

EEPAC Working Group Comments re: Windermere Rd EIS

EIS Received at the January 2022 EEPAC meeting

Comments Submitted February 10, 2022

Working Group Members: Ian Arturo, Susan Hall, Sandy Levin, Katrina Moser, Brendon Samuels

1. Point in text: Appendix table, Habitat Suitability Screening and Species Impact Assessment for SAR and SOCC Identified as Potentially Present in the Study Area, Birds, Barn Swallow

Comment: As identified, Barn Swallows may nest under the Richmond St Bridge. Cliff swallows historically also bred here. We disagree with the statement, “The Project Area does not impact the bridges, no impacts are anticipated) as loud noise associated with construction activities may negatively impact breeding success for SAR under the bridge, which is within the study area.

Recommendation: The breeding season for the Barn Swallow spans from May through July. The underside of the Richmond St Bridge should be surveyed regularly during this period for signs of Barn Swallow breeding activity (i.e., nests) especially prior to commencing construction activities that produce loud noise. If active nests are found, construction activities producing loud noise should be paused until nestlings have fledged (19-24 days after hatching).

2. Point in text: Page 6, methods, “not yet come into full force and effect”

Comment: The environmental policies and Map 5 for this area are already in full force and effect

3. Point in text: Pages 6-7, 3.1, 3.1.1

Comment: Why does this list not include data gathered for the BRT project?

4. Point in text: Page 8, 3.2.2

Comment: How will EEPAC comments be reviewed?

5. Point in text: Page 29, 4.2.5, re: Queensnake

Comment: Where Queensnake is noted (p. 7), the EIS be updated to reflect the finding of a Queensnake by a member of the public and confirmed by the SAR biologist at UTRCA in 2012/13 west of the Medway bridge near Corley Drive. This finding was also noted in the CMP Phase 1 document (Natural Heritage inventory by Dillion).

6. Point in text: Page 30, 4.2.6, Habitat for Species of Conservation Concern

Comment: Black Redhorse should be presumed present. “In the Medway creek between its mouth and Collip Circle, I have observed Black redhorse spawning in late April and early May. I have also observed the spawning of walleye, rainbow trout, greater redhorse, white sucker, and shorthead redhorse. I have also caught smallmouth bass in that stretch of river.” (personal communication with S. Levin with Christian Therrien, M.Sc., Ph.D. Student, Swanson & Neff labs, Department of Biology, University of Waterloo, C3therrien@uwaterloo.ca)

7. Point in text: Page 32, 4.2.8 Tributary to Medway Creek

Comment: What dissipation will be needed for the larger pipes? Particularly for this outlet? Please see detailed comments at the end of this document.

8. Point in text: Page 33, 4.2.8, Tallwood Valley Creek

Comment: Much more up to date data should be used in this section - it states that the data on fishing and mussels is from 1998 UTRCA data. EEPAC believes there is more recent data available. This should be confirmed with the UTRCA

9. Point in text: Page 34, 6.0, Active Transportation Improvements

Comment: This will have an indirect impact on SAR in the river. The bridge has increased the number of people in proximity to SAR turtles in the area (Scott Gillingwater, per comm). From the bridge crossing the Thames River at Ross Park, Katrina Moser (EEPAC) reports frequently observing spiny softshell turtles sunning themselves on a concrete pipe. Directly adjacent to the pipe she has also observed people fishing from shore posing a risk for the turtles. This connection will add to these threats to the turtles.

Recommendation: Increased education and signage to limit fishing near turtles. Perhaps similar to signage used in Killaly Woods after the osprey was killed in fishing line.

Recommendation: Consult with the Species at Risk biologist at the UTRCA to actively work to reduce risks to SAR turtles related to the indirect impacts of this and other recent city projects in the area. This may include planting of replacement trees in Ross Park rather than within the study area.

