetland protection

At the end of the classroom component, each applicant independently writes a multiple-choice test. Applicants must receive a passing grade of at least 80% on their test. To successfully complete the training.

Successful participants will reference the Construction Standards for Activities in Watercourses and Wetlands (Appendix 1) which provides standards of work and required mitigative measures for approved activities in the program, as well as guidance of their projects when applicable. Where conflicting information exists, Licensed Contractors should always follow Construction Standards for Activities in Watercourses and Wetlands or call an environment officer.

## 2.2 EXECUTION OF THE PROGRAM

Contractors who are licensed under the program will not have to file for a Watercourse, Wetland and Buffer Zone Activity Permit when carrying out a project involving one of the four approved activities. Landowners will not have to apply for a Watercourse, Wetland and Buffer Zone Activity Permit if they are using a contractor licensed under the program who follows the procedures required by the program.

Licensed contractors are required to preregister each of their activities with the Contractors Licensing Program. Licensed contractors must complete the Notification Form and submit it to the Department at least 24 hours prior to starting an activity under this program. Communication via email will ensure the contractor that the Department has received the project Notification form. Contractors must receive an email confirmation of receipt containing the

> Please note that this correspondence only confirms receipt of this information and must not be construed as approval of the project. You are required to adhere to the Construction Standards for Activity in Watercourses and Wetlands for all work completed under the Contractor Licensing Program. Especially for non-standard procedures.

Project Registration Form before commencing work. If not received within 24 hours, they should contact the Department (902) 368-5700.

Only after having received confirmation, contractors can then proceed to carry out their activities according to the Construction Standards for Activities (Appendix 1) as well as the watercourses and wetlands information in this guide as applicable.

Work must be completed within 24 months of receipt of registration.

## 2.3 COMPLIANCE & ENFORCEMENT FOR THE PROGRAM

Contractors who perform activities will be checked for compliance by the Department staff and Environment Officers on a periodic basis. The standards listed in this document will be used by the Department staff to assess work to ensure the standards are met.

All instances where there is a failure by the contractor to comply with the specified construction standards criteria will be investigated and charges may result. Contractors who don't comply with noted CLP construction standards may be required to take additional training, be subject to fines, and/or be removed from the program.

# 3.0 GENERAL INFORMATION

## 3.1 WHAT ARE WATERCOURSES AND WETLANDS?

Under the Prince Edward Island Watercourse and Wetland Protection Regulations, a **watercourse** is defined as an area that has a sediment bed and may or may not contain water, and includes the full length and width of the sediment bed, bank, and shore of any stream, spring, creek, brook, river, lake, pond, bay, estuary or coastal body. A distinct characteristic of a watercourse is a flow defined sediment bed and flow defining banks that connect to a larger watercourse. This essentially means that all water surrounding PEI as well as all streams and streambanks, whether or not they contain water at all times, are considered watercourses. A **wetland** means an area which contains hydric soil

and aquatic or water tolerant vegetation. It may or may not contain water. These areas are commonly referred to as marshes, salt marshes, swamps, bogs

etc. **Hydric soils** are found in poorly drained soil that is saturated with water long enough for anoxic (oxygen-less) conditions to develop.

A **watercourse boundary** in a non-tidal watercourse means the edge of the sediment bed. In a tidal watercourse, the watercourse boundary means the top of the bank. Where there is no discernable bank in a tidal area, the watercourse boundary means the high-water mark.

**Wetland boundary** means where vegetation changes from aquatic and water-tolerant vegetation to terrestrial plants or water-intolerant vegetation.

**Buffer Zone** means the 15-metre-wide area adjacent to all watercourses and wetland.

## 3.2 WHAT ACTIVITIES ARE RESTRICTED WHITHIN WATERCOURSES, WETLANDS, AND BUFFER ZONES?

To provide protection for water resources and wildlife, a wide variety of activities are prohibited without a permit in watercourses and wetlands.

### Prohibited activities for watercourses and wetlands include to:

- excavate, remove, dump or deposit rocks, gravel, sediment or material of any kind in any fashion;
- remove water (including for agriculture or aquaculture);
- construct, repair, demolish or remove structures of any kind including buildings, bridges, culverts and decks;
- construct, repair, demolish or remove structures or obstructions including dams, wharves, docks, slipways, breakwaters or flood or erosion protection measures.
- operate heavy equipment or a motor vehicle except for the legal harvest of a fishery resource, the legal removal of beach material or the launching of a boat.
- disturb, remove, alter, disrupt, or destroy vegetation in any manner, including but not limited to the cutting of live trees or live shrubs.

- carry out any type of watercourse or wetland enhancement activity, including but not limited to debris removal, habitat development, or placement of structures.

The activities that require a permit for buffer zones are similar with a few important differences.

## The prohibited activities for buffer zones include to:

- excavate or remove rocks, gravel or soil in any fashion, dump or deposit rocks, gravel, soil or material of any kind in any fashion.
- construct, repair, demolish or remove structures of any kind including buildings, bridges, culverts, decks.
- construct, repair, demolish or remove structures or obstructions including dams, wharves, docks, slipways or flood or erosion protection works.
- operate heavy equipment or a motor vehicle except on a road, for cultivating an agricultural crop or access to a watercourse for the legal harvest of a fishery resource, the legal removal of beach material or the launching of a boat.
- disturb, remove, alter, disrupt or destroy the ground in any manner.
- cut down live trees or live shrubs;
- cultivate an agricultural crop; and, apply pesticides.

In all buffer zones, mowing grass is allowed. The planting of trees, shrubs and grass using hand tools is also allowed.

Under the **Contractor Licensing Program**, four types of activities are allowed without the need to obtain an activity permit.

These activities are:

- shoreline stabilization
- landscaping within a buffer zone without disturbance of any trees and/or shrubs
- operation of machinery on a beach or shoreline
- minor bridge repairs

The regular Watercourse, Wetland and Buffer Zone Activity Permit process can only be bypassed when licensed contractors are performing one of these four specific approved activities and following all of the Contractor Licensing Program requirements. When a licensed contractor carries out any other activity

not included in the outline in the program, they must obtain a Watercourse, Wetland and Buffer Zone Activity Permit through the regular application process. (See Appendix 4.)

## 3.3 REQUIREMENTS OF SALMONIDS:

***Sean Landsman/Photo Credit***

*Prince Edward Island supports a healthy population of fish throughout its ponds, rivers, and brooks. The most well-known are members of the salmonid family; the brook trout and the Atlantic salmon.*

The following is a brief description of the basic requirements of salmonids. For a more complete description, please see the Watercourse, Wetland and Buffer Zone Activity Guidelines Manual.
**http://www.gov.pe.ca/photos/original/elj_planconsid.pdf**

**Water clarity:** Salmonids require water that is relatively free of suspended sediments in order for them to be able to see their food. Silty water also clogs up gills and may cause fish to alter migration patterns. Water with high suspended solids also interferes with growth of the plants that salmonids feed on.

**Dissolved oxygen content:** It is critical that dissolved oxygen levels do not fall below a certain level. This is especially important during egg incubation, hatching and the first few weeks of life.

**Water temperatures:** Salmonids prefer cool water temperatures of 12-14 C. Temperatures of 24 C, or more, are considered lethal. Warm water also has less dissolved oxygen than cool water.

**Spawning areas:** Salmonids require silt free gravel areas for successful spawning. Eggs are laid in the gravel and will hatch there. Larval fish remain in the gravel until late spring. Silt in the gravel fills in the spaces that the eggs and larva would occupy. Silt also prevents eggs and larva from getting enough oxygen.

**Unobstructed migration:** Salmonids migrate from areas of a stream to another and also into salt water in order to spawn, find food, and to meet their changing habitat needs as they grow. Even small obstructions can restrict fish from many kilometers of stream and have serious impacts on their life cycle.

**Riparian vegetation:** Riparian areas are the land immediately adjacent to the watercourses and wetlands. The vegetation in riparian areas alongside watercourses is crucial for fish habitat. It provides cooling shade, a source of food, opportunities for shelter, control of sedimentation, and a filter from other nearby land use activities. The vegetation along the banks of a watercourse also provides travel corridors for wildlife, nesting cover for birds, etc.

# 4.0 IMPACTS OF WATERCOURSE/WETLAND/BUFFER ZONE ACTIVITIES ON AQUATIC HABITAT

**Aquatic habitat** refers to the living and non-living components of the aquatic environment upon which aquatic life, including fish, depend to carry out their life processes. Fish habitat is a large and important component of aquatic habitat. It includes the water, the bottom substrates, available cover, and available food.

Almost all alterations to watercourses have the potential to introduce sediment into them. The rate of erosion of disturbed surfaces can be thousands of times the rate from an undisturbed setting and large quantities of sediment may end

up in watercourses. Sedimentation of watercourses is destructive to aquatic habitat whether the sediment remains suspended in the water or settles out.

**Excess sedimentation can result in:**

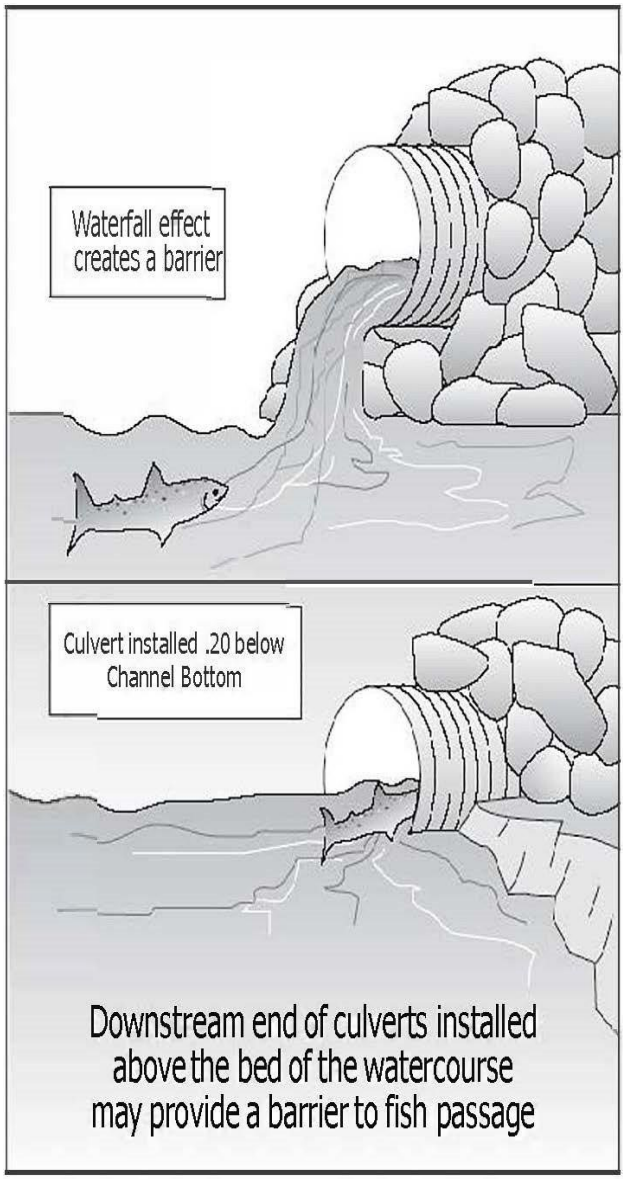
- Blocking of the absorption of dissolved oxygen, or accumulating on the gill surfaces, causing fish to hyperventilate or smother.
- Filling in spaces in the gravel beds where eggs are incubating, or where fish larvae are resting and feeding, eventually smothering, and killing them.
- Preventing sunlight from reaching the bottom of the watercourse limiting photosynthesis in algae and rooted aquatic plants, leading to a reduced food supply.
- Deposition on existing clean gravel bottoms rendering them unsuitable for spawning or resting grounds.
- Accumulation leading to a decrease in water depth or pool infilling and causing heating of the water above the acceptable ranges for fish habitat.
- Decreased water clarity causes changes in fish feeding behavior.
- Loss of bottom dwelling organisms, upon which fish depend for food, as they may be smothered and killed, or their habitats destroyed.
- Scouring of invertebrates and aquatic plants from their substrates.
- De-stabilization of the stream channel as an established meander sequence may be lost and the stream braids into a series of smaller channels.
- Plugging of culverts leading to flooding, road washouts and introduction of debris into the watercourse.
- Reduction of channel capacity leading to flooding.

