

# *JDH Environmental Services*

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*200 County Road 29*  
*Consecon, Ontario*

July 22, 2019

**VIA EMAIL**

Blocknote Canada Inc. c/o Mr. Treat Hull  
106 Barton Blvd. Clarksburg, Ontario

Re: Environmental Impact Study  
PT Lot 30, Concession 3, Part 1, Plan 47R-2107, Part 1 Plan 47R-3032 except Part 1 Plan 47R7047, Township of Hillier, Prince Edward County, Ontario

JDH Environmental Services was retained by Blocknote Canada Inc. to conduct an Environmental Impact Study (EIS) related to the proposed development on property located at PT Lot 30, Concession 3, Part 1, Plan 47R-2107, Part 1 Plan 47R-3032 except Part 1 Plan 47R7047, Township of Hillier, Prince Edward County, Ontario.

The purpose of the EIS is to confirm the unevaluated wetlands on the property, delineate the wetland/upland boundaries of the unevaluated wetlands, identification of species at risk, identification of significant habitat, and determine the potential for negative impacts to the unevaluated wetlands resulting from the proposed development. The EIS Terms of Reference includes the following:

- Description of current and proposed future land uses,
- ELC description of vegetation communities on the property,
- Confirmation of wetland/upland boundaries,
- Confirmation of watercourses located on the subject property,
- Confirmation of fish and fish habitat within the potential watercourses located on the subject property,
- Background check of Species at Risk (SAR) in the area and availability of suitable habitat on the property,
- SAR screening and development of work plan for SAR surveys, if warranted,
- Assessment for Significant Wildlife Habitat and Habitats of Vulnerable, Threatened and Endangered Species,
- Breeding bird surveys conducted in spring and early summer,
- Amphibian surveys,
- Incidental observation of wildlife species during spring, summer, and fall site visits, and
- Required setbacks.

The subject property was previously utilized for agricultural crop fields and is currently undeveloped. Surrounding land use is comprised of lightly developed rural residential, agricultural lands, undeveloped lands, and an aggregate quarry.

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Field visits were initiated on June 9<sup>th</sup>, June 16<sup>th</sup>, and June 21<sup>st</sup> to document the biological diversity and habitat on the property during the late spring/early summer season, and delineate the wetland/upland boundaries. The field investigation activities were undertaken following protocols established in the Ministry of Natural Resources and Forestry (MNRF) *Ecological Land Classification for Southern Ontario*, the MNRF *Significant Wildlife Habitat Technical Guide*, and the MNRF *Ontario Wetland Evaluation System*, as applicable.

The subject property is comprised of wooded areas, open meadows, thickets, wetland units, and a watercourse.

Observations of breeding Eastern Meadowlarks and Bobolinks were observed within four of the open meadow areas on the subject property. Development activities are not proposed for the Bobolink habitat area located on the south eastern portion of the subject property. An agricultural vineyard is proposed for the Bobolink habitat area located on the south western and south eastern portion of the property. A winery with a parking lot and septic tile bed is proposed for the Eastern Meadowlark habitat area, approximately 3.8 hectares, located on the north western portion of the property. A new habitat area will be required to compensate for the proposed development within the existing Eastern Meadowlark habitat area.

As per Ontario Regulation 242/08 (as amended) under the Endangered Species Act, development within Eastern Meadowlark habitat can commence if the following conditions are met.

- *Avoid causing harm or harassment to the Eastern Meadowlarks*
- *give the Minister notice of the activity by submitting a notice of activity form available on the Registry to the Minister through the Registry,*
  - *a description of the activity,*
  - *the proposed start and end dates of the activity and the area in which it will be carried out, and*
  - *an indication as to whether the activity will be carried out on land that is habitat for bobolink, for eastern meadowlark, or for both, as the case may be.*
- *prepare a habitat management plan*
  - *a description of the area's location, including a detailed map,*
  - *the ecoregion in which the area is located,*
  - *the size of the area in hectares.*
  - *a description of the activity,*
  - *the proposed start date of the activity,*
  - *the composition of the soils covering the area, and*
  - *. the percentage of the area covered by grass species at the time the habitat management plan is prepared.*
  - *A description of how the area intended as new or enhanced habitat will be created or enhanced and managed for eastern meadowlark or bobolink, including,*

