



April 2, 2018

Request for Addendum to Environment Impact Study information, Pilgrim's Rest Vacant Land Condominium Development

Submitted by Roslyn Moore, Research and Planning Coordinator, Environment Council for Clear, Ston(e)y and White Lakes

Focus of Request

We have conducted a review of all references as posted on the County of Peterborough website with respect to this proposal. Consultation was held with the author of the Environmental Impact Study with focus on the potential impacts to Hull Bay-South Bay Provincially Significant Wetland Complex and associated spawning habitat for Muskie and Walleye. (*see Fig. 1, MNR mapping of the PSW wetland complex*).

Discussion of these issues verified the need for additional assessment.

It was agreed that the Environment Council should request an addendum to the EIS to be provided by Oakwood Environmental Ltd.

Council Background

The Environment Council is a multi-stakeholder, not-for-profit environmental research, planning and conservation organization dedicated to protecting the health of our lakes and surrounding natural environment in the Kawarthas, on the Trent Severn Waterway System. The Council is comprised of six lake associations and municipal liaison representatives from four municipalities (including North Kawartha) having jurisdiction on the lakes. We have represented the environmental concerns of hundreds of property owners on these lakes for over 20 years with the continual technical support of many TSW Parks Canada, MNR, and MOE professionals. Our members include those with training and experience in applied biology, environmental planning, conservation and engineering.

The Council developed and is implementing a comprehensive Lake Plan (*A Delicate Balance, 2008*. Of note is the Oakwood Environmental Ltd. reference to our Lake Plan as a policy source). Our concerns are based on our Federally and Provincially funded wetland and Species at Risk research findings. We took responsibility for managing a wetland assessment process, including funding and hiring a professional biologist to conduct an Ontario Wetland Evaluation System (OWES) on Stony, Clear and White Lakes. Approximately 900 hectares of wetlands were evaluated, most of which were subsequently designated by MNR as Provincially Significant (2007-2011). Council has continually promoted and implemented years of shoreline conservation and stewardship projects.

We have also taken an active role in a regional multi-stakeholder, GIS mapping and conservation initiative, the *Kawarthas Naturally Connected Natural Heritage Strategy*, initiated and supported by the Ministry of Natural

Resources scientists and GIS specialists (2009-2012, development phase; 2012-ongoing, implementation phase).

Key issues of concern

1. The Hull Bay portion of the Hull Bay-South Bay Provincially Significant Wetland Complex lies adjacent to the Pilgrims Rest property shoreline and covers a large portion of the lake directly adjacent to the proposed development including the mouth of Jack's Creek which flows through the property and into the lake. Neither the Planning Justification Report nor the EIS reference the need or means for preventing or mitigating **impacts to the features and function of this lacustrine (lake aquatic) PSW complex**, which includes spawning habitat for Muskie and Walleye, other fisheries, and wildlife dependent on this ecological resource.

The primary impact to this area results from human (boat) traffic into and throughout this wetland habitat. Specifically, this proposal **includes water access to the development** with a boat launch and several boat slips. (Ecovue reports 24 slips, EIS reports 30 slips: Which is correct?) The lake is already heavily populated with watercraft; introducing more traffic to this vulnerable area of the lake is most difficult to justify. As it is currently proposed, the development has the potential to impact the water quality, wetlands, shoreline riparian zone and the fish and wildlife species that rely on this habitat for survival. Loss and degradation of wetlands, loss of biodiversity and poorer water quality, in turn, have potential consequences for human health and for the recreational, economic and educational benefits provided by our lakes.

2. The other specific concern resides in the EIS summary and recommendations for mitigation and monitoring of potential impacts to terrestrial wetlands and both shoreline and terrestrial habitat. **The recommendations are certainly specific and detailed: i.e. the specified human uses of this development concept must be offset by comprehensive protection, enforcement or monitoring measures as defined by the EIS.** Two issues here:

- a) These measures have not yet been articulated in any other proposal document with the associated **assurance of implementation and ongoing monitoring, including details as to the source of monitoring and enforcement.**
- b) More important, however, the EIS and Ecovue reports have not yet adequately reflected **current Provincial policies** coming to bear on impacts and associated protective regulations for natural heritage features in relation to this development proposal.

