

**Department of Environment and Local Government
Source and Surface Water Management**

Wetland Guidelines

All wetlands in New Brunswick are regulated and any alteration in or within 30 metres of a watercourse or a wetland requires a Watercourse and Wetland Alteration (WAWA) permit as per the *Watercourse and Wetland Alteration Regulation - Clean Water Act**. On January 1st, 2020, the Department of Environment and Local Government (DELG) created an online [Watercourse and Wetland Alteration \(WAWA\) Reference Map](#). The map is based on a composite of the most recent, publicly available information on wetland and watercourse locations but is to be used as a reference tool only. All wetlands and watercourses which meet the [definitions](#) are now regulated based on their presence and limits on the ground. The WAWA Reference Map is also available on [GeoNB](#).

Provincially Significant Wetlands (PSWs) are shown in yellow on the WAWA Reference Map. These PSWs are attributed special status because they are fulfilling important functions and values; therefore, activities in or within 30 metres of a PSW are highly restrictive. A list of all the PSW areas as well as the criteria used to identify them can be found in the [List of Provincially Significant Wetlands](#). If a wetland is deemed by DELG to meet one or more of the criteria from this list, it could become classified as a PSW and be regulated as such.

Proponents should avoid all impacts to wetlands and the 30-metre wetland buffer to the extent possible. When avoidance is not possible, a [Watercourse and Wetland Alteration \(WAWA\) Permit](#) is required for all proposed alterations in or within 30 metres of a wetland.

Wetland Delineation

If a property owner of a single residence disagrees with the boundaries of a wetland, including a PSW, a request can be made to DELG to have a Wetland Biologist determine wetland presence and/or the boundary of a wetland by using desktop analysis or a site visit if deemed necessary.

Proponents of residential developments as well as commercial and industrial projects may be required to obtain the services of a wetland consultant for [wetland identification and delineation](#). A list of wetland consultants offering these services in the province is available via the Maritime College of Forest Technologies [Wetland Professionals & Consultants Public List](#). Once reviewed and approved by DELG, the

* Note: As per the *Clean Water Act*, certain undertakings or proceedings are exempt from the requirement to obtain a WAWA permit.

information will be used for the permitting process and will be added to the WAWA Reference Map during the annual update.

Provincially Significant Wetlands

Although existing activities are permitted to continue, only limited new activities will be permitted in or within 30 metres of PSWs. A WAWA Permit will be required for these new alterations. New alterations in or within 30 metres of PSWs are restricted to the list of permissible activities below, with a valid WAWA Permit.

<p align="center">New activities within Provincially Significant Wetlands (PSWs) with a Watercourse and Wetland Alteration Permit</p>	<p align="center">New activities within 30 metres of Provincially Significant Wetlands (PSWs) with a Watercourse and Wetland Alteration Permit</p>
<ul style="list-style-type: none"> • Necessary Public Function: Activities that provide public function on a provincial scale such as public transportation projects, public infrastructure, linear pipeline or transmission corridors, and projects necessary for public safety; • Surveying that does not require heavy equipment, exposed soil or extensive site preparation; • Approved wetland restoration or rehabilitation activities and removal of control structures to enable dyked wetlands to revert to a natural wetland; • Education, research or habitat management (provided that they are temporary and there are no alterations); • Temporary access roads to conduct a specific activity in winter (one season only), provided that: <ul style="list-style-type: none"> ○ there is no other practical access; ○ the footprint is not subject to tidal influence; ○ the ground is frozen; ○ no fill is used; ○ the roads are constructed of ice and/or snow; and ○ no vegetation is cut in the wetland or buffer. 	<p>All activities that are allowed to occur within the wetland (see adjacent column) plus those additional activities listed below:</p> <ul style="list-style-type: none"> • Erosion control activities and structures if there is an existing home, commercial enterprise or infrastructure that is at risk due to significant erosion; • New accessory buildings associated with an existing dwelling, provided that: <ul style="list-style-type: none"> ○ avoidance has been considered; ○ the accessory building is located on the existing footprint (i.e. unvegetated or landscaped area) associated with the dwelling; ○ no infilling or excavation is required; ○ soil disturbance is limited to post holes, auger holes, block etc.; ○ no woody vegetation is removed; and ○ the accessory building has a maximum size of 25 square metres.

<ul style="list-style-type: none"> • Permanent roads to access an upland (i.e. outside of the wetland and 30 metres buffer) portion of a property, provided that: <ul style="list-style-type: none"> ○ there is no other practical access; ○ there is no other upland area on the accessible portion of the property; ○ the length of access within the PSW and the 30-metre buffer zone does not exceed 200 metres and a maximum width of 6 metres; and no fill is used; ○ wetland hydrology is maintained. • Boardwalks for access, which meet the department's Boardwalk Guidelines. • Maintenance, repairs and replacement of existing structures provided that no modification is made to the size and footprint of the structure. 	
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Other Wetlands

In addition, during the WAWA permit application review for activities in or within 30 metres of wetlands other than PSWs, the Department applies a three-step wetland mitigation process to reduce potential negative impacts to wetlands. These steps include, in sequential order:

- 1) Avoid impacts to the wetland at the planning stage;
- 2) Minimize impacts (e.g. require applicable environmental protection measures during permitted alteration, reduce project footprint in the wetland, etc.);
- 3) Compensate for permanent wetland impacts that cannot be avoided or minimized.

Examples of avoidance and minimization could include:

- Planning for new dwellings and annex structures (e.g. patio, porch, veranda, garage, etc.) to be located outside the 30-metre buffer of the wetland when buildable area is available;
- Limiting landscaping activities to at least 15 metres from the edge of the wetland, unless associated with an existing footprint;
- Limiting vegetation removal/thinning in or within 15 metres of the limit of the wetland.

Compensation

Permanent loss of wetland area and/or function requires [wetland compensation](#) at a 2:1 ratio. Maintenance and upgrades to existing infrastructure that result in a total of no more than 100 square metres of permanent wetland impacts are exempt from the compensation requirement. Note that:

- Impacts within PSWs are not exempt from wetland compensation requirements;
- Projects with permanent impacts greater than 100 square metres will be required to compensate for the full area impacted (i.e. an area of 100 square metres will not be subtracted from compensation requirements);
- All temporary impacts within a wetland must be restored to the original grade.

All enterprises, activities, projects, structures, works, or programs affecting two hectares or more of bog, marsh, swamp or other wetland may be subject to an Environmental Impact Assessment Registration as per Trigger 'V' of Schedule A of the *Environmental Impact Assessment Regulation* (Reg 87-83) of the *Clean Environment Act*.

For additional information please contact the Department of Environment and Local Government:

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