

Aquatic Vegetation Control

What is the Issue?

Many cottage residents remove aquatic vegetation to help make it easier to put in docks and piers, and to enjoy water-based activities like boating and swimming. Often residents remove aquatic vegetation without knowing their actions are illegal. Removing aquatic vegetation requires an approval to ensure that it does not harm the aquatic environment and fisheries, or cause erosion.

Like many Summer Village residents, councillors may feel that removing aquatic vegetation from the lake is the best way to clean up the lake. As our understanding of aquatic environments grows, we are realizing that this is not true. Councillors need to be pro-active. They must attempt to stay up-to-date with the current findings and guide their residents through changing times.



Photo credit: Gerry Haekel

Background

Stands of aquatic vegetation along lake shorelines are important for maintaining healthy lake ecosystems. This vegetation includes submergent plants (plants that are primarily underwater although some leaves may float on the surface), and emergent plants (plant roots are beneath the water, but most of their foliage is on or above the water surface).

Aquatic vegetation provides habitat for fish spawning, nesting habitat for birds, rearing sites for young fish and wildlife, and protects shorelines from wave and wind erosion. It enhances the aesthetic value of the lake and performs many important biological functions that benefit water and land areas, including filtering runoff water before it enters the lake. For more information on the functions and importance of aquatic vegetation refer to Appendix I - **Understanding Lake Basics**.

What Does the Law Say?

Federal Law

Removing aquatic vegetation in fish bearing waters is unlawful and considered a harmful alteration, or destruction, of fish habitat under the federal *Fisheries Act*. Contravention of the Act can result in significant fines and penalties.

Provincial Law

Residents should be aware that the *Alberta Public Lands Act* prohibits:

- The doing of any act on public land that may injuriously affect watershed capacity. (The bed and shore of a lake are considered public land);
- The disturbance of any public land in any manner that results, or is likely to result, in injury to the bed or shore of any river, stream, watercourse, lake or other body of water or land in the vicinity of that public land; or
- The creation of any condition on public land which is likely to result in soil erosion.

Residents need to seek approval, under the *Alberta Water Act*, for any activity that causes, may cause, or may become capable of causing an affect on the aquatic environment. This includes the removal of aquatic vegetation.

Approvals (Permits)

An approval can be granted for the removal aquatic vegetation. Restrictions may apply to the time of year that aquatic vegetation can be removed, or where aquatic vegetation can be removed from. Removal must not occur during fish spawning and bird nesting. Large scale clearing of aquatic vegetation is generally not permitted. The exception is maintaining community swimming areas or boat launches.

Individual cottage owners may apply for an approval for clearing a four metre wide boat lane to access open water. The application will be reviewed to determine the impact on the aquatic environment.

What Should I Do?

A local municipality does not have a jurisdictional role in authorizing the removal of aquatic vegetation from a lake or its shores.

Advise residents that, under the *Public Lands Act*, they can do some general clean up of shoreline areas without a permit as long as the debris is limited to material that is washed up on shore. All other activities require an approval.

Permits granted for the removal of aquatic vegetation must be posted on site and anyone can ask to see this permit. If you see someone removing aquatic vegetation during a restricted period, or continuously throughout the open water season, they are likely in contravention.

Getting a Permit

In Alberta, federal and provincial authorities have developed a common policy framework, or “one-window” approach, to regulate the removal of aquatic vegetation. This means that the person applying for the permit needs to fill out only **one** application to satisfy federal requirements and those of the two provincial agencies involved (Alberta Environment and Sustainable Resource Development, Public Lands and Forests Division).

The application form *LS102-Lakeshore/Water Body Modification* can be obtained from your local Alberta Environment or Public Lands and Forests office.

It takes time to get a permit, so advise residents to plan their request and apply early.

If You See Aquatic Vegetation Being Removed

When dealing with a resident who is removing aquatic vegetation, here are some general guidelines:

- Ask the resident to produce a permit.
- If there is no permit, explain the legislative requirements and violation consequences. Provide the resident with contacts.
- Describe the impacts on the lake the activity may be having and provide relevant educational materials.
- Advise the resident to stop the activity and get appropriate approvals.

