NEW BRUNSWICK EXCAVATION

Near Water & Wetlands

WAWA permits and digging within 30 metres of a watercourse or wetland

4 Expert Answers from Dig IQ

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Table of Contents

1. Does the WAWA permit cover the excavator's work in Fredericton?
2. Can I build a new house close to a brook in Sussex?
3. Heavy machinery near a lake at my Grand Lake cottage, permit?
4. Can fill be placed near a tidal river in Moncton?

Q1

Does the WAWA permit cover the excavator's work in Fredericton?

The WAWA Permit and Your Excavator in Fredericton

The Watercourse and Wetland Alteration permit is a provincial permit, issued under New Brunswick's watercourse and wetland alteration rules by the Department of Environment and Local Government. If your excavator is operating machinery, disturbing ground, depositing or removing fill, or clearing within 30 metres of a watercourse or wetland on your property, that activity requires a WAWA permit before any of it begins.

The permit is typically granted to the landowner, not the contractor. If you want an agent, such as your excavator or a designer, to apply on your behalf, the province requires a landowner consent form to accompany the application. The fee is $25 for a single alteration. Once the permit is in hand, the excavator can carry out the work it authorizes, but the permit does not replace the City of Fredericton's building permit, and it does not replace any other approval your project may need.

A few things to keep straight before the machine arrives:

- The 30 metres is measured horizontally from the top of the bank in the field, not from a map. If you are unsure whether your dig falls inside that zone, measure on the ground.
- A wetland smaller than one hectare that is not connected to a watercourse is exempt from the 30 m wetland rule, but the 30 m watercourse rule still applies independently.
- The City of Fredericton's Engineering Division reviews lot grading as part of the building permit process, so your grading plan may need to be consistent with what the WAWA permit authorizes.
- No digging, clearing or machine work within the 30 m zone should start until the provincial permit is in hand.

For the excavation side of the job, the City of Fredericton requires a building permit before construction begins, and Regulation 2021-2 under the Building Code Administration Act requires at least one inspection on completion of the footings and foundations before any backfilling starts. Ask the City how to book that inspection so your contractor knows not to backfill until it is done.

If your lot is anywhere near a stream, lake, pond or wetland, contact the Department of Environment and Local Government first to confirm whether your project falls within the 30 m zone and what the permit covers, then go to the City of Fredericton to align your building permit with whatever the province has approved.

Q2

Can I build a new house close to a brook in Sussex?

Building Near a Brook in Sussex

The short answer is: possibly, but the brook triggers a hard provincial rule before any machine touches the ground. Under New Brunswick's Watercourse and Wetland Alteration (WAWA) rules, no construction, clearing, grading, landscaping or operation of heavy machinery is permitted within 30 metres of a watercourse without a Watercourse and Wetland Alteration permit from the province. That 30 metres is measured horizontally from the top of the bank, on the ground, not from a map.

The province's development guidelines add a second layer. On an undeveloped lot beside an ordinary watercourse, a new dwelling may be permitted no closer than 15 metres to the watercourse. Infill to raise the grade is not permitted within 15 metres of a lake or within 30 metres of a flood-prone or tidal watercourse. Whether your brook is considered ordinary, flood-prone or tidal is a question for the province, not something to assume from the look of it. A WAWA permit does not exempt you from any other rule; local by-laws may add their own setbacks on top of the provincial ones.

For permits in Sussex, we found no excavation-specific rule in the information available for the Town of Sussex. Check directly with the Town of Sussex about what development and building permits apply to a new house on your lot, and ask whether the town has any additional setback or grading requirements near a watercourse. At the provincial level, Regulation 2021-2 under the Building Code Administration Act requires at least one inspection after footings and foundations are complete and before any backfilling begins. Ask the Town of Sussex how to book that inspection.

Before any digging starts, the contractor must determine the location of underground utilities. Info-Excavation, reached through Click Before You Dig, requires three working days' notice; that locate is valid until the end date written on the request. NB Power runs a separate underground locate service and asks for at least five business days' notice; it is valid for 60 days from the date on the locate form and covers only NB Power-owned lines. Any private lines, drains or buried cables that a past owner installed are yours to find and mark before the machine arrives.

A few things to sort out before work begins:

- Apply for the WAWA permit first. The fee is $25 for a single alteration. Work cannot legally start within the 30-metre zone without it.
- Confirm with the Town of Sussex what building and development permits are needed and what the setback from the brook must be on your specific lot.
- Ask whether your lot is near a flood-prone or tidal reach of the brook, since that changes the infill rule.

- Ask the contractor for a WorkSafeNB clearance certificate before signing anything.
- Under the Construction Remedies Act, you must retain a holdback of 10% of the contract price for 60 days after the certificate of substantial performance is signed.

When you get a quote for the foundation dig, ask the contractor exactly how rock removal is priced, where the spoil is going, and whether backfill material is included or billed separately, because those three items are where the number on the page and the number on the final invoice tend to part ways.

Q3

Heavy machinery near a lake at my Grand Lake cottage, permit?

