

Concerns and Complaints about the Riparian Areas Regulation (RAR)

What you need to know when you have a concern or complaint

The Riparian Areas Regulation (RAR) deals specifically with residential, commercial and industrial **development** (see definition) adjacent to riparian areas. Complaints not related to **development**, or complaints relating to other habitat impacts such as pollution should be reported to the appropriate organizations detailed below. The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) administers the RAR and can respond to complaints specifically related to RAR application and assessment requirements. It is important to note that the applicability of the RAR is established by provincial legislation and therefore the ministry cannot address complaints regarding the exclusion of a property or area from the regulatory requirements.

How is **development** defined in the RAR?

Development in the context of the RAR refers to the below activities where they require approval or permits from local government:

- a) removal, alteration, disruption or destruction of vegetation;
- b) disturbance of soils;
- c) construction or erection of buildings and structures;
- d) creation of non-structural impervious or semi-impervious surfaces;
- e) flood protection works;
- f) construction of roads, trails, docks, wharves and bridges;
- g) provision and maintenance of sewer and water services;
- h) development of drainage systems;
- i) development of utility corridors; and
- j) subdivision as defined in section 872 of the Local Government Act.

How do I know who to contact?

For Immediate Habitat Impacts

Complaints about habitat impacts that are in progress and do not involve **development** as defined by the RAR should be directed to the appropriate reporting avenues:

For violations of Fisheries, Wildlife and Environmental Protection laws (that do not involve salmon) including pollution, please contact *Report all Polluters and Poachers* (RAPP) at 1-877-952-7277 (RAPP) or [Online](#)

For Fisheries violations involving salmon and their habitats, please contact the Fisheries and Oceans Canada Observe, Record, Report (ORR) line at 1-800-465-4336

For spills of polluting substances, please contact Environmental Emergencies B.C. at 1-800-663-3456

For Complaints pertaining to the RAR

The RAR deals specifically with **development** (see definition below) adjacent to riparian areas. Complaints not related to **development**, or complaints relating to other habitat impacts such as pollution should be reported to the appropriate organizations (detailed below). The ministry will respond to complaints specifically related to the RAR, its application and its assessment requirements. Please review the information provided below to determine the appropriate avenue(s) depending on the nature of your complaint. If you are unsure of the appropriate avenue, please contact the ministry at the coordinates provided.

Complaints that can be addressed by **FLNRO**

The ministry can address complaints pertaining to:

- The applicability of the RAR in a given municipality or area
- The application of RAR assessment methods
- The wording, intent and purpose of the RAR
- Your local authority's response to the RAR
- Supporting information and resources relating to the RAR

If your complaint falls within these categories, please contact ministry representatives via [email](#) or at the coordinates below. A staff member will respond to your inquiry within five working days (see **what to expect**).

Complaints that can be addressed by **local governments**

Your local government / municipality / regional district can address complaints pertaining to:

- Municipal / regional standards for riparian protection (i.e.: bylaws, permit areas)
- The nature or timeframe of approvals connected with development
- The conditions or standards applied to development to ensure compliance with the RAR
- Community and neighbourhood planning

To access information on how to contact your local government, please refer to the Union of BC Municipalities [Member Listing](#) or contact your applicable Regional District.

Complaints that can be addressed by **professional associations**

Complaints pertaining to the conduct of Qualified Environmental Professionals (QEPs) involved in **development** subject to the RAR should be directed to the Professional Association relevant to the individual (see list of professional associations and contacts below). These types of complaints may include:

- Disagreement on the QEP's assessment of a particular site or the recommendations made
- Dissatisfaction with the QEPs standard of practice or level of competence
- Concerns as to the qualifications or certification of professionals associated with RAR assessments
- Concerns as to a QEP's professional conduct

Note that to lodge a complaint with a professional association, you will need to determine the professional designation of the QEP involved. These may include professional engineers (P. Eng), professional geoscientists (P. Geo), registered professional biologists (RPBio), professional agrologists (P. Ag) and professional foresters (RPF). Professionals involved in RAR assessments must identify their certification on their reports, which are available to the public as part of local government permit processes.

To contact the professional organization governing a QEP, please refer to the following:

- Association of Professional Engineers and Geoscientists of BC: [Information on how to submit a complaint](#)
- College of Applied Biology of BC: Information for those [considering a complaint](#)
- BC Institute of Agrologists: [Contact information](#)
- Association of BC Forest Professionals: Information on [lodging a complaint](#)

Information to include when lodging a complaint

To assist the ministry in addressing your complaint, it is useful to provide the following information:

- Location (municipality, regional district, region)
- Type of **development** activity occurring
- Watercourse name (if known)
- Developer / QEP name (if known)

What response can I expect when lodging a complaint with the Ministry of Forests, Lands and Natural Resource Operations?

If your complaint is within the purview of the ministry, it will be reviewed by ministry staff and the appropriate response determined. If it is established that the complaint falls under the jurisdiction of another agency, the ministry will contact the complainant and direct them appropriately.

If a response is requested to a complaint about the RAR, the ministry will provide a response within five working days.

The ministry will respond to complaints by the method requested by the complainant. Where no preference is indicated, the ministry will contact the complainant by the method used to contact the ministry (electronic mail, phone, mail)

The ministry keeps an internal record of public comments and the action taken. A summary of the complaints we receive and their resolution is included as part of the ministry's annual RAR reporting. Personal information and individual comments submitted as part of the complaints process will not be disclosed.

If you disagree

If you feel that any of the decisions, conclusions or recommendations reached through the ministry's complaints process is unfair you may request an external review through the [Office of the Ombudsperson](#).

Phone: 1-800-567-3247

Fax: (250) 387-0198

Contacting the ministry

Email: RiparianAreas@Victoria1.gov.bc.ca

Phone: 250-356-9804

Fax: 250-356-5341

Mailing Address:

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