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RE: Peer Review Response

At your request, we have responded to the peer review of our Half Moon Bay Environmental Impact Study, completed on July 22, 2021. The peer review was completed by Edward Malindzak, Principal Scientist, Parsons Inc. Our response is in the form of a spreadsheet that was sent to us in January 2022. We provided a draft response on February 14, 2022 and are providing this final version, produced on August 27, 2022.

Respectfully submitted,

Rob Snetsinger
Ecological Services

Peer Review of the Ecological Services Consulting Environmental Impact Study Report Flatt Point "Half Moon Bay" Development, County Road 13, Prince Edward County, Ontario					* Actions:	** Status:
Completed by: Edward Malindzak, Principal Scientist, Parsons Inc. Response: From Rob Snetsinger of Ecological Services. First completed on February 14, 2022 with a final edit on August 27, 2022.					1 = Will comply	O = Open, not resolved
Report Date: July 2021					2 = Discuss, clarification required	P = Pending incorporation in design
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Item Number	Location	Issue	Comment	Response	Action* (1 / 2 / 3)	Status** (O / P / C) (Reviewer)
0	Document	Timing of the creation of the EIS vs. timing of the Official Plan (OP)	Its important to note that the Planning Act, 1990 requires municipal decisions on planning matters to be consistent with the Provincial Policy Statement (PPS). The most recent PPS was formalized in 2020, which the authors reference in Section 2. The Official Plan for the County was unchanged for over a decade and was recently updated. There is a significant amount of variation between the 2006, draft 2018 (x2), and 2021 Official Plans. Its unclear which version of the PPS and OP the report was written for, however the 2021 version of the OP is referenced in Section 2. The reviewer has provided comment related to more recent OPs.	PPS: Page 6 of the EIA notes the 2020 version of the PPS was used. OP: The project application was made under the previous OP (i.e., not the 2021 OP) and it is our understanding that all aspects of the project are to be reviewed as such, including the EIA. As well, the 2021 OP was officially adopted on July 2021, and all field efforts were completed in June of 2021. To be proactive, the 2021 OP was referenced in the EIA and followed where possible.	2. Discuss, see adjacent response clarification.	
1	Section 1, paragraph 3	"This road allowance represents one possible access route to the subdivision lands and an assessment of the route has been completed and deemed feasible from a natural heritage perspective given appropriate mitigation and wetland compensation."	Was the assessment completed as a part of another EIS? Who completed this assessment? Please provide a citation and reference. The purpose of this document is to outline the impacts of the proposed project and determine if there will be a negative affect on the natural heritage features. The OP states "An EIS identifies and assesses potential impacts of a proposed development on environmentally sensitive features, adjacent lands and ecological functions, specifying appropriate mitigation measures." (PEC, 2021). The roadway system and services (e.g., water, sewage, utilities) for the development need to be addressed. Were both options addressed? If these have not already been addressed, they need to be.	During the production of the EIA, the road location access was (and still is) being debated. Field work and reporting for the road allowance compensation was done in a separate report for Quinte C.A., and the approval process for that is ongoing. In our opinion it can be possible to build on the road allowance and be consistent with the OP and the PPS, but this will require the creation of compensating wetland habitat displaced by the road.	2. Discuss, see adjacent response clarification.	
2	Section 1, paragraph 5-7	Results and recommendations in the first section of the document.	Its unusual to include results so early in the body of the text and confusing as it appears the author(s) are making assumptions about the existing conditions without presenting any information to back it up. Consider Following Appendix B in the 2021 OP with respect to EIS organization and standards.	We respectfully disagree and suggest this critique has more to do with style, rather than substance. The EIA is a technical document that is largely outside of the expertise of non-ecologists. As a result, the summary section is provided at the front of the report for ready access. We also include results and recommendations in the summary part of the report as this has been the expectation by the various agencies that we undertake EIA's for, such as the NDMNRF. Summarizing all elements at the front of the report is also the standard format in the scientific literature, where the purpose, methods, results, and key analysis inferences are summarized in the Abstract, which is the first section of the scientific paper.	2. Discuss, see adjacent response clarification.	
3	Section 1, paragraphs 5	"lacking in the submergent vegetation that would otherwise support a variety of ecological aquatic features such as fish habitat"	The text suggests the nearshore areas are not fish habitat because they do not contain any submergent vegetation, this is not correct. Submergent vegetation is not the only type of fish habitat and many fish do not require it as habitat. Please clarify this statement or consider simply saying that no work will occur within 50 m of any water feature and no impacts to fish habitat are anticipated.	Respectfully disagree. Section 5.3 of the EIA notes that the nearshore areas are fish habitat. Indeed any aquatic part of a lake is fish habitat. The wording from the EIA summary was as follows: " <i>The nearshore lake areas are lacking in a rooting substrate and therefore lacking in the submergent vegetation that would otherwise support a variety of ecological aquatic features such as fish habitat</i> " The key word is "support" to indicate that rooting vegetation is not present as an indication on the lower quality of the fish habitat, and not to suggest there is no fish habitat.	2. Discuss, see adjacent response clarification.	

