

Fish Habitat & SUNKEN LOG RETRIEVAL

FACT
SHEET
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The forest industry in early Ontario involved using waterways to transport sawn logs. Sunken logs have accumulated in the waterways for over two centuries. Although these logs are not naturally occurring, they have become an important part of the aquatic ecosystem. Recently there has been an increased interest in Ontario to salvage some of these logs. Retrieval operations are carried out for many reasons including commercial lumber and navigational concerns.

All proposed sunken log retrievals must be submitted to the appropriate government agencies for review and approval prior to starting work as the work might result in the harmful alteration, disruption or destruction of fish habitat. This fact sheet provides information about which agency you should contact for government agency approvals.

Be aware of the Fisheries Act and other legislation

The federal *Fisheries Act* provides for the protection of fish habitat. Under this Act, no one may carry out any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat (HADD), unless authorized by the Minister of Fisheries and Oceans Canada. The Act also states that no one is permitted to deposit a deleterious (harmful) substance into water containing fish. Violations to the *Fisheries Act* can result in substantial fines, and/or the risk of imprisonment. If found guilty, then the violator may also be required to cover the costs of restoring the habitat at the site and/or be required to fulfill other court ordered remedies. Other legislation that may be relevant to sunken log retrieval is outlined in the introductory Fact Sheet: *Working Around Water? What you should know about Fish Habitat.*

Contacts and approvals

If you are planning to retrieve sunken cut logs, refer to the table on the next page to determine your first point of contact. All land below the average annual high-water mark is under the jurisdiction of either the federal or provincial crown unless it is privately owned. Ownership of submerged land and logs determines which legislation applies and the type of permits or approvals that are required.



The lead review agency and their areas of responsibility, listed in the table on the next page, will assist you in determining what other agencies need to be contacted for permits and approvals.

Information you will need to submit

When seeking approvals or permits, you will need to submit the following information:

- ❖ Your name, address, telephone number, and if available, a fax number and an e-mail address
- ❖ Waterbody name (local and gazetteer, if different) and location of the retrieval operation including lot and concession, county, township, municipality, and if known, latitude and longitude
- ❖ Rationale for retrieval operations and proposed end use of salvage logs
- ❖ Detailed site plan of the proposed salvage area including site photos during ice free conditions, bathymetric map indicating log location, depth, and number of logs
- ❖ Proposed start and completion dates
- ❖ Rate the density of cut logs per area using the four classes below:
 - Low - less than 3 logs per 100 m²
 - Medium - 3 to 5 logs per 100 m²
 - High - 6 to 10 logs per 100 m²
 - Very high - greater than 10 logs per 100 m²
- ❖ Log salvage locations with clearly defined natural boundaries
- ❖ Proposed methodologies for:
 - retrieval from the bottom
 - transport to land
 - removal from water to the shore
 - storage on land
 - site restoration of nearshore areas
- ❖ Proximity to navigational channels (charted or uncharted)
- ❖ Details of substrate composition, water circulation patterns (i.e. water current)
- ❖ Details of the proximity to water intake pipes, dams, and other structures
- ❖ Species of fish and fish habitat types in the area
- ❖ Documented historical use of area to determine possible sediment contamination, including information on past industrial users on the waterbody

- ❖ Archaeological or historical sites in the area
- ❖ A performance bond and proof of liability may also be required.

If any of the information is not available, you may be required to provide an independent and qualified assessment at your own expense. The information required will depend on the size of the proposed log retrieval operation and other site-specific concerns.

Contact Fisheries and Oceans Canada to determine the areas where side scan sonar will be required.

Monitoring of environmental conditions before, during, and after retrieval operations may also be required.

Best practices

Typically, logs submerged in water less than 5 metres deep provide valuable fish habitat and may also contribute to shoreline stability. Disturbance to these nearshore zones will generally not be permitted.

Log retrieval activities are also subject to timing constraints to protect fish during spawning or nursery periods as it could disturb spawning behaviour. Removal could also result in sediment covering and smothering eggs and killing young fish. If you are planning any in-water work, contact your local provincial agency office for information on timing restrictions.

Your log retrieval may not be approved, or may require redesign or mitigation where it:

- disturbs contaminated sediments
- conflicts with recreational activities
- creates a navigational hazard
- causes the deposit of sediments near water-intake systems or on fish habitat.

Working together to protect fish habitat

Help maintain the quality and quantity of fish habitat in our lakes and streams. For more advice on sunken log retrieval, contact your local agency staff directly.

Contact information

www.dfo-mpo.gc.ca/canwaters-eauxcan

Canada

Cette publication est également disponible en français.

Contact information – Ontario

If the logs...

If the logs...	Your first contact should be...
■ are in a federally controlled small craft harbour	■ Fisheries and Oceans Canada - Small Craft Harbours
■ are in the Rideau Canal, Trent-Severn Waterway or a National Park	■ Parks Canada Agency
■ are in other federally controlled waters	■ Natural Resources Canada - Canadian Forest Service and the federal agency responsible for the lands where the logs are located
■ are in provincially controlled waters	■ your local Ontario Ministry of Natural Resources

Areas of responsibility

Agency

■ Fish Habitat	■ Fisheries and Oceans Canada - Fish Habitat Management Branch
■ Fisheries Management	■ Ontario Ministry of Natural Resources
■ Environment & Water Quality	■ Ontario Ministry of the Environment Environment Canada
■ Sale of Sunken Logs	■ Ontario Ministry of Natural Resources
■ Heritage	■ Ontario Ministry of Citizenship, Culture - Marine & Recreation Heritage Conservation Program
■ National Historic Site, National Marine Park or National Historic Cana	■ Parks Canada Agency
■ Municipal	■ Conservation Authority, Municipalities, Local Municipal Office
■ Native	■ Indian Affairs & Northern Development First Nations Community
■ Navigational	■ Fisheries & Oceans Canada - Navigable Waters
■ Labour	■ Ontario Ministry of Labour
■ General application	■ Ontario Ministry of Natural Resources

Keep in mind that approval from one government agency does not guarantee that you will obtain approval from another agency. Remember you are required to obtain all approvals before removing woody debris or sunken logs.

Working together to protect and conserve Ontario's aquatic resources