Work Within 30 Metres of Grand Lake Needs a WAWA Permit First

Before any machine moves on your lot, check whether your work falls within 30 metres of the water's edge. The province's Watercourse and Wetland Alteration permit, issued under the Department of Environment and Local Government, applies to anyone doing construction, clearing, grading, landscaping or operating heavy machinery within 30 metres of a watercourse or wetland. That 30 metres is measured horizontally from the top of the bank in the field, not from a map, so have someone walk it before you book a machine.

The permit fee is $25 for a single alteration. The permit is typically granted to the landowner; if someone else applies on your behalf, they need a signed landowner consent form. A WAWA permit does not replace any other permit your job may need, and local by-laws may add their own setbacks on top of the province's 30-metre rule. Ask your municipality or Regional Service Commission whether a development or building permit is also required for your project.

Before any digging begins, two separate locate requests are needed. Info-Excavation, reached through Click Before You Dig, requires at least three working days' notice; the locate is valid until the end date written on your request. NB Power runs its own separate underground locate service and asks for at least five business days' notice; that locate is valid for 60 days from the date on the locate form and covers only NB Power-owned lines. Any private lines, pipes or cables that a past owner installed are yours to find and mark before the machine arrives.

If the work is a new foundation, addition or structure, Regulation 2021-2 under the Building Code Administration Act requires at least one inspection of the footings and foundation before any backfilling begins. Ask your Regional Service Commission how to book that inspection, and do not let the contractor backfill until it is done. The Construction Remedies Act requires you to retain a holdback of 10% of the contract price for 60 days after the certificate of substantial performance is signed or the contract is completed, abandoned or terminated.

When you get quotes, ask each contractor:

- Whether they will pull both locate tickets and show them to you before starting
- How rock is priced if the machine hits it (hourly rate for a hydraulic breaker runs $200 to $300 per hour, based on published price guides read in September 2026)
- Where excavated material is trucked and whether that cost is included or billed separately
- Whether they are registered with WorkSafeNB, and ask for a clearance certificate confirming their account is in good standing

We found no provincial licence for excavation contractors, so credentials are yours to check. Ask for a WorkSafeNB clearance certificate and confirm the contractor is aware of the WAWA permit requirement before they quote.
One question worth asking on a lakeside job: ask the contractor to spell out in writing exactly how rock removal and spoil hauling are priced, and whether those figures are included in the quoted price or added on top.

Q4

Can fill be placed near a tidal river in Moncton?

Placing fill near a tidal river in Moncton is tightly controlled by the province's Watercourse and Wetland Alteration (WAWA) rules, and the short answer is: you need a permit before any fill, machine or ground disturbance goes within 30 metres of that watercourse. Doing the work without one is illegal under provincial law.

What the WAWA Rule Means Here

The 30 metres is measured horizontally from the top of the bank, in the field, not from a map. A tidal river is a watercourse, so the full rule applies. The province's list of controlled activities includes depositing or removing fill, sand, gravel or rock, operating heavy machinery, disturbing ground and clearing trees, all within that 30-metre zone. The permit fee is $25 for a single alteration. The province's development guidelines also say that infill to raise the grade is not permitted within 30 metres of a flood-prone or tidal watercourse, which is a harder limit than the general WAWA permit process. A WAWA permit does not exempt you from any other rule, and local City of Moncton by-laws may add their own setbacks, so check with the City's planning department before drawing up a plan.

Before any machine moves on this site, you also need locates. Info-Excavation, reached through Click Before You Dig, requires three working days' notice; the locate is valid until the end date written on the request. NB Power runs its own separate underground locate service and asks for at least five business days' notice; that locate is valid for 60 days from the date on the NB Power form and covers only NB Power-owned lines. Private lines, drains or buried tanks that a past owner installed are yours to find and mark. Whether Info-Excavation covers municipal water and sewer lines in Moncton is something to confirm directly with the City.

If this fill is connected to a new building, the City of Moncton requires a building and development permit, and Regulation 2021-2 under the Building Code Administration Act requires a footing and foundation inspection before any backfilling begins. Ask the City's building department how to book that inspection.

When you get quotes, ask each contractor:

- Who prepares the WAWA application (the permit usually goes to the landowner; an agent needs a landowner consent form)
- How rock or hard material encountered during site preparation is priced (hourly with a hydraulic breaker runs $200 to $300 per hour, based on published price guides read in September 2026)
- Where the spoil or displaced material goes and whether trucking is included

- For a WorkSafeNB clearance certificate confirming they are in good standing with their workers' compensation account

We found no provincial excavation-contractor licence, so credentials are yours to check directly with anyone you hire. Under the Construction Remedies Act, hold back 10% of the contract price for 60 days after the certificate of substantial performance is signed.

Before you accept any quote, ask the contractor exactly how they price spoil removal and haul distance, because that line is where a fill job near water can run over budget.

Disclaimer: This guide is provided for informational purposes only by New Brunswick Excavation. It does not constitute professional advice. Always book your locates, check with your municipality or Regional Service Commission, and follow WorkSafeNB rules before starting any excavation project. Information is current as of November 15, 2026 and may change. Visit **newbrunswickexcavation.com** for the latest answers.