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Barrie, Ontario
L4N 6T5

July 19, 2023

Rhemm Properties Ltd.
Box 87,
Clarksburg, Ontario
N0H 1J0

Attn: John Rodgers, Owner

Re: Response to Conditions Provided by Saugeen Ojibway Nation for 372 Grey Road 21, a - East Parcel, Town of the Blue Mountains

Following submission of the Environmental Impact Study (EIS) completed by Birks Natural Heritage Consultants, Inc. (Birks NHC; March 14, 2022), comments were received from the Saugeen Ojibway Nation (SON) by email, dated June 7, 2023. The EIS was required by the Town of the Blue Mountains (Town) as part of a zoning by-law amendment and consent application and was provided to SON to consider the application for development of lands within SON's Territory, and lands constitutionally protected through the Nations's Aboriginal and Treaty rights.

Site specific data was collected by Birks NHC staff during the 2021 field season and involved comprehensive surveys to characterize important natural heritage features associated with the property, including Silver Creek Provincially Significant Wetland (PSW), Significant Woodland, candidate Significant Wildlife Habitat, fish habitat, and potential habitat for Threatened and Endangered Species.

The following provides additional clarification and consideration as requested by SON through their EIS review, presented within the "Natural Heritage Review Summary" of the June 7, 2023 letter. For convenience, the original comments received from SON are included in this letter followed by Birks NHC responses.



SON Comment #1

The EIS conclusions appear to be acceptable.

Birks NHC

Acknowledged, with thanks.

SON Comment #2

Identified Knowledge / Information Gaps

- The plant species list appears to be missing common species to be expected in the habitats present within the study area. Similarly, a number of expected common fauna species were not documented in the EIS.

Birks NHC

In the completion of the EIS, Birks NHC undertook three vegetation surveys within the proposed footprint and adjacent lands, approximately 50 m removed from the proposed severance limits. These surveys were completed between June and September 2021, when the majority of the vegetation would be established and demonstrating morphological traits that would allow for identification to species level. No areas beyond the property limit were surveyed given the lack of permission to access these lands and/or the distance from which the proposed development would be separated from the retained natural lands. The species list provided in Appendix E of the EIS presents a complete list of species documented during the three surveys.

As per Section 3 – Study Approach of the EIS, fauna surveys (breeding bird and amphibian surveys, incidental mammalian surveys) were completed, as established through the Terms of Reference with the Grey Sauble Conservation Authority (GSCA). Where data gaps existed in the field program, a background information review was completed (see Section 3.1 of the EIS) to ascertain those species that may be present on the property but were not documented in the field by Birks NHC. The results of the background information review were not presented as part of the EIS, but can be provided upon request. The fields surveys and background review were designed to identify the potential for Significant Wildlife Habitats (protected under the *Provincial Policy Statement*, 2020) and habitat of Endangered and Threatened Species to be present (in accordance with the *Endangered Species Act*, 2007)

As stated within SON correspondence, as well as that received by GSCA, the conclusions of the EIS, which includes consideration of impact to species and their habitats, are deemed acceptable. Thus, no further consideration is warranted.



SON Comment #3

Cumulative Effects Considerations

- The proposed development would result in an increase of four detached dwelling lots adjacent to a provincially significant wetland and a locally significant woodland. Development pressures are extremely high in the Collingwood – Craigleith – Thornbury area. In addition to direct natural habitat loss (which would be minimal with the development in question), cumulative effects of residential development include: increased vehicle traffic (road mortality of wildlife, noise, reduced air quality); increased impermeable surfaces (hydrological and water quality impacts); introduction of invasive species (cultivars from gardens); increases in generalist and predatory wildlife populations that are attracted to settled areas (e.g., raccoons, skunks, foxes, crows, etc.); free-roaming pets (mortality of reptiles, amphibians, birds, small mammals); bird - window collisions; encroachment of gardens, footpaths, etc., into natural habitats; wildlife disturbance due to machinery noise (lawn mowers, leaf blowers, etc.).

Birks NHC

The site plan has been updated to consider the creation of 3 residential lots (one of which is replacing the existing residence), in place of the 4 lots originally proposed. Birks NHC recognizes the potential for the additional 2 residences to increase cumulative indirect impact of the retained natural habitats. Section 6.3.1 of the EIS considers the potential for the development to result in 'Indirect Impact' to the retained natural habitats as follows:

Wildlife tolerance to human presence varies; while some species are highly tolerant and are common in developed areas (i.e., Grey Squirrel, Raccoon), other species are more sensitive to human presence and disturbance. A residential development will bring increased human presence and associated anthropogenic disturbances in the form of increased noise and light, predation by pets, and supplemental feeding (i.e., people depositing food for deer/birds in the winter). These impacts would be more prominent when a new development is proposed in un-developed areas. The property is situated within a settlement/recreational area in the Township of The Blue Mountains, approximately 0.5 kilometres south of Georgian Bay shoreline. The property fronts Grey County Road 21 to the east. Further south and west are developed lands with recreational facilities such as ski clubs, resorts, bed and breakfasts and Inns. Highway 26, to the north, is built up with residential properties. Given that the proposed severance is within an area that has already experienced impacts from human presence, it is not expected to result in a noticeable intensification of indirect human impacts. Additionally, the setback to the adjacent natural features is proposed to be enhanced and naturalized with vegetation.



