

Medway Valley Heritage Forest  
Environmentally Significant Area (ESA)

# ESAs are not parks!

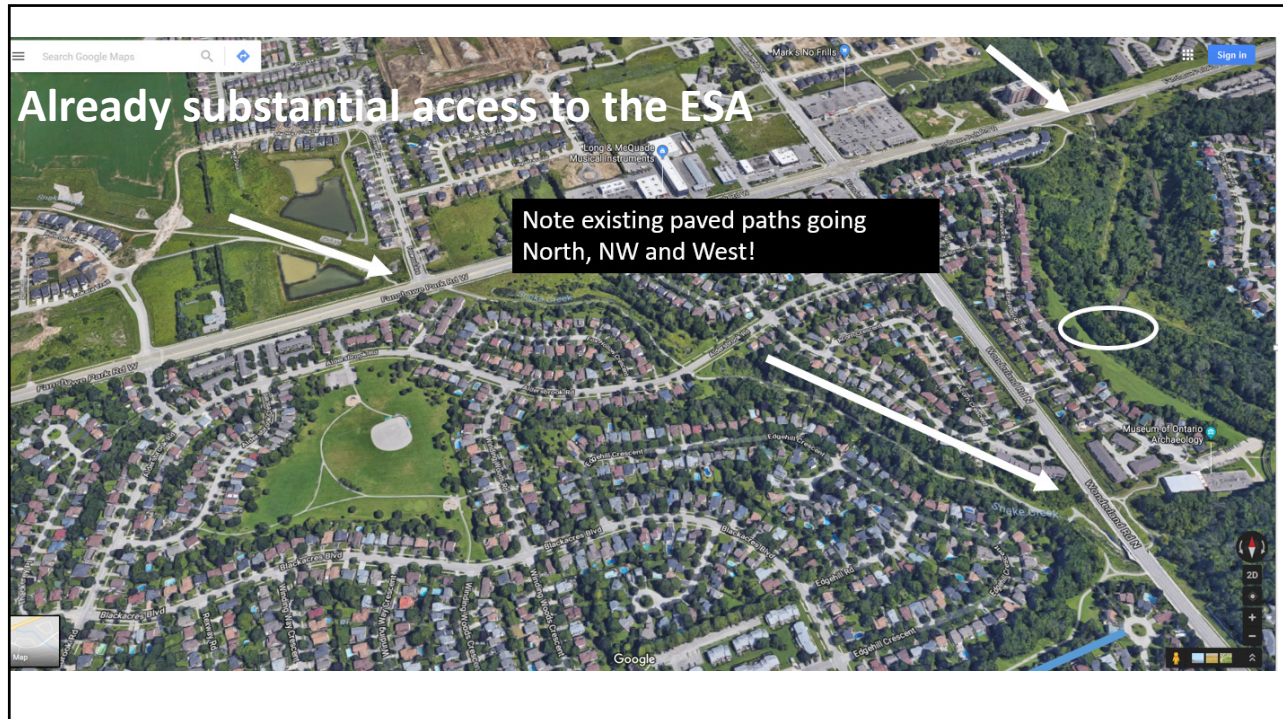
*A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise.*

*Aldo Leopold*

submitted by S. Levin, 59 Longbow Road

## RECOMMENDATION

- Do not adopt Plan as is – it does not enhanced ecological integrity and could impair it.
- Remove the bridges!
- Bring the Plan forward with the next 4 year budget cycle - because without budget, there is doubt about implementation.
- For example:
  - Oct 21, 1996 Council approved a similar plan including the following  
“an annual reporting mechanism through the City’s budget process with respect to monitoring the implementation of the phased management program that is outlined in the plan”



## CURRENT USE NEAR SITE A

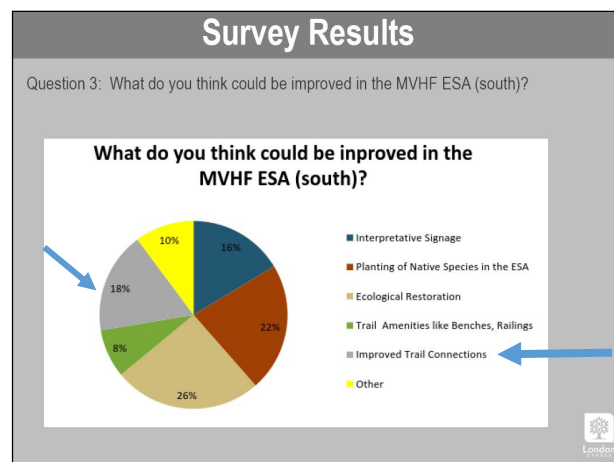
- City staff have indicated there are 20,000 annual uses just north of this area. Given the connections and community growth planned to the west and north, this number will only increase. It is not possible to fully monitor. It won't get better with more access.