Additional, updated Provincial policies review and addendum are required.

Growth Plan 2017 and related policies

The Ecovue report references the **2017 Growth Plan, Places to Grow**, Sections 4.2.4 (1), p. 44 *Lands Adjacent to Key Hydrological Features and Key Natural Heritage Features* and Section 4.2.4 (5_), p. 45, 46 *Protecting What is Valuable*, which provides detail on preventing impacts to/protections for natural heritage features. However, the report fails to acknowledge the need to protect fish habitat and the Hull Bay PSW Complex in that context, asserting "several supporting reports" (not cited) have found that there will be no negative impacts on natural features or ecological functions resulting from the development.

Additionally, the Ecovue report does not provide/update the important additional **mapping context** of the **Natural Heritage System**; in fact, it goes so far as to exclude that element for consideration. This is an important gap in information as **the development is, indeed, located within the Natural Heritage System.** (see Fig.2 Hull Bay Natural Heritage mapping..MNR)

Accordingly, an updated assessment should reflect the Growth Plan conditions in 4.2.4(1) and 4.2.4 (5) including the **demonstration that there will be no negative impacts to the PSW Complex, fisheries habitat, and overall to the natural heritage system's form and function; it would be important to address the comparison between legislated setback mitigation measures and proposed vegetated protection zone in meeting the "no negative impacts" criteria.**

Additionally, **Species at Risk, Endangered and Threatened species' core and corridor habitat requirements** are provided via the **Growth Plan mapping and reference, the MNR The Natural Heritage Reference Manual (MNR, 2005, 2010)**. The manual describes the importance of preservation of Cores – "areas of connectivity which are the building blocks of a natural heritage system: a collection of significant environmental features capable of providing and sustaining ecological functions and significant habitat." The Manual presents clear guidelines for application of the **Provincial Policy Statement** by protecting Cores, preventing fragmentation of the landscape and thereby protecting biodiversity. The EIS addendum should also address this aspect of the policy as it pertains to the **property's connectivity to the Petroglyphs Park as part of this Natural Heritage System.**

Provincial Policy Statement: Issues of significance

Section 2, Water, of the Provincial Policy Statement speaks to the planning authority's responsibility to "protect, improve or restore the quality and quantity of water resources: *Section 2.2 Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features, sensitive ground water features, and their hydrologic functions.*"

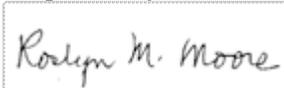
In addition to protecting the PSW Complex, attention is required to protect, improve or restore Jack's Creek as well as the connected terrestrial unevaluated wetlands as **key hydrological watershed features**, providing a source of water and water filtration to the lake, as well as important habitat for fisheries and other wildlife. These additional features and specific PPS requirements or development restrictions require additional assessment. As Jack's Creek is hydrologically connected to the PSW it may require an additional OWES evaluation via Oakridge Environmental Ltd.

Local Relevant Precedent

We would like to add a reference here to a recent OMB decision in 2017 (PL 150313) to prohibit a condominium development on the Fraser (Burleigh Bay) property on Stony Lake based on the need to protect the PSW lacustrine (lake aquatic) and terrestrial complexes and associated habitat for wildlife.

In summary, we appreciate the opportunity to provide this request for an addendum to the Oakridge Environmental Ltd. Environmental Impact Study.

Respectfully submitted



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Robert Little, Chair

Please see Attachments and Copies listed on P. 4

Attachments contained in separate email: Fig. 1, PSW Mapping
Fig.2, Natural Heritage System mapping

Copies: Caitlin Robinson, Planner, County of Peterborough
Upper Stoney Lake Association c/o Elizabeth Hyde
Association of Stony Lake Cottagers c/o John Huycke
North Shore Stoney Lake Land Group