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TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON JULY 23, 2012
FROM:	JOHN BRAAM, P.ENG. ACTING EXECUTIVE DIRECTOR, PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	POTENTIAL ADVERSE IMPACTS TO MUNICIPAL INFRASTRUCTURE, PRIVATE AND/OR PUBLIC LANDS AND ECOLOGICAL CONDITIONS OF THE WATER RESOURCES SYSTEM FROM BEAVER ACTIVITY

RECOMMENDATION

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to beaver activity in the vicinity of infrastructure such as stormwater management facilities and Municipal Drains or watercourses:

- (a) Civic Administration **BE DIRECTED** to refrain from interfering with beaver dams where the damming activity does not compromise the operation of infrastructure such as Stormwater Management (SWM) Facilities, municipal drains, channels and/or does not create flooding conditions that impacts the safety of people or property and/or does not adversely impact the environment and ecological conditions of the water resources system;
- (b) Civic Administration **BE DIRECTED** to maintain the City's existing practices in accordance with requirements identified and governed by the Ministry of Natural Resources that allow the removal of beaver dams to protect, maintain or construct municipal infrastructures, protect the safety of the people and properties in accordance with the City of London's operating authority responsibilities for water resources/SWM Infrastructure under the *Ontario Water Resources Act, Drainage Act, Environmental Assessment Act, Fisheries Act* as well as Riparian Rights Law and other applicable laws wherein beaver dams compromise the operation of infrastructure such as SWM Facilities, municipal drains, channels, open watercourses, present a barrier to fish movement, cause a hazard to public health, alter sediment transport regimes, increase water temperatures or cause adverse flooding of private or public land.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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COUNCIL – June 26 & 27, 2012 – 3rd, 4th, and 5th Reports of the Animal Welfare Advisory Committee

BACKGROUND

Purpose:

The purpose of this report is to recommend the appropriate actions to be taken by Civic Administration in response to beaver activity that has the potential to compromise the operation of infrastructure such as SWM Facilities, municipal drains, channels, present a barrier to fish movement, alter sediment transport regimes, increase water temperatures or cause adverse flooding of private or public land.

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Context:

Provincial legislation including but not limited to the *Drainage Act*, *Ontario Water Resources Act*, *Fisheries Act* and *Environmental Assessment Act* requires the City of London to maintain and operate water resources and municipal infrastructures within the City's boundaries.

The most adverse impacts related to beaver activity is damming which often results in:

- water stagnations that may affect human health and life;
- reduction in the tree coverage approximately 40 trees per beaver per year;
- flow obstructions;
- flooding to properties (Civic Administration receives numerous complaints each year);
- flooding of timber and agricultural crops;
- flooding of roads; and
- obstruction of, or damage to, bridges, culverts, drains, dykes and road beds.

The City cannot ignore the significant liability that would be associated with inaction in these cases. The City recognizes the ongoing dilemma of urbanization and wildlife habitats and does its best to minimize habitat and wildlife disruption and provide an overall net benefit to the environment and ecological conditions of the water resources systems as part of construction projects.

Discussion:

The City's current approach and practices regarding beaver activity is consistent with the practices of other Ontario municipalities and complies with the Ministry of Natural Resources (MNR) Acts and Regulations.

Provided that beavers do not create damming conditions within streams, municipal infrastructures such as SWM facilities, municipal drains, channels, or create flooding conditions that adversely impacting water quality or may cause impact to the safety of the people and/or property, the environment and ecological conditions of the system, the City's practice is to leave a beaver in nature and not interfere consistent with recent Council direction with respect to human-beaver conflicts. However, many times this is not an appropriate course of action.

In circumstances when beavers create damming effects that impacts compliance under federal and provincial legislation and increase the City's liability, the City considers a number options and ensures that provincial legislation is followed for removal. The removal of beavers is undertaken by licensed trappers in accordance with requirements identified and governed by MNR and, as noted above, is done on an as-needed basis only, driven by surface flooding, environmental assessments, property owner complaints and/or liability issues.

Civic Administration's aim is not to have to remove beavers but this activity has become an unfortunate part of City requirements. Beavers are not isolated to specific areas in London as Civic Administration has responded to numerous instances across the City.

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Conclusions:

Beaver activity is notable in the City of London and provided that the beavers do not create damming conditions that compromise infrastructures or adversely impact the safety of the people and/or property or environment and ecological conditions, Civic Administration recommends allowing the beaver activity to continue in nature and not to interfere. In circumstances when beavers create damming effects that impacts compliance under federal and provincial legislation and increase the City's liability, Civic Administration recommends that beaver dams be removed to protect, maintain or construct infrastructure or minimize the impact to the safety of the people and/or property or environment and ecological conditions, it being noted that the removal of beavers be undertaken by licensed trappers in accordance with requirements identified and governed by the MNR.

SUBMITTED BY:	RECOMMENDED BY:
BERTA KRICKER, M.ENG., F.E.C., P.ENG. MANAGER OF STORMWATER STORMWATER MANAGEMENT UNIT	JOHN BRAAM, P.ENG. ACTING EXECUTIVE DIRECTOR, PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER

July 16, 2012

Cc: John Braam – Acting Executive Director Planning, Environmental and Engineering Services and City Engineer

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