

Erosion and Sedimentation Control Policy for Highway Construction Projects

Policy Statement

This policy shall assist Department of Public Works (DPW) in preventing and reducing instances of erosion and sediment release from its highway construction sites.

Rationale

Pursuant to the provisions of Section 67(2) of the Environment Act 1994-95 c.1, s.1., no person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause an adverse effect, unless authorized by an approval or the regulations.

DPW and its contractors regularly conduct activities associated with the construction of highway infrastructure that present a risk to the environment through erosion and sedimentation. It is the responsibility of DPW to ensure that its activities remain compliant with the *Environment Act*. This policy provides the framework by which DPW shall achieve that outcome.

Policy Objectives

1. Protect the environment from erosion and sedimentation and minimize their impacts associated with DPW highway construction sites by providing guidance and resources to DPW staff.
2. Improve erosion and sediment control (ESC) knowledge and performance on DPW highway construction sites by requiring regular training.
3. Ensure awareness of the roles and responsibilities for DPW staff and their contractors during responses to erosion and sedimentation issues including:
 - a. proper reporting to regulatory agencies;
 - b. the development and implementation of project-specific contingency and mitigation plans by the contractor; and
 - c. knowledge of resources as described in the References section of this policy.

4. Encourage participation by all DPW staff and contractors in using the latest ESC best management practices, such as those included in the References section of this policy.
5. Assist in identifying and determining resources, documents, and educational materials available to DPW staff.

Application

The policy applies directly to DPW staff working on DPW highway construction projects which have the potential to impact the environment through erosion and sedimentation (hereinafter referred to as “Projects”). DPW Projects may involve working with, but are not limited to, items such as earthworks, pipe work, structures, and gravels. The authority for this policy is derived from the *Environment Act*.

Accountability

All relevant staff, but especially Construction Managers, Senior Project Engineers, Project Engineers, Bridge Engineers, District Bridge Engineers, Operation Supervisors, will be responsible, and accountable, for the action and administration of this policy as it applies to the construction of DPW infrastructure within their specific area.

Monitoring

DPW Managers will monitor the policy’s implementation, performance and effectiveness regarding DPW highway construction activities.

Directives

1. DPW highway construction Projects, as defined in this policy, shall include a standardized ESC contingency plan for erosion and sedimentation events that includes the following:
 - a. direction to take immediate action to stop or contain the sediment release;
 - b. a planned procedure for reporting the release;
 - c. assessment of any damage to the environment;
 - d. root cause analysis for the release and recommendations for improvements to ESC measures;
 - e. remediation plan; and
 - f. implementation schedule.

2. All relevant DPW highway construction staff are required to complete ESC training at a minimum of once every three (3) years, or more frequently as operationally required.
3. DPW highway construction staff, and their contractors, shall comply with the *Environment Act*, *Fisheries Act*, and all other applicable legislation.

Guidelines

1. It is recommended that DPW staff include requirements for site-specific ESC plans that must meet or exceed specifications or requirements in the most recent version of the Nova Scotia Environment and Climate Change Guide to Developing Erosion and Sediment Control Plans, the Nova Scotia Watercourse Alteration Standard, the Terms and Conditions of Nova Scotia Environment and Climate Change Approvals, or the Nova Scotia Generic Environmental Protection Plan for the Construction of 100 Series Highways in all contracts for DPW highway Projects, as defined in this policy.
2. DPW's ESC Guideline is an available resource that should be utilized by DPW staff working on DPW Projects.
3. DPW staff (or their contractors) may wish to engage a 3rd party environmental consultant to assist with ESC performance and monitoring on DPW highway projects.

References

- Nova Scotia *Environment Act*
- Canadian *Environmental Protection Act*
- *Fisheries Act*
- Canadian *Environmental Assessment Act*
- Navigable Waters Protection Act
- DPW Project Engineers Field Manual
- DPW ESC Guideline and Best Management Practices
- Nova Scotia Environment and Climate Change Guide to Developing Erosion and Sediment Control Plans
- Nova Scotia Environment Erosion and Sedimentation Control Handbook for Construction Sites
- Nova Scotia Watercourse Alterations Standard
- The Nova Scotia Department of Transportation & Infrastructure Renewal Standard Specification, Highway Construction and Maintenance

- Nova Scotia Generic Environmental Protection Plan for the Construction of 100 Series Highways
- Fish and Fish Habitat Protection Policy Statement
- CSA W202:18 National Standard of Canada: Erosion and Sediment Control Inspection and Monitoring (R2023)
- CSA W208:20 National Standard of Canada: Erosion and Sediment Control Installation and Maintenance (2020)
- Canadian Water Quality Guidelines for the Protection of Aquatic Life
- Transportation Association of Canada National Guide to Erosion and Sediment Control on Roadway Projects
- Certified Inspector of Sediment and Erosion Control Training Manual (2022)
- Canadian Chapter of the International Erosion Control Association (IECA Canada) website: www.canieca.org

Enquiries

Enquiries with respect to the requirements of this policy shall be directed to the Manager of Environmental Services.