Helping residents understand more about the function of aquatic vegetation, providing education resources, and encouraging the proper applications for approvals will prevent residents from harming the aquatic environment.

Who Can I Contact?

For more information on removing vegetation, or any other shoreline alterations at the lake, contact:

- The regional office of Alberta Environment.
- The regional office of Public Lands and Forests Division.
- The regional office of the federal Department of Fisheries and Oceans.

To download a permit to apply for aquatic vegetation removal go to:

- **Application Form LS102-Lakeshore/Water Body Modification (Form)**
<http://www3.gov.ab.ca/env/water/legislation/forms/index.html> http://www3.gov.ab.ca/srd/land/u_shorelands_app_reg.html

Are There Any Resources Available?

- **About Public Lands: Water Bodies and the Management of Bed and Shores (Fact Sheet)**
http://www3.gov.ab.ca/srd/land/APL_Water_Bodies.html
- **Caring for Shoreline Properties; Changing the Way We Look at Owning Lakefront Property in Alberta** P. Valastin. 1999. Alberta Conservation Association. P.O. Box 40027. Baker Centre Postal Outlet. Edmonton, AB T5J 4M9. Ph. 1-877-969-9091 or visit their web-site at:
http://www.ab-conservation.com/about_us/reports_publications/Caring_for_Shoreline_Properties.pdf
- **Guidelines for Lakeshore Use (Brochure)**
<http://www3.gov.ab.ca/srd/land/pdf/lakeshore.pdf>
- Fisheries and Oceans Canada has resources available on their web-site:
http://ww.dfo-mpo.gc.ca/canwaters-eauxcan/infocentre/guidelines-conseils/index_e.asp
- **The Shore Primer – Prairie Edition: A Cottager's Guide to a Healthy Waterfront (Booklet)**
http://www.dfo-mpo.gc.ca/regions/central/pub/shore-rive/index_e.htm

Summer Village Residents See the Results of Shoreline Restoration

Ross Haven is a Summer Village on the north shore of Lac Ste. Anne, with a population of approximately 109 permanent and 200 summer residents. Ross Haven residents pride themselves as having a great “sense of community.”

It had been common practice for Village residents to remove aquatic plants (considered weeds) from the shores, and maintain sandy beaches. Over a period of several years, the municipality had speakers on “lake wellness” come out to annual Town Hall meetings. Presentations were put on by organizations such as the Pine Lake Restoration Society and Alberta Environment. They spoke about how individuals could take action to help improve the quality of the lake environment. Among other issues, these speakers stressed the importance of aquatic vegetation and how these plants act as a filtering system, taking up nutrients in the lake. Today, approximately three-quarters of the lake perimeter in the Village has been restored to a natural state, with extensive beds of aquatic vegetation and undisturbed shorelines. To do this, residents simply stopped removing natural shoreline plants as they started to grow back.

The Mayor of the Summer Village reported that there has been a dramatic change in the quality of the water, as a result of these efforts. “Prior to the first replanting ten years ago, our water was dirty and uninviting. Today, our water along the shore is clear,” he said, following the presentation of the first annual Bull Rush Award at the Alberta Summer Village Association Convention in October, 2004.

Riparian restoration in Ross Haven is totally voluntary. The majority of residents have a “buy-in” to the philosophy of lake stewardship. They want to make the lake a better environment to enjoy today and in the future.

Lake Stewardship Education Takes Time!

The Summer Village of Norglenwold is located on the south shore of Sylvan Lake, just west of the City of Red Deer. Norglenwold has 267 permanent residents, but many more during the summer. In 2001, Council initiated a study of the environmentally sensitive lands within the Summer Village that examined the health of the riparian areas. A representative from the Bow River Project, in cooperation with the University of Calgary, produced a report on the riparian conditions within the Summer Village and recommended management options for Council that would preserve and enhance these lands.

The Summer Village then offered individual landowners a program to enhance natural landscaping and beach management at their properties. At that time, however, most cottage owners were not yet ready for outside advice. Education about good lake stewardship is an ongoing process, and slowly, the recommendations are being followed and implemented. Today, more and more residents are becoming sensitive of the need to mitigate environmental degradation.