



PARTNERS IN
ENGINEERING, PLANNING &
ENVIRONMENTAL SERVICES

Memo

To:	Mr. Peter and Mrs. Wendy Smith
From:	Ben Radford, B.Sc., Project Biologist D.M. Wills Associates Ltd.
Date:	January 25, 2022
Project Name:	1090 4 th Line Road South, Dummer
Project No.:	85104
Subject:	Opinion Letter

1.0 Introduction

D.M. Wills Associates Limited (Wills) was retained by Peter and Wendy Smith (Client) to undertake an Opinion Letter to address any potential environmental impacts associated with a proposed lot severance (Project) at 1090 4th Line Road South, Lot 14, Concession 3, in the Township of Douro-Dummer (Subject Property). Specifically, the Subject Property encompasses approximately 81.6 ha of land. The Project includes a proposed 0.6 ha lot severance (Proposed Severance Lot), with the remaining land being retained. See **Figure 1** and **Figure 2**.

The Otonabee Region Conservation Authority (ORCA) has requested that an Opinion Letter be completed for the proposed severance due to the presence of natural heritage features within 120 m of the Subject Property. The Opinion Letter must demonstrate that there will be no negative ecological or hydrological impacts on the natural heritage system, connectivity and linkages associated with the site and surrounding area. The Subject Property is adjacent to an unevaluated wetland and woodland, which prompted the need for the Opinion Letter.

The purpose of the Opinion Letter is to identify environmental constraints, develop appropriate setbacks, consult with regulatory agencies and identify the activities required to address project compliance with Provincial and Federal statutes and policies including but not limited to: the *Planning Act* (R.S.O. 1995), the *Conservation Authorities Act* (R.S.O. 1990), the *Endangered Species Act* (R.O. 2007), the *Provincial Policy Statement (2020)*, and *A Place to Grow: Growth plan for the Greater Golden Horseshoe (2020)* (Growth Plan).



Wills' biologists undertook two (2) field investigations to collect information on existing conditions.

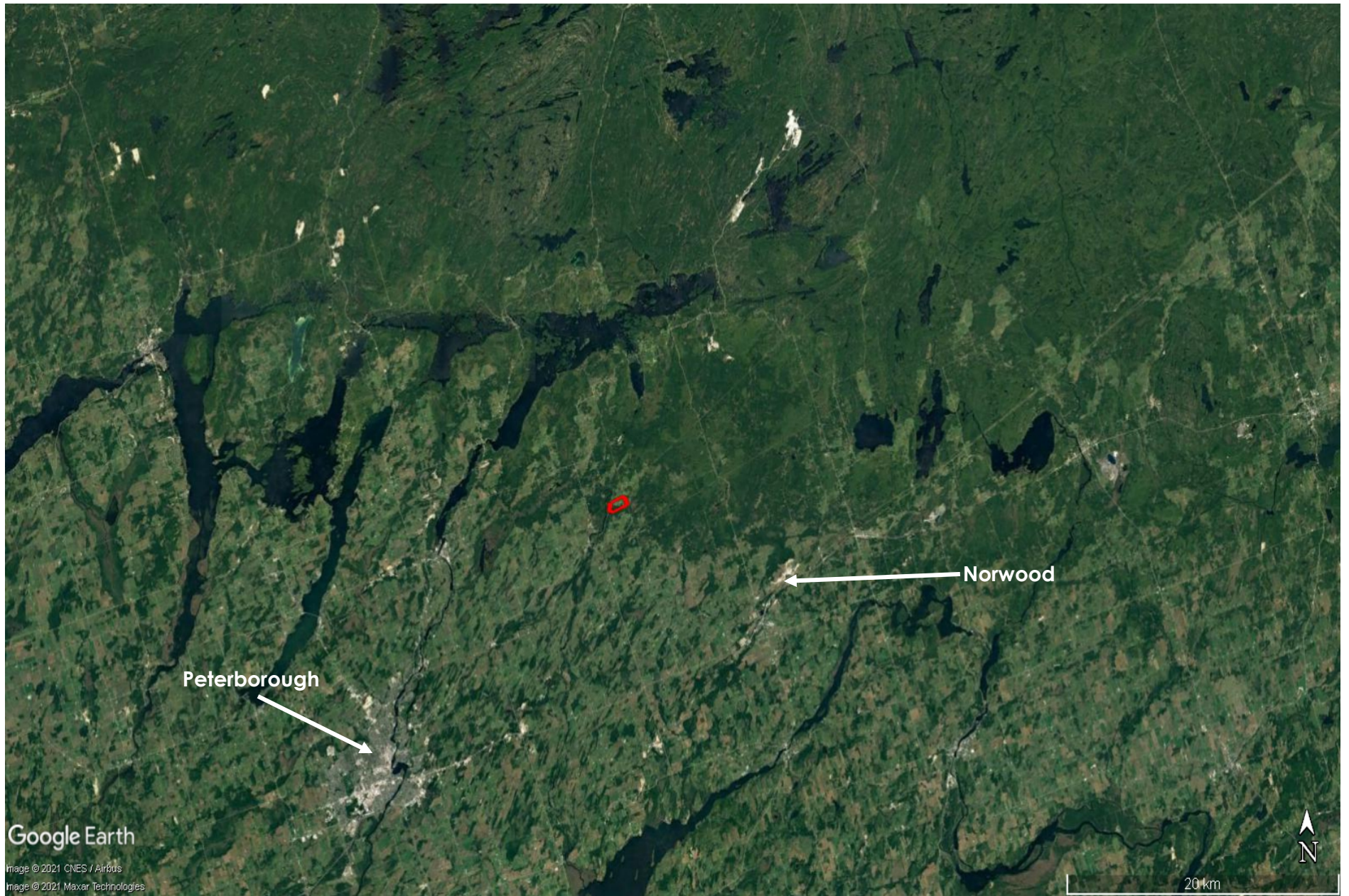
This document provides:

- An existing conditions background review;
- A summary of the observations made during field investigations;
- Description of the potential impacts of the Project; and,
- Recommended measures to mitigate impacts of the Project.

1.1 Subject Property

The Subject Property encompasses approximately 81.6 ha of land located at Lot 14, Concession 3, in the Township of Douro-Dummer. The area surrounding the Subject Property is made up of agricultural lands, an unevaluated wetland, an unevaluated woodland, and a rural residential building.

The Project includes the severance of the Subject Property into two (2) parcels of land. The Proposed Severance Lot will be approximately 0.6 ha, with the remaining 81 ha parcel being retained.



Google Earth

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Image © 2021 Maxar Technologies

