

**Schedule B Municipal Class Environmental Assessment for a New
Treated Water Storage Facility in Madoc, Ontario (FINAL)**

Appendix C

MECP Location #4 Environmental
Screening

During on-site activities, if any SAR be potentially impacted, MNRF will be contacted immediately and activities will be modified to avoid impacts to SAR until further directions are provided by MNRF.

Trusting this is satisfactory,

Tony Guerrero, P.Eng.



1620 Wallbridge Loyalist Road, Belleville ON K8N 4Z5
Tel: (613) 966-3068 ext. 335; Fax: (613) 966-3087
Web Site: www.greergalloway.com
E-Mail: tguerrera@greergalloway.com

From: Prell, Phil (MNRF) <Phil.Prell@ontario.ca>
Sent: Tuesday, July 24, 2018 11:56 AM
To: Tony Guerrero <tguerrera@greergalloway.com>
Subject: RE: MNRF response for Madoc Water supply Class EA [18-000-HAS-INF-2769 and PB2018-0594]

Hello, Tony

MNRF Peterborough District has received your notice (dated March 20th 2018) regarding the Madoc Water supply Class EA with respect to the project area located on Lot 1 & 2 Con 5 in Madoc. We provide the following general information for your consideration:

General: MNRF Data and Information

MNRF's natural heritage and natural resources GIS data layers (including wetlands, ANSIs, and species at risk observations) can be obtained through the Ministry's [Land Information Ontario \(LIO\) website](#). You may also view natural heritage information online (e.g. Provincially Significant Wetlands, ANSIs, woodlands, species at risk 1 km screening squares) using the [Natural Heritage Make a Map](#) tool. To determine which species are protected under the Endangered Species Act, please refer to the [Species at Risk in Ontario List](#).

We recommend that you use the above-noted sources of information during review of your project proposal.

MNRF may provide additional information and technical advice if details of the proposed location(s) and design(s) of the proposed works are circulated to our office.

Wetlands

According to our record, there are no wetlands adjacent to the area (within 120m).

ANSIs

There are currently no ANSIs designated in this area.

Fisheries

After considering the the distance of the well and supply line from Madoc river (>100m), as well as topography and existing development in between, the MNR does not anticipate impacts to Madoc River or its fisheries. Due to these factors there is no need to provide a fisheries screening or fisheries specific conditions.

Please contact Department of Fisheries and Oceans and/or the local Conservation Authority for any approvals that may be required and/or sediment/erosion control measures that may be required to be installed prior/during/after construction.

Species at Risk

A review of our best available information indicates that there are observations of the following species (endangered/threatened/special concern) in the immediate area of the site (1 km radius):

1. Hills Pondweed (SC)
2. American Eel (E)
3. Bank Swallow (T)
4. Barn Swallow (T) (Additional Species At Risk in the area)
5. Blanding's Turtle (T)
6. Channel Darter (T)
7. Eastern Meadowlark (T)
8. Snapping Turtle (SC)

Also, there are observations of the following species (endangered/threatened/special concern) in the general area (5 km) of the proposed activities:

1. Bald Eagle (SC)
2. Black Tern (SC)
3. Bobolink (T)
4. Butternut (E)
5. Canada Warbler (SC)
6. Eastern Ribbonsnake (SC)
7. Eastern Wood-pewee (SC)
8. Red-headed Woodpecker (SC)
9. Wood Thrush (SC)
10. Monarch (SC) (Additional Species At Risk in the area)
11. Northern Map Turtle (SC) (Additional Species At Risk in the area)

Although no other threatened or endangered species or their habitat have been documented in the area of the proposed projects, these features may be present and this list should not be considered complete.

Species listed as endangered or threatened on the Species at Risk in Ontario (SARO) list are protected under the Endangered Species Act, 2007 (ESA). 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. Section

10(1) of the ESA prohibits the damage or destruction of habitat of a species listed as endangered or threatened on the SARO list.

Since comprehensive mapping for most species at risk is not available, a site assessment is recommended to identify the presence of any species at risk and/or their habitat on the subject lands, as a decision should not be made in the absence of such information. The focus of the site assessment can include a review of the information about known occurrences provided by MNRF above along with other information sources such as species distributions and habitat requirements as well as field visits using MNRF approved protocols during the appropriate seasons by a qualified professional.

