

Sunningdale Road EA

Submitted by S. Levin and G. Vilk

The document provides a general direction for future EIS (page 19) in Section 3.2 (p. 20-2), 6.10.4 (page 68) and in Appendix C (which was based on one day of observations in August). However, section 3.2 is high level. Section 6.10.4 provides more detail but does not specify which geographic areas will require an EIS prior to detail design. Appendix C identifies terrestrial features (starting at page 7), but has little about birds, amphibians or any other wildlife (the work was done in one day in August 2009). Later the EA indicates a need to identify and protect nesting birds (with a 10 m (!) buffer (page 72) around any trees slated for removal until the young fledge.

We will list recommendations throughout this document. A summary of recommendations for inclusion in the future EIS is also shown at the end.

RECOMMENDATION – The EA add detail of which geographic areas that will require an EIS prior to detail design. Mapping should appear in the EA. As well, the EIS must follow the City’s requirements for the preparation of an EIS including bird, amphibian and other wildlife surveys. As this must be done before detail design, it is recommended that the City retain the consultant for the EIS, the cost of which should be charged to the road widening project budget.

There is very little information on mussels even though there was a requirement for mussels to be removed before and then replaced after the recent construction of the sanitary sewer (phase 2) some 50 to 100 m south of Sunningdale Road at the Creek (as per city staff member Ashley Rameloo during site visit with one of the authors of this EEPAC commentary).

RECOMMENDATION - AECOM should review the work done for the construction of the sanitary sewer and add to the EA, the need to identify mussel species (in particular rainbow and wavy ray) and the probable need to remove, protect, and return them to the Creek during the work done on bridge. The location, identification and protection of Federal SARA and provincial ESA species must be included in the EIS.

There are references in Appendix C to the Silver Shiner. This fish is currently being reviewed for listing as Threatened under the Federal SARA. As consultation is under way and will likely be completed prior to any construction:

RECOMMENDATION – the EA be updated to reflect the current work being done on the SARA status of the Silver Shiner. The EIS must include the location, identification and protection of the identified SARA and ESA listed fish species prior to construction impacting the Medway Creek and its tributaries. Consultation must take place with DFO and/or the UTRCA as appropriate for the protection of such species.

We note that the information provided on page 16 and 17 of Appendix C could be helpful in the preparation of Environmental Impact Studies.

RECOMMENDATION – The tables and methods shown on page 16 and 17 of Appendix C be reviewed by City Environment and Parks Planning staff for possible inclusion in the new EIS requirements’ Guideline currently in draft.

Bridge over the Medway and Compensation Measures

The EA aligns the new bridge south of the existing box culvert. It will also be wider and require fill. There is no clear information on how far south as Appendix I is missing from the material provided to EEPAC. While it is good to know that no new supports will be placed in the Creek, it is unclear where in the ESA any supports will be located. This will require compensation for loss of ESA.

(It is interesting to note that page 58 of the EA includes what the detail design should have “regard for,” but none of the items on the list include environmental impacts.)

There is a reference on page 19 of Appendix C to compensation. Also later in Section 7.2 (page 71, Impacts to Wetland) it recommends compensation in the ratio of 3:1 (without any detail as to what the one is – area? Plants? Animals?). It further says, ‘compensation plan must be established outlining the specific requirements. This document (ed: compensation plan?) must be consulted with the City and UTRCA prior to implementation.’ However, there is nothing on who would actually prepare the document.

RECOMMENDATION – compensation requirements and plan must be defined in the EIS that precedes detail design. Included in that work is the following:

- ***Who does the compensation***
- ***What is done as compensation***
- ***When the work will be done***
- ***Who pays for the compensation***

RECOMMENDATION – compensation must include the planting of native, non-invasive species that is appropriate for the Provincially Significant Wetland and for the floodplain area of the Medway Creek area.

Impacts to Natural Environment - Medway Creek and ESA, Arva Moraine Provincially Significant Wetland (PSW), Powell Drain

As the recommendation on alignment (page 51+) pre-determines where there will be impacts on the natural heritage system (including loss of features, edge effects, soil compaction, salt and sand runoff), an EIS will likely only determine mitigation and compensation, not avoidance. Hence, it is important to know these measures prior to detail design so that mitigation and compensation measures can be spelled out in detail including who does them, when they are done, and what they cost.

Page 71, Impacts to Watercourses, section 7.3 outlines what can happen during construction but includes nothing on post construction monitoring.

There is also discussion of possible dewatering needed during construction. There is nothing on where the water would go, and how quality, quantity and hydro-period would be respected.