Site A - Right now, being wet, less access, less threats to species at risk and its habitat



Not even sure why the push for bridges.  
Not a priority in the public survey.



## DON'T DO THIS

- IT IS CONTRARY TO YOUR GUIDELINES!
- IT IS CONTRARY TO YOUR POLICIES!

## London Plan

### WHY IS NATURAL HERITAGE IMPORTANT TO OUR FUTURE?

1304\_ One of the many assets that Londoners say makes London great is the Thames River Valley and its tributaries and our unique natural environment within the urban fabric of the city. Our Natural Heritage System contributes to both our high quality of life and our image as The Forest City. The significant valleylands of the Thames River Valley, the provincially significant wetlands of Westminster Ponds and Sifton Bog, and the significant woodlands of Warbler Woods, Meadowlily Woods and the Medway Valley are just some of the significant natural heritage features and areas that help to define London. These places are also key components of the City's Natural Heritage System and, like the many other natural heritage features and areas that form the Natural Heritage System, shall be protected and managed to improve their ecological integrity and to provide opportunities for public use where appropriate.

## Trail Guidelines, page 4

### 2.1 Policy for Trail Planning and Design

- Natural features and ecological functions for which the ESA has been identified shall be protected.
- The ecological integrity and ecosystem health of the ESA shall have priority in any use or design-related decision.

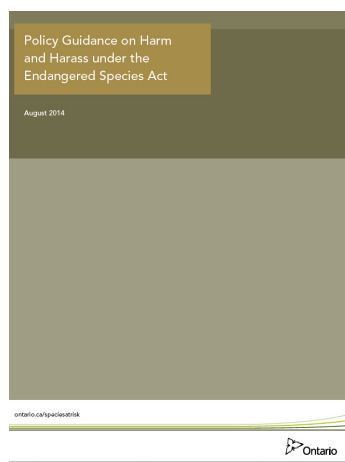
## Trail Guidelines, page 7

- The use of pedestrian bridges (as opposed to boardwalks and “step” bridges) should be for the purpose of protecting ecological features and functions. Where permitted, pedestrian bridges (e.g. use of span bridges, minimal wing walls, no gabion or armour stone within the channel) will be designed and constructed to create the least possible disturbance to valleys, natural creek banks and to aquatic habitats.

## Trail Guidelines, page 26

Where it is determined that ecological integrity can be preserved, and specific natural features and their ecological functions can be protected, public access and trails are permitted in this zone in support of appropriate low-intensity, nature-based recreation. Structures (e.g. boardwalks, bridges, stairways) may be permitted to reduce impacts to significant ecological features and increase the sustainability of the trail system in the ESA.

Also contrary to Provincial Policy Guidance on Harm and Harass under the Endangered Species Act



## Policy Guidance on Harm and Harass under the Endangered Species Act

- A risk-management approach is incorporated in determining whether an activity is likely to kill, harm or harass a member of a species at risk. In some cases, there will be a moderate to high level of understanding of the biology of a species at risk, and the effects a proposed activity will have on living members of that species. In others, the level of understanding will be very limited. The majority of activity scenarios are likely to fall between the two extremes of certainty. In specific cases where the anticipated effects of an activity on a member of a protected species cannot be predicted with reasonable confidence, **determinations will generally err on the side of caution in favour of affording greater protection to the species.** Decisions must be informed by the details of the activity, and the biology and behaviour of the species.

### KEY ISSUE

Do the proposed bridges enhance the ecological integrity of the ESA?

**NO!**





Site A proposed crossing  
of Creek (looking south)  
in summer 2017

Creek is roughly 10.6 m wide (Google  
Satellite.)

Told the bridge will  
protect the bank from  
damage. Damage?



1<sup>st</sup> Bridge North of Fanshawe.  
Creek is about 10.8 m wide, similar to Site A and D.  
Does this bridge blend in? you be the judge

- In winter
- Note damage to bank caused by construction



# SITE A - does a bridge blend in?

Image from CMP



Same image, with a bridge projected



# SITE A – does a bridge blend in?

Image from CMP



Same image, with bridge and path projected



## Site D

In summer



Last month, post flood



SITE D – does a bridge blend in? (projected image)



## SITE D, Blend in? (projected image)

- Looking north



## Site D – blend in? (projected image)



# KEY ISSUE

Just because you build a path,  
doesn't mean people will stay on  
the path

Surfaced paths do not stop people from going  
off trail

**North of Fanshawe**



**North of Fanshawe**



## People stay on granular surfaces? Hardly

**Off Gainsborough**



**Around barrier (note lack of sign indicating closed trail)**



## Off trail activity from older hard surface

**Below Gainsborough (note recent private property sign)**



**Museum of Ont. Archaeology**



Although this bridge reduced damage to a narrow tributary, people still go off trail

**Approach to Metamora Bridge**



**People are still going to the Creek**



## KEY ISSUE

How do you expect to protect a species at risk when you increase the number of visits and off leash dog walkers to the area? Not to mention bikes despite the “ban.”



