



WSA and RAPR: Application Clarity

Water Sustainability Act (WSA) and Riparian Areas Protection Regulation (RAPR)

Tools to manage and protect water resources and aquatic ecosystems, including wetlands.

Intent: Provide clarity on the regulatory overlap of these two pieces of legislation.

WSA

The [WSA](#) is the principal law for managing the diversion and use of water resources in B.C. The WSA provides tools to protect and manage water and regulates the requirements for making changes to or working in streams or stream channels.

RAPR

Enabled under the Riparian Areas Protection Act, [the RAPR](#) requires certain local governments to enact bylaws that protect riparian areas vital to fish health and productivity during commercial, industrial, or residential development.

Comparison:

	WSA	RAPR
Administrative boundaries	Province-wide	Applies to private and municipal land in certain areas of the province
Definition of a “stream” and application to wetlands	Wetlands are included in the definition of a “stream,” however, bogs are not included in the definition of “wetland”	Wetlands are included in the definition of a “stream,” and bogs are included in the definition of “wetland”
For more information, consult: WSA ; RAPR .	Does not require the watercourse to be identified as fish habitat The stream boundary, or “stream channel”, includes the stream bed and banks, both above and below the natural boundary and whether or not the channel has been modified, and includes side channels Sometimes includes constructed ditches (generally only if it was or still is a “natural watercourse” or a source of water supply)	Applies to fish habitat or connection by surface flow to fish habitat; does not apply to isolated wetlands The stream boundary includes the active floodplain up to the highwater mark Does include constructed ditches



	WSA	RAPR
What triggers a permit, application or notification of work?	Proposed “changes in and about a stream”, or when a person intends to divert, store, or use water from streams and aquifers (with some exemptions) “Changes in and about a stream” means any modification to the nature of the stream (including any modification to the land, vegetation and natural environment or the flow of water), or any activity or construction within a stream channel that has or may have an impact on a stream	Proposed commercial, industrial, or residential development within 30m of a stream Triggered through the local government development permit process
Where the WSA and RAPR align	Projects with proposed changes in or about a stream (under the WSA) and upland development within 30m of a stream (under the RAPR) will require review and approval under both the WSA and the RAPR (e.g. moving or infilling a stream, ancillary development such as retaining walls and dock or water access, etc.). The need for approvals under both the WSA and the RAPR arises because the two statutes address different impacts to aquatic and riparian habitats. The WSA focuses on managing activities that affect watercourses, while the RAPR addresses impacts to the riparian zone and surrounding upland areas. Any proposed channel work or activity, such as watercourse or channel realignment, will require WSA approval first and cannot be included in a RAPR Assessment Report until this approval has been obtained.	
Common activities under the legislation	Instream works Channel modifications/enclosure Culvert crossings Docks, wharves, and water access Instream drainage maintenance and flood protection	Removing or altering plants or disturbing soils Constructing buildings and structures Constructing roads, trails, drainage systems, and utility corridors Creating hard surfaces such as decks and pavement
The permitting process For more information visit: FrontCounterBC RAPR website	There are several permissions that can be granted under the WSA. All applications are processed through Front Counter BC.	Required RAPR assessments must be conducted by a hired Qualified Environmental Professional (QEP) certified in RAPR methodology. RAPR assessments are submitted by the QEP to the Riparian Areas Regulation Notification System (RARNS) for provincial review.
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