Legend

Subject Property



Site Location

Opinion Letter

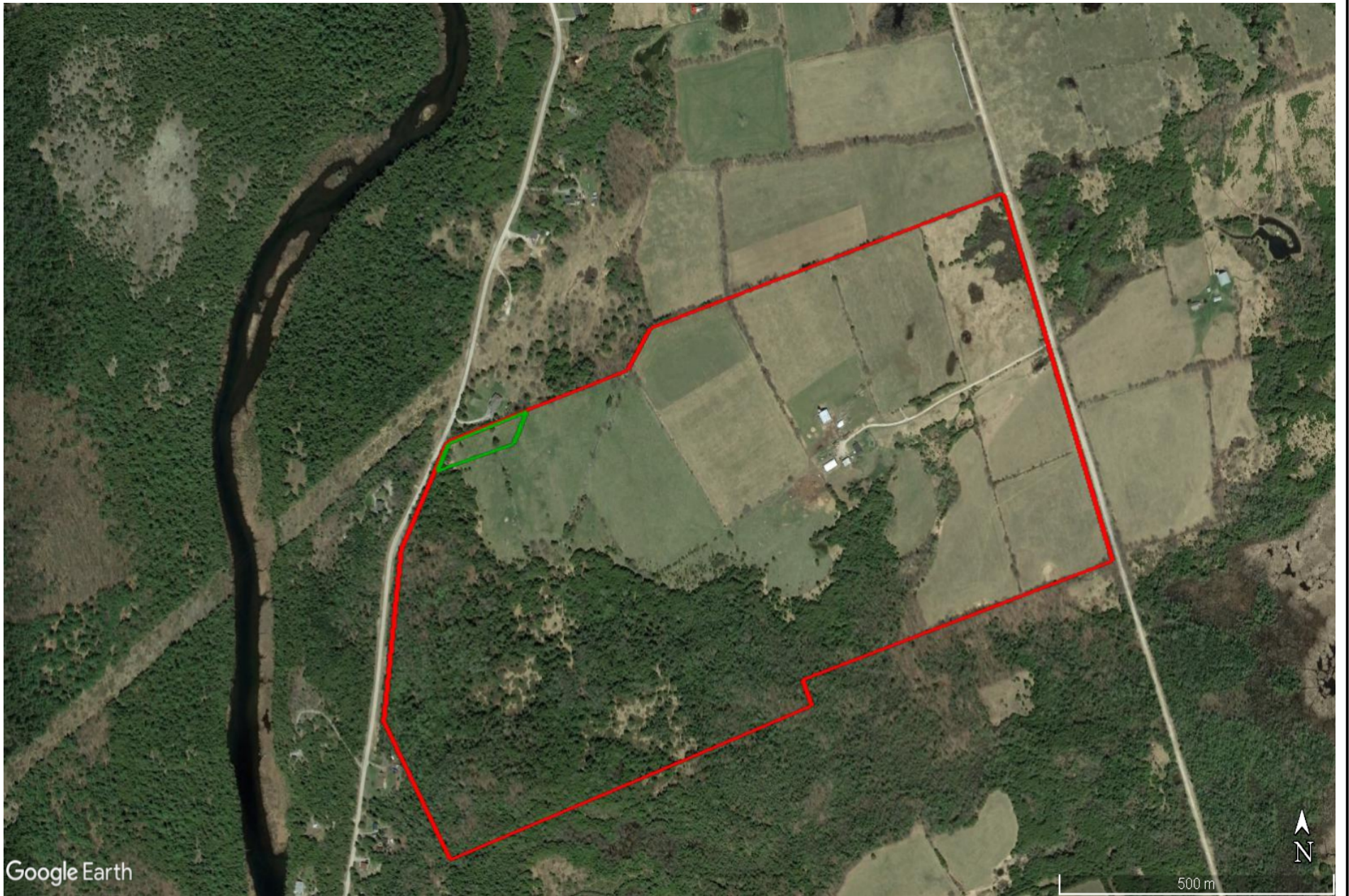
1090 4th Line Road South, Douro-Dummer



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Drawn By	BR	Scale	See Scale Bar
Checked	SF	Date	Dec 2021
Project No.	85104	Drawing File No.	Figure 1



Google Earth

500 m



Legend

- Subject Property —
- Proposed Severance —

Subject Property

Opinion Letter

1090 4th Line Road South, Douro-Dummer



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2.0 Background Review

2.1 Designated Areas

A review of the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) natural heritage/resources data obtained through the NDMNR Natural Heritage Information Centre (NHIC) database was completed to identify the presence, or absence of, any Valued Ecosystem Components (VECs) such as local, provincial and federally Designated Areas (DAs). DAs include lands covered under the Provincial Policy Statement (2020), as well as, other natural heritage features of local or federal interest including Federal Parks, Environmental Sensitive Landscapes or Areas (ESLs, ESAs), such as significant woodlands, locally significant wetlands or otherwise natural heritage feature identified for conservation.

A summary of the results of the database searches is outlined below with reference to DAs:

Significant Wildlife Habitat

No Significant Wildlife Habitat (SWH) records were identified through background review.

Provincially Significant Wetlands

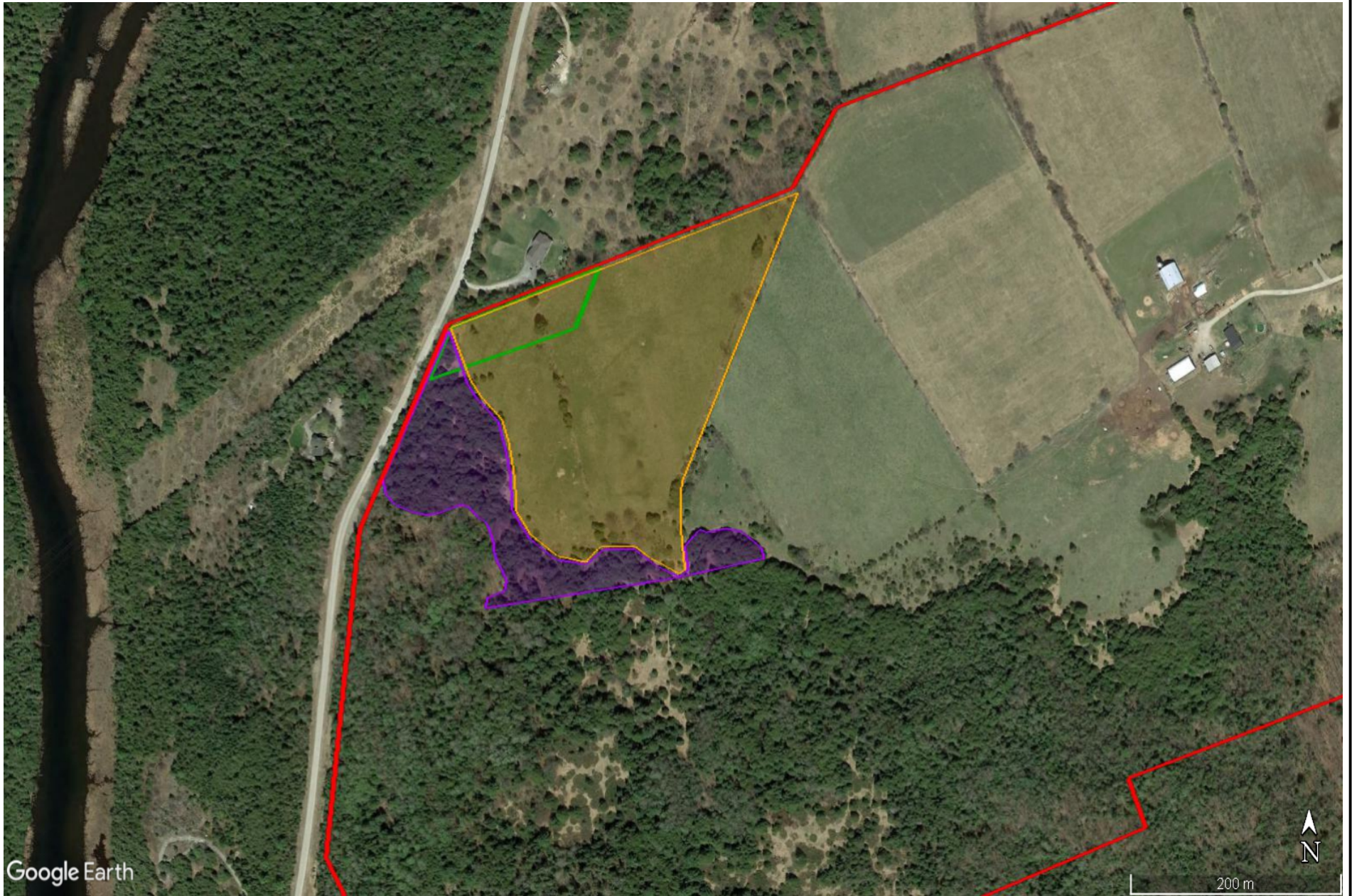
No Provincially Significant Wetlands (PSW) were identified on, or within, 120 m of the Subject Property based on background review.

Significant Woodlands

NHIC mapping indicates woodlands as being present within the Subject Property and area of the Proposed Severance Lot.

Other Wetlands

The NHIC database identifies one (1) unevaluated wetland, west of Rock Road, within 120 m of the Proposed Severance Lot.



Google Earth

200 m



Legend

- Subject Property —
- Proposed Severance —
- CUM —
- FOC2 —

ELC Communities Map

Opinion Letter

1090 4th Line Road South, Douro-Dummer



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3.0 Existing Conditions

3.1 Biophysical Environment

3.1.1 Topography

The Subject Property contains small rolling hills, with the general topography sloping down, towards the west.

3.1.2 Soils

The Subject Property falls within Ecoregion 6E (Lake Simcoe, Rideau), a region underlain by carbonate rich Paleozoic bedrock, and dominated by a wide variety of deep glacial deposits (Ecological Stratification Working Group, 1996).

