



Severn Sound Environmental Association

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June 11, 2013

Mr. Shawn Persaud, BA, MCIP, RPP
Manager of Planning & Development
Corporation of the Township of Tiny
130 Balm Beach Road West
Tiny ON L0L 2J0

Dear Mr. Persaud,

**RE: Comments concerning the proposed Sibthorpe Pit, Township of Tiny,
County of Simcoe**

The Severn Sound Environmental Association (SSEA) has reviewed the email response from Les Selby and David Bell, dated May 14, 2013, and offers the following comments.

Fieldwork

The SSEA indicated in our April 16, 2013 letter that the field work conducted to date is adequate. The SSEA contacted staff at the Midhurst MNR to discuss requirements of field work generally, in terms of natural heritage. The SSEA has not provided Midhurst MNR with detailed information on the Sibthorpe proposal for review or comment, and our discussions with them should not be presumed to be approval from MNR with regards to the field work on this site.

Natural Heritage Policies / Guidelines

The email briefly described the timing of the field study as being a two-year process; a response from the SSEA to this comment in the email is not required.

Tree Cutting

The SSEA has no further comment, provided that the stated tree cutting timing, agreed to by Beamish, is incorporated into the Site Plan/Silvicultural Prescription for this application.

North Buffer

The SSEA has no further comment, provided that the retention of secondary growth on the berms is incorporated into the Site Plan for this application.

Teedon Pit- Additional Tree Plant

In the May 14, 2013 email, the consultants state that the additional 10 ha of the Teedon Pit to be planted would be to “*compensate for the potential loss of trees on the slope area of the Sibthorpe proposal*”. The November 26, 2012 letter from the consultants indicated that planting an additional 10 ha of the Teedon site was to “*increase the forested area in the total aggregate operation*”, and did not indicate it would be specifically as compensation for the loss of trees on the slope of the proposed Sibthorpe Pit.

Beamish has agreed to provide further mapping details on additional tree planting on the Teedon Pit site. This information, and approximate time-frames of when the planting would occur, should be provided in order to consider if/how compensation planting would offset the proposed loss of interior forest habitat on the slope of the Sibthorpe site.

Woodland and Interior Forest Habitat

As stated previously, the SSEA cannot comment on approvals granted for the Sarjeant Pit applications, since our agency was not involved in their review or approval. As we understand it, the Sarjeant’s Waverley Pits were submitted to the Township in 2006, which was prior to the release of the second edition Natural Heritage Reference Manual, which provides fairly detailed recommended criteria for features such as significant woodlands. The SSEA’s comments to date on the Sibthorpe Pit reflect the current proposal as it pertains to existing policy and supporting documents such as the second edition Natural Heritage Reference Manual.

The consultants continue to refer to the significant woodland size as 13 ha: “*Beamish’s initial proposal was to potentially extract 13 ha. of significant woodland on their property*”. In fact, the majority of the property is currently within the Significant Woodlands designation of the municipal Official Plan; though only the Phase 3 area has mature stands and 200 m interior forest habitat.

It is true that the SSEA’s analysis of forest cover used the smaller land unit of MacDonald Creek subwatershed, rather than the larger Wye River watershed. The Severn Sound Habitat Strategy (2002) summarized the amount of forest habitat by watershed (e.g., Wye River, Sturgeon River), but for larger watersheds like Wye River,

the amount of forest habitat was also calculated by subwatershed (i.e., Upper Wye, Lower Wye, and MacDonald Creek), to provide a more detailed picture of forest cover as it applies to ecosystem health at the local scale, rather than just at the larger watershed scale.

At a site level, the proposed forest loss is considerable. Even if the forest cover for the larger Wye River watershed is used and the Wye River watershed would continue to have what the consultants refer to as “*the minimum forest habitat*” with reference to How Much Habitat is Enough, there would still be impacts from the loss of forest cover. As stated in the SSEA’s letter of October 31, 2012, How Much Habitat is Enough (2004) maintains that “...municipalities or other land units that contain higher amounts of habitat [than the guidelines] **should maintain or improve that habitat.**”

The Township must be consistent with the Provincial Policy Statement, which states that: “development shall not be permitted in significant woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions”. In addition, “development and site alteration shall not be permitted on adjacent lands [to significant woodlands] unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions”. Given that the functions of the significant woodland in Phase 3 include diverse tree species, mature stands and the provision of 200 m interior forest habitat -functions not present elsewhere on the subject land- it has not yet been satisfactorily demonstrated that the proposal will have ‘no negative impacts’ on these functions of the significant woodland.

The SSEA’s forest cover analysis modeled several scenarios including the impact of the Sarjeant’s and Teedon Pits alone (see Map 4 from SSEA’s April 15, 2013 analysis) and in combination with forest cover loss on the Sibthorpe site. The SSEA disagrees with the consultants that our analysis of forest cover is an ‘elevated figure of lost woodlands’. While it is probable that the loss of woodland habitat from the Sarjeant and Beamish Pits may not all occur at the same time, the length of time required for a rehabilitated site to become functional interior woodland habitat similar in species composition and tree size to what currently exists means there will be a cumulative effect of lost forest cover and habitat functions for some time.

