

Information Bulletin for Shoreline Alterations Near Wetlands

Background

Wetlands along the edges of major lakes such as Lake Winnipeg and Lake Manitoba have an important ecological function, and are protected under The Water Rights Act and The Environment Act. Residential owners with property adjacent to these wetlands may be interested in a number of activities that may be regulated under these acts. These activities include lot grading, riparian vegetation management, emergent vegetation management, infilling, and excavation. This information bulletin provides clarification on what the existing regulatory requirements are for common shoreline alteration activities.

This information applies to activities on privately owned land. Care should be taken to verify property boundaries in project planning, since Crown land cannot be altered or affected without separate authorization. Municipal approvals may be required as well; property owners should discuss their project in advance with the municipality involved, and obtain any necessary permits and approvals.

Lot Grading

Grading involves minor sloping to prevent the ponding of rainfall and snowmelt, and will not involve infilling or excavation of wetlands, which are discussed below. Regraded land will be stabilized with vegetation or otherwise protected from water erosion to eliminate off-property effects. Grading activities do not require approval under provincial legislation.

Riparian Vegetation Management

Riparian vegetation is natural vegetation growing along shorelines adjacent to water covered land. It may consist of any or all of grasses, bushes and trees. While the removal of riparian vegetation on privately owned land does not require regulatory approval, the removal may aggravate erosion or slope stability issues that extend beyond the property boundary.

In-Water Vegetation Management

Emergent vegetation is natural vegetation growing in and emerging above water. It includes bulrushes and cattails, and includes stages of emergent plants early in the growing season before emergence. Submergent vegetation is natural vegetation growing below the water surface. Owners may be interested in removing emergent and submergent vegetation from private property to improve conditions for swimming and boating. Because this vegetation supports habitat for fish, amphibians and other aquatic lifeforms, in-water removal is problematic, whether the removal targets in-water stems

or root material. Regulatory requirements depend on the type and timing of removal. Late season removal of stems is unlikely to require approval, and the excavation of root material is most likely to require approval. Project-specific advice can be obtained from Environmental Approvals Branch staff in advance.

Infilling

The infilling of wetland areas to “reclaim” periodically flooded land is not authorized unless specifically licensed under The Water Rights Act or The Environment Act. Landowners contemplating infilling activities can discuss their project with Environmental Approvals Branch staff to determine regulatory requirements before beginning construction. Approval, if provided, may take several months and may require the acquisition of field data by environmental professionals. Projects undertaken without authorization will be reviewed on a case by case basis, and may be subject to enforcement activity and/or prescribed mitigation and remediation measures.

Excavation

Excavation may be desired to improve boat access to private property. Excavation connected to deeper water generally requires environmental assessment and licensing under The Environment Act. In some cases, the location, method or timing of construction may allow a project to proceed without licensing. Project-specific advice on regulatory requirements can be obtained from Environmental Approvals Branch staff in advance.

Maintenance Dredging

Property owners occasionally want to improve boat access by dredging previously constructed channels that have become partially infilled. These projects are reviewed on a case by case basis, considering the location, area involved, construction method and construction timing. In some cases environmental assessment and licensing is required, and in some cases the project can be designed and carried out in a manner that does not require this process. Projects of this type can be discussed in advance with Environmental Approvals Branch staff to determine regulatory requirements.

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