

## Day One - Track Two

Wednesday, March 22<sup>nd</sup>, 2017

2:00 p.m. – 2:30 p.m.

## What Goes on Upstream, Must Come Downstream, but Should It? ESC Measures for Protection of Aquatic Species

**Presenters:** Kim Logan, Groundwater Environmental Management Services and Mark Heaton, Ontario Ministry of Natural Resources and Forestry

### Biographies



Kim, P.Geo. (Limited), P.Biol., has over 10 years of experience specializing in terrestrial and aquatic ecology with extensive experience in site assessments and remedial excavations. Ms. Logan represents clients from private land owners, developers, property managers, municipalities and contractors across Ontario. Her experience ranges from aquatic habitat assessments to recreational vehicle use trail restoration focusing on species at risk and ecosystem integrity. Ms. Logan is the Senior Ecologist at GEMS, working on projects from the stage of preliminary assessment through to construction completion.



Mark is a biologist with the Ontario Ministry of Natural Resources and Forestry and is based out of the Aurora District Office, just north of Toronto. He started with MNRF in 1985. Mark is involved with species recovery including Peregrine Falcon, Atlantic Salmon and Redside Dace. Currently he is the co-chair for the Redside Dace Recovery Implementation Team. He has been working with Redside Dace in the Greater Toronto area, facilitating habitat protection, restoration, range mapping and monitoring since 1993.

### Abstract

The common thread of every successful project is that they start with solid and respectful relationships between all stakeholders; a partnership made up of transparency, collaboration and communication. Kim (GEMS) and Mark (MNRF) find project success when everyone starts on the same page. But it's not always easy to get there on every project with every stakeholder.

Many construction sites are within the vicinity of natural water features. Since construction activities are a major source of erosion and sediment, if not properly contained, sediment can enter these systems potentially impacting aquatic life and the sensitive fish communities supported within them.

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The Fisheries Act prohibits the deposit of any deleterious substance into water that would degrade or alter that water, leading to impacts on fish or fish habitat. Sediment is considered a deleterious substance. In situations involving aquatic species-at-risk, concerns with sediment contamination are further elevated. With this in mind, a critical component during the planning stages of a construction project requires the understanding of instream construction timing windows in order to understand when work can or cannot be carried out, as well as acceptable methods in which to perform and monitor the work. With respect to construction timelines, one of the most challenging to work within is the cold water and Redside Dace windows, mainly due to the shortened length of time allowable for in water works.

This presentation, through the review of multiple projects, will combine industry perspectives to share the challenges that exist with respect to balancing on-the-ground construction work and schedules with carrying out ESC measures for protection of fish, fish habitat and aquatic species-at-risk, while complying with multiple agency requirements and permitting. The presentation will pull together the different perspectives to provide tips on how to successfully navigate the process; understanding cause and effect in relation to ESC measures, water quality and impacts to fish communities, towards the goal of working in collaboration and compliance.

## Learning Objectives

1. The fine line between project success and failure. Working collaboratively with owner, consultants, agencies, engineers, contractors at every stage of the project: Where do you start?;
2. Cause and effect with respect to ESC measures, water quality and impacts to fish, fish habitat and aquatic species-at-risk. Triggers: When is enough, enough?; and
3. Acceptable ESC measures and monitoring plans for protection of fish, fish habitat and aquatic species-at-risk.