

EEPAC Comments (October 11, 2019) on the Draft Subject Lands Status Report White Oak - Dingman Secondary Plan, by Parsons Inc. (September, 2019)	Responses to EEPAC's Comments by Parsons Inc. and City Planning (November 14, 2019)
<p>City Planning and Parsons Inc. thank EEPAC for their detailed review of the Draft Subject Lands Status Report - White Oak - Dingman Secondary Plan (WODA SLSR) by Parsons Inc. (September 2019) and agree with the majority of EEPAC's comments. Detailed responses are provided below and minor revisions to Parsons Draft WODA SLSR report will be made where appropriate as identified below.</p>	
<p>EEPAC Summary Recommendations: An EIS be required for any developments adjacent to any environmental feature including all wetlands and all confirmed and candidate Significant Wildlife Habitat as per the distance table in the London Plan.</p>	<p>Parsons Response: Agreed, and Section 6.1.2 Environmental Impact Study Requirements in the WODA SLSR identifies the London Plan triggers for an EIS which includes development adjacent to components of the Natural Heritage System including all wetlands and Significant Wildlife Habitat. No change to report.</p>
<p>This should include amphibian surveys on the properties to which access was not granted to the consultant.</p>	<p>Parsons Response: Agreed, and the scope of future EISs will meet City and provincial EIS requirements, which will include required amphibian surveys for the property(ies) involved in the project. No change to report.</p>
<p>Any wetland relocations must be to areas that have sufficient water resources to maintain wetland function as development lowers water tables. The area between WE-8 and WE-23 shown on Figure 8 be incorporated into the Significant Woodland feature, either as part of a recreated wetland or revegetated to provide meaningful ecological features and functions. This would also compensate for the earlier destruction of Patch 10099 and the recent filling in of wetlands found in the northwest section of the study area.</p>	<p>Parsons Response: Agree in part noting Patch 10099 is existing, protected and mapped on Figure 1 of the SLSR. WE-8 and WE-23 are already included in the Significant Woodland (Patch 10099). The gap between these two wetlands is part of an active agricultural field which is why it was not included as part of the Significant Woodland. The SLSR does recommend this area as a Potential Wetland Creation/Restoration Area, "...on Figure 11 (Appendix A) and are conceptual only and based on existing conditions, not future landuse. Restoration and enhancement should be considered and refined as part of an EIS, which would take into consideration future landuse. It is further noted that there may be potential for replacement of wetlands, including relocation, in accordance with Policy 1334_ of The London Plan (see Section 5.3)." The use of this area as compensation habitat would be part of a future EIS. Parsons notes that this is not part of the scope of an SLSR. No change to report.</p>

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The City **must** take action now to identify replacement habitat for lost Eastern Meadowlark habitat at this and other sites in the Southwest. Replacing habitat is a Provincial requirement. Given the many sites already identified for development or road widenings, the need is urgent.

Responses to EEPAC's Comments by Parsons Inc. and City Planning (November 14, 2019)

City Planning Response: The City's [Dingman Creek Erosion Control Wetland](#) (2015) is an example of the City's leadership in habitat restoration in the area and is a widely recognized birding hotspot ([Ebird](#), [Free Press](#) etc.) and includes restored grassland habitat with Meadowlarks observed in citizen science e-bird reports. The City's [Dingman Creek EA](#) process is underway and the overarching concept of the EA is to create a naturalized corridor within South London as part of the stormwater management strategy. As such, the study includes looking at the option of creating a "complete corridor" to convey water, wildlife and people.

The White Oak-Dingman Secondary Plan project is not a development proposal. The Secondary Plan process will identify future land use (Place Types) for London Plan Map 1 and Natural Heritage Features for London Plan Map 5. Should portions of these lands be proposed for future development based on appropriate Place Type policies in the Secondary Plan, (noting large portions are within the UTRCA's Screening Area on Figure 6 in the SLSR) any required habitat compensation would be determined as part of a future required EIS (with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs).

The Meadowlark habitat identified on City of London lands in the east part of study area will continue to be protected in situ. Agree that the City and Developers must comply with Provincial requirements noting the SLSR identifies "*This area is also confirmed breeding habitat for Eastern Meadowlark, a Threatened species under the ESA, 2007 and may require species-specific surveys during a future EIS.*" Landowners are aware of the Meadowlark habitat identified and mapped in the SLSR and would be required to consult with the Ministry of the Environment, Conservation and Parks (MCEP) as per the Endangered Species Act (ESA). The WODA SLSR and recommendations would be discussed and cited in the future required EISs, scoping meetings and minutes. No change to report.