3.1.3 Hydrology

Groundwater and surface water is expected to flow along the natural topography of the Subject Property. Groundwater at the Subject Property is inferred to generally flow west.

Although surface topography typically has great influence on the groundwater flow, it has been observed in several areas that bedrock topography also has a significant influence. Groundwater flow direction may also be influenced by utility trenches and other subsurface structures and may migrate in the bedding stone of subsurface utility trenches. Groundwater flow direction can only be confirmed with the measurement of groundwater elevation through the Subject Property.

3.2 Field Investigations

Field investigations took place on June 4 and June 23, 2021 to evaluate existing ecological conditions within the Subject Property. The field program included the following surveys:

- Two (2) Breeding Bird Surveys;
- Ecological Land Classification (ELC); and,
- Species at Risk Assessment.

3.2.1 Breeding Bird Surveys and Species at Risk Assessment

Targeted surveys for SAR avifauna were completed on the Subject Property, with a focus on the Proposed Severance Lot. No SAR avifauna were observed at the time of the Breeding Bird Surveys. Full results can be found in the *Species*

at Risk Evaluation Report (Wills, 2021) (**Appendix A**). Mitigation measures to protect SAR are found in **Section 5.3**.

3.2.2 Ecological Land Classification

ELC mapping was confirmed in the field using the *Ecological Land Classification for Southern Ontario* (Lee, 1998) protocols for the area within 120 of the Proposed Severance Lot. From this, **Figure 3** was created.

Two (2) ELC units were identified within the Subject Property:

1. Cultural Meadow (CUM)

The majority of the Subject Property is made up of agricultural fields, which is classified as a Cultural Meadow (CUM) through ELC. The vegetation species found within the community were Grass spp. (*Poaceae spp.*), Bull Thistle (*Cirsium vulgare*), and Asters (*Aster spp.*). Small numbers of Eastern White Cedar (*Thuja occidentalis*), Red Pine (*Pinus resinosa*), American Elm (*Ulmus americana*), and Green Ash (*Fraxinus pennsylvanica*) were also present within this community.

2. Dry – Fresh Cedar Coniferous Forest (FOC2)

The habitat surrounding the agricultural fields is classified as a Dry – Fresh Cedar Coniferous Forest. This community is dominated by Eastern White Cedars, with the occasional Green Ash, American Elm, and Staghorn Sumac (*Rhus typhina*).

4.0 Regulatory Context

4.1 Provincial Policy Context

The *Provincial Policy Statement, 2020*, (PPS) was issued under Section 3 of the *Planning Act* and came into effect on May 1, 2020 and replaces the PPS issued April 30, 2014.

The PPS states:

Section 2.1.4: Development and site alteration shall not be permitted in:

- a) Significant wetlands in Ecoregions 5E, 6E and 7E, and
- b) Significant coastal wetlands.

The Proposed Severance Lot will not encroach on a

Section 2.1.5: Development and site alteration shall not be permitted in:

- c) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E;

- d) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- e) significant valley lands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- f) significant wildlife habitat;
- g) significant areas of natural and scientific interest, and;
- h) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 2.1.4 (b).

The Proposed Severance Lot is not planned to encroach on any of the above natural heritage features. Further details are provided in **Section 5.1**.

The PPS also states:

Section 2.1.7: Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

The Proposed Severance Lot is not planned to encroach on the habitat of endangered and threatened species. Mitigation measures to protect SAR that may traverse through the Subject Property or the Proposed Severance are outlined in **Section 5.3**.

Lastly, the PPS states:

Section 2.1.8: Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, 2.1.6 and 2.1.7, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on the ecological functions.

The Ontario Natural Heritage Reference Manual for the Provincial Policy Statement defines adjacent lands as:

- 120 m from PSW
- 50 m from – significant woodlands; significant valley lands; significant wildlife habitat; significant portions of habitat for threatened or endangered species, significant ANSIs
- 30 m from fish habitat

The assessment to meet regulatory requirements is provided in **Section 5.0** and **Section 5.1**.

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

As outlined in the Growth Plan, the following policies apply to the Subject Property:

Section 4.2.4 Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features

1. *Outside settlement areas, a proposal for new development or site alteration within 120 metres of key natural heritage features within the Natural Heritage System for the Growth Plan or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:*
 - a) *Is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;*
 - b) *Is established to achieve and be maintained as natural self-sustaining vegetation; and*
 - c) *For key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature.*
2. *Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during, and after development to protect the hydrologic function and ecological functions of the feature.*
3. *Development or site alteration is not permitted in the vegetation protection zone, with the exception of that described in policy 4.2.3.1 or shoreline development as permitted in accordance with policy 4.2.4.5.*

An unevaluated woodland exists within 120 m of the Proposed Severance Lot on the Subject Property. In addition, an unevaluated wetland located on the west side of Rock Road, exists within 120 m of the Proposed Severance Lot. Further details on the mitigation measures required to protect these features are provided in **Section 5.1** and **Section 5.2**.

5.0 Environmental Protection/Mitigation

No site development works are proposed on the severed or retained lot at this time. However, the PPS and the Growth Plan require lot lines to be setback from the unevaluated wetland that is located off the Subject Property, west of Rock Road. The buffer setbacks are discussed in **Section 5.1**. Mitigation measures to protect the existing wetland, woodland, and SAR from any future

development beyond the creation of the Proposed Severance Lot are outlined in **Section 5.1, 5.2, and 5.3.**

5.1 Buffer Setbacks

The edge of the wetland located west of Rock Road (as identified by NHIC), is greater than 30 m (minimum distance for a Vegetation Protection Zone) from the Proposed Severance Lot and Subject Property. As shown in **Appendix B**, the wetland boundary is approximately 97 m from the closest edge of the Subject Property/Proposed Severance Lot.

No fragmentation of wetland habitat will occur from the Proposed Severance Lot or any potential future development. Due to the distance from the Proposed Severance Lot, in addition to the presence of Rock Road, it is anticipated that any potential future development will not impact the wetland.

5.2 Woodland

The location of the Proposed Severance Lot will not negatively impact any linkages, nor create any fragmentation of woodland habitat. It is proposed at the northwestern side of the Subject Property, fronting Rock Road, with agricultural lands to the east and south of it. The existing woodland habitat that borders Rock Road within the Proposed Severance Lot is limited to a thin tree line consisting of Eastern White Cedars.

The location of the Proposed Severance Lot is at the northern most point of the woodland complex where there is no linkage to any other woodlands to the north. The severance, and any future development, would only minimally reduce woodland edge habitat and would have no impact on interior habitat, nor would development isolate or break any linkages within the woodland feature.

The woodlands are made up of primarily Eastern White Cedar, a common species that has not experienced major reductions in their representation on the landscape in Ontario. Any potential future development within this community type would have negligible impact to overall woodland diversity and richness in this planning area.

Although anticipated impacts would be minimal, the potential for impacts to the woodland feature exist with any future development and as such, the following measures should be implemented:

- Vegetation removal within the woodlands should be limited to the area of construction, and the disturbed area (buildings/structures) should not exceed 25% of the Proposed Severance Lot.

- Any future development should limit the amount of impermeable surfaces to 10% of the Proposed Severance Lot.
- It is recommended that future construction activities aim to retain as much native vegetative cover as possible. Following any development, native tree species that are representative of the overall woodland community should be planted in as much of the disturbed area as possible.
- Prior to construction, a Site Plan should be developed that shows the number of trees that will be removed. In order to offset impacts as a result of the removal of trees, it is recommended that tree compensation take place at a rate of 2:1. Plantings should consist of native species found on the Subject Property such as Eastern White Cedar, Green Ash, and American Elm, with the vast majority of planted trees being Eastern White Cedar.

5.3 Species at Risk

Full details of the Species at Risk Evaluation can be found in **Appendix A**. Mitigation measures to protect any potential SAR on the Subject Property and Proposed Severance Lot are found below.

The area of the Proposed Severance Lot contained dense ground cover vegetation, representative of a pasture for grazing cattle. Although ideal habitat for Eastern Meadowlark or Bobolink, none were observed at the time of the Breeding Bird Surveys, indicating that they do not utilize the agricultural fields on the Subject Property for breeding and nesting purposes. No other SAR were observed at the Proposed Severance Lot at the time of the field investigations and Breeding Bird Surveys.

