



Unseen Risks: Gaps in the Identification of Potential Habitat of Threatened or Endangered Species during Environmental Site Assessment

Under the Ontario “Brownfields” regulation (O. Reg. 153/04) and “Excess Soils” regulation (O. Reg. 406/19), the presence of an “area of natural significance” may result in a study area being considered “environmentally sensitive” at which the most stringent Site Condition Standards / Excess Soil Quality Standards must be applied. The determination of whether a study area includes (or is proximate to) an area of natural significance is based on a number of factors, including whether a habitat for a species classified under section 7 of the Endangered Species Act, 2007 as a threatened or endangered species is present.

This presentation examines the challenges in reliably identifying such habitat during Environmental Site Assessment (ESA) work programs. It highlights a critical gap: Qualified Persons (QPs) responsible for ESAs often lack the ecological training necessary to conduct habitat assessments, potentially leading to regulatory non-compliance and ecological oversight. Drawing on findings from an internal review conducted by qualified ecological practitioners, the presentation will showcase examples of misidentified or overlooked habitat and outline strategies being adopted to improve screening accuracy, inter-disciplinary collaboration, and regulatory alignment.

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Peter Sutton, P.Eng., QPESA, QPRA is Vice President, Environmental Services at Terrapex, responsible for the operations of the site assessment and remediation, risk assessment, ecology, and hazardous materials practice areas at the company. A licensed professional engineer and designated “Consulting Engineer” in the Province of Ontario, Peter is also registered with the Ontario Ministry of the Environment, Conservation and Parks as a “Qualified Person” for both the submission of Records of Site Condition (QPESA) and Human Health and Ecological Risk Assessments (QPRA).

Over his more than thirty-year career, Peter has been a passionate advocate for advancing the state of practice of environmental consulting. In addition to presentations at numerous conferences and other speaking engagements, Peter has been an active member of many industry organizations. He is currently Vice President of the Canadian Brownfields Network (CBN) and has served on the Board of Directors of that organization since 2020.