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4	Section 1, paragraphs 7	"If present, it should be possible to provide acceptable mitigation and compensation,"	The purpose of this document is to outline the impacts of the proposed project and determine if there will be a negative affect on the natural heritage features. This statement suggests that the authors don't know what natural heritage features occur in the vicinity of the project and what impact the project will have on them. Are there natural heritage features on the site? Discuss all of them Can they be mitigated so that there is no significant harm to the environment?	Respectfully disagree. The natural heritage features of the site and the adjacent lands were described/assessed in Sections 4 and 5 of the report. However, mandated field protocols can never guarentee 100% absence of a certain feature. As such, the "if present" statement was intended to portray that mitigation and/or compensation could respond to unforeseen issues that might arise. For example, butternut were not observed, but subsequent seeds could be transferred to the site and germinate. We are confident in the potential efficacy of mitigation and compensation for unforeseen circumstances to allow the development to be consistent with the PPS and the OP. This is based on the relativley low ecological value of the intended build zones, and the recommendations in the EIA.	2. Discuss, see adjacent respore clarification.	
5	Section 1, number "5"	Identified Eastern meadowlark breeding area	Please provide reference to a figure that indicates where this habitat is.	Please see Section 5, page 14 of the EIA.	3. N/A. See adjacent response.	
6	Section 1, number "6"	Breeding bird timing window	If vegetation must be removed during the restriction window, a bird nest sweep should be undertaken by a qualified avian biologist. Sweeps are only good for a few days.	We concur, although would prefer the initial site clearing only occur outside the restriction window.	2. Discuss, see adjacent respore clarification.	
7	Section 1, number "7"	"SAR bats can occur randomly"	The bats are mobile and can occur just about anywhere they can fly but have specific habitat needs for maternity roosts and hibernacula. Some of these specific habitats are protected. Do any of those habitats occur within or adjacent the development area?	The development site has no SAR bat hibernacula. Any site with trees has the potential for maternity purposes, including the urban areas of Picton, but trees with demonstrated SAR maternity use should have a higher level of protection consideration. No on-site SAR maternity use was observed on the property.	2. Discuss, see adjacent respore clarification.	
8	Section 2	Un-referenced information	Is all of this information from the same source? There is lots of information presented in this section but only one citation. Where are the images from? The author(s) needs to acknowledge the work of others and provide citations and references for sources of information used to create this document.	Duly noted. The author Belden was incorrectly left off of the Reference list. It would be: <i>Belden & Co. 1878. Illustrated Historical Atlas of the Counties of Hastings and Prince Edward County.</i> The provided sketch in Section 2 of the EIA was from Belden and the air photo was from the provincial 1954 air photo flights that covered Southern Ontario.	2. Discuss, see adjacent respore clarification.	
9	Section 2.1.5	This text is not reflective of the PPS 2020. The text states: "Development and site alteration shall not be permitted in:....(f) coastal wetlands in that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions".	The PPS 2020 states "Development and site alteration shall not be permitted in:....f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)". This suggests that development cannot occur in ANY coastal wetland and a potential coastal wetland has been identified within or adjacent the study area (Section 5.1) Errors such as this could be interpreted as an intentional omission that would benefit the proponent. This would not reflect well on the County or the authors.	The relevant text from page 6 of the EIA is as follows: f) coastal wetlands in that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. It should have read f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. There was no purposeful intent to leave off "Ecoregions 5E, 6E, and 7E1", it was left off inadvertnetly. Regardless, the intent of the PPS wording in this regard is that development is conceivable in non-provincially significant coastal wetlands, in contrast to PPS Section 2.14b where development is not allowed in significant coastal wetlands.	2. Discuss, see adjacent respore clarification.	