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RECOMMENDATION #1 - An EIS be required for all developments proposed within the distance limits outline in the OP (table 15.1) and The London Plan (Table 13), unless a comprehensive EIS is undertaken for the entire Area.	Parsons Response: Agreed, and Section 6.1.2 Environmental Impact Study Requirements provides the requirements to undertake EIS(s). No change to report.
<p>Rationale</p> <p>As noted on page 7, Section 3.4 of the document, it important to note the comment under Table 2 - only half the site was surveyed. Much information about the wetlands, therefore, is missing.</p>	Parsons Response: Agreed, noting section 6.1.2 Environmental Impact Study Requirements provides the requirements to undertake EIS(s). All lands will require field verification as part of a future EIS to meet City and provincial requirements. No change to report.
<p>On page 28, Section 7, there are a number of recommendations that speak to "a" EIS. However, given the variety of land ownership, how will a comprehensive, area-wide determination be done? The city should encourage the landowners to co-operate in the preparation of one EIS for the Area. Not doing so is contrary to ecosystem planning which is a goal of the subwatershed studies done for the Dingman Creek Sub-watershed.</p>	City Planning Response: Agree in part noting specific development proposals have not been submitted at this time, and EIS requirements are identified throughout Parsons SLSR with details provided in Section 6.1.2 Environmental Impact Study Requirements. The WODA SLSR and recommendations would be discussed and cited in all required future EISs in scoping meetings and minutes (with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs). No change to report.
<p>p. 14 two bat species found thru acoustic surveys. Neither SAR (surprisingly given the decline of bat populations). Cavity trees should be retained.</p>	Parsons Response: Agreed, noting majority of cavity trees will be protected inside the Significant Woodland feature and by the Tree Protection by-law. The SLSR in Section 7. Preliminary Recommendations for Future Development recommends future EISs includes this recommendation: " <i>Undertake a Tree Inventory, including a snag survey within Patch #10099 to confirm the potential for SAR bat habitat following the Survey Protocol for Species at Risk Bats within Treed Habitats: Little Brown Myotis, Northern Myotis, and Tricolored Bat (MNR 2017) and Bats and Bat Habitats: Guidelines for Wind Power Projects (MNR 2010);</i> " No change to report.
<p>5.4.1 and page 21, Candidate Raptor Wintering Area - Parsons recommends winter studies at later stages as none done for SLSR. EEPAC agrees but is concerned how this will be captured at the EIS stage when it is individual landowners and not the city responsible?</p>	Parsons Response: Requirements for future EISs will include those features on (and proposed to be added to) Map 5 and features identified through the SLSR for the Secondary Plan as identified in Section 6.1.2 Environmental Impact Study Requirements. The WODA SLSR and recommendations would

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	be discussed and cited in the EIS scoping meeting and minutes (with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs). No change to report.
Page 15, 5.1.1, Further refinement of the significant valleyland boundary is recommended for future development projects as part of an EIS. This must be captured by the city as a condition of development requirement. Who is in charge of doing so? How will this requirement be captured when lands are proposed for development?	Parsons Response: Triggers for future EISs will include those features on (and proposed to be added to) Map 5 of the London Plan <i>including Significant Valleylands</i> and features identified through the SLSR for the Secondary Plan as identified in Section 6.1.2 Environmental Impact Study Requirements. The WODA SLSR and recommendations would be discussed and cited in the required EIS scoping meeting and minutes (<i>with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs</i>). No change to report.
Vegetation surveys - EEPAC also believes that spring vegetation surveys done for an EIS should be earlier than May 29th in order to identify any spring ephemerals Breeding Birds - The following should be used to determine when breeding bird surveys should take place. It appears to EEPAC that the dates of the surveys having been June 14 and June 29, were late. https://www.canada.ca/en/environmentclimate-change/services/avoiding-harm-migratory-birds/general-nestingperiods/nesting-periods.html	Parsons Response: All survey dates are consistent with the Environmental Management Guidelines “Data Collection Standards for Ecological Inventory” and all other protocols for southwestern Ontario. The breeding bird surveys for the SLSR were completed in accordance with the Ontario Breeding Bird Atlas Guide for Participants (Birds Studies Canada, 2001) which indicates a timing window for surveys between late May to early July. This timing window is an industry standard and is intended to capture peak nesting activity for the majority of breeding birds. While it is acknowledged that the nesting period for migratory birds in Zone C2 (which includes the Project) extends from early April – late August, surveys conducted too early may include non-breeding migrants or some late arrival species may be missed. Any breeding birds that arrive early would still be present in June/July. No change to report.
WETLANDS RECOMMENDATION # 2 (p. 19, 5.3) - What appears to be missing in this study is the source of the water for the wetlands. A water balance and hydrogeological work must be done during any EIS to determine the best location for any wetland relocation. There should be a comprehensive geotechnical and hydrogeological study	Parsons Response: Parsons will add the bolded text to the following text under “wetland evaluation”, first paragraph on page 20 of the SLSR “ <i>A total of 23 wetlands have been identified as part of this SLSR, 12 of which were field verified. None of the wetlands are hydrologically connected; however, are within 750 m of each other. All of the unevaluated wetlands identified on The London Plan (Map 5) and/or 1989 OP (Schedule B1) were not field verified as PTEs were not obtained. Although not</i>

