

Summary Province of British Columbia Riparian Area Regulations (RAR)

Province of BC passed the Riparian Area Regulations (RAR) to protect fish bearing streams. “The Riparian Area Regulations came into effect on March 31, 2005. Local governments in southern BC were given until March 31, 2006 to adopt appropriate local bylaws for implementation.”¹

RAR requires that before certain activities take place within the assessment area, that an assessment be conducted by a Qualified Environmental Professional who certifies that there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area or identify measures to provide such protection.²

“Development” means any of the following associated with or resulting from the local government regulation or approval of residential commercial or industrial activities or ancillary activities to the extent that they are subject to the local government powers under Part 26 of the Local Government Act:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.”³

There are minimal exceptions.

Definition of “stream” and “assessment area” - “The definition of “stream” includes a watercourse, whether it usually contains water or not, a pond, lake, river, creek or brook; and a ditch, spring or wetland that is connected by surface flow to a watercourse, pond, lake, river, creek or brook that provides fish habitat.....The Riparian Area Regulations say “the assessment area for a “stream” is:

- the 30 metre strip on both sides of the stream, measured from the high water mark,
- for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank,

¹ Province of BC Ministry of Environment, Environmental Stewardship Division webpage, Riparian Area Regulations, Frequently asked Questions, Page 6

² Riparian Area Regulations, Order in Council 837 July 27, 2004, page 4

³ Ibid page 1

- and for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank."⁴

⁴ Ibid, page 3