- In order to ensure no migratory bird species are impacted during future construction, it is required that any vegetation removal must take place outside of the breeding bird-timing window of **April 15 to July 31**. If work cannot be done outside of the timing window, a professional biologist should complete a nest sweep of the property prior to any vegetation removal. Following a bird nest sweep, vegetation removal must be completed within 72 hours. If it is not completed within this time period, an additional sweep is required.
- If, during a nest sweep, any bird nests are encountered, all construction activities should cease and a buffer should be placed around the location until after **July 31**. The size of the buffer will be dependent on the species and should be consulted with the NDMNRF and/or MECP.

The closest turtle habitat to the Subject Property and Proposed Severance Lot is anticipated to be the Indian River, located approximately 350 m to the west.

If any potential future construction works are planned between May 15 and September 30, turtle exclusionary fencing should be erected around the work area prior to **May 15**, and be maintained until **June 30** to prevent turtles from nesting in the work area. Butternut (*Juglans cinerea*, Endangered) have the potential to be found on the Subject Property and within the Proposed Severance Lot. Since Butternuts and Butternut/Black Walnut (*Juglans nigra*) hybrids are very difficult to tell apart, a certified Butternut Health Assessor (BHA) is required to determine whether any true Butternuts are present on site. The BHA will also determine the health of the trees and whether they can be removed or not, if necessary. Wills recommends that a certified BHA complete an assessment prior to any development taking place, if development is proposed within 50 m of any trees.

If any Butternut trees are found and deemed unhealthy, they can be removed by obtaining a permit from MECP.

If any trees are deemed healthy, a 50 m buffer is typically required. However, a reduction to 25 m can be requested through the MECP permitting process.

6.0 Conclusions

Given the results of the background review and on-site investigations, long-term adverse impacts to natural heritage features, associated habitat, and local wildlife populations are not anticipated to be resultant from the Project and any potential future development. Appropriate implementation of the above will ensure that the proposed severance does not conflict with the natural heritage policies set out by the Province of Ontario (Provincial Policy Statement, 2020) or the Growth Plan (2020).

If you have any further questions please do not hesitate to contact the undersigned.



Prepared by: _____
Ben Radford, B.Sc.
Project Biologist



Reviewed by: _____
Shawn Filteau, B.Sc.
Natural Sciences Group Leader

BR/SF/avg

7.0 References

- Committee on the Status of Species at Risk in Ontario (COSSARO). Last accessed, October 2021; <https://www.ontario.ca/page/how-species-risk-are-listed>
- Crins, W.J.; Gray, P.A.; Uhlig, P.W.C; Wester, M.C. 2009. The Ecosystems of Ontario, Part 1: Ecozones and Ecoregions. Ontario Ministry of Natural Resources Science and Information Branch. Technical Report SIB TER IMA TR-01.
- Government of Canada. Species at Risk Act S.C. 2002, c. 29., last amended on April 23, 2021. Accessed via: <http://laws-lois.justice.gc.ca/eng/acts/s-15.3/>
- Government of Ontario. Endangered Species Act, S.O. 2007, c. 6. Accessed via: <https://www.ontario.ca/laws/statute/07e06>
- Lee, H. 1998. Ecological Land Classification for Southern Ontario. First Approximation and Its Application. Ministry of Natural Resources.
- Ministry of Natural Resources (MNR). 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. Queen's Printer for Ontario.
- Ontario Ministry of Natural Resources and Forestry Make a Map: Natural Heritage Applications. <https://www.ontario.ca/page/make-natural-heritage-area-map>. Accessed December 2021

Appendix A

Species at Risk Evaluation Report





PARTNERS IN
ENGINEERING, PLANNING &
ENVIRONMENTAL SERVICES

January 25, 2022

Via Email: waybackfarm@nexicom.net

1090 4th Line Road South
Douro-Dummer, ON
K0L 3A0

Attention: Mr. Peter Smith and Mrs. Wendy Smith

Dear Mr. and Mrs. Smith,

**Re: Species at Risk Evaluation Report
1090 4th Line Road South, Lot 14, Concession 3,
Township of Douro-Dummer, County of Peterborough
D.M. Wills Associates Project No. 85104**

At the request of Peter and Wendy Smith (Client), D.M. Wills Associates Limited (Wills) has completed a Species at Risk (SAR) Evaluation (Evaluation) in support of the property severance for the property located at 1090 4th Line Road South, Lot 14, Concession 3 (Subject Property), in the Township of Douro-Dummer, County of Peterborough. See **Figure 1** and **Figure 2** for details on the location of the Subject Property and the location of the Proposed Severance Lot.

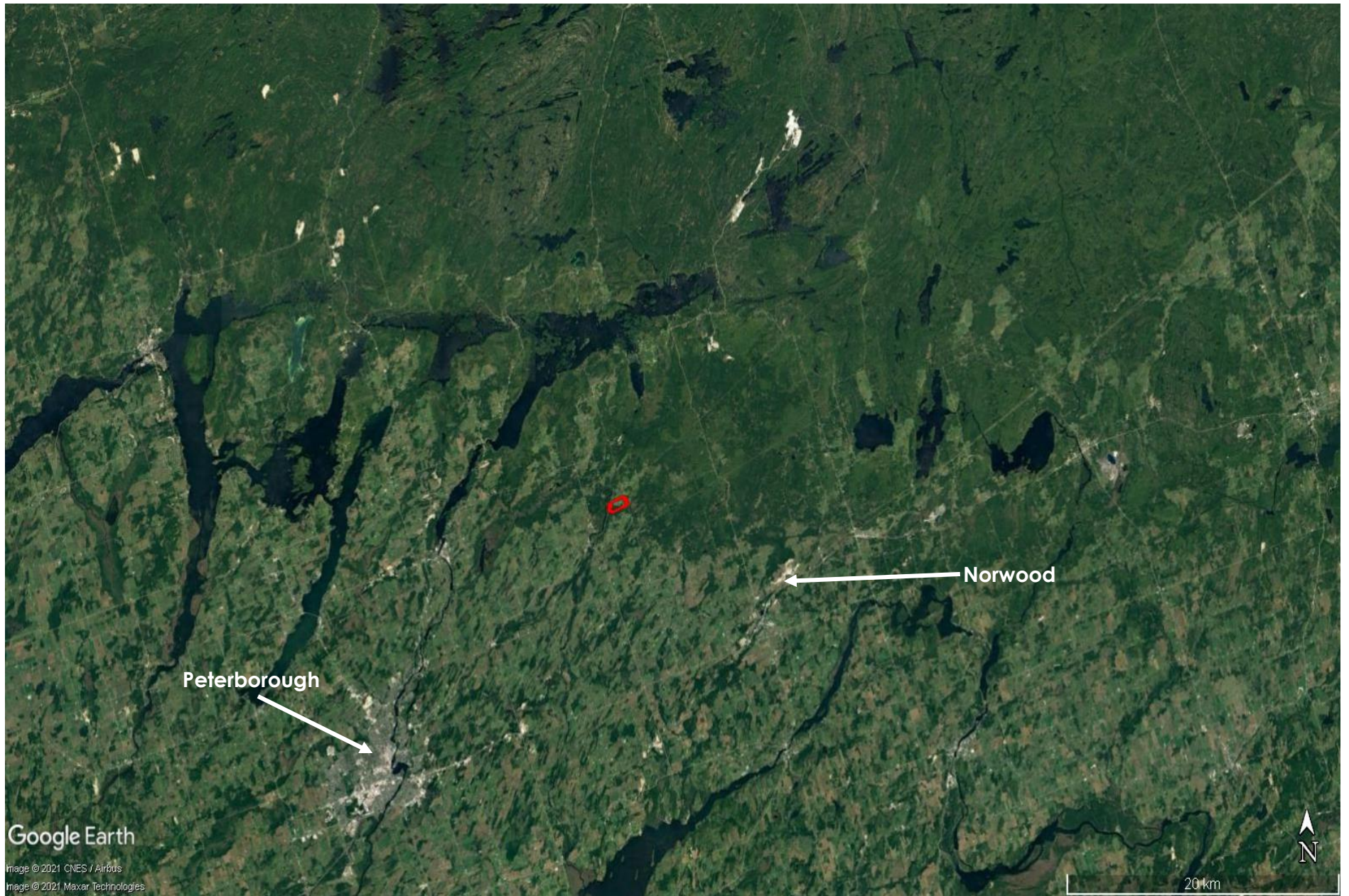
The purpose of this Evaluation is to identify any SAR or SAR habitat on and/or around the Subject Property. An assessment of these features will then be completed with respect to any constraints they may pose to development considering the *Endangered Species Act, 2007 (ESA, 2007)*.