**Some of the harmful effects of erosion include**:

- Reduced stability of the banks of a watercourse leading to slope failure and loss of adjacent property.
- Destruction of vegetation in the buffer zone.
- High costs of repairing badly eroded buffer zone and watercourse banks, washed out roads, and blocked culverts as well as fish habitat restoration projects.

The objective of the Contractor Licensing Program is to avoid sedimentation of watercourses and wetlands by requiring that preventative measures be taken during the construction phases of the project.

## 4.1 FISH PASSAGE




Adult fish migrate to spawn, find food, escape predation, or locate deeper pools before the winter freeze-up occurs. Juvenile fish migrate to rearing areas that are often small creeks and channels. Unobstructed pathways are necessary for migrations to occur. Adult salmonids must reach spawning grounds at the proper times and with enough energy to complete the life cycle. The swimming ability of fry and juvenile fish is limited by their body length making it more difficult for them to migrate if confronted with an obstruction. Blocked culverts, or debris jams present physical obstructions to fish passage. Barriers created by improperly designed or installed culverts are common. These barriers are created by conditions which impede fish swimming ability and include culvert slopes greater than 0.5%, fluctuating slopes, outfall barriers, channelization of flow leading to increased velocity, inadequate water depth caused by oversized culverts, and long culvert lengths. Other impediments to fish passage resulting from poorly planned or executed watercourse alterations include general water quality barriers which include reduced concentrations of dissolved oxygen, decreased water clarity, high temperatures, and low temperatures.

Work in or adjacent to watercourses must be conducted in a way that will not present a barrier to migrating fish. Construction or demolition materials must not be allowed to enter a watercourse since they could present a physical barrier to fish or could act to collect other debris or sediments which could eventually

block passage. Heavy machinery should never be permitted to ford a watercourse and a watercourse should never be permanently diverted to facilitate work or to enter a bridge or culvert. Culverts must be properly sized so that they do not present a water velocity or depth barrier and be installed so that no waterfall effect is created on the downstream end. All in-stream work should also be planned to occur during times when fish are least likely to be migrating. This would most likely be during the lower flow periods from June 1 - September 30.

## 4.2 TIMING OF WORK

Any works carried out in or near a watercourse or wetland, particularly with heavy machinery, may have adverse effects on the fish resources of these watercourses, as well as on the use of these resources by the public. With proper timing of in-stream work, adverse effects may be reduced. In-stream work can never be regarded as harmless. The adverse effects of in-stream works occur in a variety of ways, but some of the more significant include:

- **obstruction of the watercourse** during the spawning or migration of anadromous fish species (fish that migrate from the ocean to fresh water to spawn), including salmon, trout and gaspereaux; and,
- **heavy sedimentation** which can lead to the covering of fish spawning beds after egg deposition leading to smothering of the eggs, filling in of established trout and salmon pools, and the destruction of aquatic invertebrates which provide food for fish.

To help protect fish from impacts, the timing of permitted instream work is generally restricted from the period of June 1 - September 30 each year.

## 5.0 PROTECTION FOR SHELLFISH

PEI's marine shellfish, as filter feeders, are also wildlife sensitive to siltation. Their habitat includes all areas of saltwater surrounding the Island including upper estuaries and other areas very close to shore. It is important in all projects to control erosion from the work site to protect shellfish. The life cycle of shellfish includes a period where young larvae (spat) are free swimming in the water column. During this period, the spat is sensitive to siltation events.

**Licensed Contractors are responsible to know the location of leases in the vicinity of their work site. To determine this, the Licensed Contractor must contact DFO Shellfish Leasing at (902) 566-7996 to inform them of the work. DFO will then notify the lease owner of the work and any concerns will be brought to the contractor's attention.**

**Contractors may be liable for any damage to a lease as a result of construction activities.**

There is a substantial shellfish aquaculture industry in the estuaries of PEI where shell fishers lease areas of the bottom or water column from the Aquaculture Division of Fisheries and Oceans Canada (DFO) to grow and hold their shellfish.

Impacting one of these leases causes a direct, significant financial impact to the lease holder and must be avoided.

# 6.0 LEGAL BASIS FOR WATERCOURSE/WETLAND ACTIVITIES

The legislative authority for the protection of watercourses and associated fish habitats on Prince Edward Island is found primarily in the *Canada Fisheries Act* and the Prince Edward Island *Environmental Protection Act*. These acts afford protection to all watercourses and wetlands.

The Prince Edward Island *Environmental Protection Act* is provincial legislation which enables the Watercourse and Wetland Protection Regulations. These regulations afford protection to all wetlands, watercourses, and buffer zone areas throughout the province. The requirement for watercourse wetland buffer zone activity permits is contained in sections 2 and 3. This contractor licensing program is enabled in sections 4 and 5.

The *Fisheries Act* is federal legislation that enables DFO to protect fish and natural habitats that support fish.

Other acts of importance include the *Wildlife Conservation Act*, the *Planning Act*, and the *Trespass to Property Act*. Other Federal Legislation includes the *Canadian Navigable Waters Protection Act*, the *Canadian Environmental Assessment Act*, and the *Canada Waters Act*. A brief summary of all of these acts is included in Appendix 3. Persons requiring specific details should consult the relevant responsible agency for the original act whenever there is a question of interpretation.

# 7.0 GENERAL MITIGATION PROCEDURES

The following section provides information about general procedures which can be carried out to mitigate the impacts of activities in watercourses, wetlands, and buffer zones.

## 7.1 SURFACE EROSION AND SEDIMENTATION

**Erosion** is the wearing away of an exposed surface; **sedimentation** is the deposition of eroded particles in watercourses & wetlands. **Erosion control** prevents or minimizes erosion, and **sediment control** involves trapping suspended particles. Due to the highly erodible nature of Prince Edward Island soils, erosion controls must be a part of all projects that disturb the vegetative cover in a buffer zone.

Erosion

Sedimentation

The first step in controlling erosion is to avoid the activity that might result in sedimentation of the watercourse or wetland. If the activity cannot be avoided, then measures to control erosion must be installed in accordance with conditions required by the Construction Standards for the specific activity.
The techniques discussed below for surface erosion and sedimentation control are assigned as part of the Construction Standards for the approved activities covered under the Contractor Licensing Program.

## Mitigation Principles for Erosion and Sedimentation Control:

- Expose the smallest practical area of land for the shortest possible time.
- Apply soil erosion control practices as a first line of defense against on-site impacts.
- Apply sediment control practices as a perimeter protection to prevent offsite impacts.
- Retain existing vegetation wherever feasible. Erosion is minimized on a surface covered with natural vegetation.
- Encourage re-vegetation of exposed areas.
- Divert upland surface runoff away from exposed areas. Diversion ditches may be used to divert runoff.
- Reduce surface runoff. This can be accomplished by
  - •limiting the area of disturbance.
  - •covering the exposed soils with mulch, vegetation, rip-rap or poly-plastic
  - •constructing check dams or similar devices in ditches
- Implement a thorough maintenance and follow-up schedule for checking erosion control measures, as well as checking before and after heavy rains.
- Erosion control measures must remain in place and be maintained until permanent vegetation has been established.

## 7.2 TECHNIQUES FOR EROSION CONTROL

It is essential to place erosion control measures before the construction phase of an activity in a watercourse, wetland, or buffer zone begins in order to intercept and trap sediment before it reaches the watercourse/wetland. These erosion control measures must remain in place and be maintained until permanent vegetation has been established.

**Ditches or swales** are used to concentrate flow beside a road, away from a disturbed or newly seeded area, or towards a sediment pond or vegetated area. Permanent ditches must be designed considering side slopes, gradient,

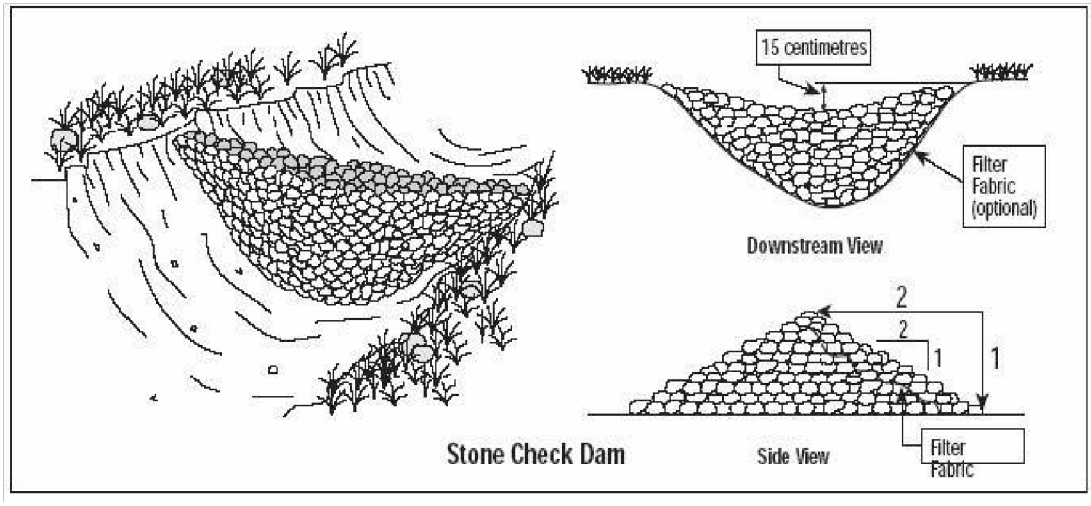
substrate, etc. Unprotected soils alone will readily erode so the use of fabric (such as jute) plus vegetation or rock should be considered.

**Check dams** are structures made from rock or hay/straw bales, constructed across the ditches to reduce the potential for erosion until permanent stabilization of the disturbed area has been established.

## The following criteria apply to the use of check dams:

- Pack rocks tightly.
- Spacing of check dams along a ditch depends upon the slope - the steeper the slope, the closer the check dams.
- Ditches with a steep slope may require additional protection such as lining with a geotextile fabric and/or the placement of a continuous layer or cobble or boulder sized rocks.
- Regular inspections are necessary to ensure that sediment does not accumulate to an elevation of more than half of the height of the dam at which point the accumulated sediment should be removed. Check dams should be cleaned out when the storage area is 60% full.
- Before removal of the check dam, all accumulated sediment must be removed and disposed of in an area such that it will not enter any watercourse.
- Check dams should be removed when they are no longer needed or when the ditch becomes permanently stabilized with vegetation or a non-erodible lining.

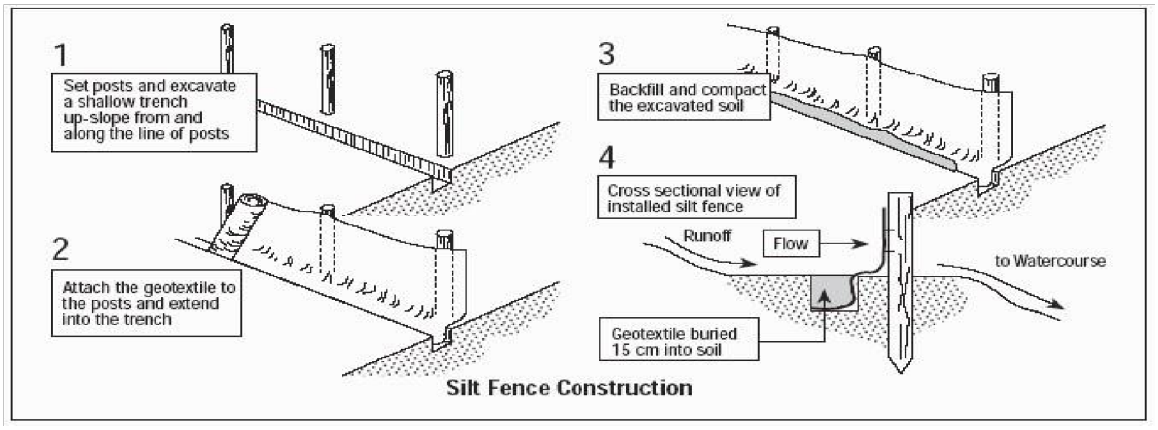
**ROCK CHECK DAMS** are usually constructed with stones having a minimum dimension of approximately 50 mm. A geotextile filter should be placed under the stones to provide a stable foundation and to facilitate removal of the stones. This filter should be keyed into the base of the dam to prevent flow beneath the fabric and sandwiched between the stones on the vertical section of the dam. Stone check dams vary in height up to 1 m, depending on the size and drainage area of the ditch and should be placed such that the elevation of the toe of the upstream dam is the same elevation as the top of the downstream dam.