In addition to this, Section 6.3.2 states that:

Site disturbance may increase the likelihood that non-native and/or invasive vegetation species will become established within the retained vegetation communities. Currently, there is no evidence of unusual non-native and invasive species abundance within the Study Area. Mitigation measures are provided in Section 7 below to control the potential introduction of invasive species.

Further, Section 7 of the EIS presents numerous mitigation measures to reduce the potential for occurrence of indirect impact to the retained natural lands by proposing the following:

1. A permanent perimeter fence surrounding the new lots (Section 7.2.1)
2. A setback enhancement plan for the retained buffer space between the new lots and the naturalized habitat of the retained property (Section 7.2.1)
3. Cleaning of construction equipment, vehicles and footwear prior to entry to the site (Section 7.4).

Thus, appropriate consideration as been given for the potential of indirect impact to occur to the retained natural environment and the severance, as proposed, can proceed, provided that the mitigations outlined in Section 7 of the EIS are implemented.

SON Comment #4

Other Outstanding Concerns

- The plant list (Appendix E) includes Perennial Ragweed (*Ambrosia psilostachya*), a species of western Canada not known to occur in Grey County (OSFN 2023). Could this be a nomenclatural error and the species actually found on the site is the abundant Common Ragweed (*A. artemisiifolia*)? The plant list also includes Bristly Sarsaparilla (*Aralia hispida*), a rare species in Grey County (OSFN 2023), yet the abundant Wild Sarsaparilla (*A. nudicaulis*) is not on the list – could this also be a naming error? Also, given the extensive lowland and swamp forests within the study area, it is puzzling that no willow (*Salix* spp.) or lily (*Maianthemum* spp.) species were documented by the EIS.

Birks NHC

In the completion of the EIS, Birks NHC undertook three vegetation surveys within the proposed footprint and adjacent lands within the property boundaries. These surveys were completed between June and September 2021, when the majority of the vegetation would be established and demonstrating morphological traits that would allow for identification to species level. No areas beyond the property limit were surveyed given the lack of permission to access. The species list presents a thorough list of the species documented in the eastern portion of the



property during the three surveys. The two species noted (*A. psilostachya* and *A. hispida*) were a result of clerical error during data entry, and should have been recorded as *A. artemisiifolia* and *Actaea* spp. (juvenile specimens) respectively. After reviewing the field data produced from the vegetation survey, we can confirm that no *Salix* spp or *Maianthemum* spp. were documented during the surveys in the eastern portion of the property. Notwithstanding, some *Salix* specimens have been noted within the municipal right-of-way, adjacent to the subject property.

SON Comment #5

Proponent must strictly adhere to all mitigation measures detailed in the EIS.

1. Proponent must adhere to all (as a minimum) all compensation and enhancement measures detailed in the EIS.
2. Proponent must maintain the minimum setback buffers recommended in the EIS.
3. Proponent to provide the complete list of native plants that will be used during habitat restoration/creation as part of the compensation measures for SON review and input prior to planting.
4. Proponent to include a monitoring and maintenance plan (watering, removal of invasive species, restocking of native plants if necessary) for the enhancement area for the first three years post planting (to increase likelihood of successful habitat restoration/creation).
5. Proponent's environmental consultant (Birks) shall verify whether the ragweed species found was a new species for Ontario, *Ambrosia psilostachya* rather than the common *A. artemisiifolia*, and that the sarsaparilla species found was the locally rare *Aralia hispida* not the common *A. nudicaulis*. If the plant identifications of the EIS were in fact correct, any necessary mitigation measures should be incorporated into the site plan to ensure that these rare species populations at the site are protected.
6. Proponent to consider installing signage to educate local residents about:
 - a. SON history in the area, and SON values, rights and responsibilities to the land.
 - b. Impacts of off-leash pets, invasive species, garden encroachment, and disposal of litter and compost in natural areas.
 - c. The benefits of gardening with native plants.

Birks NHC

1. Acknowledged
2. Acknowledged
3. A restoration and setback enhancement plan for the setback area will be prepared by Birks NHC within the Enhancement Area shown on Figure 3 of the EIS (March 2022). The plan will involve removal of waste materials, remediation of the soils, removal of



- invasive and/or exotic species, planting and maintenance of native herbaceous vegetation, shrubs and trees and monitoring of the planting area to ensure success. The plan will be circulated to approval authorities (including SON, the Town of the Blue Mountains and GSCA) when complete.
4. Please see item 3, above.
 5. As stated in the response to SON Comment #4 The two species noted (*A. psilostachya* and *A. hispida*) were a result of clerical error in data entry, and are more accurately recorded as *A. artemisiifolia* and *Actaea* spp. respectively. Given that these species are locally and regionally common, no further consideration is warranted.
 6. As you may be aware, the proponent is exploring development opportunities within western portion of the property. The proponent would be happy to circulate educational materials to local residents of the eastern and western development, and asks that SON provide any such materials as they have available. The proponent may also explore partnership with local initiatives to spread awareness of the impact human development can have on natural lands.

Closure

We trust the information provided above will be sufficient to address the comments from SON. The information provided herein should be considered in conjunction with the reports and background information submitted to date.

If you have any questions regarding this project, please do not hesitate to contact us.

Yours truly,
Birks Natural Heritage Consultants, Inc.

Melissa Fuller, H.B.Sc
Ecologist