

Huron Watermain EIS - EEPAC Comments

EIS received at EEPAC's February 2022 meeting

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1. Unless plans can account for potential effects of stormwater surge, EEPAC believes it is important that this work should only be completed during a period when no heavy storms are forecasted.
2. Timing of construction work, especially tree removal and noise, should consider the impact on any breeding bird activity.
3. Post-construction monitoring will apparently include mussels - is there anything else included in post-construction monitoring such as turtle basking and/or nesting which may be recommended by the UTRCA species at risk biologist?
4. EEPAC recommends that water quality and temperature are carefully monitored prior to construction to ensure that the work is done at the best time to protect the mussels. See comment 11.
5. How will you know that the project has been successful at improving habitat? There are no measurable indicators included in the EIS either for terrestrial or aquatic habitats.
6. What about mitigating the spread of invasive plants in Baldwin flats in the cleared area? e.g. revegetation. It is noted on page 40 that the planting plan will be done at detail design. EEPAC recommends that the restoration be consistent with floodplain vegetation or dry mixed meadow as appropriate, and that invasive species be removed in and around the site. Monitoring for three years to ensure the herbaceous and tree plantings are successful and that invasive species are controlled. Reports must also be copied to a City ecologist.
7. When are trees being removed? EEPAC recommends this be done soon, before the Regional Nesting Period begins around April 3. This will minimize the need for a nesting bird sweep (EIS p. 44)
8. Put up signage before starting tree removal with an explanation of what work is going to take place and why it is important not to traverse the site. This signage should be in addition to any "TVP closed" signage.
9. Has there been consultation with Western? EEPAC recommend the City consult with Mike Lunau of Facilities Management regarding the monitoring and invasive species management plan post construction.
10. Dewatering - it is unclear as to how negative impacts on the riparian vegetation and bank will be avoided during dewatering. What will the impact be of dewatering on vegetation or erosion of sediment beside the riverbank? EIS P. 47 says restoration to pre-construction or new naturalized shoreline. It is unclear who decides which and when. EEPAC recommends that the species at risk biologist at the UTRCA and a terrestrial ecologist be consulted at detail design (p. 40) when the planting plan is prepared.
11. Mussel relocation: What specifically was assessed to determine the suitability of the relocation site? EEPAC points out that relocation is to be done after water temperatures reach at least 16 degrees (p. 51 EIS) which may not occur before the project starts. EEPAC recommends that once relocated, the mussels remain in the new location due to changes to the channel as a result

of the project. The EIS indicates the habitat improvements will likely benefit fish species (p. 40 and 45). It is unclear whether the restored habitat will also be beneficial for mussels.

12. Monitoring reptile and amphibian exclusion fencing - who does that?
13. How are you going to inform the workers about SAR? How will workers know whether wildlife are SAR or not? EEPAC recommends having an ecologist on site daily.
14. P. 51 EIS - "Training and continual awareness" – what does this mean in practice? Will there be posters in a construction trailer? Will a biologist be on site at all times? It appears not as page 50 indicates any sightings of SAR species should be reported to the Ministry and UTRCA. EEPAC recommends the City retain a trained biologist not employed by the contractor to be on site at all times to undertake the following tasks mentioned in the EIS:
 - Regular monitoring of ESC measures (p. 45)
 - Ensure all exposed soils are stabilized or covered when rain is expected (p. 47)
 - Monitor turbidity (p. 48) and discharges from the dewatering pit (p. 40)
 - Monitor reptile and amphibian exclusion measures (p. 49)
 - Record daily monitoring (p. 50)
 - Training and "continual awareness" of SAR species (p. 50/1)
 - Monitor for turtle nests (p. 50)
 - Reporting any SAR species sightings (p. 50)
 - Ensuring all geotext and other construction materials are removed after project completion (p.40) as such removal does not always take place
15. EEPAC would appreciate the opportunity to review a clear timeline for the project. It seems to us that there needs to be tight coordination between the communications, site preparation and construction pieces in order to facilitate the project being completed quickly, efficiently, with minimal negative impacts and minimal interruptions to pedestrian and cyclist use of the area.
16. Impact on potential bat maternity trees. It is unclear if the trees identified as potential bat maternity roosting trees will be removed. The table on page 49 does not provide any information nor does the EIS anywhere else. If they are to be removed, it is likely going to have to be before April 3. Such trees can not be replaced by new trees. If these two trees are to be removed, it must be noted and a nesting bat survey done before removal.
17. It is unclear to EEPAC why the tree replacement ratio is expected to be only 2:1 (p. 55). As a City project, the City should go beyond the minimum and plant more trees.
18. There is no detail on the ESC plan (p. 45-6). Most of this section of the EIS is standard material. Who makes the decision, and when, for enhanced ESC measures? Measures to be used must be subject to approval of the City AND the UTRCA, including the SAR biologist.
19. SAR exclusion measures (p. 49) must also be approved by the SAR biologist.
20. Dust control MUST be done with water (p. 47). It should not be optional. Likewise, all exposed soils must either be stabilized or covered when rain is expected (p. 47).
21. P. 50 states: "If a nesting Spiny Softshell is observed or if a turtle nest is identified in the Project Area either during construction or operation of the Project, a 5 m buffer should be applied to the nest site, or 30 m to a nesting female, and maintained until the MECF provides additional direction. Turtle nests should not be touched as it can damage eggs."
It is unclear if this is sufficient distance. Has this been reviewed by the SAR biologist at UTRCA? It also reinforces our recommendation that a skilled biologist be on site at all times because it is

unclear how the workers will be able to identify a nesting turtle or nest unless the “continual awareness” is by someone always on site.

EDITORIAL COMMENTS

22. The EIS mentions a known coyote den to be monitored. It is unclear if this was done. And if this monitoring had occurred, what will be done to mitigate impacts to the coyotes? How will the coyote den be protected?
23. P. 38 incorrectly notes Queensnake as a Threatened species. It is correctly identified in all other parts of the EIS as Endangered.
24. It is unclear to EEPAC how this work would fall under Section 8 of the ESA protecting human life.
(p. 54)