Terms of Reference for Environmental Impact Assessment

6678 Wellington Rd. 34, Township of Puslinch

2374868 Ontario Inc.

December 1, 2021

→ The Power of Commitment

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1. Introduction

The existing lot is located on the north side of Wellington Rd. 34 within the Township of Puslinch, County of Wellington. The property currently has an agreement with Capital Paving to allow disposal of separated soils as part of the rehabilitation activities for an on-site aggregate pit. These soils are being brought to the site by a hydrovac operation through 2374868 Ontario Incorporated. The property is zoned as Agricultural (A) on the southern half and Extractive Industrial (EXI) on the northern half from the associated Aggregate license, according to the Township of Puslinch Zoning by-law No. 023-18 Schedule "A". The proposed use for the hydrovac services will require a zoning amendment (to Commercial use) to ensure proper compliance in land use for his current operation. The rezoning is anticipated to be applied to the entire property; however, for purposes of this EIA the Study Area is proposed to be the northern half of the property and within the EXI zoning plus an additional 120 meters area of investigation. The features identified in the Study Area included active hay field (southern fields) and deciduous forest encompassing the eastern boundary. The south-eastern corner contained mostly sugar maple with a small plantation. The central woodland overlapping the property was a deciduous forest pocket of sugar maple and beech. Areas within the EXI lands are in a state of rehabilitation with cultural meadow (Figure 1).

The Study Area contains the Wellington County Greenlands (Schedule A7: Wellington County Official Plan, 2021). The confirmation of the status of the woodland and the functions regarding, the woodland and Greenlands, is important to verify. The Study Area is also within the Paris Galt Moraine Policy Area and is subject to the Growth Plan for the Greater Golden Horseshoe. The Study Area contains portions of the Oil Well Bog Little Tract ANSI, with the closest Provincially Significant Wetland, Cranberry Oil Well Bog approximately 30 meters east of the Study Area.

An EIA is required as part of the supporting documentation for the proposed zoning by-law amendment as the property contains portions of the Wellington County Greenlands.

Based on our literature review, the following natural features are present on or within 120 meters of the property:

- Potential habitat of Species at Risk
- Wellington County-Greenlands
- Woodland
- Wildlife Corridor and Linkages
- Significant Wildlife Habitat: White-tailed Deer Wintering Area (Stratum 2)
- Oil Well Bog Little Tract ANSI (Regional Life Science ANSI)

2. Approach

2.1 General Approach

Our approach to preparation of the EIA will consist of three distinct phases.

In the first phase we will collect and review available information on the site including recent air photography, Ministry of Northern Development, Mines, Natural Resources and Forest (NDMNRF) key natural features GIS mapping, wetland mapping, Official plan schedules and other correspondence or files available from the County, Township or NDMNRF. This Terms of Reference, as required by the County of Wellington, is also part of this phase, and will act as a framework for our work plan and the completion of the EIA.

The second phase will consist of site visits by our terrestrial and wetland biologists to confirm the data collected in the literature review and boundary of any natural features. The boundary any wetlands and the woodlands on or adjacent to the property will be confirmed, GPS readings taken and the features mapped. Surveys will include site visits that

encompass breeding bird surveys, Ecological Land Classification (ELC) mapping, vegetation community boundaries, and presence of significant species including Species at Risk. The significance of the features and the ecological functions will be determined during our field surveys.

The proposed multi-season 2022 surveys will occur where property access is available, and includes:

- Breeding bird surveys (two rounds)
- Ecological Land Classification mapping of vegetation communities
- An assessment of Species at Risk habitat
- Two-season botanical inventory of the Study Area
- Assessment of ecological functions of the woodland
- Assessment of candidate Significant Wildlife Habitat

The third phase will be the preparation of an EIA with site-specific mitigation measures for protecting the natural features, sensitive species, and other natural features within the Study Area. Recommendations regarding the woodland and Greenlands, including buffers and setbacks will be included. This report will include figures that show the location of all the natural features, and other mitigation measures and recommendations. GHD will discuss our findings and sensitive species or features identified through background review and field investigations.

The report will follow the content requirements of the County of Wellington Official Plan and procedural policies for an EIA report. The property is not within the regulated area of the Grand River Conservation Authority.

It is our understanding that retaining a third-party consultant may be required to review the EIA report. Please confirm if any third party review of this TOR is required at this time, or if the third party can be retained to review the completed the peer review of the EIA when it has been prepared.