*****Please Note*****

After considering the type of works proposed, (drilled well and trenched supply line), the fact that the short section of 'natural' habitat is anticipated to revert back to a natural state in short order (<1yr), that the majority of works are within existing infrastructure/development (eg. beside or under roads/streets, etc.), and there are no known SAR present, *the MNRF is comfortable with the proponent proceeding without specific SAR surveys, provided the following BMP's are followed:*

1. If tree clearing is required then it should be done outside of the nesting period. If it is required within the nesting period it should only be done after a qualified individual has confirmed that any trees proposed for clearing have been inspected and confirmed not to be currently used by SARO listed Endangered or Threatened birds (or migratory birds that are protected under the federal MBCA)
2. If none of the trees proposed for clearing are Butternut.
3. Any animal species that are found to be utilizing any type of habitat in the vicinity (50 meters) of the well or supply line route shall be identified and if found to be a Species At Risk, all works will immediately stop and contact will be made with the MNRF to seek direction.

Due to the species that are potentially present at this site, the following recommendations should help prevent adverse impacts. If you are proposing to conduct SAR/habitat surveys, please contact us for appropriate survey protocols.

Birds

Workers must be vigilant and check work areas for the presence of breeding birds and nests containing eggs and/or young. If breeding birds and/or nests are encountered, works should not continue in the location of the nest until after August 1 (or as soon as it has been determined that the young have left the nest). Please note that the breeding bird season in the subject area extends from April 15 to July 31.

Specific Barn Swallow Information: Barn Swallow nests may be present under bridges and/or culverts. Therefore, the underside of these structures should be assessed for Barn Swallow nests before proceeding. If no nests are present, a contravention of the ESA is unlikely. However, if nests are present, construction should not begin until after August 15 of any year. If nests will be impacted during the nesting season or if the

structure will no longer be suitable for nesting post-construction, ESA requirements will apply to the activity. A regulatory provision is available that allows eligible activities that impact to Barn Swallow to register and follow all the rules in regulation in place of applying for a permit under the ESA. [See this website for more information on regulatory requirements for Barn Swallow.](#)

Turtles and Snakes

Workers must be vigilant and check work areas for the presence of turtles. If turtles or snakes are encountered, whenever possible, work should be temporarily suspended until the animal is out of harm's way. Workers should report any turtle observations (including photographs and coordinates) to the Peterborough District Office immediately at 705-755-2001. **Please note that the turtle nesting season in the subject area extends from May 15th to September 30th.** Therefore, activities which may cause adverse impacts to a species or habitat (e.g. use of heavy equipment) should commence after September 30th.

Butternut:

If a Butternut tree(s) is identified and is to be removed, trimmed or is in close proximity to the application of herbicides, a Butternut Health Assessment must be conducted by an individual trained and certified by MNRF as a Butternut Health Assessor (BHA) as per the Ontario [Butternut Assessment Guidelines \(Dec 2014\)](#). All Butternut Health Assessments must be submitted to the MNRF District office for a 30 day review period before proceeding. Depending on the results of the assessment, you may have different options for how to proceed. Please see our [online factsheet](#) for more information. Please note that the ideal time of year to properly identify Butternut is during the leaf on period (approximately June to August). Workers should report any Butternut observations (including photographs and coordinates) to the Peterborough District Office immediately upon discovery. For those Butternut that are not proposed for removal, a minimum protective buffer of a 25 metre radius from the stem of each Butternut is required to prevent root disturbance. A larger area up to 50 m is also considered protected habitat for the tree. Within the 25 metre buffer area, activities that would remove or significantly compact the roots and soil, and cause direct harm to the Butternut are not permitted. Within the 25-50 metre buffer area, activities that would significantly damage or destroy habitat e.g. by impacting the tree's ability to disperse seeds are also not permitted. Removal of other vegetation and careful logging practices within this radius are permitted.

Regulatory Provisions and Further Registration Options

The ESA provides regulatory provisions for certain eligible activities to proceed without an ESA permit. To be eligible, the proponent register with the MNRF and adhere to specific rules in regulation under the ESA. To assess your eligibility please see the links below:

- [Information on the ESA regulatory provision](#)
- [ESA regulation \(O. Reg. 242/08\)](#).