The scope of this report provides the following:

1. A review of background information
2. Consultation with the Ministry of the Environment, Conservation and Parks (MECP).
3. A SAR Evaluation that outlines the results of the Breeding Bird Surveys, Ecological Land Classification (ELC), and SAR Assessment.
4. Necessary mitigation measures to offset any impacts to SAR or SAR habitat



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Legend	
Subject Property	

Site Location

SAR Evaluation Report

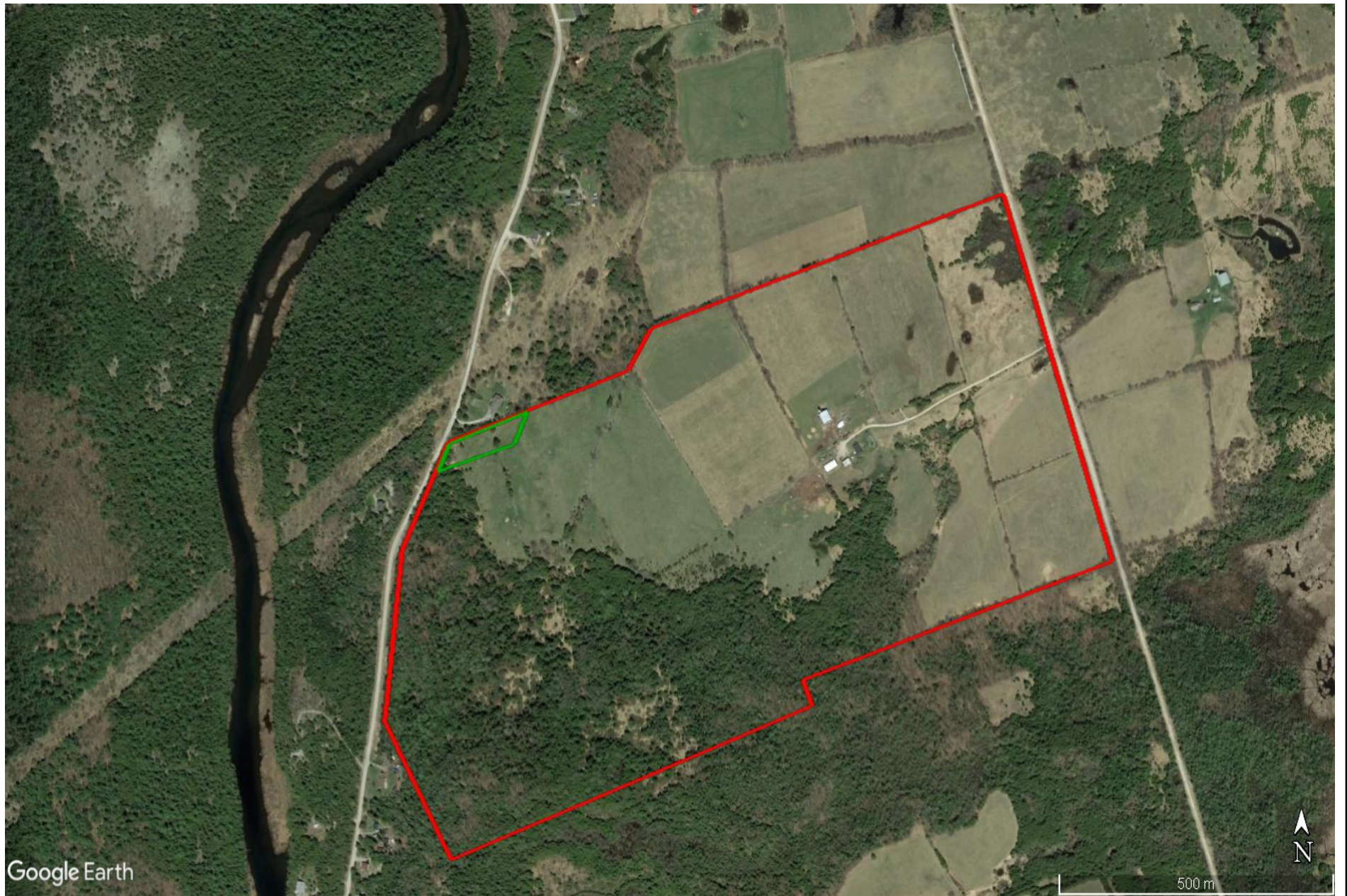
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Checked	TJ	Date	July 2021
Project No.	85104	Drawing File No.	Figure 1



Google Earth

500 m



Legend

Subject Property —
 Proposed Severance —

Subject Property

SAR Evaluation Report
 1090 4th Line Road South, Douro-
 Dummer



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Project No.	85104	Drawing File No.	Figure 2

1.0 Policy Review and Relevance to the Subject Property

The *Endangered Species Act, 2007* has been reviewed with respect to the Subject Property and the Proposed Development Site.

The following is a summary of the *Endangered Species Act, 2007* and where it applies.

1.1 Endangered Species Act, 2007

The *Endangered Species Act, 2007* (ESA) was implemented to protect threatened and endangered species in Ontario. An independent body, the Committee on the Status of Species at Risk in Ontario (COSSARO), was developed to classify native plants or animals into one (1) of four (4) categories of at risk status:

Extirpated: lives somewhere in the world, and at one time lived in the wild in Ontario, but no longer lives in the wild in Ontario;

Endangered: lives in the wild in Ontario but is facing imminent extinction or extirpation;

Threatened: lives in the wild in Ontario, is not endangered, but is likely to become endangered if steps are not taken to address factors threatening it; and,

Special Concern: lives in the wild in Ontario, is not endangered or threatened, but may become threatened or endangered due to a combination of biological characteristics and identified threats.

Species at Risk in Ontario (SARO) are provided by the Ministry of Environment, Conservation, and Parks (MECP) who administer the ESA regulations for SAR in Ontario. The ESA applies to native species that have been proven to be in danger of becoming extinct or extirpated from Ontario. The ESA provides protection of both the species and their habitat, as well as provides a recovery strategy and stewardship program for those SAR.

Section 9(1) of the ESA prohibits a person from killing, harming, harassing, capturing or taking a member of a species listed as endangered, threatened or extirpated on the SARO list. In addition, Section 10(1) of the ESA prohibits the damage or destruction of habitat of a species listed as threatened, endangered or extirpated on the SARO list.

A permit from MECP would be required under Section 17(2)(c) of the ESA for any proposed work to be completed within the habitat of species listed as threatened or endangered.