The consultants state that “*Much of the woodland area that SSEA shows as interior, other than Phase 3, is secondary growth, few trees over 60 years and with many openings. Although it is interior because it is 100 or 200 m from the edge, it does not meet the criteria for Area-Sensitive Bird Habitat because the trees are not old enough and there are too many openings and plantations*”. The second edition Natural Heritage

Reference Manual does not require that a woodland meets the criteria for Area-Sensitive Bird Habitat in order to be considered Significant Woodland; the recommended criteria for Significant Woodland include size and ecological functions such as woodland interior habitat and mature trees. Area-Sensitive Bird Habitat is considered Significant Wildlife Habitat, a separate designation from Significant Woodland; it appears that the western portion of phase 3 (proposed to be excluded from extraction) may also meet this designation.

The consultants presume that the SSEA's preferred scenario is #3 (i.e., phase 3 untouched with a 10 m buffer). As the Township is aware, the SSEA's preferred scenario is #2 (i.e., extraction only to the western edge of ELC04), since ELC03 provides 100 m edge habitat to ELC02. Scenario #3 was proposed as a compromise that reduces the loss and fragmentation of woodland habitat, features and functions, and helps minimize impacts to Significant Woodland, particularly interior habitat and mature stands, while allowing the pit to proceed.

Points of consideration

Mr. Selby states that the "*EIS and Natural Environment Report Level 1 & 2... appears to be initially satisfactory to MNR*". The SSEA requests additional details about the MNR staff who reviewed the information; ideally, a copy of the MNR comments should be provided for reference.

The consultants state "*The professional forester indicates that the significant woodlands within phase 3, approximately 13 ha's, was probably clear cut around 1900- thus the site had a total removal of existing trees over 100 years ago*". This is not a particularly relevant consideration, since the issue is the current condition and designation of the woodland on site.

The email indicates that "*not all areas within the proposed licensed property may be extracted due to aggregate availability or quality as aggregate operations progress- in those situations existing secondary tree growth would be retained to compliment adjacent areas*". The SSEA agrees that retention of existing trees under these circumstances is appropriate and will enhance adjoining areas; a decision of whether or not to extract an area would presumably be made prior to tree clearing in that location.

Top of Bank Extraction Restriction

Of Phase 3, Mr. Selby indicates "*There does not appear to be the same quality of trees on the slope compared to the western flat area.*" The EIS describes the vegetation on the slope and up on top of the hill as containing "*mature red oak and younger sugar maples*", and lists quite a diverse number of tree and shrub species for ELC

communities 01 and 02: 13 tree and 9 shrub species listed for community 01 (all native species), and 14 tree and 4 shrub species listed for community 02 (with all but apple tree being native species). The species listed in the EIS for these communities have habitat value as well as contributing to a 200 m buffer to the forest edge.

The SSEA recognizes that Beamish has protected a portion of significant woodlands on the Teedon Pit. What is being proposed by Beamish for the Sibthorpe Pit is attractive on paper because it appears to be a relatively small loss of interior forest in exchange for a potential gain in forest cover over the long term. The Township ultimately must decide if the proposal is consistent with the natural heritage policies of the Provincial Policy Statement, the Township Official Plan, and represents a sustainable solution to the loss of forest cover. As part of these deliberations, the Township must also consider if eliminating the requirement for agricultural rehabilitation in favour of reforestation is an acceptable trade-off in terms of the eventual land use of the site.

Before considering whether or not to accept the proposed compensation planting in exchange for extraction to the bottom of the slope, mapping of the proposed area to be planted as compensation should be provided for review. In addition, commitments should be made to amend the Site Plan for the Teedon Pit application, and to modify: the Site Plan, Silvicultural Prescription and Tree Planting Prescription for both the Teedon and Sibthorpe Pits. Tree Planting Prescription modifications for the Sibthorpe Pit that should be required before compensation planting would be considered include:

1. SPECIES PLANTED - The list of species to be planted should be revised, to include a larger diversity of species and be more representative of the tree species composition currently on site in the Phase 3 area. The current planting plan only prescribes Red Pine and 10% Red Oak, with the addition of Jack Pine and/or White Pine depending on the post-extraction soil conditions. The Silvicultural Prescription lists existing tree species along the bluff as including: hard [sugar] maple, white ash, red oak, largetooth aspen, beech, basswood, white pine and white birch, while the EIS also found: red ash, ironwood, black cherry, hemlock, red maple, and quaking aspen in the Phase 3 area (i.e., ELC map communities 01 and 02).
2. SURVIVAL REQUIREMENTS & REFILL PLANTING - The 60% survival suggested in the prescription should be modified to clarify that at least 60% survival of each species is required, in order to ensure good post-planting species diversity. The prescription presently indicates that “*refill planting should be **considered** if survival at that time is less than 60%*”. This should be modified to: “refill planting is **required** if survival at the time of assessment is less than 60%”.
3. SURVIVAL ASSESSMENTS - Survival assessments should be done at years one, two and five (free-to-grow assessment), as is currently the practice of agencies like

Trees Ontario, rather than just in the first and second year after planting as indicated in the current prescription. The prescription states that “*there is little point in refilling after age two, as the refilled trees are unlikely to catch up with the original plantings from that point on*”, however, it also indicates that the “*goal of tree planting following pit rehabilitation is to establish a natural self-sustaining forest*”. With this goal in mind, trees of uneven age (i.e., from any required infill planting after year two) are unlikely to be a large issue, and in fact would contribute to a more natural woodland structure.

The additional information and a commitment to the modifications outlined above would allow for a more thorough consideration of how the proposed compensation planting would offset the loss of interior forest habitat on the slope of the Sibthorpe site.

Please contact us with any questions.

Yours truly,



Keith Sherman,
Executive Director



Michelle Hudolin,
Wetlands and Habitat Biologist