**HAY/STRAW BALES** are a short-term measure often used as check dams. Their use must be limited to ditches with drainage areas less than 0.8 hectares. They must be keyed into the ditch and staked with two stakes angled towards the adjacent bale. Hay/straw bales are best suited as a type of silt fence if they are bound with wire or string. They are best used to control concentrated flows or can be used to create.
a fence. Excavate a trench the width of a bale and the length of the proposed barrier to a minimum of 10-15 cm (4 - 6"). Bales should be placed lengthwise in a trench and staked, (at least 2 stakes per bale). Loose hay should be wedged between any cracks or other openings. Backfill and compact the excavated soil against the barrier conforming soil to ground level on the downstream side and building it up to depth of 0.1 m against the upstream side.

**SILT FENCES** function as sediment barriers. Placed around the downslope perimeter of a disturbed area or along the bank of a watercourse in order to intercept runoff and trapping the sediment before it reaches a watercourse. Hay/straw bales used as a measure for erosion and sediment control, are successfully used in the province by the Department of Transportation, Infrastructure and have been adopted by many other government agencies.

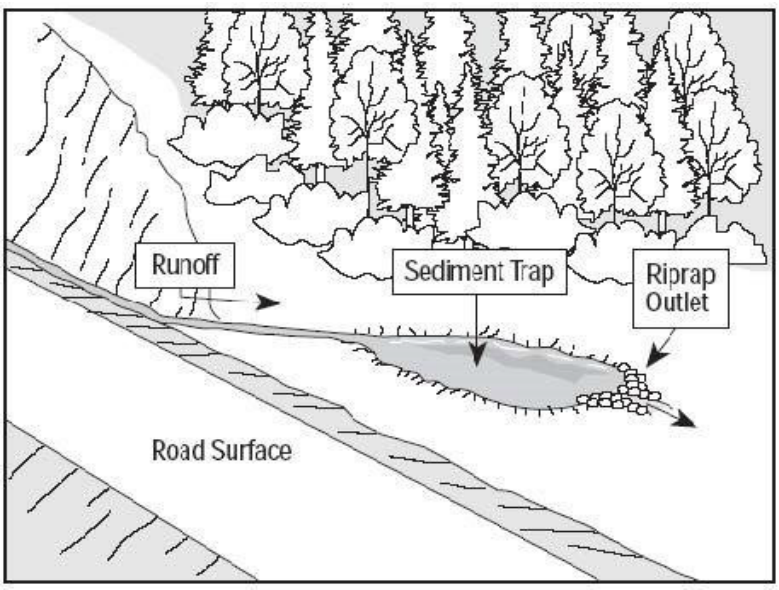
**Figure 3**



**WOVEN AND NON-WOVEN SYNTHETIC FABRICS** are available for use as silt fences. Fences are used for controlling sheet run-off, on relatively low slopes or to delineate the downslope edge of a construction site. The fabric is erected, to a height no greater than 0.9 meters above ground level, using wooden or steel posts. Reinforcement of the fabric may be necessary. The bottom of the fabric should be buried in a trench and backfilled.

**DIVERSION CHANNELS OR DITCH RUN OUTS** are temporary channels, constructed across the slope, which divert surface runoff from up slope drainage areas away from disturbed areas to a stabilized outlet or a sediment trapping facility until permanent stabilization has occurred. Diversion ditches are used to redirect water from roadside ditches for removal of suspended sediments prior to the water reaching nearby streams. They may be used in the following situations:

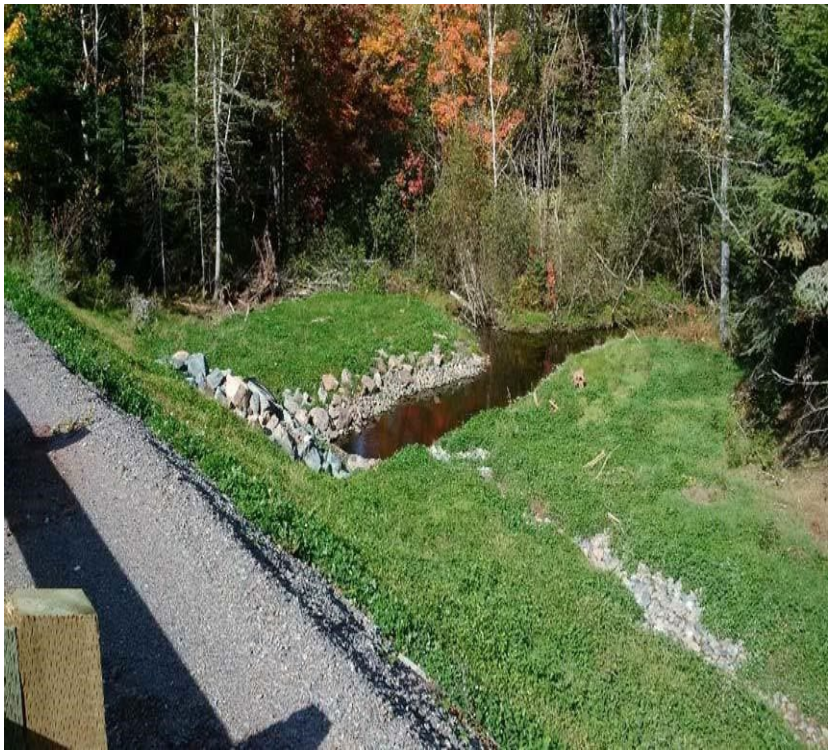
**SETTLING AREAS** (either a basin or a sediment trap) or a larger, low vegetated area filter the sediment. The design varies from site to site, but they typically consist of a large hole excavated with the purpose of allowing sediment laden water to "settle out" and drop the fine sediments that are in suspension. Their primarily purpose is for separating suspended particles.



Both need regular cleaning with a backhoe and require frequent and on-going maintenance.

**CHECK DAMS** are an interim measure usually installed in roadside ditches. Settling basins require heavy machinery for construction depending on the location, time of year and surface area exposed up slope. They must be constructed properly to function effectively and a sediment collector basin is only a band-aid solution to an ongoing problem.

# RE-VEGETATION OF BARREN SOIL



The previous techniques are temporary measures aimed at preventing sedimentation of watercourses resulting from surface runoff of a disturbed area. These techniques should only be maintained until permanent vegetation is established on the disturbed area. Re-vegetating or other means of stabilizing disturbed areas for long term protection must be part of erosion control plans. Steep slopes can be seeded but may require fabric mats, pinned to the ground for seeding to work. Temporary stabilization can be achieved by the use of hay mulch or by the use of anti-erosion mats. Seeding is recommended for long term stabilization of exposed slopes.

## The following apply to re-vegetation:

- A depth of at least 25 mm of top soil before seeding.
- Mulch should be used; it increases the odds of successful re-vegetation by conserving moisture, modifying soil temperatures, and preventing soil compaction.
- Choose a low cost, low maintenance seed mixture that is adapted to the local climate and soil conditions and which is fast growing and easy to plant. The highway road mix is designed to provide an adequate seed mix for a variety of soils and moisture conditions (For more information, contact the Department of Transportation, Infrastructure and Environment, Energy and Climate Action).
- Hydroseeding is an acceptable process where a slurry of seed, fertilizer, wood fiber mulch and water is sprayed on the disturbed area. Regular maintenance must be included in all erosion control plans.

**MULCH** is a layer of natural or manufactured material placed or sprayed onto exposed soil to control erosion, encourage germination and growth of vegetation, and/or discourage the growth of weeds. Mulch controls erosion by reducing both the impact of raindrops hitting the soil surface and the velocity of overland flow, permitting run-off more time to infiltrate the soil. It encourages vegetation growth by conserving moisture, maintaining humidity, reducing soil compaction, reducing soil surface freezing, and thawing, and minimizing disturbance of the seed.

Hay mulches are highly effective, readily available most years, and widely used for temporary erosion control and to aid in the establishment of permanent cover. If hay is harvested for use as a mulch, baling should take place after a light rain to ensure that bales have sufficient moisture content, so they don't fall apart when being handled during spreading. It is recommended that jute twine be used on bales as opposed to nylon. Jute will quickly biodegrade and will not become tangled in equipment causing damage and costly downtime in subsequent field operations. Other types of mulches include foliage and branches, wood chips, jute cloth and a variety of hydraulic mulches (sprayable mixes).

When applying seed with hay mulch, the seeding and mulching are carried out in sequence. Normally the seed and fertilizer are applied separately with a hand operated cyclone seeder, on the same day. Mulch is applied by hand or machine and gives the best result if not compacted into the soil.

## Soil Stabilization Blankets

(such as jute mats or burlap) can be used to help establish vegetation on previously disturbed slopes, normally problem slopes of 3:1 or greater. These blankets are biodegradable and therefore decompose over time. Jute mesh is a uniform, open, plain weave of undyed and unbleached single jute yarn. Jute mesh provides good coverage (large surface area of strands) and contains such small openings that it can be used alone as a blanket. Since these materials will decompose over time, they should be used in permanent conveyance channels with the realization that the system's resistance to erosion is based on the type of vegetation planted and the existing soils characteristics.

When using jute or burlap, seed and mulch should be applied before laying the net. Start laying the protective covering from the top of the channel or top of the slope and unroll down. Allow it to lay loosely, do not stretch. Up-slope ends of the protective covering should be buried in an anchor slot not less than 15 cm deep. Tamp the earth firmly over the material. Staple the material at a minimum of every 30 cm across the top end. Edges of the material should be stapled every one meter. As a final check one should be certain that:

- The jute or burlap is in uniform contact with the soil
- All tap joints are secure
- All staples are drive flush with ground
- All disturbed areas have been seeded

# 8.0 ACTIVITIES IN THE CONTRACTOR LICENSING PROGRAM

The four activities that are included in the Contractor Licensing Program are:

- Shore Stabilization
- Landscaping in a Buffer Zone
- Operation of Machinery on a Beach or Shoreline
- Minor Bridge Repairs

*Federal Wharf Repairs* has been suspended from the program.

***All activities must be completed in compliance with the Construction Standards for Activity in Watercourses and Wetlands (Appendix 1).***

**Shore Stabilization:** The stabilization of shore fronts is an approved activity under the Contractor Licensing Program. The intent of the activity is to prevent the erosion of shorefront property. It is not intended that the stabilization of the shore will reclaim or create new property for the landowner. The approved material for this activity is stand stone and rock comprised mostly of material size R50 or greater. The work must be completed with minimal impact to the shore and cannot be completed in salt marshes or along the front of sand dunes.

**Landscaping in a Buffer Zone:** Landscaping can be completed in a buffer zone under the Contractor Licensing Program. The intent of this type of work is to facilitate development of properties or carry out minor maintenance on existing roads. It does not include large removals or additions of fill material. Trees and shrubs may not be cut or disturbed as part of the work. Forested buffer zones (trees and shrubs) cannot be converted to grassed buffer zones.

**Operation of Machinery on a Beach or Shoreline:** Licensed Contractors are permitted to operate machinery on a beach or shoreline provided that the activity is part of another licensed activity such as shore stabilization, and minor bridge repairs. The equipment must utilize existing shore accesses where possible. Sand dunes and wetlands must not be damaged or be travelled upon unless using an existing active access point. Damage to the beach must be kept to a minimum and any holes in the beach must be repaired immediately.

**Minor Bridge Repairs:** Minor repairs to bridges can be completed under the Contractor Licensing Program for both public and private structures. The intent of this work is to make repairs to structures where the repairs have minimal potential to impact the watercourse. The allowed activities include decking and support replacement, erosion control and slope protection not in the water and the grading of approach roads.

**Federal Wharf repairs:** This activity has been suspended from the program list because there is currently an understanding between DFO Small Craft Harbours and the Department that provincial Watercourse/Wetland and Buffer Zone Activity approvals are no longer required on federally owned properties (i.e., wharfs). The exception being dredging activities where the dredge spoils leave the federal property and are placed on private or provincially owned land. In these situations, the Department must approve the disposal locations.

# BANK SWALLOW

If there is any evidence of a colony in close proximity to the proposed project, no work can be carried out unless authorized by an Environmental Officer, contacted at (902)368-5700.