2.0 SAR Screening Assessment

2.1 Ecological Land Classification

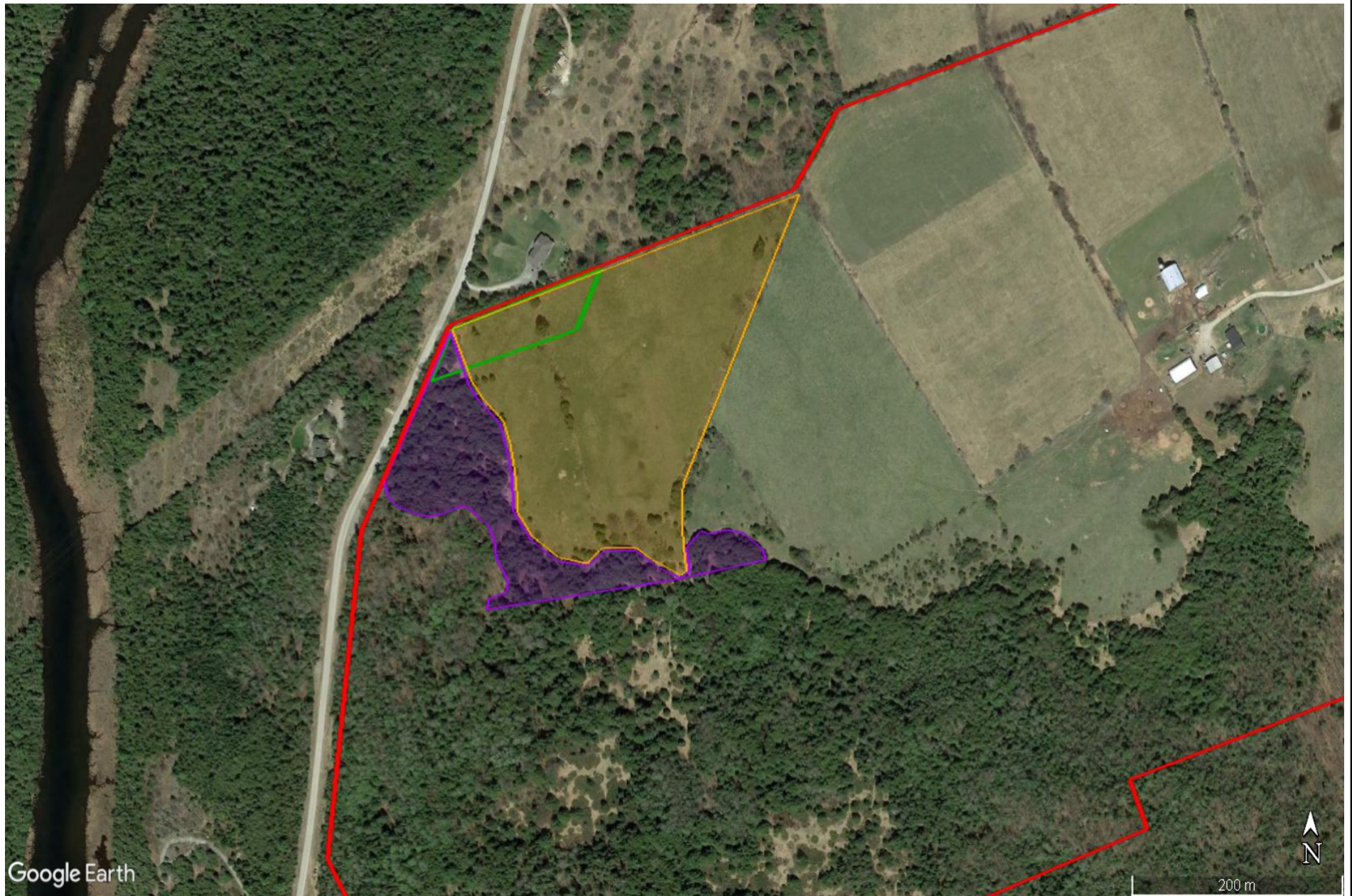
In order to accurately identify potential SAR habitat on the Subject Property, the area surrounding the Proposed Severance Lot was assessed to determine Ecological Land Classification (ELC) communities using the *Ecological Land Classification for Southern Ontario* (Lee, 1998). From this, two (2) ELC units were identified.

1. Cultural Meadow (CUM)
2. Dry – Fresh Cedar Coniferous Forest (FOC2)

See **Figure 3** for details on the ELC communities surrounding the Proposed Severance Lot.

2.2 Breeding Bird Surveys

As part of the Evaluation, target surveys for SAR avifauna were completed on the Subject Property, with a focus on the Proposed Severance Lot. These surveys took place on June 4 and June 23, 2021. See **Figure 4** for the point count locations used during the surveys. See **Table 1** for the results of the surveys. Surveys were completed in general accordance with the *Ontario Breeding Bird Atlas*.



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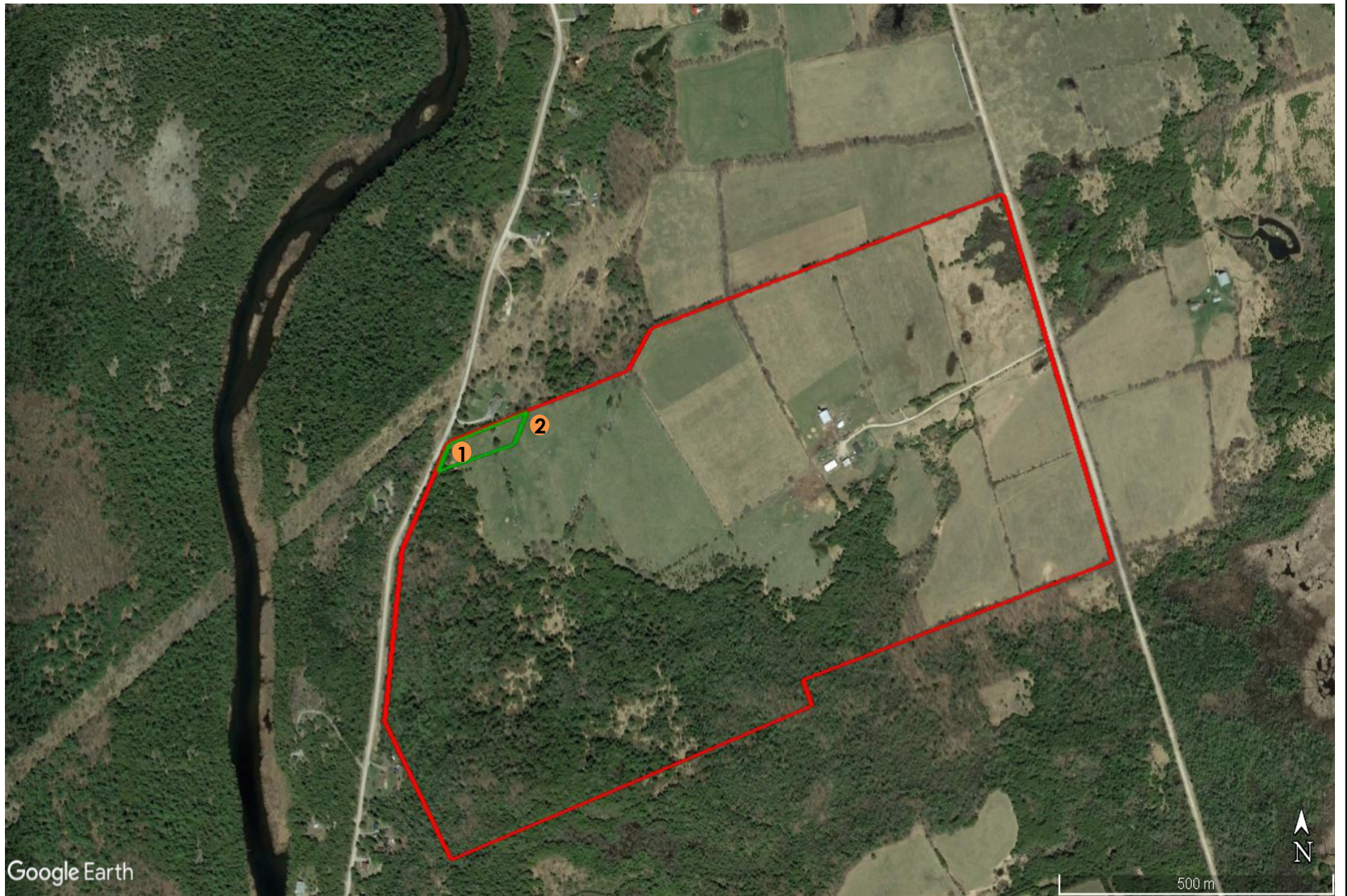
- Subject Property —
- Proposed Severance —
- CUM —
- FOC2 —

ELC Communities Map
 SAR Evaluation Report
 1090 4th Line Road South, Douro-
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Legend

Subject Property	
Proposed Severance	
Bird Survey Location	

Breeding Bird Survey Locations
 SAR Evaluation Report
 1090 4th Line Road South, Douro-Dummer