While there is some discussion of the impacts on trees in the area, there is nothing in the report on post construction remediation such as ensuring re-planting with native, non-invasive species appropriate to the location (i.e. wetland species for the PSW)

RECOMMENDATION – the impacts of and mitigation/compensation for widening the road platform at the PSW and the ESA be required at part of the EIS prior to detail design.

RECOMMENDATION – a detailed recommendation on dewatering protocols be included in the EIS.

RECOMMENDATION – The EIS also include post construction monitoring requirements including what monitoring will be required, who will be responsible for the work, the duration of the monitoring and who will pay for it.

A 3 m wide multi use pathway is proposed for under the new bridge at the Creek. It is presumed that this would link to a proposed asphalt path of a narrower width that goes south from Sunningdale into the ESA. As this would encourage more bike traffic into an ESA, contrary to the Parks by Law:

RECOMMENDATION – The proposed multi-use pathway under the bridge be deleted as it has negative impacts on the ESA. The linkage to the north east should be located further east and away from the Creek and its tributaries. The preferred linkage heading directly southward would then tie into the present system through the residential streets in the subdivision immediately south of SWM 4.

Construction Impacts

Construction impacts include potential abandonment or relocation of watermain at Medway Creek (page 34), potential `difficult connections required` to SWM Ponds in Drainage Areas 2 (Creek), 3 (Creek Tributary) – see page 30, and to PSW in drainage Areas 6 to 8 (see page 34). Section 7.6 notes construction impacts and suggests consultation with the UTRCA (5th bullet, page 73)

RECOMMENDATION – consultation with the city`s Environment and Parks Planning staff and EEPAC should also be required.

The last bullet on page 73 mentions piles of fill at construction sites. While the minimum set back from watercourses of 30 m is important, “flashy” storm events can wash fill into watercourses or wetlands.

RECOMMENDATION – Over and above the minimum 30 m setback, any fill piles near watercourses or the PSW be covered and protected with double silt fencing when heavy storm events are forecasted. The intention is to further reduce the risk of silting since SARA and ESA species such as the Silver Shiner and Wavy Ray Mussel are present

RECOMMENDATION – Construction equipment should not be “marshalled” in the PSW or ESA.

At present, the Imperial Oil pipeline is not being used. This lowers the risk of any accidents during construction. Should the pipe be in use, additional caution is required to avoid any damage from spills.

RECOMMENDATION – The contractor consult with Imperial Oil to prepare an emergency response plan to a spill prior to construction near the pipeline.

Stormwater Management

In a number of places (page 4 of the Executive Summary), the EA notes interim stormwater management (discharge to Creek through oil – grit separators) may be required as SWM 4 is not yet in the detail design phase (page 33). The SWM noted as 4 in the EA is now built. There has also been recent SWM work in the Powell Drain.

RECOMMENDATION - the EA should be updated to reflect the current SWM works in place.

Interesting tidbits and unanswered questions

It is interesting to see that page 14 of Appendix C makes note of recent work (mid-year 2009) on the Axford/McCallum Drain (which the EA considers part of the ESA), north of Sunningdale Road on golf course land. The work included a rock berm which “*purposefully* (italics mine) prohibits upstream fish movement.” Isn’t this contrary to both city policy and the Fisheries Act?

A number of Appendices are missing from the document that EEPAC received, including Appendix I (bridge design).

SUMMARY OF RECOMMENDATIONS FOR EIS

**** The EIS must follow the City’s requirements for the preparation of an EIS including bird, amphibian and other wildlife surveys. As this must be done before detail design, it is recommended that the City retain the consultant for the EIS, the cost of which should be charged to the road widening project budget.***

**** The location, identification and protection of Federal SARA and provincial ESA species must be included in the EIS.***

**** The EIS must include the location, identification and protection of the identified SARA and ESA listed fish species prior to construction impacting the Medway Creek and its tributaries. Consultation must take place with DFO and/or the UTRCA as appropriate for the protection of such species.***

**** Compensation requirements and plan must be defined in the EIS that precedes detail design. Included in that work is the following:***

- ***Who does the compensation***
- ***What is done as compensation***
- ***When the work will be done***
- ***Who pays for the compensation***

** The impacts of and mitigation/compensation for widening the road platform at the PSW and the ESA be required at part of the EIS prior to detail design.*

** Detailed dewatering protocols be included in the EIS.*

** The EIS also include post construction monitoring requirements including what monitoring will be required, who will be responsible for the work, the duration of the monitoring and who will pay for it.*