Bank swallows nest in colonies, burrowing in sandstone cliffs, high dunes and gravel and sand pits. They usually arrive in PEI in May before they even have mates. The males choose a colony and begin to dig a burrow. Females arrive later, survey the males and their burrows, and then select a mate. Burrows may be reused from previous years if they have not been eroded or infested with parasites. Nests are placed deep inside the burrows. They are found across PEI in large and small groups, in close proximity to the shore. Burrows can be quite deep (average 60 cm), the nest itself is a flat mat of grass and leaves. In June, four-to-eight eggs are laid and are incubated by both parents for 13-16 days. Juveniles fledge 18-24 days after hatching. By late August, most bank swallows have left for their wintering grounds in Mexico, the Caribbean, and central South America.

# PIPING PLOVER

Heavy equipment must not operate on a beach or shoreline within one km of where piping plovers are present. Areas with traditional piping plover use are listed in Appendix 3. Contractors must contact Forests, Fish and Wildlife (902) 368-4683 to determine the status of piping plover in the area prior to conducting any work.

Piping plover nest and rear chicks on sandy cobbly beaches above the high- tide line on the north shore of PEI, from Jacques Cartier Provincial Park near Alberton to East Point past Souris, and along the east coast down to Wood Islands. In any given year, there are usually 12-20 of these beaches occupied by nesting piping plover. Adults start to appear as early as late March and males and young will leave again as late as mid-August. During that time, Island Nature Trust (INT) staff and volunteers check beaches for birds and sign those where they are present. When a pair begins to nest, INT staff will put up symbolic fencing consisting of posts with rope strung between. This signals that there is a nest on the beach; people must stay out of the fenced area, keep dogs on leash and be careful to give adults and then eventually chicks a wide berth. When chicks hatch, they are out and about foraging almost immediately.

# GLOSSARY

**Contractor Licensing Program**: Program offering training to contractors to allow them to complete certain activities in watercourses, wetlands, and buffer zones, without an activity permit.

**EECA**: Department of Environment, Energy and Climate Action.

**Watercourse**: An area which has a sediment bed: may or may not contain water. Includes the full length and width of the sediment bed, bank, and shore of any size of body of water.

**Wetland:** An area which contains hydric soil and aquatic or water tolerant vegetation.

**Hydric soil:** Soil, which is permanently or seasonally saturated by water, resulting in anaerobic conditions, as found in wetlands.

**Watercourse Boundary**: In a non-tidal watercourse, this means the edge of the sediment bed. In a tidal watercourse, the watercourse boundary means the top of the bank. Where there is no discernable bank in a tidal area, the watercourse boundary means the high-water mark.

**Wetland boundary**: Where vegetation changes from aquatic and water-tolerant vegetation to terrestrial plants or water-intolerant vegetation.

**Buffer Zone**: The 15-metre wide area adjacent to all watercourses and wetlands.

**Water clarity/Turbidity**: The cloudiness or haziness in a fluid caused by individual small particles suspended solids. An increase in siltation results in a corresponding decrease in water clarity.

**Siltation**: A process by which water becomes dirty as a result of fine mineral particles in the water. When sediment, or silt, is suspended in water, this is an example of siltation.

**Aquatic Habitat**: The living and non-living components of the aquatic environment upon which aquatic life depend to carry out their life process.

**Erosion:** The process in which earthen materials are worn away and transported by natural forces such as wind or water.

**Mulch**: A layer of natural or manufactured material placed or sprayed on exposed soil to control erosion and encourage germination.

**Sedimentation**: The tendency for particles in suspension to settle out of the fluid in which they are entrained and come to rest against a barrier.

**Check dam:** A small, sometimes temporary, dam constructed across a swale, drainage ditch, or waterway to counteract erosion by reducing water velocity.

**Swale:** A moist depression in a tract of land, usually with rank vegetation.

**Sediment Trap:** A temporary containment area that allows sediment to collect in water to settle out.

**Erosion control**: Prevents or minimizes erosion.

**Sediment control:** Involves trapping suspended particles.

# APPENDIX 1

## CONSTRUCTION STANDARDS FOR ACTIVITIES IN WATERCOURSES AND WETLANDS

# CONSTRUCTION STANDARDS FOR ACTIVITIES IN WATERCOURSES AND WETLANDS

## March 2024

This document was created by the PEI Department of Environment, Energy and Climate Action in accordance with the Watercourse and Wetland Protection Regulations (Sections 4 & 5) to set out the standards that must be met by contractors licensed under the Regulations to complete certain activities in watercourses, wetlands and buffer zones without a Watercourse, Wetland and Buffer Zone Activity Permit.

## GENERAL STANDARDS

The general standards are to be used for all of the subsequent specific activities undertaken by contractors licensed under the Regulations to complete certain activities in watercourses, wetlands and buffer zones without a Watercourse, Wetland and Buffer Zone Activity Permit.

**1.** All work must be guided and supervised by a person who holds a Watercourse, Wetland and Buffer Zone Activity Certificate and is employed by a holder of a Watercourse, Wetland and Buffer Zone Activity Business License. **All Registrations expire 24 months from date of receipt.**

**2.** Construction must be conducted in strict compliance with the Prince Edward Island Environmental Protection Act, Watercourse and Wetland Protection Regulations, and the sections of the Fisheries Act, Fisheries and Oceans Canada, that address fish health and fish habitat, and any other Acts relevant to the activity being completed.

**3.** All reasonable measures and precautions must be taken to minimize the siltation of and prevent the destruction of watercourses and wetlands.

**4.** A spill kit which possesses a minimum of 190-liter petroleum product absorption capacity must be onsite at all times during the project. The contents of the kits must include a 45-gallon drum with removable cover, absorbent and containment booms, absorbent pads, blankets and particulate, and disposal bags and ties. It is the contractor's responsibility to ensure that adequate petroleum product absorption capacity is on site and the operator must be familiar with spill kit usage.

**5.** All fuel, lubricants, other toxic chemicals and equipment must be stored a minimum of 30 meters from any watercourse or wetland.

**6.** The washing, refueling, servicing of equipment and storage of fuel, heavy equipment and other materials must occur a minimum of 30 meters from watercourses and wetlands to prevent any deleterious substance from entering the water.

**7.** Parking and storage of heavy equipment is not permitted on sand dunes, the beach or shoreline, or within 30m of a watercourse boundary or wetland boundary.

**8.** Any equipment that has been in contact with a marine environment must be cleaned of any sediment, plants or animals and pressure washed with fresh water and/or sprayed with undiluted vinegar prior to being mobilized at the work site.

**9.** Heavy equipment is to arrive on site in a clean, washed condition and is to be maintained free of fluid leaks.

**10.** Should a fuel or hazardous material spill occur, regardless of the size, the spill must be reported to the Environmental Emergency Response number at **1-800-565-1633.** This Emergency Response number operates 24- hours a day, 365 days a year.

**11.** Activities are prohibited in marine conservation areas established by the Canadian National Marine Conservation Areas Act including the Basin Head Lagoon area.

**12.** Heavy equipment (other than tracked vehicles) is not permitted to operate in the following shoreline areas on PEI. Temporary closures may be in effect depending upon the condition of the shoreline. The Department must be contacted by phone at (902) 368-5700 prior to undertaking work in these areas:


A. Brighton Shore, Charlottetown, York Lane through Colonel Grey Dr.

B. Langley Beach, Stratford (shore between Battery Point and Rosebank Point).

C) Brooklyn, Prince County (shore along Wallace Dr., Dunroamin Ln, Vegabond Ln. and Adams Dr. Refer.


**13.** When erosion control measures are being utilized, they must adhere to the Construction Techniques for Erosion and/or Sedimentation Control (specified in section 7.2 of manual.)

**14.** Prior to commencing any activity under these standards, the contractor must submit to the Department of Environment, Energy and Climate Action a completed notification form and must receive from the Department confirmation of receipt.

**15.** Construction activities must be stabilized at the end of the workday, to prevent sedimentation of any watercourse and/or wetland. Fill material and/or disturbed areas of the bank must be stabilized at the end of each day.

**16.** Heavy equipment must not operate on a beach or shoreline within 1km of where piping plovers are present. No work may be carried out from April through September if piping plovers are present within 1km of the work site. Contractors must contact Forests, Fish and Wildlife (902) 368-4683 to determine the status of the piping plover in the area prior to conducting any work. Areas with traditional piping plover use are listed in Appendix 3.

# CONSTRUCTION STANDARDS FOR SPECIFIC WATERCOURSE, WETLAND AND BUFFER ZONE ACTIVITIES

In addition to the previous general standards, the following standards are specific to the activities listed and must be followed when undertaking these activities:

## SHORE STABILIZATION

Shoreline stabilization activities must be carried out as follows:

**1.** Shoreline stabilization can be carried out on shorelines of tidal water only. It may not be completed under the Contractor Licensing Program where the area at the base of the bank to be armored is a wetland or sand dune.

**2.** The deposition of material shall not exceed 100 meters in length when measured following the natural contours of the shoreline.

**3.** The deposition of material shall not exceed 1 meter on the seaward side of the toe of the existing bank. The deposition of any material shall not change the natural contours of the shoreline. The reclamation of eroded property is not permitted.

**4.** Trees and/or shrubs in the buffer zone may not be cut or destroyed. Dead trees on the beach/shoreline may be removed to allow placement of shore stabilization material. Trees leaning over the bank above the shore stabilization material may be removed.

**5.** Contractors must use an existing access to the shoreline. The creation of a new access to the shoreline through excavation of the bank, including the creation of slipways and walkways, is not permitted under the Contractor Licensing Program. The footprint (width) of an existing access must not be increased. If there is no existing access to the shoreline an Environment Officer must inspect the proposed route

**6.** If it is determined by the Licensed Contractor that work will be taking place within 200 meters of a shellfish lease:

A. The Licensed Contractor must contact DFO Shellfish Leasing at (902)566-7996 to inform them of the work. DFO will then notify the lease owner of the work and any concerns will be brought to the contractor's attention.

B. If there are concerns from the lease owner, the contractor must inform the Department of Environment, Energy and Climate Action at (902)368-5700. If the concern(s) of the lease owner cannot be resolved by the Department over the phone an on-site meeting with the contractor will be arranged.

C. When working within 200 m of any shellfish lease, working from the bank (no machinery or equipment on the beach) is always the preferred method.

**7.** Existing rock (naturally occurring sandstone on the shoreline) directly in front of the property and within 3 m of the toe of slope may be incorporated into the shore stabilization material.

**8.** Shoreline stabilization work may not be carried out in areas where bank swallows are nesting. If there is any evidence of a colony in close proximity to the proposed project, no work can be carried out unless authorized by an Environmental Officer, contacted at (902)368-5700. If all three of the following statements apply to the proposed shoreline stabilization work the Department will deny the notification or application based on the fact that the area is critical habitat for a Species at Risk.

- located inside the mapped polygon for critical habitat;
- the property in question meets the federal criteria for critical habitat; **and**
- evidence of a colony is present.

If there is evidence of a colony in close proximity to the proposed property, but outside the polygon for critical habitat then the Department will take a risk management approach and may deny the notification.

**9.** For riprap construction:

A. The material used for shoreline stabilization must be clean and uncontaminated. The approved materials include rock and sandstone with a minimum size of, R50 and greater. All other material must be approved by an Environmental Officer.

B. The material used for the backfill must be clean and uncontaminated and may include common borrow, shale or gravel.

C. The material used for shoreline stabilization must be securely installed to ensure it does not create a safety hazard.

D. Filter fabric must be used behind the riprap to reduce undermining and loss of backfill material.

E. The exterior face of the stabilization material must be keyed(entrenched) into the beach profile to a depth of gat least 0.6 meters to prevent undermining.

F. The stabilization material at the ends of the structure must be tied back into the existing bank. This will help prevent scouring around the ends of the structure that could lead to structural failure.

G. If riprap is being used, the slopes where the riprap is to be placed shall be graded to a gentle slope.

**11.** Any holes or ruts greater than 0.5 feet in depth created on the beach area and/or shoreline must be filled in and levelled at the end of each working day during the project.

**12.** Whenever practical, as much work as possible must be carried out from the top of the existing property bank to restrict the use of heavy equipment on the shoreline or beach. Trees or shrubs in the buffer zone must not be cut down to accomplish this. When the presence of trees or shrubs prevents working from the top of the bank, working from the shoreline may be utilized as long as:

A. There is no shellfish lease within 200 m of the work site.

B. If there is any evidence of a Bank Swallow colony in close proximity to the proposed project, no work can be carried out unless authorized by an Environmental Officer.

