| Title: | **Accepted Practice for Hardening Pipeline Crossings to Provide Scour Protection** |
|---|---|
| Number: | **AEP, Administration, 2015, no. 2** |
| Program Name: | **Water Policy** |
| Effective Date: | **January 10, 2014** |
| This document was updated on: | **September 24, 2015 (new template - no content change)** |
| ISBN No. | |
| Disclaimer: | |

## Purpose

An increasing number of Notifications under the Code of Practice for Pipelines and Telecommunication Lines Crossing a Water Body (Code) are being received for armoring the bed and bank of water bodies where the pipeline is not meeting scour depth requirements. This directive establishes direction for managing these notifications.

## Policy Context

The Code directs that "All pipeline crossings must be installed at an elevation that is below the one in fifty or the one in one hundred year bed scour depth of the water body" depending on the substance carried.

The Code prescribes how to do this (must be installed at an elevation below… the depth of the water body) and the environmental outcome that must be achieved (the 1:50 or 1:100 year bed scour depth of the water body). The Code does not provide flexibility in how to achieve the outcome. Therefore, armouring a pipeline that meets the environmental outcome of scour depth does not meet the Code of practice requirement on how to achieve this outcome. Further, armouring a pipeline does not meet the environmental outcome of the Code because the environmental outcome prescribed by the Code is the scour depth of the water body, not the scour depth of the structure.

The design requirements of the Code are intended to address low risk activities. The interpretation that the Code contemplates higher risk activities, (i.e. pipeline depth at less than required scour depth) and resolving this risk through engineered solutions, is not consistent with the notion that the permitted activity is low risk. The Code also requires that impact to the water body is minimized and fish passage must not be impeded.

## Enforcement/Compliance

Pipeline maintenance must comply with the Code (see Water Ministerial Regulation, s. 3 (1) and (2)). If the pipe is located above the 1:50 or 1:100 year scour elevation (as Applicable), this is a

contravention (see Water (Offences and Penalties) Regulation, s. 2(2), and Code ss. 2, 6(1), 10(2), 13(1) and Schedule 2 Part 1 (d)). Therefore, armouring cannot be considered works under the Code. This does not preclude issuing an approval under the Water Act to construct and maintain erosion control works, assuming there is a commitment to bring the pipeline back in compliance with the Code as quickly as possible.

**Past practice** – in general, Code of Practice Notifications proposing armouring may have been accepted, and/or not questioned. Some armouring activities have occurred under the Code.

When a Notification under the Code is received to undertake armouring of a water body crossing, the Department will assume that the scour depth requirements are not being met. The proponent should be notified of the Department's position, and requested to meet scour depth requirements.

Direction staff will provide – advise the proponent that they may choose to undertake an activity that meets the Code. If operation or timing issues warrant, the Department will consider, as a short term solution (short term being less than one year), issuing a *Water Act* approval until compliance with the Code can be achieved. The approval will contain conditions to minimize adverse impacts and catastrophic failure of the crossing, as well as conditions requiring compliance with the Code within reasonable timeframes. The Director must be satisfied that an approval can appropriately mitigate the effects on the aquatic environment. The public notice provisions for the approval will apply unless the Director decides they can be waived under s. 108(6) of the *Water Act*. Notice of decision should be given. The opportunity to appeal the approval exists.

## Contact Information

Todd Aasen, District Approvals Manager

## Authorities

Water (Ministerial) Regulation: Parts 1, 3 (1) (2)

Code ss. 2, 6(1), 10(2), 13(1), Schedule 2, Part 1 (c) (d) (f) (h)


Approved for public release on __Dec 16, 2015_

Original Signed by:

_____

Andy Ridge, Executive Director

Water Policy Branch, Policy and Planning Division, Environment and Parks