

Plan Review and Permitting Services Memo

To: Matt Wilkinson
From: Jasmine Gibson
CC: File
Date: January 20, 2020
Subject: Ecology Review of the EIS for 999 Douro First Line
Roll #: 1522 010 002 03200
File: PPLD-2110 (B-63-19) and PPLD-2111 (B-64-19)

The Otonabee Region Conservation Authority (Otonabee Conservation/Authority) Plan Review and Permitting Services technical staff have reviewed the October 4, 2019 'Scoped Environmental Impact Study' (EIS) prepared by Cambium (Ref. #9724-001) in support of two Consent Applications.

Technical staff reviewed the information provided by Cambium in consideration of the 2017 Growth Plan for the Greater Golden Horseshoe (GPGGH) policies for hydrological features, 2014 Provincial Policy Statement (PPS) policies for natural heritage and water, municipal policies and this Authority's policies, mandates as well as our technical advisory role to Peterborough County on matters of natural heritage. The subject lands are located outside of a settlement area, and the retained parcel supports agricultural uses. The intent of the applications are to create two new residential lots.

According to provincial mapping, and Cambium, unevaluated wetlands and woodlands traverse the subject lands, and there is an intermittent watercourse and potential habitat for Bobolink and Eastern Meadowlark (threatened birds) and significant wildlife (Grasshopper Sparrow – a special concern bird) on adjacent lands. Staff concur with the EIS findings, which concluded that the severed parcels are located more than 120m from any wetland feature, are setback approximately 45m from the watercourse north of the subject lands, and the actively farmed fields do not support the bird species noted above.

Staff note, however, that there is a 1 sq. km occurrence square (17QK2723) on Ontario's Make-a-Map website, which lists Blanding's turtle (threatened, EO ID 112181), eastern wood-pewee (special concern bird, EO ID 180294) and wood thrush (special concern bird, EO ID 180359) approximately 1.5 km east of the proposed severances. While the EIS did not discuss the 17QK2723 square species list, staff concur with Cambium that there does not appear to be potential/suitable habitat (wetlands/waterbodies and woodlands) for these species at risk within proximity of the proposal.

The Endangered Species Act (ESA) protects threatened and endangered species and their habitat. The ESA is a proponent-driven legislation, which means the proponent is ultimately responsible for ensuring compliance with the ESA prior to commencement of work regardless of previous planning decisions. Staff note that development within 2 km of an occurrence of Blanding's turtle triggers the ESA. Therefore, staff recommends the landowner confirms the EO ID 112181 location for Blanding's

turtle with NHIC and consults with Environment, Consultation and Parks (MECP) for technical advice prior to commencement of work on both properties.

In conclusion, the Consent Applications appear consistent with provincial policies (PPS policies 2.1 and 2.2 and GPGGH policies 4.2.3 and 4.2.4) provided construction and site occupancy adhere to the recommendations outlined in the EIS (pages 4 and 5) and the following points are considered:

1. Apply a 'no tree removal' timing window from April 15th to August 15th of any given year in order to protect nesting birds and be consistent with the Migratory Birds Convention Act and regulations;
2. Extend the 'no tree removal/no construction' timing window to September 30th in order to protect active turtles;
3. Install silt fencing prior to May 1st, and maintain fencing post September 30th, of any given year to keep wildlife/reptiles out of the work site; and
4. Install tree protection fencing as per 'OPSD 220.010 Barrier for Tree Protection' to protect root systems and drip lines of trees within the hedgerows.

If you have any questions, please contact the office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jasmine Gibson". The signature is fluid and cursive, with a large loop at the end.

Jasmine Gibson
Planning Ecologist