C. The shoreline area is not a wetland (such as salt marsh) or a sand dune.

D. The shoreline is stable enough so that repeated trips of equipment in the area does not create large holes and ruts.

**13.** Where practical, the closest shoreline access point to the project location must be used to access the beach or shoreline when work cannot be carried out from on top of the property bank. If private access routes are to be used, landowner permission must be obtained prior to commencement of work. ***It is the licensed contractor's responsibility to repair any damage resulting from accessing the site.***

**14.** Contractors must ensure that all work is stabilized as required to prevent sedimentation of any watercourse or wetland.

**15.** Any unstable material (i.e. imported backfill material, disturbed area of bank/slope, etc.) must be stabilized (i.e. covered with fabric and rock) as work progresses. Unstable material/disturbed areas must not be left exposed to the elements.

**16.** The beach must be cleaned and left in a natural state, when the work is complete.

# LANDSCAPING IN A BUFFER ZONE

Landscaping within a buffer zone must be carried out according to the following procedures:

**1.** No infilling of any part of a watercourse, wetland or sand dune is permitted.

**2.** The time frame for normal planned work is between May 1 and November 30.

**3.** Landscaping may only be completed between December 1 and April 30 where the work is an emergency and must be completed to forestall further damage to the buffer zone and adjacent watercourse or wetland.

**4.** No trees or shrubs may be cut or otherwise destroyed. Absolutely no conversion of land.

**5.** A type #1 silt fence must be installed along the perimeter of the watercourse boundary or wetland boundary and must remain in place until all barren soil has been seeded and stabilized.

**6.** The disturbed area is to be graded to a stable slope. Large amounts of soil, earth, or other material may not be either added or removed. This means that soil at a depth in excess of 60 cm may not be either added or removed.

**7.** All barren soil exposed by landscaping and grading must be seeded, have a Type #1 silt fence installed, and be mulched. The silt fence should remain in place until grass cover is established, and then removed and disposed of properly.

**8.** No heavy equipment is permitted to enter a watercourse, wetland or sand dune.

**9.** Road maintenance may be carried out in accordance with the following requirements in addition to those listed above:

A. Maintenance may only be carried out on existing roads where the footprint (width) of the road will not be increased.

B. Maintenance may not be carried out where a washout has occurred due to an undersized and/or obstructed culvert. In these cases, a separate permit which addresses the cause of the washout is required.

**10.** Heavy equipment is not permitted on sand dunes, beaches or shoreline or within 30 meters of a watercourse boundary or wetland boundary.

# OPERATION OF HEAVY EQUIPMENT ON THE SHORELINE

Operation of heavy equipment on a beach or shoreline must occur in accordance with the following:

1. Vehicle traffic must be confined to the existing access points and beach area where the work is located, and any disturbances to adjacent sand dunes or beaches must be avoided.
2. Where practical, the closest shoreline access point to the project location must be used to access the beach or shoreline when work cannot be carried out from on top of the property bank. If private access routes are to be used, landowner permission must be obtained prior to commencement of work. It is the licensed contractor's responsibility to repair any damage resulting from accessing the site.
3. Only the immediate area of the beach or shoreline at the work location maybe disturbed.
4. Any holes and tracks, greater than 0.5 feet in depth, created on the shoreline during the work must be filled, levelled, or back dragged before the next high tide or before the contractor leaves the site for the day.
5. Sand dunes can only be crossed at existing non-vegetated access points with a distance length of 30 meters or less. Old access points that are longer than 30 meters in length or have grown up with vegetation must not be utilized.
6. The washing, refueling, servicing of equipment and storage of fuel and other materials shall not occur within 30 meters of the coastline and /or watercourse / wetland boundary to prevent any deleterious substance from entering the water.
7. Timing of work must not coincide with periods of increased sensitivity for shellfish (i.e. spat fall) if the work is to be carried out within 200 meters of a lease. This period of sensitivity is between June and August.
8. Seaweed may be repositioned on the beach/shoreline but may not be removed from the beach/shoreline for disposal. Seaweed removal requires a separate permit.
9. Washed up animals may be buried on the beach when requested by Provincial Government. Prior to burying any animal washed up on the beach, contractors must contact the Forests, Fish and Wildlife Division at 902-368-4683 for instructions on burial.

**10.** Contractors must use an existing access to the shoreline. The creation of a new access to the shoreline through excavation of the bank, including the creation of slipways and walkways, is not permitted under the Contractor Licensing Program. The footprint (width) of an existing access must not be increased. *If the access point is not accessible contact an Environment Officer at 902-368-5700*.

## MINOR BRIDGE REPAIRS

Minor bridge repairs must occur in accordance with the following:

**1.** Repairs permitted under this section shall be limited to:

A. Decking and support replacement.

B. Erosion control and slope protection on abutments.

C. Grading of approach roads.

**2.** The time frame for normal planned work:

A. Decking and support replacement is year-round.

B. Erosion control and slope protection on abutments; and grading of approach roads is between June 1 and September 30.

**3.** Minor bridge repairs for erosion control and slope protection on abutments and grading of approach roads may only be completed between October 1 and April 31 where the work is an emergency and must be completed to limit damage to the buffer zone and adjacent watercourse or wetland.

**4.** Timing of all work must not coincide with periods of increased sensitivity for fish (i.e. spawning and egg incubation) or shellfish (i.e. spat fall) if the work is to be carried out within 200 meters of a shellfish lease.

**5.** Repair work on the upstream and downstream ends of the approach roads must be stabilized with wingwall riprap such as stone or concrete.

**6.** If riprap reinforcement or armoring is required to stabilize eroding areas around abutments, large clean, angular rocks must be placed into the eroding area at a similar slope as the stream bank to maintain a uniform bank slope and natural stream alignment. The cross-sectional area for water passage under the bridge must not be decreased by the riprap placement.

**7.** Approaches on both the upstream and downstream ends of the bridge must be riprapped with stone or concrete to prevent erosion.

8. During the grading of approach roads within 30 meters of a watercourse boundary or wetland boundary a type #1 silt fence must be installed along the perimeter of the boundary. The silt fence should remain in place until grass cover is established, and then removed and disposed of properly.
9. Any disturbance or destruction of any part of a watercourse or wetland that occurs during the project must be repaired immediately, under the direction of an environment officer.
10. No heavy equipment is permitted to enter or ford the watercourse wetland.
11. Where ditch run outs are constructed along the approach roads to a bridge, they must not be constructed within the buffer zone.
12. Any construction debris or other debris generated during the project must not enter the watercourse. If any materials enter the watercourse they must be immediately removed and disposed of in a provincially approved manner.
13. The width of the grubbed zone should be no more than the total width of the roadway, fill embankments and ditches.
14. Creosote treated timbers may not be used in the watercourse.
15. All barren soil exposed by landscaping and grading must be seeded, have a Type #1 silt fence installed, and be mulched. The silt fence should remain in place until grass cover is established, and then removed and disposed of properly.
16. Heavy equipment shall not be operated outside the roadway fill embankments and ditch area in a manner that causes disturbance to the watercourse banks or wetland.
17. Sediment barriers, such as silt fences or hay bales, must be placed along the toe of the slope of the fill material used to construct the approaches to the structures.
18. Existing clear span bridges may be replaced with similar clear span bridge structures. No disturbance of the streambanks and/or watercourse or increase in footprint over the previous structure is permitted.

# CONSTRUCTION TECHNIQUES FOR EROSION AND/OR SEDIMENTATION CONTROL

The following sections deal with construction techniques for erosion and/or sedimentation control related to any of the activities performed in previous sections of this document. All the activities must include appropriate erosion and/or sediment control measures. It is the responsibility of the contractor to determine which of the erosion or sediment control techniques is appropriate for their project.

## General techniques for all check dams:

**1.** Check dams must be installed before the construction phase of an activity begins.

**2.** Check dams must be constructed so that the center of the dam is at least 15 centimeters lower than the elevation at which the ends of the dam tie into the existing ground. This may be accomplished with a notch in the center of the dam.

**3.** Check dams must be embedded into the bottom and banks of the ditch to prevent undercutting and run-around.

**4.** Check dams should be spaced as per Figure 3 below titled "Distance Between Check Dams".

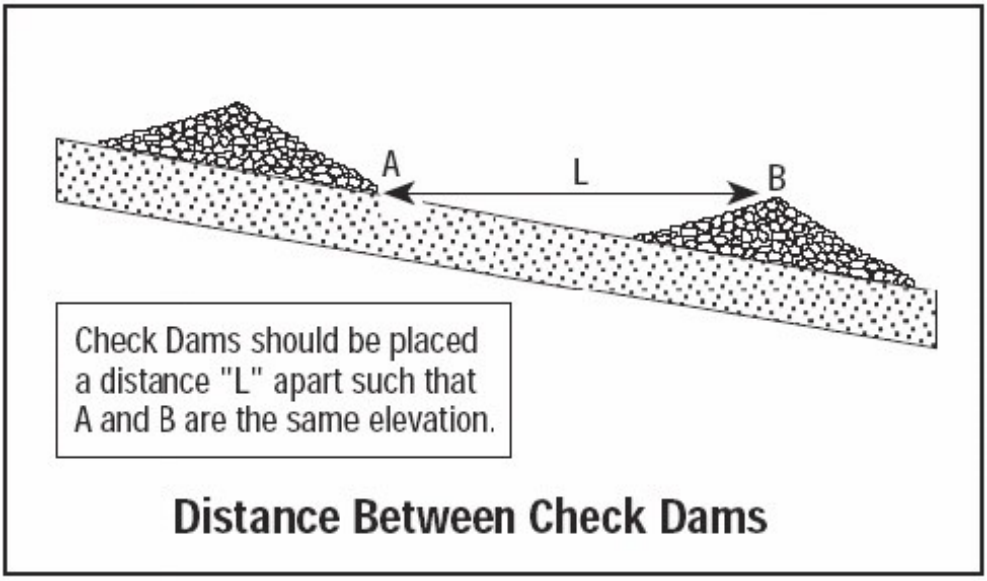



*Figure 3 – Distance requirements between check dams*

**5.** Regular inspections are necessary to ensure that sediment does not accumulate to an elevation of more than half of the height of the dam. The accumulated sediment must be removed prior to reaching this level.

**6.** Before the removal of the check dam, all accumulated sediment must be removed and disposed of in an area where it: cannot re-enter any watercourse and/or wetland; and is outside the buffer zone.

**7.** Check dams can be removed when they are no longer needed or when the ditch becomes permanently stabilized with vegetation.

### Additional stone check dam requirements

**1.** Rock must have a minimum dimension of approximately 50 millimeters.

**2.** Rock must be packed tightly.

### Additional straw/hay bale check dam requirements

**1.** Straw/hay bales must be bound with wire or string.

**2.** Straw/hay bales must be keyed in with a trench.

**3.** Straw/hay bales must be placed tightly together and secured by driving 2wooden stakes through each bale, deep enough to anchor them.

**4.** Loose straw must be wedged between any cracks or openings.

**5.** A small amount of fill must be placed on the upslope side of the bales.

### Techniques for Sediment Traps

1. Sediment traps must be constructed prior to initial grubbing and excavation of a work site and shall remain in use until the disturbed area is protected against erosion by permanent stabilization.
2. The average length of the trap shall be at least twice the average width of the trap.
3. The trap must be excavated to a maximum depth of 1 meter to reduce the frequency of clean out and shall be sized large enough to handle the expected flows. The side slopes must be no steeper than 1:1. The maximum depth of the sediment trap from the bottom of the trap to the top of the spillway must not exceed a depth of 1.3 meters.
4. The outlet of the sediment trap must be lined with rip rap.

## SILT FENCES/BARRIERS:

1. Type #1 Silt Fences:

   A. Silt fences shall be installed up-slope of the watercourse and wetland boundaries.

   B. A trench 100 millimeters in width and 100 millimeters in depth shall be excavated on the up-slope side of the fence. The silt fence must be keyed into the substrate.