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- a description of the areas to be seeded, and of the composition of the seed mixture such as the species and their relative percentage within the seed mixture,
- phasing and times of the year for site preparation, planting, seeding, tending and maintenance, and
- a description of the practices that will be undertaken for site preparation, planting, seeding, tending and maintenance, including the requirements set out in subsections (8) and (9). O. Reg. 176/13, s. 14.
- An area that will be converted into new or enhanced habitat for bobolink or eastern meadowlark must meet the following requirements as to its size and dimensions:
  1. The area must be larger than the area of the habitat for bobolink or eastern meadowlark that is damaged or destroyed by the activity.
  2. The area may be made up of separate parcels of land, but the minimum size of any individual parcel must be no less than four hectares.
  3. No portion of the area shall be less than 200 metres in width.
- Habitat for bobolink or eastern meadowlark that has been created or enhanced under paragraph 6 of subsection (4) must meet the following requirements with respect to the types of vegetation it provides:
  1. A minimum of 60 to 80 per cent of the habitat must be covered with at least three different grass species and any remaining part of the habitat that is not covered with grass species must be covered with forbs or legumes.
  2. Among the grass species referred to in paragraph 1, at least one must grow greater than 50 centimetres high under normal growing conditions.
- The following are the requirements to manage habitat for bobolink or eastern meadowlark that has been created or enhanced under paragraph 6 of subsection (4):
  1. The area shall not be harvested, mowed or cut between April 1 and July 31 of any year.
  2. If the habitat is used for pasture, grazing farm animals must be excluded from at least 50 per cent of the habitat from April 1 until July 31 of each year.
  3. In each of the five years following the creation or enhancement of the habitat, take such actions as are necessary to maintain the grass species, forbs and legumes in the area in the proportions described in paragraph 1 of subsection (8) and remove woody vegetation and invasive species.
- The record required under paragraph 8 of subsection (4) shall,
  - (a) document the steps taken by the person under subparagraph 5 ii of subsection (4) to minimize adverse effects of the activity described in subsection (1) on bobolink or eastern meadowlark;
  - (b) document the steps taken by the person to create or enhance habitat under paragraph 6 of subsection (4) and to manage that habitat under subparagraph 7 i of subsection (4);
  - (c) include photographs of the area created or enhanced as habitat under paragraph 6 of subsection (4) that show the area prior to and after the habitat is created or enhanced;
  - (d) include data and information collected during monitoring under subparagraph 7 ii of subsection (4); and
  - (e) include details of any encounters with the species.
- give the Minister a written undertaking to continue, after the end of the five-year period referred to in paragraph 7, to manage any habitat created or enhanced
- Once a habitat management plan is prepared under subparagraph 1 ii, the person must,

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- *comply with any provisions in the habitat management plan with respect to the manner in which,
  - the activity should be carried out, and
  - the habitat for bobolink or eastern meadowlark referred to in paragraph 6 should be created or enhanced, as the case may be, and managed,*
- *retain a copy of the habitat management plan for at least five years after the activity is complete, and*
- *provide a copy of the habitat management plan to the Ministry within 14 days of receiving a request for it.*
- *While carrying out the activity, the person must,*
  - *not perform any part of the activity that is likely to damage or destroy the habitat of bobolink or eastern meadowlark or kill, harm or harass bobolink or eastern meadowlark, between May 1 and July 31 of any year, and*
  - *take reasonable steps to minimize adverse effects of the activity on bobolink and eastern meadowlark, including, if applicable, routing access roads along existing fencerows or hedgerows if possible.*
- *The person must either create new habitat for bobolink or eastern meadowlark or enhance an already existing habitat for bobolink or eastern meadowlark as follows:*
  - *the area of the new or enhanced habitat must,
    - be located outside of the area where the activity is carried out but within the same ecoregion as that area or in an ecoregion that is adjacent to that area, and
    - meet the requirements of subsection (7) with respect to its size and dimensions,*
  - *within 12 months after the day the activity described in subsection (1) is commenced, the work of creating or enhancing the habitat must be completed in a manner that ensures that the habitat meets the requirements of subsection (8) with respect to the types of vegetation it provides.*
- *For five years after habitat is created or enhanced, the person must do the following annually:*
  - *manage the habitat by carrying out the measures described in subsection (9), and*
  - *monitor the area in which the habitat was created or enhanced by conducting at least three surveys every year at a time when bobolink or eastern meadowlark are likely to be present, to determine if the species are in fact present and, if so, to assess fledgling success.*
- *The person must prepare and maintain a record in respect of the activity and the habitat created or enhanced under paragraph 6 and ensure that the record meets the requirements of subsection (10) and the person must,*
  - *retain the record until December 31 of the final year of the five-year period during which the person must manage and monitor the new or enhanced habitat, and*
  - *provide a copy of the record to the Ministry within 14 days of receiving a request for it.*