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<p>of the Area before the Plan is completed. If landowners do not give PTE, then they should be required to do such work on individual parcels at their own costs however, a comprehensive study undertaken by the city would be better and more complete way to determine if the pre and post water balance is within 80%.</p>	<p><i>all wetlands were field verified, the majority were verified from adjacent lands or through air photo interpretation and carried forward for evaluation as OWES does allow for desktop assessments."</i></p> <p>Also noted on page 20 of the SLSR: "A wetland evaluation was completed for all wetlands within the Subject Lands following the OWES Southern Manual (MNR, 2014)." Triggers for future EISs will include those features on (and proposed to be added to) Map 5 including all the wetlands and features identified through the SLSR for the Secondary Plan as identified in Section 6.1.2 Environmental Impact Study Requirements. No change to report.</p>
<p>RATIONALE 5.3, page 20</p> <p>Based on their size, the wetlands found within the Subject Lands do not qualify for evaluation individually under OWES, however, the wetlands are within 750 m of each other and may be considered as a 'complex' and evaluated as a single unit. Furthermore, several wetland communities were not field verified and further ground-truthing and boundary delineation would be required. Those that were not evaluated, are they within 750 m and should be complexed? Is there a hydro geological connection? How this will be addressed in future EIS work is unclear to EEPAC.</p>	<p>Parsons Response: The wetlands do meet the definition of a "wetland" under The London Plan and can be protected through those policies. Triggers for future EISs will include those features on (and proposed to be added to) London Plan Map 5 including all the Wetlands and features identified through the SLSR for the Secondary Plan as identified in Section 6.1.2 Environmental Impact Study Requirements. No change to report.</p>
<p>SIGNIFICANT WOODLAND</p> <p>Recommendation #3 - p. 11, 4.2.2, when an EIS is scoped for development adjacent to the Significant Woodland, the Environmental Management Plan must include a detailed invasive species management plan and a detailed woodland management plan to the satisfaction of the City.</p>	<p>Parsons Response: Agreed, and Parsons will add the following recommendation to Section 7: <i>"Include an Invasive Species Management Plan and Woodland Management Plan where development is proposed adjacent to the significant woodland."</i></p> <p>To avoid any misunderstanding, Parsons will keep the existing recommendation <i>"Include an Invasive Species Management Plan to remove or control the spread of Common Reed (Phragmites) and other invasive plant species during construction"</i> as this will pertain to lands not adjacent to the significant woodland.</p>
<p>Recommendation #4 - The odd boundary on the east side of the Significant Woodland is not conducive to ecological function. There must be more of a "link" from the wetland portion to the eastern section as shown in</p>	<p>Parsons Response: The existing linkage is limited to the hedgerow area as the lands to the south are actively farmed. The linkage area can be enhanced as part of an EIS, such as wetland creation. Linkages, wetland/wildlife creation would be</p>