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10	Section 3	"Environmental Impact Study (EIS) Appendix B of the Adopted OP"	Please review the PEC EIS requirements in Appendix B, section 2. Ensure all items listed in Table 1 are specifically addressed in this document. If the item is not relevant to this development, a simple statement in the text stating this is not relevant should be included. Please provide details of agency consultations, consultant qualifications, description of geological context, hydro-geology, hydrology, copies of all field data sheets i.e. ELC field sheets, etc. The site is within 5 km of Lake Ontario and woodlands > 10 ha occur on or near the site. Were migration surveys completed? What were the results?	EIS Requirements: We are aware of EIS requirements of the new OP, but the EIA operated under the previous OP, which did not provide EIA guidelines. Having said that, the EIA follows the intent of the 2021 OP requirements, which is to determine whether significant natural heritage features are present. Landbird Migratory Stopover: Migratory birds flying north during migration will cross Lake Ontario and be looking for the first land to rest, which is the rationale for the 5 km distance in the Ecoregion Criterion Schedule. Many migratory birds will look for trees to rest as they come to land and therefore woodlands along the southern shore of the County have a greater potential as a migratory stopover. This is also evident in the spring birding records for the County. We noted in the EIA that the development site was 5 km from the southern shore of Lake Ontario where migratory birds would be flying in from. However, we remeasured the distance and found that some portions of the development are as close as 4.6 km to the southern shoreline. The cedar woodlands of the development property are not favored by the threshold migratory birds of the Criterion Schedules of MNR (2015) and the deciduous woodlands of the development property within 5 km of the southern shore of the County are less than the MNR (2015) required 10 ha. needed for significance purposes. On balance, it is our opinion that the development property does not meet the candidate threshold. As well, our birding records reveal that most birds observed on site were residents (i.e., not migrants) and the property did not contain the high diversity and numbers of species needed to surpass the significance threshold of MNR (2015). In our 40 years of birding experience, it is uncommon for an individual woodland (i.e., versus the entire PE County southern shoreline) in this region to reach the SWH thresholds of MNR (2015).	2. Discuss, see adjacent response clarification.	
11	Section 5: Animal Movement Corridors	"Corridor significance can only be met if there is associated significant wetland breeding habitat, which will need to be determined".	The significance of the corridor needs to be determined prior to contemplating the impact of the project on the environment	This was determined but analysis was left off the EIA in error. It was indirectly covered in <i>Section 5.6 Amphibian breeding habitat (wetland)</i> , which also included recommendations to prevent negative impacts. In our opinion the threshold for significant corridor use is not met as it does not meet the size threshold for summer habitat as per MNR (2015). Having said that, the mitigation recommendations in the EIA, and setbacks in particular, will allow amphibian access to adjacent appropriate summer habitat.	2. Discuss, see adjacent response clarification.	
12	Policy: Prince Edward County Official Plan	"Impact assessments determine whether an activity is going to have a negative impact on a significant natural heritage feature."	The OP 2020 states numerous times that natural heritage features are assessed, not just significant ones. The subject lands are a "significant attribute" and designated Shore Lands by the county. Shore lands should be addressed in the EIS	All natural heritage features are considered in all EIA's that we produce, but only significant ones warrant consideration in order to be consistent with the PPS and the OP. In our opinion, the Shore Land designation in the new OP is primarily intended as a cultural feature and therefore should not be addressed in an EIA. Having said that, the recommended waterfront setback/buffers in the EIA meet the intent of the Shore Land protections of the OP in our opinion.	2. Discuss, see adjacent response clarification.	
13	Methodology	Breeding bird surveys	The Ontario Breeding Bird Atlas Guide for Participants has specific weather criteria that are required for these surveys to acceptable. Please provide this information.	None of the breeding bird surveys were done during rain, thick fog, or in winds greater than 19 km/hr as per weather guidelines in the Ontario Breeding Bird Atlas Guide for Participants.		