2.2 Field Inventories

2.2.1 Timing and Schedule

The EIA for the proposed project will be undertaken during the spring and summer of 2022 with surveys expected to be completed by late summer. Surveys must be conducted in the proper season and as per established protocols for the target species. The surveys will cover all portions of the Study Area and adjacent areas to assess the boundary of natural features such as the woodland.

2.2.2 Detailed Methodology

Vegetation: vegetation communities within the Study Area will be visited and species composition of dominant species determined. Community type criteria will follow the Ecological Land Classification for Southern Ontario (ELC) program (Lee et al. 1998) and will be done to the vegetation type level. The presence of rare species or significant communities, if any, will be documented and locations mapped. Timing of vegetation surveys will coincide with peak growing seasons; with visits occurring in the late spring ephemeral and summer flowering plants.

The presence of invasive species, regenerating vegetation, disturbances and land uses will be noted.

A master plant species list will be compiled from field notes in the final phase.

Bird Surveys: Bird surveys will be conducted following the protocols of the Ontario Breeding Bird Atlas point count. Birds seen or heard within the 10-minute station period will be documented and breeding evidence codes recorded. Surveys will be conducted in the early morning at dawn on two days approximately 10-14 days apart (June). Survey stations will be established in the woodland and hayfields to encompass all habitat types. We will also check for raptor nests (hawks and owls) that can be found in woodlots.

Wildlife: Incidental observations of reptiles, amphibians and mammals will be made during all site visits. Observations will include direct sightings and indirect evidence such as calls, scat, browse, burrows, dens and nests. The presence

of cavity trees and wildlife tracks and trails will also be noted. A spring survey for early breeding frog species will not be conducted, as there are no ponds or waterbodies or vernal pools on the southern portions of the site.

Species At Risk: The Ontario Endangered Species Act (ESA) places the onus on developers to determine if Species at Risk (birds, snakes, trees, plants) are present or absent on a property through targeted in-season field surveys by a qualified biologist. Candidate habitat for Species at Risk will be evaluated through field investigations.

Woodland: The boundary of wooded area, species composition, including the age, diameter, species composition and dripline will be examined during our field surveys. The significance of the woodland based on NDMNRF criteria will be assessed from our field surveys, GIS mapping and the size of the treed area on site. The health, disturbance, presence of non-native species, disease and storm damage will be noted, as these types of forests tend to have multiple influences.

Significant Wildlife Habitat: The areas identified by NDMNRF as Deer Wintering Habitat (Stratum 2) will be verified and habitat confirmed in the field. The potential for candidate SWH will be determined using the Ecoregion 7e criteria schedules (MNRF 2015).

Surface and Groundwater: No surface water features were identified within the southern portions of the property therefore no hydrological studies are proposed. As the proposed by-law amendment does not require a change in land-use no impacts are anticipated to the groundwater of the site therefore no hydrogeological studies have been proposed.

2.3 Analysis and Reporting

2.3.1 Evaluation of Significance

Following field surveys, the significance of all natural heritage features and species found on site will be assessed in light of the relevant policies and regulations. Species lists from our field work will be compared to the most current federal, provincial, and regional plant and wildlife lists.

2.3.2 Impact Assessment

In this component of the EIA, the details of the proposed zoning change will be considered in the context of the significance of the natural features and species present in the area. Potential impacts to the Greenlands and the features and functions identified on site will be outlined. This would include the dripline of woodland. In addition, the potential for setbacks or buffers from identified features will be considered as per the County Official Plan.

2.3.3 Mitigation and Enhancement Recommendations

Based on the site conditions, buffers and the proposed zoning change, we will recommend mitigation measures applicable to the potential changes in land use. Mitigation measures may include such items as sediment and erosion control, timing windows, protection areas and fencing. Considerations will also be made for the potential to maintain, restore and improve the long-term ecological functions and biodiversity of the associated Greenlands. The potential for enhancement of environmental features and functions will also be considered and when necessary provided in a proposal for monitoring.

2.3.4 Conclusions and Recommendations

Project conclusions will be summarized in a concise manner at the end of the EIA report to ensure readability of the document and clear transference of information to the project team.

3. Deliverables

GHD will provide electronic portable document files (.pdf) of the EIA to the proponent and the agencies unless otherwise stated. This report will be prepared as per the requirements in the Official Plans and the details outlined in this Terms of Reference (ToR). The EIA will act as supporting documentation for the zoning amendment application. Our vegetation community layers and ELC boundary lines can be made available to the agencies to update their GIS mapping.

If you have any questions on this Terms of Reference, please contact me. A formal response on the receipt acceptance of the ToR is appreciated.