## MORE PEOPLE, MORE PROBLEMS

- The principles of CPTED (Crime Prevention through Environmental Design) require a “Springbank Park” level of use to keep dogs on leash.
- And frankly, who sees being off trail, having a dog off leash, or being on a bike where you aren’t suppose to be as a CRIME?

Yet the opposite argument will also be given:

The current use of 20,000 per year from the paved path to the North (which will grow), is not many per day, so don’t worry about overuse.

## SO WHICH IS IT?

## More people means more not less problems

### **National Parks Struggle With a Mounting Crisis: Too Many Visitors**

By [Julie Turkewitz](#), NY Times, Sept. 27, 2017

Zion is among the most visited parks in the system and is particularly prone to crowding because many of its most popular sites sit in a narrow six-mile canyon. In 2016, about 4.3 million people visited, up 60 percent from a decade ago.

**And Zion's delicate desert ecosystem has been battered by tourists, some of whom wash diapers in the Virgin River, scratch their names into boulders and fly drone cameras through once quiet skies. The park has about 25 miles of developed trails. But over time, rangers have mapped about 600 miles of visitor-made paths, which damage vegetation and soil and take a toll on wildlife.**

## PUT A LEASH ON IT, Letters to the Editor, LFP, March 24, 2018

I was cycling the Thames Valley Parkway this past weekend when an unleashed dog rushed out of nowhere and nearly tackled me. I slammed on the brakes and yelled at the dog while it started to use my bike's wheel as a plaything.

I told the owner his dog needs to be leashed because of situations like these. He responded with a stream of profanity, insisting I was the one at fault and began threatening me. Thankfully, I was able to pedal off no worse for wear, but it could've turned out much differently.

This man doesn't represent all dog owners. However, during my ride I saw no less than 10 unleashed dogs along the parkway. This is especially absurd given the two off-leash parks available there.

*Theo Larsen, London*

DON'T WORRY, THERE IS MONITORING!

Monitoring? Maybe –

There are only 4 UTRCA staff to cover 8 ESAs, and monitoring is only part of the job

Unrealistic to expect the public to effectively monitor the ESA



### UPDATED SIGN

Note the section permitting bicycles (with no limitation) on granular trail.



### Been at this for 20 years....

At the last Steering Committee meeting it was agreed that a "Medway Advisory Group including many of the committee members, would assist in setting priorities for implementation. It is anticipated that implementation of the plan will begin this fall, with entrance signage and critical trail closures as the first project.

PREPARED BY:	RECOMMENDED BY:
[Redacted]	[Redacted]

Oct. 2, 1996

# Historically, much was promised, but less delivered

## From 1996 staff report (Group never formed)

Continuous monitoring and yearly assessment of the implementation of the plan was a common theme, and will be part of the role of the Medway Advisory Group.

## From 1996 Site Plan Study (many trails never closed or rehabilitated)

- Phase One:**
  - Trail Closures (11 segments)
  - Access Point Closures (2)
  - Signing: Regulatory Signs
  - Trail Map Signs
  - Construction of Stepping Stone Crossings (4)
- Phase Two:**
  - Rehabilitation of Closed Trails
  - Rehabilitation of Disturbed Areas

# Adoption of the CMP needs to wait for a detailed implementation plan – here’s why:

## From 1996 Site Plan Study

### Rehabilitation Measures:

All trails to be closed and severely disturbed areas, such as eroded slopes must be rehabilitated. Rehabilitation measures should be developed in a manner that is visually and ecologically consistent with the surrounding area. Rehabilitated areas be designed so that they require minimal maintenance until establishment, and none thereafter.

## From 1996 Site Plan Study

### Trail Closures:

One of the features of the Site Plan is the consolidation of trail uses on existing trails that can better withstand trail use, either in their existing condition or with some constructed treatments. All other trails (approximately 2.3 kilometers in 11 segments) are to be closed and restored as noted on the Site Plan.

The majority of these closures are trail segments which have been created haphazardly with little or no regard for the environmental sensitivities of the setting. Closure of these trail segments, in conjunction with improvements to the preferred trails as shown on the Site Plan, will solidify the preferred routes and prevent trails from being established at random in the future.

One of the more notable closures is the trail from Gainsborough Rd. to Snake Creek due to severe erosion and difficult slopes. In addition, there are many trails in the

### TRAILS TO BE CLOSED (1996)

Trail behind Whiteacres  
*(closed within the last 5 years, now recommended for realignment and reopening)*

“around hill from Snake Creek Valley” *(still in use and was not marked as closed as late as this summer – see photo)*

“in addition, there are many trails in the Snake Creek Valley which must be closed....”