   C. Excavated soil in the trench shall be backfilled and compacted over the silt fence.

   D. All silt fences/barriers or parts there of that are damaged shall be repaired immediately.

   E. Once the area is stabilized remove type #1 silt fence and dispose of it properly.

   F. Refer to Figure 4 for proper installation and construction of a silt fence.

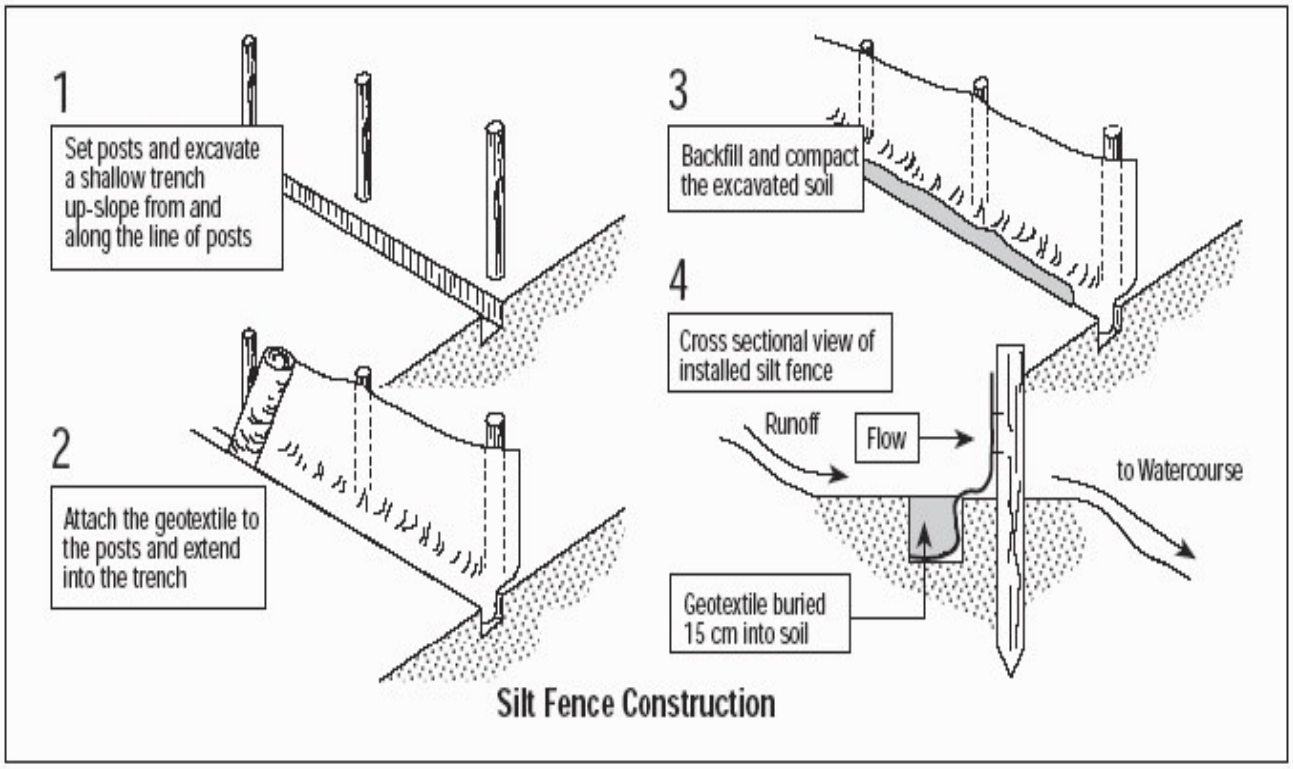



Figure 4 – Silt Fence Construction

## STRAW/HAY BALE BARRIER:

**1.** An excavated trench 10 cm deep and the width of the straw bale must be created for the bales. Excavated soil should be compacted against the upslope side of the bale as shown in Figure 5.

**2.** Bales must be bound with wire or string and be placed lengthwise in the trench.

**3.** Bales must be secured by driving 2 sturdy wooden or steel stakes through each bale, deep enough into the substrate to anchor them securely, i.e., Loose straw must be wedged between any cracks or other openings.

**4.** Bale barriers that are damaged shall be repaired immediately.

**5.** Refer to Figure 5 for proper installation and construction of a straw bale barrier.

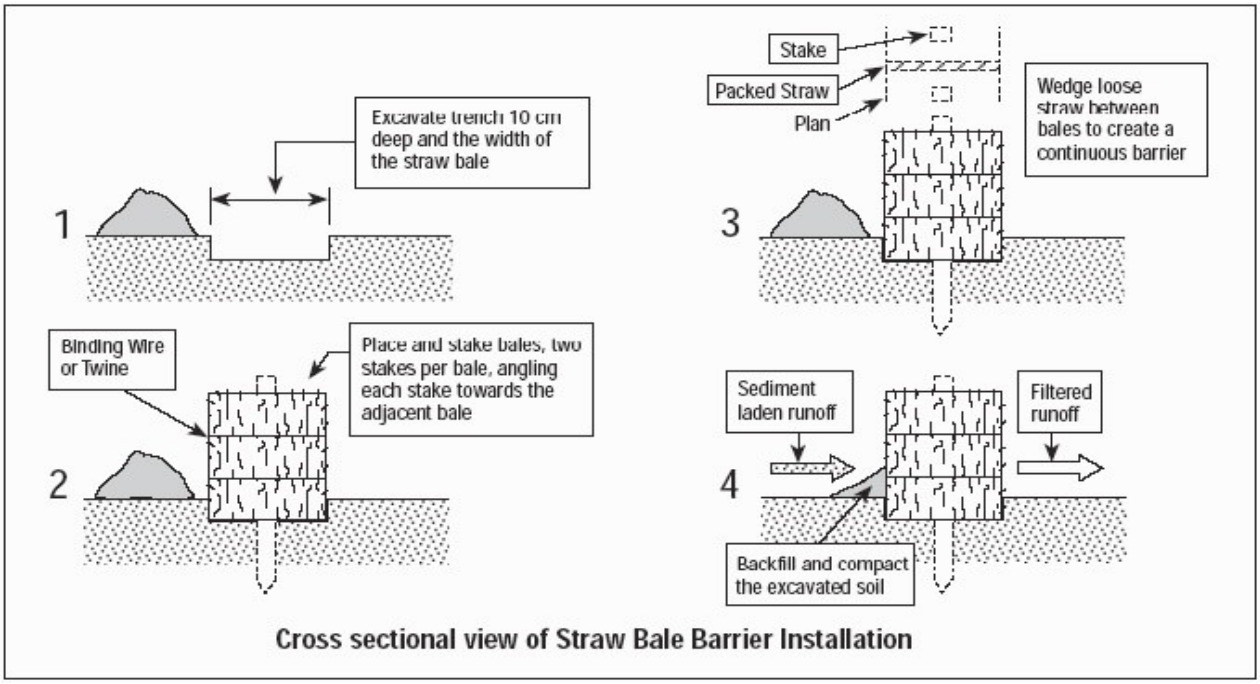



Figure 5 Straw/Hay Bale Barrier

# RE-VEGETATION

## 1. Seeding

A. Seeding must be carried out as soon as possible of completing surface preparation.

B. Seeding shall be completed on topsoil.

C. On steep areas, such as roadside slopes, the seed must be covered with mulch or an erosion control mat to ensure that the seed remains in place during its germination period.

## 2. Mulching

A. Hay mulch must be applied uniformly as soon as possible following the completion of surface preparation.

B. Hay mulch must not be so wet, decayed or compacted that it inhibits even and uniform spreading.

C. Hay mulch shall be applied at a rate as such that the ground is 100% covered and repaired/ re-mulched as required, until the area has stabilized.

D. Where the Hay mulch is at risk of being blown or washed away, the mulch must be crimped into the surface.

# SOIL STABILIZATION BLANKETS (I.E., JUTE MATS, BURLAP & WOVEN STRAW BLANKETS)

1. Stabilization blankets must be stapled securely to the soil.
2. Stabilization blankets must not be stretched.
3. In ditches or channels, the blankets shall be laid out in the direction of flow. On steep slopes, the mat shall be laid out with its length extending from the top to the bottom of the slope.
4. Stabilization blankets must be inspected regularly and repaired as required until the area has stabilized.

# APPENDIX 2

## Acts And Legislation

The following is a listing of the legislation which is relevant to the Contractor Licensing Program. The actual Acts and Regulations should be referenced in order to ensure compliance.

## Provincial Legislation

The following are a list of provincial Acts and Regulations that may apply to the design, construction or carrying out of a watercourse, wetland, or buffer zone activity. Electronic copies of these Acts and Regulations may be downloaded from the provincial government website: www.princeedwardisland.ca/en/legislation/all/all/a

## Environmental Protection Act

A copy of the applicable sections of the *Environmental Protection Act*, including the new Watercourse and Wetland Protection Regulations, are found in a separate handout given out as part of the Contractor Licensing Program - Training Program. Therefore, a summary is not presented here.

## The Planning Act

*The Planning Act* and the Planning Act Regulations are administered by the Prince Edward Island Department of Agriculture and Land. For most areas in the Province, decisions on the approval or denial of subdivision applications or building permits are made by the provincial government, specifically the Department of Agriculture and land.

*The Planning Act* also has a section that deals with the Morell River Conservation Zone along the Morell River. Development within 3 chains (198 ft) of the river is not generally permitted.

## Trespass to Property Act

The *Trespass to Property Act* outlines prohibitions of entry or certain activity on premises and is administered by the Office of the Attorney General. You must be sure that you are compliant with this Act for any work undertaken.

## Wildlife Conservation Act

The *Wildlife Conservation Act* is administered by the Department and provides for the protection, management and conservation of wildlife and wildlife habitat in the province.

# Federal Legislation

## Fisheries Act

The *Fisheries Act* enables Fisheries and Oceans Canada (DFO) to protect fish and the natural environment systems that support fish. The *Fisheries Act* defines Fish to include all phases of life as, (a) parts of fish (b) shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and (c) the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals. It is a requirement to provide fish passage facilities at obstructions where the need is determined by DFO. The Department will provide engineering advice and assistance in the design and construction of fishways. In order to conduct watercourse, wetland or buffer zone activities, contractors should acquaint themselves with the requirements under the *Fisheries Act*. A copy of the *Fisheries Act* is available on request from any office of DFO.

### Canadian Navigable Waters Act

Transport Canada administers the *Canadian Navigable Waters Act*. This act was developed to protect navigable waters for the purposes of navigation. Transport Canada must approve of any project involving the construction or placement of any structure, in, upon, over, under, though, or across any navigable water. A copy of this Act may be attained upon request from any Transport Canada office.

### Canadian Environmental Assessment Act (CEAA)

The *CEAA* is a federal act to ensure that federal departments conduct an environmental assessment of works or undertakings where they have a direct interest through provisions of funding, federal lands, specific federal regulatory triggers or inter - provincial activities. It is intended to promote/permit public participation in the environmental assessment of federal activities. The assessment should be carried out early in the planning stage.

### Migratory Birds Convention Act

The Piping Plover and the Bank Swallow are both migratory birds protected under the *Migratory Birds Convention Act*, 1994 (MBCA) and is under the management jurisdiction of the federal government. The *Species at Risk Act* (SARA, Section 47) requires the competent minister to prepare an action plan(s) in respect of a recovery strategy.

# APPENDIX 3

## List Of Traditional Piping Plover Use

List of traditional use areas for Piping Plovers on PEI. Contractors planning work in the areas below much contact Forests, Fish and Wildlife at (902) 368-4683 to determine the current status of the Piping Plover in the proposed work area before starting any work. Note: It is the licensed Contractors responsibility to determine the status of the Piping Plover prior to operating any equipment on any beach/shoreline. The list below is a guide only.

| Kings County | Queens County | Prince County |
|---|---|---|
| Basin Head (Bothwell) | Adam's / Morrison's Pond | Cabot Provincial Park |
| Beach Point | Blooming Point NP | Cascumpec Sand Hills |
| Boughton Island | Brackley Main NP | Cedar Dunes Provincial Park |
| Black Pond | Brander's Pond | Conway Sand Hills |
| Cable Head East | Campbell's Pond | Darnley Point |
| Cable Head West | Cavendish NP | Hog Island |
| Canavoy | Cavendish Sandspit NP | Indian Point Sand Hills |
| Cross River | Cousin's Pond | Jacques Cartier East |
| Diligent Pond | Covehead Harbour West NP | Nail Pond |
| East Lake | Dalvay NP | Tignish Shore |
| East Point | DeRoche Pond | Tryon River |
| Eglington Cove | North Rustico Beach NP | |
| Fortune Cove | North Rustico Sandbar | |
| Greenwich NP | Robinson's Island NP | |
| Howe Bay Sandspit | Rustico Causeway NP | |
| Lakeside Beach | Shaw's Beach NP | |
| Naufrage | Stanhope Beach NP | |
| North Lake | Tracadie Beach | |

| | | |
|---|---|---|
| Old Ferry Spit | Wood Islands | |
| Panmure Island | | |
| Pigott's Pond | | |
| Poverty Beach | | |
| Priest Pond | | |
| Poverty Island | | |
| St Peter's Harbour | | |
| Souris Causeway Beach | | |
| South Lake | | |
| Spry Cove | | |

One Island Community
*One Island Future*


# Buffer Zones Fact Sheet

# *Buffer Zones*

## Regulation Changes

Since 1999, environmental buffer zones have been an important way to protect watercourses and wetlands across PEI. Recently changes were made to simplify the rules and improve the protection of our watercourses and wetlands.