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W I L L S

Table 1 – Breeding Bird Survey Results

Species	June 4, 2021		June 23, 2021	
	BB01	BB02	BB01	BB02
Brown-headed Cowbird (<i>Molothrus ater</i>)			X	X
American Robin (<i>Turdus migratorius</i>)	X	X	X	X
Black-capped Chickadee (<i>Poecile atricapillus</i>)			X	
Field Sparrow (<i>Spizella pusilla</i>)		X		
American Redstart (<i>Setophaga ruticilla</i>)		X		
Blue Jay (<i>Cyanocitta cristata</i>)	X		X	X
American Crow (<i>Corvus brachyrhynchos</i>)	X	X		
Hairy Woodpecker (<i>Leuconotopicus villosus</i>)	X			
American Goldfinch (<i>Spinus tristis</i>)	X			
White-breasted Nuthatch (<i>Sitta carolinensis</i>)	X			
Red-winged Blackbird (<i>Agelaius phoeniceus</i>)			X	
European Starling (<i>Sturnus vulgaris</i>)			X	X
Black-and-White Warbler (<i>Mniotilta varia</i>)			X	
Rose-breasted Grosbeak (<i>Pheucticus ludovicianus</i>)			X	
Red-eyed Vireo (<i>Vireo olivaceus</i>)				X
Gray Catbird (<i>Dumetella carolinensis</i>)		X		



W I L L S

Species at Risk Evaluation Report

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January 25, 2022

2.3 SAR Screening Assessment

Table 2 outlines the likelihood of SAR to be found on the Subject Property, based on their specific habitat needs and the habitat that is found on the Subject Property. The results of the Breeding Bird Surveys are also incorporated into

Table 2. A preliminary SAR list was sent to MECP on January 22, 2021 that was to be confirmed. To date, no response has been received.

See **Appendix A** for correspondence records.

Table 2 – SAR Screening Assessment

Species	Provincial ESA Status	COSEWIC* Status	Federal SARA** Status	Habitat Requirements	Source	Likelihood of Occurrence	Site Area Suitability/ Observations
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Special Concern	Not at Risk	Not at Risk	Bald Eagles nest in a variety of habitats and forest types, almost always near a major lake or river where they do most of their hunting. While fish are their main source of food, Bald Eagles can easily catch prey up to the size of ducks, and frequently feed on dead animals, including White-tailed Deer. They usually nest in large trees such as pine and poplar. During the winter, Bald Eagles sometimes congregate near open water such as the St. Lawrence River, or in places with a high deer population where carcasses might be found (MNRF, 2019).	OBBA	Low	Habitat conditions are not found on the Subject Property.
Bank Swallow (<i>Riparia riparia</i>)	Threatened	Threatened	Threatened	Bank swallows nest in burrows in natural and human-made settings where there are vertical faces in silt and sand deposits. Many nests are on banks of rivers and lakes, but they are also found in active sand and gravel pits or former ones where the banks remain suitable. The birds breed in colonies ranging from several to a few thousand pairs.	OBBA	Low	Habitat conditions are not found on the Subject Property.
Barn Swallow (<i>Hirundo rustica</i>)	Threatened	Threatened	Threatened	Terrestrial open and man-made structures. Barn Swallow nesting sites include the use of a variety of artificial structures (e.g. beams, posts, light fixtures, ledges over windows and doors) that provide either a horizontal nesting surface or a vertical face, often with some sort of overhang that provides shelter. Often nesting sites are associated with open barns, sheds, garages, and docks.	OBBA	Moderate	Open feeding habitat is present on the Subject Property. No nesting structures were observed at the location of the Proposed Severance Lot.
Black Tern (<i>Chlidonias niger</i>)	Special Concern	Not at Risk	Not listed	Nests on inland marsh complexes, ponds, mouths of rivers and shores of large lakes.	OBBA	Low	Habitat conditions are not found on the Subject Property.
Blanding's Turtle (<i>Emydoidea blandingii</i>)	Threatened	Endangered	Threatened	Blanding's Turtles live in shallow water, usually in large wetlands and shallow lakes with lots of aquatic plants. It is not unusual, though, to find them hundreds of metres from the nearest water body, especially while they are searching for a mate or traveling to a nesting site. Blanding's Turtles hibernate in the mud at the bottom of permanent water bodies from late October until the end of April (MNRF, 2018).	iNaturalist	Moderate	The Indian River is located approximately 350 m west of the Subject Property. The potential for Blanding's Turtles to move onto the Subject Property for nesting purposes exists, but no Blanding's Turtles were observed.
Bobolink (<i>Dolichonyx oryzivorus</i>)	Threatened	Threatened	Threatened	Bobolink prefers tall grass prairies, but is also known to nest in forage crops (e.g. hayfields and pastures dominated by a variety of species such as clover, Timothy, Kentucky Bluegrass, and broadleaved plants).	OBBA	Low	While habitat conditions are present on the Subject Property, no Bobolink were observed during the Breeding Bird Surveys. Bobolink are not anticipated to be present at the Proposed Severance Lot.



Species	Provincial ESA Status	COSEWIC* Status	Federal SARA** Status	Habitat Requirements	Source	Likelihood of Occurrence	Site Area Suitability/ Observations
Canada Warbler (<i>Cardellina canadensis</i>)	Special Concern	Threatened	Threatened	The Canada Warbler breeds in a range of deciduous and coniferous, usually wet forest types, all with a well-developed, dense shrub layer. Dense shrub and understory vegetation help conceal Canada Warbler nests that are usually located on or near the ground on mossy logs or roots, along stream banks or on hummocks. It winters in South America.	OBBA	Low	Habitat conditions are not found on the Subject Property.
Common Five-lined Skink (<i>Plestiodon fasciatus</i>)	Special Concern (Southern Shield population)	Special Concern	Special Concern	Common Five-lined Skinks like to bask on sunny rocks and logs to maintain a preferred body temperature (28-36°C). During the winter, they hibernate in crevices among rocks or buried in the soil. The Southern Shield population can be found underneath rocks on open bedrock in forests (MNRF, 2019).	iNaturalist	Low	Habitat conditions are not found on the Subject Property.
Common Nighthawk (<i>Chordeiles minor</i>)	Special Concern	Special Concern	Threatened	Traditional Common Nighthawk habitat consists of open areas with little to no ground vegetation, such as logged or burned-over areas, forest clearings, rock barrens, peat bogs, lakeshores, and mine tailings. Although the species also nests in cultivated fields, orchards, urban parks, mine tailings and along gravel roads and railways, they tend to occupy natural sites.	OBBA	Low	Habitat conditions are not found on the Subject Property.
Eastern Meadowlark (<i>Sturnella magna</i>)	Threatened	Threatened	Threatened	Native grasslands, pastures and savannahs. Eastern meadowlark also uses a wide variety of other anthropogenic grassland habitats, including hayfields, weedy meadows, young orchards, golf courses, restored surface mines, grassy roadside verges, young oak plantations, grain fields, herbaceous fencerows, and grassy airfields. Eastern Meadowlarks occasionally nest in crop fields such as corn and soybean, but these crops are considered low-quality habitat.	OBBA	Low	While habitat conditions are present on the Subject Property, no Eastern Meadowlark were observed during the Breeding Bird Surveys. Eastern Meadowlark are not anticipated to be present at the Proposed Severance Lot.
Eastern Musk Turtle (<i>Sternotherus odoratus</i>)	Special Concern	Special Concern	Special Concern	Eastern Musk Turtles are found in ponds, lakes, marshes and rivers that are generally slow-moving have abundant emergent vegetation and muddy bottoms that they burrow into for winter hibernation. Nesting habitat is variable, but it must be close to the water and exposed to direct sunlight. Nesting females dig shallow excavations in soil, decaying vegetation and rotting wood or lay eggs in muskrat lodges, on the open ground or in rock crevices (MECP, 2020).	iNaturalist	Low	Habitat conditions are not found on the Subject Property.
Eastern Whip-poor-will (<i>Caprimulgus vociferus</i>)	Threatened	Threatened	Threatened	The Eastern Whip-poor-will is usually found in areas with a mix of open and forested areas, such as savannahs, open woodlands or openings in more mature, deciduous, coniferous and mixed forests. It forages in these open areas and uses forested areas for roosting (resting and sleeping) and nesting. It lays its eggs directly on the forest floor, where its colouring means it will easily remain undetected by visual predators (MNRF, 2018).	OBBA	Low	Habitat conditions are not found on the Subject Property.