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<p>Figure 11 of the SLSR. RATIONALE A narrow amphibian movement corridor will likely not work and there will be no future opportunity to expand it or replace it post development. As such, the SWH section of the SLSR only mentions future EIS work to determine if they exist. Seems that they should be created if not already there.</p> <p>5.4.1 page 21, confirmed SWH for amphibian breeding in City owned lands near Shamrock Road. Candidate SWH for the private lands. There is also a candidate amphibian movement corridor.</p>	<p>determined at the EIS stage. The Significant Woodland boundary in the SLSR was identified through application of the City's Guidelines for Assessing the Ecological Boundaries of Vegetation Patches, <i>including</i> the 20-30 meter wide amphibian movement corridor (<i>linkage</i>), and will be <i>recommended to be</i> added to Map 5 of the London Plan as recommended in the SLSR. The SLSR recommends restoration to widen the corridor, "...on Figure 11 (Appendix A) and are conceptual only and based on existing conditions, not future landuse. Restoration and enhancement should be considered and refined as part of an EIS, which would take into consideration future landuse. It is further noted that there may be potential for replacement of wetlands, including relocation, in accordance with Policy 1334_ of The London Plan (see Section 5.3)." No change to report.</p>
<p>Given the past destructive nature of a landowner (loss of Patch 10099 and wetlands in the northwest section of the site), how will the candidate areas be protected until survey work can be done as part of an EIS? Given the history of activity against natural heritage in the area, what will be done to ensure these ecosites are protected and properly surveyed during an EIS? Landowners should be put on notice that there will be consequences for alteration of lands prior to development approvals.</p>	<p>City Planning Response: Patch 10099 is existing, and protected by London Plan policy and mapping etc. The Tree Protection by-law also applies to majority of trees in the subject lands. Triggers for future EISs will include those features on (and proposed to be added to) Map 5 of the London Plan and features identified through the SLSR for the Secondary Plan as identified in Section 6.1.2 Environmental Impact Study Requirements. The WODA SLSR and recommendations would be discussed and cited in the required EIS scoping meeting and minutes (with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs). No change to report.</p>
<p>MEADOWLARK / BOBOLINK HABITAT</p> <p>Recommendation #5 - The City start a comprehensive effort to set aside enough land to compensate for the continuing loss of Meadowlark habitat from city and private projects. A number of projects including this one, the widening of Southdale Road, the White Oak – Dingman Drive intersection have all identified breeding meadowlark. Without a comprehensive effort, in short order, all available lands will become unavailable for replacement.</p>	<p>City Planning Response: The City's Dingman Creek Erosion Control Wetland (2015) is an example of the City's leadership in habitat restoration in the area and is a widely recognized birding hotspot (Ebird, Free Press etc.) and includes restored grassland habitat with Meadowlarks observed in citizen science e-bird reports. The City's Dingman Creek EA process is underway. An overarching concept of the EA is to create a naturalized corridor within South London as part of the stormwater management strategy. As such, the study includes looking at the option of creating a "complete corridor" to convey water, wildlife and people.</p>

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<p>RATIONALE</p> <p>Table D1 and Figure 5 and p. 25 - Eastern Meadowlark, adults and fledglings, in meadows on west side of site AND east side in City owned lands (although page 26 does not say so). This is a threatened species for which habitat compensation is required under Endangered Species Act.</p>	<p>Parsons Response: Agreed, and Parsons will revise the following statement about Eastern Meadowlark (last sentence) on page 26 "<i>The large cultural meadow community in the western portion of the Subject Lands (i.e., vegetation community ID#5) was determined to be breeding habitat for two indicator species: Savannah Sparrow and Grasshopper Sparrow. As such, this area is confirmed significant open country bird breeding habitat (Figure 9, Appendix A). This area is also confirmed breeding habitat for SAR, specifically Eastern Meadowlark (Figure 11, Appendix A).</i>"</p>

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	<p>Bolded text to be revised to:</p> <p>“Eastern Meadowlark has been confirmed in the meadow communities located at the west and eastern boundaries of the Subject Lands (Figure 10, Appendix A).”</p>
<p>The SLSR also identified savannah sparrows. Open Country Breeding Bird Habitat confirmed! This is very unusual in the city. What will be done to protect or compensate for the loss of over 30 ha of Significant Wildlife Habitat?</p>	<p>Parsons Response: Should portions of these lands be proposed for developed in the future, (noting it is primarily within the UTRCA Screening Area on Figure 6 in the SLSR) habitat compensation would be determined as part of a future required EIS (with standard invitation to EEPAC to attend the scoping meetings and provide comments on the EISs). No change to report.</p>
<p>OTHER. Recommendation #6 - The City should move to amend London Plan and existing OP now as recommended in the SLSR as shown in Figure 12, as well as put the “square” between WE-8 and WE-23 into Environmental Review, pending a decision on compensatory mitigation and wetland relocation.</p>	<p>Parsons Response: Agree in part as updating the London Plan, including Map 5 – Natural Heritage is a requirement of the Secondary Plan process. While the SLSR does identify and recommend that area for restoration on Figure 11, actively farmed agricultural lands are not mapped as Environmental Review as per London Plan policy_783. No change to report.</p>
<p>FUTURE ROAD WORKS R2, consultant notes possible connection for amphibians thru culvert. How will this be captured in future studies?</p>	<p>Parsons Response: Agreed, and Parsons will include a recommendation to Section 7 that states “Assess the need for wildlife ecopassages as part of detailed design.”</p>
<p>TEXT to be EDITED Crayfish are not insects as stated on page 15 at the top</p>	<p>Parsons Response: Agreed, crayfish are crustaceans; will revise paragraph to state that seven insects and one crustacean were documented (vs eight insects). Section 4.3.4 and Table F2 (Appendix F) headings for “insects” will be revised to “Invertebrates.”</p>
<p>5.4.2, page 22 "There were wetlands in the eastern portion of the Subject Lands property that had been filled in" (see Figure 8, Appendix A) Should this say western??</p>	<p>Parsons Response: Agreed, and this will be corrected to “western” on page 22. A search of the report did not find any additional errors related to this.</p>