The new Watercourse and Wetland Protection Regulations cover three main topics:

1. Watercourses and Wetlands
2. Buffer Zones
3. Grass Headlands

Each area has its own requirements.

**What is a watercourse?**
A watercourse is any stream, creek, pond, river, bay or coastal water body whether it contains water or not.

**What is a wetland?**
A wetland is an area of water-tolerant vegetation including marshes, swamps, bogs and meadows.

## 1. Watercourses and Wetlands

For watercourses and wetlands you need a permit to:

- alter any features or disturb the ground
- dump or remove any material or objects of any kind
- build, repair or remove structures or obstructions of any kind
- operate vehicles or equipment – except for launching a boat or the legal harvesting of a fishery resource
- alter or destroy vegetation, including cutting live trees and shrubs – except in a wooded swamp
- carry out stream enhancement activities.

## 2. Buffer Zones

Buffer zones are next to all watercourses and wetlands. They are **15 metres** wide. For freshwater streams they are measured from the edge of the sediment bed – see Diagram 1. For all tidal areas they are measured from the top of the bank. Tidal areas include the salt water part of rivers, bays and the outer coastline. For wetlands, buffer zones are measured from the edge of the wetland vegetation.

In buffer zones you need a permit to:

- alter or disturb the ground or soil
- dump any material or objects of any kind
- remove soil or rocks
- build, repair or remove structures or obstructions of any kind
- operate vehicles or non-agricultural equipment
- cut down live trees and shrubs.

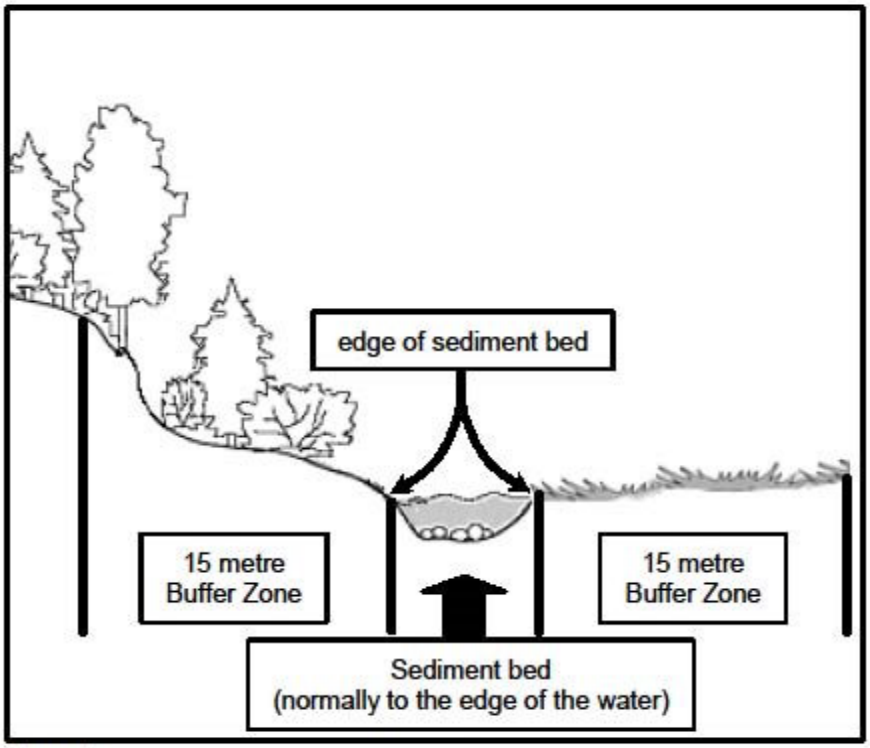



Diagram 1

You **may not** grow agricultural crops or use pesticides in a buffer zone except those next to wetlands that are completely shrub swamps, bogs, wooded swamps, seasonally flooded flats, meadows or landlocked ponds.

You **may** prune trees and shrubs in buffer zones as long as you follow the rules above. You may also plant grass, trees and shrubs as long as you only use hand tools. You may also cut the grass in a buffer zone. Agricultural equipment may turn in a buffer zone.

## 3. Grass Headlands

If you grow row crops such as potatoes, all rows that end within 200 metres of a watercourse or wetland must end (see Diagram 2):

a) in 10 metres of grass that was established before the year the row crop is grown,

**or**

b) at the edge of the buffer zone.

This rule does not apply to growing corn. A grass headland is **not** needed where there is an approved management plan for the property. For information about management plans, contact the Department of Agriculture at 368-5650.

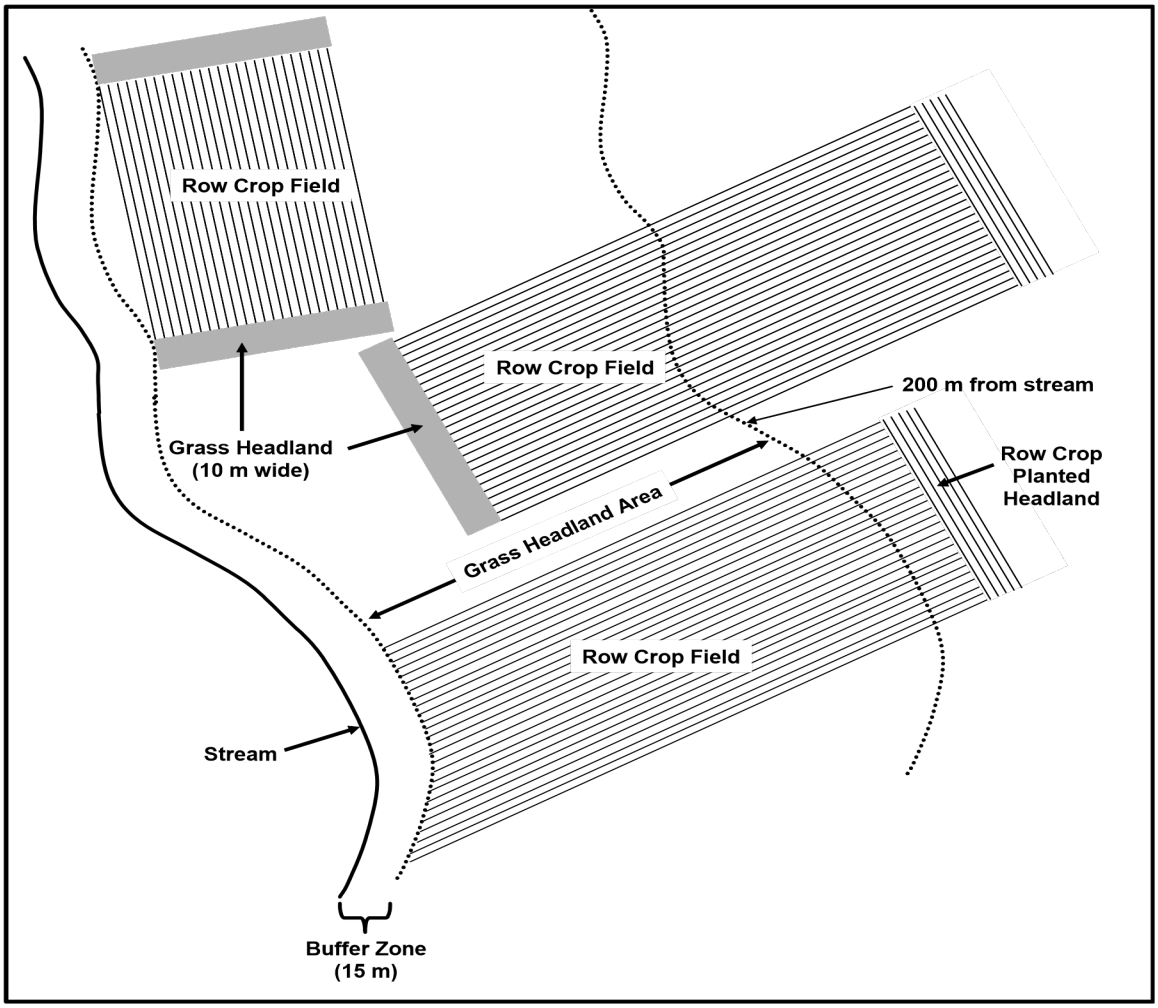

Row Crop Field
Row Crop Field
200 m from stream
Grass Headland
(10 m wide)
Row Crop
Planted
Headland
Grass Headland Area
Row Crop Field
Stream
Buffer Zone
(15 m)

Diagram 2

## Livestock

If you have an intensive livestock operation, you must follow all the rules mentioned above.

Also, you may **not:**

- allow any livestock waste to enter any watercourse or wetland.
- build or expand any intensive livestock operation within 90 metres of any watercourse or wetland without authorization from the Department of Environment, Energy and Forestry.

***This fact sheet is a short summary of the Watercourse and Wetland Protection Regulations. For all of the details about the rules, please read the regulations. You can get a copy from Island Information Service or on the Internet at www.princeedwardisland.ca.***

***Feel free to contact the Department of Environment, Energy & Climate Action at (902)368-5700 if you have questions about any of the regulation details.***

09EN52-22688

## Links for easy access:

Provincial Legislation ***www.princeedwardisland.ca/en/legislation/all/all/a***

Regulations

***https://www.princeedwardisland.ca/sites/default/files/legislation/e09-16-environmental_protection_act_watercourse_and_wetland_protection_regulations.pdf***

Watercourse, Wetland and Buffer Zone Activity Guidelines Manual

**https://www.princeedwardisland.ca/sites/default/files/publications/watercourse_wetland_and_buffer_zone_activity_guidelines_dec_2016.pdf**

## Industry Contacts:

Environmental Emergency Response **1-800-565-1633**

DFO Shellfish Leasing at (902)566-7996

Department of Environment, Energy and Climate Action.
Contractor Licensing Program (902) 368-5700
**clp@gov.pe.ca**

Department of Environment, Energy & Climate Action
Forest, Fish & Wildlife (902) 368-4683

Conservation Enforcement (902) 368-4884
**www.princeedwardisland.ca/en/service/report-violation-conservation-officer**

# Appendix 4
## Forms

# Application for a Watercourse, Wetland and Buffer Zone Activity Permit

**Pursuant to Section 6 of the *Environmental Protection Act***
**Watercourse and Wetland Protection Regulations**

**Personal information on this form is collected under Section 6 of the *Environmental Protection Act* Watercourse and Wetland Protection Regulations as it relates directly to and is necessary for an application for a Watercourse, Wetland and Buffer Zone Activity Permit. If you have any questions about this collection of personal information, you may contact the Manager, Environmental Land Management, Department of Environment, Energy and Climate Action (902) 368-5700.**

**Applicants must complete all applicable sections of this application in sufficient detail to allow for an evaluation of the proposed activity. Incomplete applications may be returned to the applicant and will result in delays in processing.**

**For additional information applicants should refer to the Watercourse, Wetland and Buffer Zone Activity Guidelines available at www.princeedwardisland.ca.**

**Return completed application with payment to: Department of Environment, Energy and Climate Action**
**4th Floor Jones Building, 11 Kent Street, PO Box 2000, Charlottetown, PE C1A 7N8**