Suitable significant wildlife habitat located on the remainder of the subject property includes the wetland units and water course which are potentially suitable habitat for reptile hibernacula, reptile nesting, bullfrog concentration area, amphibian woodland breeding ponds and summer habitat. No fish or fish habitat were observed on the subject property at the time of the site visits. The suitable significant wildlife habitats are located within the wetland units and watercourse located on the central portion of the subject property.

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JDH Environmental did not observe any areas of surface water within the proposed development areas on the subject property at the time of the site visits. Two unevaluated wetland units, both considered swamp, and a watercourse are located on the central portion of the subject property. A 30-meter buffer surrounding the wetland units, in which all activities are prohibited, would be sufficient to reduce any potential impact from the proposed development. A portion of the area is currently zoned as Environmental Protected (EP). JDH Environmental recommends extending the EP zoning to include the wetland units and 30-meter buffers surrounding the wetland units.

A walking trail is proposed for the northern wooded area which will extend southward through the 30-metre wetland buffers located on the central portion of the subject property. JDH Environmental would recommend the bark chip trails within the woodland and 30-metre wetland buffer. The trails should be clearly marked to deter persons from entering sensitive areas.

Prior to assessing potential impacts and providing an analysis of mitigation and restoration measures for the proposed development on the subject property, JDH Environmental provides the following recommendations:

- Conduct two additional site visits to the subject property; one during the summer season, and one during the fall season, for the purpose of obtaining field inventories of biological diversity, significant wildlife habitat, and species at risk.

Refer to the attached site plan for locations of the SAR habitats, wetland units, and EP zoning. Please refer to Development Site Plan July 19, 2019 prepared by RFA Planning Consultant Inc. for specific development plans on the property.

JDH Environmental has prepared this report for the exclusive use of Blocknote Canada Inc. with respect to the proposed development located at PT Lot 30, Concession 3, Part 1, Plan 47R-2107, Part 1 Plan 47R-3032 except Part 1 Plan 47R7047, Township of Hillier, Prince Edward County, Ontario.

This report documents observation made during the site visits to the above noted property on June 9<sup>th</sup>, June 16<sup>th</sup>, and June 21<sup>st</sup>. Information stated within this report is based on visual observations made at the time of the site visits, information provided by others, and a records review. Notification to government and regulatory officials of non-compliance with current regulatory standards is the responsibility of the property owner and/or official.

Any alterations to current site conditions, proposed development or changes to current environmental regulations may alter the conclusions and any recommendations stated in this report. The alteration, copying, distribution, use of, or reliance of this report by parties other than those for whom it was prepared is not permitted without the written expressed permission of JDH Environmental Services.

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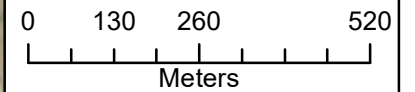
Sincerely,  
JDH Environmental Services

Jacki Hansford  
Env. Technologist

Part of Lot 30, Concession 3  
Municipality of the County of  
Prince Edward

**Legend**

-  Property Boundary
-  SAR Habitat
-  Wetland
-  30 m Buffer
-  EP Zone



Service Layer Credits: Source: Esri,  
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JDHansford 2019-07-11

