

November 26, 2012

Mr. Shawn Persaud  
Director of Planning & Development  
Corporation of the Township of Tiny  
RR 1  
Perkinsfield, ON L0L 2J0

**Subject: Second Response to the Peer Review of the EIS and Natural Environment Level 1 & 2 Technical Report for the Sibthorpe Pit, Township of Tiny, County of Simcoe.**

Dear Mr. Persaud,

The following is in response to the letter dated October 31, 2012 from the Severn Sound Environmental Association (SSEA) to your office providing SSEA's comments concerning our response to the peer review of the EIS and Natural Environment Level 1 & 2 Technical Report for the Sibthorpe Pit, Township of Tiny, County of Simcoe, dated, September 30, 2011.

**Forest Cover & How Much Habitat Is Enough**

As we stated in our original response, with the additional loss of forest cover and interior forest habitat associated with the Sibthorpe Pit, the Wye River watershed would continue to have more than the minimum forest habitat as suggested in the ``How much Habitat is Enough`` guidelines.

Although there will be loss of forest cover and interior forest habitat in the short term, the loss will be gradual over many years. This woodland area is proposed to be managed in accordance with a Silvicultural Prescription (prepared by Peter Hynard, Registered Professional Forester) until removed for extraction of aggregate. The Silvicultural Prescription is included in the Environmental Impact Statement and Natural Environment Level 1 and 2 Technical Report prepared by The Lindsay Environmental Services Group, dated September 30, 2011.

Rehabilitation of the site will be progressive with topsoil applied, seeding undertaken and trees planted as directed in a Tree Planting Prescription. Also, rehabilitation including tree planting will be progressive and start immediately after the aggregate is exhausted in a given phase. To increase the forested area in the total aggregate operation, the applicant is prepared to plant trees on an additional 10 ha of the Teeton site adjacent to the proposed licensed property. Another consideration to increase forest growth area is to look at the agricultural lands to be rehabilitated on the Teeton pit, home aggregate operation site. A trade off to weigh is the value of these lands to agricultural production vs. forest growth. This is an area of discussion with the Township & others.

The proposed aggregate extraction will occur over a very lengthy period of time, 60 plus years. Phase 3, which is proposed in the 13 ha significant woodland, will be the second last phase. **The site will be extracted in conjunction with the Teeton Pit (Aggregate License # 3670). The licenses would be combined as one pit operation with the 13 ha woodlot area (Phase 3) in all probability not being disturbed for 80-100 yrs.** This

woodland would continue to be managed under sustainable forestry practices and benefit bird & wildlife values during this extended period of time. Rehabilitation and tree planting is proposed after extraction completion of each phase before entering into another phase. Thus, initiation of tree planting and secondary succession growth occurs through and after all phases of extraction.

The approach and conclusions for the Sibthorpe Pit application are the same as those followed and approved for the Sarjeant's Waverley Pits / 1 and 2 (Craig, 2006) regarding the potential removal of the significant woodland. Numerous agencies were involved with this approval process for Sarjeant's.

Under the professional guidance of The Silvicultural Prescription and the Tree Planting Prescription and the Natural Environment Report, the applicant seeks similar agency support with this application in dealing with this significant woodland.

### **North Buffer**

SSEA has suggested that the north 15 meter setback or buffer area "should be treated as a no - touch zones" and that the forest cover be maintained on the north boundary as part of the 15 m buffer. Under the Aggregate Resources Act, A.R. 2.00.03 Guiding Principles, every licensee is required to operate the licenced site in accordance with all licence conditions, and provisions of the site plan. There are mandatory conditions described by the Aggregate Resources of Ontario Provincial Standards as "Prescribed Conditions".

The Aggregate Resources of Ontario: Provincial Standards Version 1.0 contains a set of Operational Standards for licenced areas. These Operational Standards identify day-to-day operational requirements that apply to all pits and quarries.

Key operational standards for all proposed licenses include:

- .the requirement to strip all topsoil before extraction and keep all topsoil that was stripped on the site for future rehabilitation.
- .the minimum extraction setback distances, areas where extraction is not permitted from the boundary of the site (this is 15 m's along the north boundary).

Ensuring that topsoil and overburden are stripped and stored separately is of great importance to the eventual success of the rehabilitation program.

It is common practice and approved by the Ministry of Natural Resources that topsoil and overburden be stored in setbacks while operations are ongoing on any particular site until these materials are used in the site rehabilitation.

On the site plans for this proposal, Sheet 2 of 4, Operational Plan, the site plan notes indicate that topsoil & overburden will be stripped in advance of extraction and placed in berm locations along the north boundary. These stock pile areas will also be used as noise attenuation barriers as outlined in the Acoustic Report for the site

As stated by SSEA, part of the 15m buffer is presently a forest access road and not forested. Portions of the north boundary are open areas, old **allowance roadways** with no trees, areas of plantation growth, new tree growth, etc. The proposal is to plant this setback area once the pit is rehabilitated.

We do not agree with the ESSA statement to not place topsoil in the north boundary 15 meter setback, as operational and legislative requirements cannot be met for topsoil storage in the setback area nor the noise attenuation benefits of the berms realized.

#### **Breeding Season for Birds**

A note will be added to the site plan that tree cutting will be conducted outside the breeding season for bird species. Tree cutting will only occur between September and February to protect any nesting birds on site.

#### **Timing of Site Visits**

The timing of site visits was appropriate for most of the Species of Risk (SAR) potentially on site. The site visits were multipurpose and not targeted specifically on individual species. This approach has been acceptable to MNR on other similar projects in other areas. With regards to Whip-poor-will and after reviewing the direction provided in the Whip-poor-will Roadside Survey Participant's Guide, 2012, the site visits to the proposed licensed area, although conducted at the time of the year when male Whip-poor-will would be actively calling, were not conducted during the primary survey window as identified in the guide.

**Yours truly,**

**David Bell, The Lindsay Environmental Group**

**Les C. Selby Consulting Services**