If an impact to a species at risk or its habitat cannot be avoided, a person(s) should contact MNRF to discuss options, including applying for an authorization under the ESA. In situations where an activity is not registered with or authorized by the MNRF, a person(s) must comply with the ESA by modifying proposed activities to avoid impacts to species at risk and habitat protected under the ESA.

It is highly recommended that landowners and on-site workers familiarize themselves with [MNRF's Species at Risk website](#).

During on-site activities, should any species at risk or their habitat be potentially impacted, MNRF should be contacted immediately and operations should be modified to avoid any negative impacts to species at risk or their habitat until further discussions with MNRF can occur regarding opportunities for mitigation. If any species at risk are found, the MNRF Peterborough District Office should be contacted at **705-755-2001**. If possible, pictures of the species at risk and coordinates for the location where it was observed should be provided to MNRF.

Significant Woodlands

*The study area MAY contain significant woodlands. **This appears to be the case in the proposed well location and possibly along the Whytock Ave. near the end of the proposed area.*** The identification of significant woodlands is the responsibility of the respective planning authority. As such, we recommend that you contact the local municipality for more information and potential study requirements.

Significant Wildlife Habitat

The site may contain significant wildlife habitat which typically must be identified during site-specific investigations. Significant wildlife habitat may include features such as: seasonal concentration areas for wildlife species (e.g. snake hibernaculum), rare vegetation communities (e.g. tallgrass prairie), specialized habitats of wildlife (e.g. turtle nesting and over-wintering areas), habitats of species of conservation concern (e.g. Special Concern species as identified on the Species at Risk in Ontario list) and animal movement corridors (e.g. amphibian movement corridors). We recommend that you contact the local planning authority for potential study requirements for the identification of Significant Wildlife Habitat. In addition, when no information is available, we refer you to the Significant Wildlife Habitat Technical Guide and the Ecoregion Criterion Schedules for the identification of Significant Wildlife Habitat (January 2015). The Ecoregion Criterion Schedules and Significant Wildlife Habitat Mitigation Support Tool (MiST) can be downloaded [here](#). MNRF considers these documents to be the best available information to identify significant wildlife habitat.

Raptor Nests:

We currently have no records of raptor nests in the area, however this does not mean that they do not exist. If some are found, please contact the MNRF for details about how to proceed. Active raptor nesting habitat (nests) and the surrounding vegetative community may be identified as Significant Wildlife Habitat.

Aggregate Resources

The property is adjacent to a known Tertiary Sand Gravel deposit (within 100m) of the proposed well. Where an application for development occurs on or within 300 metres of a known unconsolidated deposit (e.g., sand, gravel, clay) or a mineral aggregate pit operation, or 500 m of a known bedrock deposit or bedrock quarry operation, the applicant should be required to assess the impact of the proposed development on the mineral aggregate resource and the mineral aggregate operation(s). MNRF can provide a terms of reference for completing an impact assessment.

Floodplain

The identification of floodplain areas is the responsibility of the respective planning authorities and/or the local conservation authority. As such, we recommend that you contact the local municipality and the local conservation authority for more information and potential study requirements.

Groundwater recharge or discharge sites MNRF does not have information on groundwater recharge or discharge sites. We recommend that you contact the local municipality, conservation authority, and/or Ministry of Environment and Climate Change who may have more information on these features. Site specific assessments may be needed to determine the presence or absence of these features.

General Information Regarding MNRF approvals:

Fish and Wildlife Conservation Act

Please note that you may require a Scientific Collector's Permit from our office if you will be doing any fish or wildlife sampling, collection, salvage, or relocation within Peterborough District. For more information about Scientific Collector's Permits, please contact Julie Formsma, Fish and Wildlife Technical Specialist at 705-755-3296.

Other Approvals

It is the responsibility of the proponent to acquire all other information and necessary approvals from any other municipal, provincial or federal authority under other legislation. We recommend that you contact your local Conservation Authority, Department of Fisheries and Oceans, Parks Canada, Ministry of the Environment and Climate Change, Ministry of Tourism, Culture and Sport, etc.

If you have any questions regarding the above comments, don't hesitate to contact me. Please reference file number **[18-000-HAS-INF-2769 and PB2018-0594]** for any future correspondence.

Sincerely,

Phillip Prell

Res. Mgmt. Tech. Spec. Coop

Peterborough District, Ministry of Natural Resources and Forestry
300 Water St. Peterborough ON, K9J 3C7

E: Phil.Prell@ontario.ca