



[Government Home](#) > [Service NS Home](#) > [Nova Scotia Permits Directory](#) > [Nova Scotia Environment and Labour](#) > [Wetland Alteration Approval](#)

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NS Permits Directory NS Government

[Service NS Home](#)

Environment and Labour

NS Permits Directory

Wetland Alteration Approval

- ▶ [Subject Index](#)
- ▶ [Search the Directory](#)
- ▶ [Department Index](#)
- ▶ [Agency, Board, Commission Index](#)
- ▶ [Municipal Index](#)
- ▶ [Most Requested Permits](#)
- ▶ [Toll-Free Numbers](#)
- ▶ [Site Map for the Directory](#)
- ▶ [Questions and Comments](#)
- ▶ [About the Directory](#)
- ▶ [Disclaimer](#)

Who Needs This Approval?

Nova Scotia Environment and Labour (NSEL) recognizes that wetlands are a particular habitat and that alteration of wetlands can cause a significant adverse environmental impact. Therefore, anyone who is planning an alteration to a wetland requires an Approval. "A" means filling, draining, flooding, or excavating a wetland.

Approvals will generally not be issued to alter wetlands when:

- there are reasonable alternatives that will not result in impact to the wetland, or
- the alteration is for solely aesthetic purposes.

What is a wetland?: Wetlands are land commonly referred to as marshes, swamps, and shallow water areas that are saturated with water long enough to promote wetland processes.

Salt marshes are also wetlands. Alteration to other tidal habitats such as lagoons, mudflats, and tidal ponds do not require a Wetland Alteration Approval from NSEL. Please consult the Department of Natural Resources and the Federal Department of Fisheries and Oceans for any special requirements for authorizations under their legislation.

[About the Department](#)
[Online Services](#)
[Information Services](#)
[Services en français](#)
[Forms and Applications](#)
[Office Locations](#)
[Service NS Home](#)

- ▶ [Printer Version](#)
- ▶ [Contact Us](#)
- ▶ [Email this page](#)

Issuing Department / Agency:

[Nova Scotia Environment and Labour](#)

Where can you get this approval and / or further information?

Nova Scotia Environment and Labour

Tel: 902-424-2547
 Toll Free: 1-877-9ENVIRO (1-877-936-8476)
 Fax: 902-424-0569

Email: emc@gov.ns.ca

Office Location:

5151 Terminal Road, 5th floor
 Halifax, Nova Scotia

Mailing Address:

PO Box 697
 Halifax, NS B3J 2T8

Regional and District Offices: <http://www.gov.ns.ca/enla/offices/emcoffices.asp>

Application Forms & Process:

You can get an application form for this Approval from any [Regional or District Office](#). After it has been completed, it is submitted to NSEL.

Applicants are required to retain the services of a person or persons qualified in the field of wetland hydrology and wetland ecology to prepare a report which includes the following information, to be submitted with their application for approval to alter a wetland: **Wetland information:**

- wetland location, size, boundaries
- maps and photos clearly indicating the location of the project, the wetland and features
- description of the wetland's ecological character
- existing hydrological characterization
- existing hydrogeological characterization
- include a bibliography of reference materials used in developing the evaluation the expertise retained in preparing the evaluation

Purpose and description of the alteration:

- reason for the alteration
- detailed description of the nature of the proposed alteration
- detailed description of alternatives that have been considered
- detailed description of all identifiable impacts to the wetland (% of wetland to be species at risk present and/or species of conservation concern - terrestrial & aquatic and fauna)
- description of past impacts to the wetland
- a listing of the expertise retained and resources referenced in determining the
- opportunities for mitigation of impacts and/or compensation

Property information:

- property ownership and boundary information (provide a copy of deed and survey property map based on GPS coordinates)
- information on municipal zoning requirements

When NSEL receives an application, staff review it to see if all the required information is present, and if the required supporting information has been provided. If not, the application is returned with an explanation as to what is missing.

Once an application has been accepted as complete, the application form and supporting documentation undergo a review and evaluation.

The inspector and/or administrator will use the mitigative sequence approach to consider the application. It may be necessary to seek additional information from the applicant during the review process. The **mitigative sequence** is a step-wise approach that provides a framework for the decision-making process. It achieves wetland conservation through the applicant's hierarchical process of alternatives as follows:

- avoidance of impacts;
- minimization of unavoidable impacts; and
- compensation for residual impacts that cannot be minimized.

Waiting Period:

A maximum of 60 days, provided that all the items that must accompany the application have been received. Note that if the Environmental Assessment process is triggered, the Approval process will not begin until the Environmental Assessment process is complete. See Related Requirements below for more information.

Expiry & Renewal:

This Approval is valid until the expiry date included on the Approval to a maximum of 5 years and can be renewed. Note, it is the responsibility of the Approval holder to contact the Department before it expires; NO NOTICE of renewal will be sent out by the Department

Price: (No tax is charged)

\$250.00. Note that if the Environmental Assessment Process is triggered there will be costs associated with the Environmental Assessment Approval process. See Related Requirements below.

Related Requirements:

Other permits/approvals that may be required:

1. [Navigable Water Protection Act](#), 1985, Transport Canada;
2. Use of Crown Lands; See [N.S. Department of Natural Resources](#)
3. Building permit, local Municipality .

If the planned alteration will disrupt 2 hectares or more of a wetland, it must undergo an Environmental Assessment. When an Environmental Assessment is required for an application, applicants must obtain this approval before seeking any other approvals from NSEL.

In cases where the environmental assessment process could be triggered, the Environmental Assessment Branch of NSEL will determine the area of disruption in consultation with the Wastewater Branch of NSEL and the Wildlife Division of the Department of Natural Resources.

For further information about environmental assessments, contact:

Environmental Assessment Branch
Nova Scotia Environment and Labour
Phone: (902) 424-3230
Fax: (902) 424-0503

Additional Information:

none

Legislative Authority:

[Environment Act](#), Statutes of Nova Scotia, 1994-95, Chapter 1,

[Activities Designation Regulations](#), [Approvals Procedure Regulations](#), and [Environmental Regulations Fees Regulations](#)

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[Back to Nova Scotia Environment and Labour Index in the Nova Scotia Permits](#)

[Back to Top of Page](#)

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