

**Ministry of Natural Resources    Ministère des Richesses naturelles**

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March 16, 2011

Grand River Conservation Authority  
400 Clyde Road  
PO Box 729  
Cambridge ON  
N1R 5W6

GU-L-009-11

**RE: Waterpower and the *Endangered Species Act, 2007***

Dear Water Power Facility Operators

The Ministry of Natural Resources has reviewed the species occurrence information on file and in the Natural Heritage Information Centre database available for the water power facilities operated by the Grand River Conservation Authority. The purpose of the review was to assess the potential impacts of the waterpower operations on species at risk and their habitats. The water power facilities we have evaluated are located at Belwood Lake Conservation Area, Town of Fergus, Town of Elora, Conestoga Lake Conservation Area and Guelph Lake Conservation Area

Based on a review of the available information, Ministry staff have determined that there are currently no known occurrences of endangered or threatened species, or areas of protected habitat, at or in the immediate area of these facilities.

Therefore, the operation of these water power facilities will likely not contravene section 9 (species protection) or section 10 (habitat protection) of the *Endangered Species Act, 2007* (ESA). As a result, we do not presently need to enter into an agreement under Regulation 242/08 of the ESA.

If you become aware of any protected species and/or habitats occurring at or in the immediate vicinity of the facility, please contact the MNR Guelph District office as soon as possible to help determine if the facility's operations could impact the species or its habitat.

It is important to be aware that changes may occur in both species and habitat protection. The ESA applies to species listed in Ontario Regulation 230/08 (Species at Risk in Ontario List) ([www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_080230\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_080230_e.htm)). The Committee on the Status of Species in Ontario (COSSARO) meets regularly to evaluate species for listing and/or re-evaluate species already listed. As a result, species' designations may change, which could in turn change the level of protection they receive

under the ESA. Also, it is possible for habitat protection provisions to change with the introduction of a species-specific habitat regulation or in June 2013 when habitat protection is phased in for many endangered and threatened species.

Please be advised that it is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws, and other approvals required from MNR or other agencies.

If you have any concerns or questions please contact Graham Buck at 519 826 4505 or at [graham.buck@ontario.ca](mailto:graham.buck@ontario.ca).

Sincerely,

A handwritten signature in blue ink that reads "Ian Hagman". The signature is written in a cursive style with a large initial "I" and a long horizontal stroke.

Ian Hagman, District Manager  
MNR Guelph District Office