All of Which is Respectfully Submitted,

GHD

[redacted]

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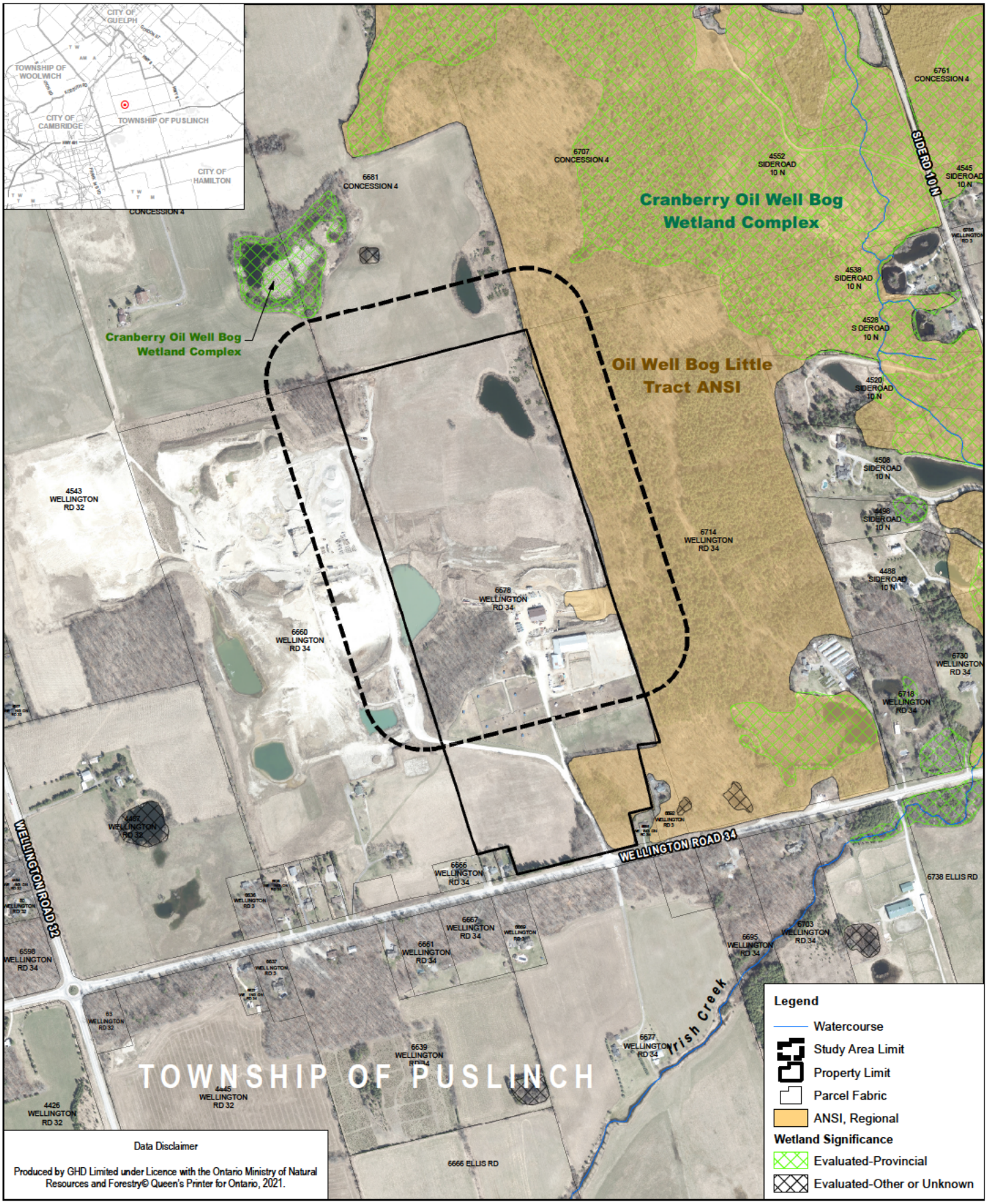

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Paper Size ANSI A

0 70 140 210 280

Metres

Map Projection: Transverse Mercator
Horizontal Datum: North American 1983
Grid: NAD 1983 UTM Zone 17N

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GHD

JEFF BUNN
6678 WELLINGTON ROAD 34, CAMBRIDGE, ON
PT LOT 8, CON 3, GEO. TOWNSHIP OF PUSLINCH
TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON

TERMS OF REFERENCE
STUDY AREA

Project No. **11210029**
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FIGURE 1

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