WILLS

Species	Provincial ESA Status	COSEWIC* Status	Federal SARA** Status	Habitat Requirements	Source	Likelihood of Occurrence	Site Area Suitability/ Observations
Eastern Wood-pewee (<i>Contopus virens</i>)	Special Concern	Special Concern	Special Concern	In Canada, the Eastern Wood-pewee is mostly associated with the mid-canopy layer of forest clearings and edges of deciduous and mixed forests. It is most abundant in forest stands of intermediate age and in mature stands with little understory vegetation. During migration, a variety of habitats are used, including forest edges, early successional clearings, and primary and secondary lowland (and submontane) tropical forest, as well as cloud forest. In South America in the winter, the species primarily uses open forest, shrubby habitats, and edges of primary forest. It also occurs in interior forests where tree-fall gaps are present. (COSEWIC, 2012)	OBBA	Low	Habitat conditions are not found on the Subject Property.
Grasshopper Sparrow (<i>Ammodramus savannarum</i>)	Special Concern	Special Concern	Special Concern	It lives in open grassland areas with well-drained, sandy soil. It will also nest in hayfields and pasture, as well as alvars, prairies and occasionally grain crops such as barley. It prefers areas that are sparsely vegetated. Its nests are well-hidden in the field and woven from grasses in a small cup-like shape. The Grasshopper Sparrow is a short-distance migrant and leaves Ontario in the fall to migrate to the southeastern United States and Central America for the winter (MNRF, 2018).	OBBA	Moderate	While habitat conditions are present on the Subject Property, no Grasshopper Sparrows were observed during the Breeding Bird Surveys. Grasshopper Sparrow are not anticipated to be present at the Proposed Severance Lot.
Least Bittern (<i>Ixobrychus exilis</i>)	Threatened	Threatened	Threatened	In Ontario, the Least bittern is found in a variety of wetland habitats, but strongly prefers cattail marshes with a mix of open pools and channels. This bird builds its nest above the marsh water in stands of dense vegetation, hidden among the cattails. The nests are almost always built near open water, which is needed for foraging. This species eats mostly frogs, small fish, and aquatic insects (MNRF, 2019).	OBBA	Low	Habitat conditions are not found on the Subject Property.
Northern Map Turtle (<i>Graptemys geographica</i>)	Special Concern	Special Concern	Special Concern	The Northern Map Turtle inhabits rivers and lakeshores where it basks on emergent rocks and fallen trees throughout the spring and summer. In winter, the turtles hibernate on the bottom of deep, slow-moving sections of river. They require high-quality water that supports the female's mollusc prey. Their habitat must contain suitable basking sites, such as rocks and deadheads, with an unobstructed view from which a turtle can drop immediately into the water if startled (MNRF, 2019).	iNaturalist	Low	Habitat conditions are not found on the Subject Property.
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	Special Concern	Special Concern	Threatened	The Olive-sided flycatcher is most often found along natural forest edges and openings. It will use forests that have been logged or burned, if there are ample tall snags and trees to use for foraging perches. Olive-sided flycatchers' breeding habitat usually consists of coniferous or mixed forest adjacent to rivers or wetlands. In Ontario, Olive-sided flycatchers commonly nest in conifers such as White and Black Spruce, Jack Pine and Balsam Fir (MNRF, 2019).	OBBA	Low	Habitat conditions are not found on the Subject Property.



Species	Provincial ESA Status	COSEWIC* Status	Federal SARA** Status	Habitat Requirements	Source	Likelihood of Occurrence	Site Area Suitability/ Observations
Red-headed Woodpecker (<i>Melanerpes erythrocephalus</i>)	Special Concern	Endangered	Threatened	The Red-headed Woodpecker lives in open woodland and woodland edges, and is often found in parks, golf courses and cemeteries. These areas typically have many dead trees, which the bird uses for nesting and perching. The Red-headed Woodpecker is found across southern Ontario, where it is widespread but rare (MNRF, 2019).	OBBA	Low	Habitat conditions are not found on the Subject Property.
Snapping Turtle (<i>Chelydra serpentina</i>)	Special Concern	Special Concern	Special Concern	Snapping Turtles spend most of their lives in water. They prefer shallow waters so they can hide under the soft mud and leaf litter, with only their noses exposed to the surface to breathe. During the nesting season, from early to mid summer, females travel overland in search of a suitable nesting site, usually gravelly or sandy areas along streams. Snapping Turtles often take advantage of man-made structures for nest sites, including roads (especially gravel shoulders), dams and aggregate pits (MNRF, 2019).	iNaturalist	Low	Habitat conditions are not found on the Subject Property.
Wood Thrush (<i>Hylocichla mustelina</i>)	Special Concern	Threatened	Threatened	During the breeding season, the Wood Thrush is found in moist, deciduous hardwood or mixed stands, often previously disturbed, with a dense deciduous undergrowth and with tall trees for singing perches (Gauthier and Aubry 1995; Friesen et al. 1999; Holmes and Sherry 2001; Friesen 2007; Evans et al. 2011; Suarez-Rubio et al. 2011). It is noted that in southern Ontario, the Wood Thrush prefers second-growth over mature forests (Peck and James, 1987).	OBBA	Low	Habitat conditions are not found on the Subject Property.

*Committee on the Status of Endangered Wildlife in Canada (COSEWIC)

**Species at Risk Act (SARA)

3.0 Conclusions

The area of the Proposed Severance Lot contained dense ground cover vegetation, representative of a pasture for grazing cattle. No Eastern Meadowlark or Bobolink were observed at the time of the Breeding Bird Surveys, indicating that they do not utilize the agricultural fields for breeding and nesting purposes. No other SAR were observed at the Proposed Severance Lot at the time of the field investigations and Breeding Bird Surveys.

In order to ensure no bird species are impacted during future construction, it is required that any vegetation removal must take place outside of the breeding bird-timing window of **April 15 to July 31**. If work cannot be done outside of the timing window, a professional biologist should complete a nest sweep of the property prior to any vegetation removal.

Respectfully Submitted,



Ben Radford, B.Sc.
Project Biologist



Shawn Filteau, B.Sc.
Project Manager

Reviewed by,



Tyler Jones, B.Sc.
Senior Biologist

BR/avg

Appendix A

Correspondence Records



From: [Ben Radford](#)
To: ["Species at Risk \(MECP\)"](#)
Subject: 1090 4th Line - Douro SAR Information Request
Date: January 22, 2021 3:36:00 PM
Attachments: [image001.jpg](#)
[85104 Consent Sketch 60 Frontage-Layout2.pdf](#)

Good afternoon,

My name is Ben Radford from D.M. Wills Associates in Peterborough. We have been contracted to complete a SAR assessment on a parcel of land located at 1090 4th Line in Douro (see attached figure). Through background research, the following SAR have the potential of being found on the Subject Property:

- Least Bittern (Threatened)
- Black Tern (Special Concern)
- Common Nighthawk (Special Concern)
- Eastern Whip-poor-will (Threatened)
- Red-headed Woodpecker (Special Concern)
- Olive-sided Flycatcher (Special Concern)
- Eastern Wood-pewee (Special Concern)
- Bank Swallow (Threatened)
- Barn Swallow (Threatened)
- Wood Thrush (Special Concern)
- Grasshopper Sparrow (Special Concern)
- Eastern Meadowlark (Threatened)
- Canada Warbler (Special Concern)
- Bald Eagle (Special Concern)
- Bobolink (Threatened)
- Snapping Turtle (Special Concern)
- Northern Map Turtle (Special Concern)
- Eastern Musk Turtle (Special Concern)
- Blanding's Turtle (Threatened)
- Common Five-lined Skink (Special Concern)

If you could please confirm/add to this list, that would be greatly appreciated.

Thanks,
Ben



Ben Radford, B.Sc. · Project Biologist

D.M. Wills Associates Limited

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Appendix B

Wetland Location Map





- ### Legend
- Assessment Parcel
 - Evaluated Wetland
 - Provincially Significant/considérée d'importance provinciale
 - Non-Provincially Significant/non considérée d'importance provinciale
 - Unevaluated Wetland
 - Conservation Reserve
 - Provincial Park

Notes:
Enter map notes



This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry (OMNRF) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.
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Legend
Subject Property ———

Wetland Location Map
Opinion Letter
1090 4th Line Road South, Douro-Dummer



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Drawn By	BR	Scale	See Scale Bar
Checked	SF	Date	Dec 2021
Project No.	85104	Drawing File No.	Figure B1