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14	Methodology	Targeted surveys- Bobolink, Whip-poor-will, Blanding's	These surveys require specific timing, survey intervals, and weather conditions. These surveys are not listed in Table 2. where were these surveys completed? When? Under what weather conditions? What are the findings?	Bobolinks surveys took place on May 17, May 31, and June 22 by Kurt Hennige, with no precipitation, clear visibility, and minimal wind (< 10 km/h). Whip-poor-will surveys took place on May 19, June 9 by Kurt Hennige, and June 28 by Rob Snetsinger. All with clear night skies, no wind, and warm conditions. During the May 19 and June 9 site visits, Mr. Hennige continued further south to Hilltop Road and recorded Whip-poor-will. This indicates that these birds were active on these nights, indicating favorable conditions. Mr. Hennige is a highly respected birder in the region, a regional coordinator of eBird, a significant contributor to the Ontario Bird Breeding Atlas, and is well known to County birders. In 2022 he was awarded Ontario Nature's Natural History Award for his tireless efforts to protect wild birds in Ontario. Full survey methodology for the presence of Blanding's Turtles was deemed unnecessary due to the overall unsuitability of the development site for turtles. The adjacent wetland, which is often lacking in standing water is also not ideal. The nearest suitable wetland is about 1.7 km to the east. Having said that, turtles were searched for during all the site visits.		
15	Throughout document	report organization, survey methods, document presentation, interpretation/understanding of the OP/PPS and EIS	Throughout the document results/information is presented without clear documentation detailing the surveys undertaken to back up the findings presented. The report needs a clear methodology section of all surveys undertaken to describe and document and defend the information/results presented and organized as such. "This is what we did, this is how we did it, this is where we did it, this is what we found." ALL natural heritage features should be identified (even if not present - it is important to inform the reader that this was looked for) it appears as though the author is only documenting 'significant' features. there is some contradiction between the information presented in the summary section and the remainder of the report. it is not clear to the reader where surveys were completed.	Respectfully disagree. The Methodology section is provided on page 7 and 8 of the EIA, and Sections 4 and 5 of the EIA detail the natural heritage features that were assessed, as directed by the PPS and the OP. Section 5 of the report also details whether these natural heritage features were determined to be significant.	2. Discuss, see adjacent response clarification.	
16	Throughout document	Figures	All figures should contain a scale bar, compass rose, and legend, overview map to orient the reader at a regional scale or similar. It is not clear where some maps are even illustrating.	We agree that quantitative figures should require a scale bar, compass rose, and legend. However the figures in the EIA are qualitative and descriptions are either supplied in the caption, or in the adjacent text. If a specific detailed location is needed (such as the location of a butternut) we would provide GPS reference points. GPS coordinates of Eastern Meadowlark nest sites were not provided as we are not supposed to intrude into the nesting habitat of this endangered species as it could put the nestlings at risk. As such, the circled area in the provided figure on page 14 of the EIA provides the approximate core area of observed nesting.		
17	Throughout document	Taxonomic names of species	Common names of species can vary by region. To ensure all readers / reviewers are clear on which species the authors are referring to, taxonomic names should be provided the first time a common name is used in the report.	Agree if this were for a larger context project, but do not feel it is necessary for a local EIA, and to date there has been no issue with this reporting format.		
18	Throughout document	Typographical errors	Consider using a spell checker program to identify spelling and grammar errors.	Duly noted.		

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19	Significant Wildlife Habitat	SWH methodology, documentation	process of evaluation, and documentation presented needs to better support recommendations provided. It is not clear whether categories of SWH are candidate or confirmed.	Respectfully disagree. For all EIA's that we undertake, we consider all the categories in the Ecoregion Criterion Schedules of MNR (2015) as potential candidate SWH unless analysis proves otherwise. The process for determining SWH first determines whether a category meets the threshold requirements for candidate status, such as with a size threshold. If the threshold is not met, then SWH is not possible. If all thresholds are reached (including Candidate and Species Occurrence Thresholds) then a determination would be made that SWH is present.		
20	ELC	methodology, documentation	consider using current ELC methodology and codes, last updated	There have been no formally adopted ELC updates by the province and all update versions in circulation are Draft types. To allay possible confusion and provide consistency, we will continue to use the original 1998 ELC habitat codes.	2. Discuss, see adjacent response clarification.	
21	Throughout document	report organization	the entire report would benefit from logical, step-wise layout adjustments. The study area and project location should be clearly described and presented and referenced within a regional context. consolidating all mitigation measures and presenting in a conclusion.	We respectfully disagree as the format used in the EIA has been used by us for many years without issue on projects for the NDMNRF, MECP, DFO, DND, C.A.'s, and municipalities, including Prince Edward County.	2. Discuss, see adjacent response clarification.	
22	Methodology	format	it would be helpful if the survey methodology employed was described instead of using references which provide no context for the reader. There are also several documents that have the same citation so this creates confusion. Including a 'closure' and 'executive summary' section are also recommended.	We respectfully disagree. A qualified ecologist should be aware of the various referenced protocols, some of which are quite lengthy in detail. We agree that using reference date modifiers (e.g., MNR 2011 a, MNR 2011 b) for similarly dated references can be helpful.	2. Discuss, see adjacent response clarification.	
23	section 4	ELC methodology	the map implies that 'w' is for water, however, the text describes that 'w' is for wetland. Wetland communities should be described using ELC methodology. No boundaries between OAO and w are provided either. It is important to be more clear where these ELC polygons are and their boundaries.	The "w" indicates the small wetland patch located to its immediate left in Figure 2 of the EIA. An arrow would have helped allay misinterpretation. The "w" habitat is surrounded by a red line in order to separate it from the adjacent OAO, which refers to any portion of the lake. As noted on page 10 of the EIA, this "w" area it is too small to get consideration as an ELC polygon, and this explained the indeterminate "w" designation.	2. Discuss, see adjacent response clarification.	