*Office Use Only*
**WWBZ # _____**

| **Section 1 – Applicant** | |
|---|---|
| Name of individual/organization: | |
| Mailing address: | |
| Postal Code: | Country: |
| Phone: | Email address: |

| **Section 2 – Registered Property Owner** (if different from applicant) | |
|---|---|
| Name of individual/organization: | |
| Mailing address: | |
| Postal Code: | Country: |
| Phone: | Email address: |

| **Section 3 – Location of Activity** | | |
|---|---|---|
| Property Identification Number: | Civic Address: | |
| GPS Coordinates (if known): | Latitude | Longitude |
| Watercourse Name: | Tributary To: | |
| Community: | County: | |
| Is the proposed activity in/near a: ☐ Watercourse ☐ Wetland ☐ Buffer Zone ☐ Sand Dune | | |

## Section 4 – Type of Activity

| Type of Activity | Fee | Complete in Section 7 |
|---|---|---|
| ☐ Beaver dam notching or removal to prevent property damage | $0 | A, B |
| ☐ Boardwalk construction (in buffer zone) | $50 | A, B |
| ☐ Boardwalk construction (in wetland or sand dune) | $100 | A, B |
| ☐ Boat launch or shoreline access | $100 | A, B, H |
| ☐ Dam or Impoundment maintenance | $100 | A, B, C |
| ☐ Dredging | $100 | A, B, C |
| ☐ Floating Dock | $0 | A, B |
| ☐ Landscaping | $100 | A, B |
| ☐ Culvert / Bridge –new construction | $100 | A, B, C, D (if culvert) or E (if bridge) |
| ☐ Culvert / Bridge – repairs | $100 | A, B, C, D (if culvert) or E (if bridge) |
| ☐ Road Construction | $100 | A, B |
| ☐ Seaweed Removal or Relocation | $100 | A, B |
| ☐ Shoreline Protection | $100 | A, B, F |
| ☐ Stairway to Beach | $100 | A, B |
| ☐ Stream Enhancement | $0 | A, B |
| ☐ Temporary Crossing | $100 | A, B, E |
| ☐ Tree Cutting (Forest Management) | $50 | A, B |
| ☐ Tree Cutting (Safety Hazard, 4 or Fewer Trees) | $0 | A, B |
| ☐ Tree Cutting (Water View) | $100 | A, B |
| ☐ Watercourse Enhancement or Maintenance | $100 | A, B |
| ☐ Water Withdrawal for Irrigation | $300 | A, B, G |
| ☐ Wetland Alteration | $100 | A, B, C |
| ☐ Wetland Enhancement or Maintenance | $100 | A, B, C |
| ☐ Wharf Repairs or Construction (In-Water Work) | $100 | A, B, C |
| ☐ Wharf Repairs or Construction (No In-Water Work) | $50 | A, B |
| ☐ Other _____ | $50 | A, B |

## Section 5 – Timing of Activity

Specify the desired period for carrying out the proposed activity. Note that the normal window for carrying out in-water work is June 1 – September 30. Requests for work outside this window may be denied or may be subject to additional restrictions and/or conditions.

Start _____ Day/Month/Year

End _____ Day/Month/Year

## Section 6 – Description of Activity

Provide a detailed description and a drawing of the proposed activity. Include dimensions and construction details.

## Section 7 – Activity Details (complete all parts required as per Section 4)

### Part A – Complete for all activities

Specify environmental control methods and/or structures to be utilized to manage run-off, erosion and sedimentation before, during and after construction.

☐ Silt Fence ☐ Straw/Hay Bale Barrier ☐ Mulching ☐ Stone Check Dams ☐ Temporary Berm/Diversion Ditch

☐ Soil Stabilization Blanket ☐ Sediment Pond ☐ Other (Specify)

Specify how disturbed soil will be stabilized and how a permanent cover of vegetation will be established when construction is complete.

☐ Seeding and Mulching ☐ Sodding ☐ Hydroseeding ☐ Tree/Shrub Planting

☐ Other (Specify) _____

## Section 7 – Activity Details (continued)

### Part B – Complete for all activities

Specify equipment required.

☐ Hand-held Tools ☐ Farm Tractor ☐ Heavy Equipment ☐ Motorized Vehicle (i.e. Bobcat, ATV, etc)

☐ Dump Truck ☐ Other (Specify) _____

### Part C – Complete for: Culvert-New Construction, Bridge–New Construction, Culvert/Bridge Repairs, Wetland Alteration, Dam/Impoundment Maintenance, Dredging and any other activity requiring work in water.

Specify method of dewatering work area to allow for work in the dry: ☐ Coffer Dam ☐ Coffer Dam and Pump

☐ Coffer Dam and Water Diversion ☐ Impoundment Drawdown

☐ Other (Specify) _____

### Part D - Complete for: Culvert-New Construction and Culvert Repairs

**New Culvert**

Shape ☐ Round ☐ Box ☐ Pipe Arch ☐ Bottomless Arch ☐ Other (Specify) _____

Material ☐ Steel ☐ Plastic ☐ Concrete ☐ Wood ☐ Other (Specify) _____

Length (m) _____ Diameter, if round (mm) _____

Width, if not round (mm) _____ Height, if not round (mm) _____

**Existing Culvert**

Shape ☐ Round ☐ Box ☐ Pipe Arch ☐ Bottomless Arch ☐ Other (Specify) _____

Material ☐ Steel ☐ Plastic ☐ Concrete ☐ Wood ☐ Other (Specify) _____

Length (m) _____ Diameter, if round (mm) _____

Width, if not round (mm) _____ Height, if not round (mm) _____

Condition ☐ Blocked ☐ Collapsed ☐ Rusted ☐ Hanging ☐ Undersized ☐ Washed Out

Other _____

**Section 7 – Activity Details (continued)**

**Part E - Complete for: Bridge-New Construction, Bridge Repairs and Temporary Crossing**

**New Bridge or Temporary Crossing**

Type ☐ Clear-Span ☐ Other _____

Abutment Construction ☐ Timber ☐ Steel ☐ Concrete ☐ Other _____

Deck Construction ☐ Timber ☐ Steel ☐ Concrete ☐ Other _____

Span (distance between abutments (m) _____

**Existing Bridge**

Type ☐ Clear-Span ☐ Other _____

Abutment Construction ☐ Timber ☐ Steel ☐ Concrete ☐ Other _____

Bridge Deck Construction ☐ Timber ☐ Steel ☐ Concrete ☐ Other _____

Span (distance between abutments (m) _____

Condition ☐ Blocked ☐ Collapsed ☐ Rusted ☐ Undersized ☐ No Bridge Present

☐ Other _____

**Part F - Complete for Shoreline Protection**

Type of Construction ☐ Rock ☐ Retaining Wall ☐ Gabion Baskets ☐ Other _____

Material ☐ Imported Rock ☐ Sandstone Rock ☐ Concrete ☐ Timber ☐ Other _____

Length of Shoreline to be protected (m) _____

Sensitive Features at Construction Site ☐ Nesting Birds (i.e. Bank Swallows) ☐ Sand Dune ☐ Wetland

☐ Other _____

**Part G - Complete for: Water Withdrawal/Irrigation**

Water Allocation Requested in Imperial Gallons Per Minute (IGPM)) _____

Maximum Pumping Capacity of Equipment (IGPM) _____

Has the proposed pumping location been used previously? ☐ NO ☐ YES Previous Permit Number: _____

**Part H - Complete for: Boat Launch/Shoreline Access**

Height of the bank at the location of the proposed construction (m) _____

Width of the proposed construction, including side slopes (m) _____

Is there an existing public boat launch/shoreline access within two kilometres of the proposed construction? ☐ YES ☐ NO

Sensitive Features at Construction Site ☐ Nesting Birds (I.E Bank Swallows) ☐ Sand Dune ☐ Wetland

☐ Other _____

## Section 8 – Additional Information (Attach to Application)

| Required | Optional: |
|---|---|
| ☐ Map of location (aerial photo or GIS map) | ☐ Engineered Plans/Drawings (if available) |
| ☐ Pre-construction photographs (colour) | ☐ Erosion and sedimentation control plan |
| | ☐ Other _____ |

## Section 9 – Declaration

As applicant, I hereby request a permit to commence, make or carry out the watercourse/wetland/buffer zone activity as described on this application form. It is understood that by submitting this application it does not allow the applicant to commence, make or carry out the activity described herein.

It is understood that the issuance of a permit does not exempt the applicant from the provisions of any act of the Legislature of Prince Edward Island or the Parliament of Canada or any due process of law. It is acknowledged that the issuance of a permit does not serve to deprive any person of his or her rights either under statute or common law to claim damages for the loss or injury caused to his or her property by reason of the watercourse/wetland/buffer zone activity. It is understood that the issuance of a permit places no liability upon the Minister of the Department of Environment, Energy and Climate Action.

It is understood that for the purpose of application review, staff from the Department of Environment, Energy and Climate Action at any reasonable time may enter the property as identified in section 3 of this application.

If issued a permit, it is agreed that only such work as approved by the permit shall be carried out and all such work shall be done according to the permit and within the designated time frame so as to cause a minimum of disturbance to the watercourse/wetland/buffer zone.

As applicant, I have read and understood section 35 of the *Environmental Protection Act* that states, "Where contamination or damage of any kind is caused by failure of any person to comply with provisions of this Act or regulations and where the contamination or damage relates to a matter which in the opinion of the Minister requires immediate action to prevent further injury to the environment, the Minister may take the appropriate remedial action to clean up the contamination or damage." Any remedial action taken under section 35 may be at the cost of the applicant or the property owner.

Applicant Signature _____ Date _____

Property Owner Signature _____ Date _____

# CONTRACTOR LICENSING PROGRAM
## Project Registration Form
## (for EECA use only)

**Our reference # CL24- _____**

Date: _____

To: _____

From: _____

Email: _____

This is to acknowledge that we have received your project information.

Date:_____

Property Owner: _____

Project Location: _____

Please note that this correspondence only confirms receipt of this information and must not be construed as approval of the project, especially non-standard procedures. You are required to adhere to the Construction Standards for Activity in Watercourses and Wetlands for all work completed under the Contractor Licensing Program.

Additional Terms and Conditions: _____

_____

_____

_____

**For Information Contact:**

Department of Environment, Energy and Climate Action
Contractor Licensing Program
4th Floor Jones Building, 11 Kent Street
PO Box 2000, Charlot etown PE, C1A 7N8
Telephone: (902) 368-5700
Email: clp@gov.pe.ca

**For Environmental Emergencies (i.e. Oil Spills, Chemical Spills, Fish Kills, etc.) Contact 1-800-565-1633**

**CONTRACTOR LICENSING PROGRAM**
**NOTIFICATION FORM**

by licensee of Activity in a Watercourse, Wetland, or Buffer Zone pursuant to subsection 5(4) of the Watercourse and Wetland Protection Regulations Subsection 5(4) of the Watercourse and Wetland Protection Regulations requires that a licensee must, at least 24 hours prior to commencing an alteration or activity undertaken pursuant to a license, complete this form and file it with or fax it to the Department.

Personal information on this form is collected as it relates directly to and is necessary for the required notification to perform a watercourse and wetland activity. If you have any questions about this collection of personal information, you may contact the Manager of Environmental Land Management, 11 Kent Street, 4th Floor Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5274.

| **Licensee** | |
|---|---|
| Name: | |
| Company: | |
| Phone: | Fax: |
| Mailing Address: | |
| Province: | Postal Code: |
| E-mail: | |

**Project Information**

**Type of Project:**

- ☐ Shore Stabilization
- ☐ Landscaping in a Buffer Zone
- ☐ Operation of Machinery on a Beach or shoreline
- ☐ Minor Bridge Repairs

Comments:

Start Date:

****** If this project is taking place on a privately owned waterfront land and is adjacent to a public road/public access to the shore, you must contact the Property Management Section, of the Department of Transportation, and Infrastructure (902) 368-6119 or (902) 368-4199 to obtain their written permission to be submitted along with this notification form. ******

| **Property Information:** | |
|---|---|
| Property Owner(s) Name: | |
| Property Owner(s) Address: | |
| Property Tax #: | |
| Community: | County: |
| Work location on Property (describe): | |

Licensee Signature: _____ Date: _____

Contractor Licensing Program

Department of Environment, Energy and Climate Action
4th Floor Jones Building, 11 Kent Street
PO Box 2000, Charlottetown, PE C1A 7N8

Tel: (902)-368-5700
Email: clp@gov.pe.ca

**NOTE: Incomplete forms will not be processed and will be returned**.