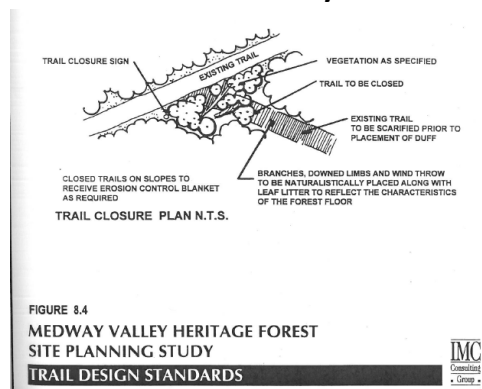
## Adoption of the CMP needs to wait for a detailed implementation plan – here’s why:

### From 1996 Site Plan Study

**Trail System:**

The trails in the Medway Valley have never been designed. In fact, the Conservation Master Plan recommended that the trails be left in their present condition (1989) in most locations and to construct access improvements at specific ravine crossings and permitted entrances. Since then, there has been no comprehensive trail management and consequently an informal network of trails has developed which has been described as a “criss-cross” or “willy-nilly” system. These trail routes should be consolidated, some closed and some designated as official trails to be properly designed and maintained for the appropriate uses and expected volumes.

### From 1996 Site Plan Study



New sign (2017) at trail that was to be closed 20 years ago. (No restoration yet of “informal trail”)



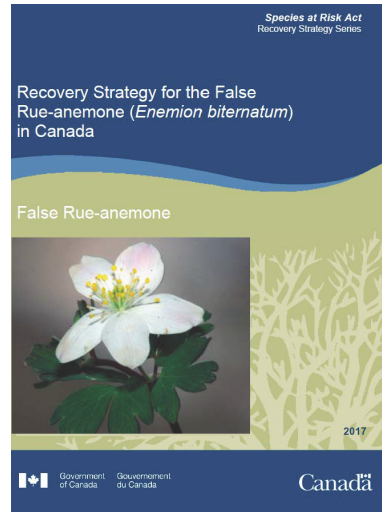
The City is rightfully proud of its strategy to protect false rue-anemone.

The proposed bridges undermine and risk reversing this strategy.

From Recovery Strategy for False Rue-anemone, p. 10, published in 2017

**Disturbance or Harm**

**Off-trail Recreation and trail use:** Some False Rue-anemone sub-populations are also in close proximity to public areas and trails, and may be threatened to some degree by inadvertent trampling, and resulting soil compaction (Austen 1990; COSEWIC 2005). However, **improving signage** at walking trails in Medway Creek, London have **also helped to limit trampling and promote public awareness** of this species (pers.comm. 2015).



But there were no signs before 2017. And...

**No data has been collected on usage**

**Without data on current user behaviour, how can the city assert that having more users more frequently will not cause harm?**





## Medway Valley Heritage Forest Environmentally Significant Area (ESA)

Although there are some good elements in the Plan, there is substantial uncertainty.

Much improvement has taken place within the existing city budgets and financial support to the UTRCA from a donor for invasive species work ...

despite a cut to the UTRCA contract budget by the previous council!

New signs (Mar 2018) have been installed (at trail that was to be closed 20 years ago)



You won't know what you have lost until it is gone

- Even if there are negative impacts on species at risk, it is unlikely the bridges will be removed.
- The consultants included a caution (*Addendum to Natural Heritage Inventory, 2016*) about existing managed trails (i.e. WITHOUT INCREASED ACCESS) by stating “Seasonal restrictions on trails may be required.”
- NICE IDEA, but HOW DO YOU SEASONALLY CLOSE A BRIDGE?

There is an exception under the AODA

- Accessibility for Ontarians with Disabilities Act, 2005
  - [ONTARIO REGULATION 191/11](#), Integrated Accessibility Standards
- Recreational Trails and Beach Access Routes, General**
- **Trails**
  - **80.15.5** *There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, **whether the adverse effects are direct or indirect.***

## RECOMMENDATION

- Do not adopt Plan as is, it does not enhanced ecological integrity and could impair it.
- Remove the bridges from the Plan.
- Bring the Plan forward with the next 4 year budget cycle - because without budget, there is doubt about implementation.
  - For example, on October 21, 1996 Council approved a similar plan including the following: “an annual reporting mechanism through the City’s budget process with respect to monitoring the implementation of the phased management program that is outlined in the plan”

## DON'T APPROVE

- IT IS CONTRARY TO YOUR GUIDELINES!
- IT IS CONTRARY TO YOUR POLICIES!
- PRECEDENT SETTING
- No site visit by advisory committee
- There was no MNRF involvement (not an Environmental Assessment)
- Therefore, no First Nation consultation

ONLY YOU CAN PREVENT ECOLOGICAL  
VANDALISM!!