10. Comment: EEPAC agrees with the recommendation *"to introduce a variety of native vegetation species that are beneficial to wildlife such as nectar-bearing plants for pollinators; however, in this case, nut and berry producing species will be lower in quantity to avoid attracting wildlife to the wooded edge where there is more of a likelihood of vehicle/wildlife interaction."*

11. Comment: EEPAC agrees with the recommendation that *"any invasive species control be implemented at the transition zone between the active tree removal and the remaining forest to the extent possible. Invasive species management strategies should be included during the development of the detail design for the project, and should be based on best available science such as the Best Management Practices developed by the Ontario Invasive Plant Council."*

12. Point in text: Page 40, 7.4, 7.4.1.1

Comment: Work should be done by a biologist, not a contractor. There should also be training and photos in the construction trailer of species with a phone number to call if encountered. How else would they be notified to come and move wildlife?

13. Point in text: Page 40, 7.4.2

Comment: Will this be a requirement in the tender docs and detailed design?

14. Point in text: Page 41, 7.4.4

Comment: EEPAC supports the Salt Management Plan goals; however it notes that the City generally does not have site specific salt application plans for areas this small. EEPAC does

support that detail design include design approaches to reduce salt impacts, including site grading and use of vegetated swales within the right-of-way

15. Point in text: Page 42, 7.5, third paragraph, “*At detail design, the need for encroachment...*”

Comment: What about better than standard mitigation? What about Tallwood Creek which is presumed fish habitat?

16. Point in text: Page 43, 8.0, 8.1

Comment: There is an error here, “Reference source not found”

Comment: What about Tallwood? Tallwood Creek is largely missing from the engineering drawings shown in the EA. Is this an oversight?

Recommendation: Given Tallwood Creek is fish habitat and a more sensitive environmental feature, detail design should be closely reviewed to ensure a net benefit.

17. Point in text: Page 44, 8.3

Comment: Consultation with UTRCA during detailed design should be *required* given the presence of SAR. Current text says consultation is recommended, not required.

18. Point in text: Appendix Table, Habitat Suitability Screening and Species Impact Assessment for SAR and SOCC Identified as Potentially Present in the Study Area, Fish, Black Redhorse

Comment: Black Redhorse were seen spawning from the Western Road bridge by a former EEPAC member who is a PhD candidate in aquatic biology.

19. Point in text: Appendix Table, Habitat Suitability Screening and Species Impact Assessment for SAR and SOCC Identified as Potentially Present in the Study Area, Reptiles, Spiny Softshell

Comment: We anticipate there will be indirect impacts. Basking turtles on the Thames Valley Trail pathway leading south from Richmond Street. Turtles have been observed basking in the sun along this pathway. With increased accessibility to and therefore use of this portion of the path, a basking turtle is at increased risk of injury from bicyclists. Increased access to habitat and nesting locations has occurred since the city built the Ross Park bridge (per commu with Scott Gillingwater). Efforts to screen have been ignored by the city up to now.

Recommendation: City of London staff liaise with the UTRCA to develop ways to increase public awareness about the importance of protecting the turtles, such as installing signage for cyclists and pedestrians.

20. Point in text: Mitigation Measures slide, Vegetation Mitigation

Recommendation: To ensure there is no increase in sediment inputs to any of the three water courses, additional ESC measures are needed during the project. Standard ESC measures seemed not to work during the sidewalk installation on the south side of Windemere east of Richmond.

Recommendation: In addition to the mitigation measures outlined on p. 38, p.42 recommend water quality testing to measure turbidity changes.

21. Comment re: Infrastructure Replacement. Improvements will include various storm sewer, sanitary sewer and force main replacements of the existing infrastructure within the municipal ROW. p.35

Recommendation: Assess diameter of stormwater pipes for possible slope instability and erosion at their outlet.

22. Comment: EEPAC recommends that the proposed Municipal Class EA for Windermere Road Improvement incorporates all applicable design, construction and maintenance mitigation/remediation measures required given the existing and post construction conditions.

These should include:

- Storm/drainage minor/major peak flows discharges;
- Storm/drainage outlet locations and its hydraulic conditions;
- Erosion/slope stability protection and energy dissipation systems;
- Erosion sediment control plan and measures

All of the above-noted requirements are necessary to eliminate or minimize potential adverse impacts on erosion control, slope stability and erosion sediment control of watercourses/tributaries, and associated unevaluated wetlands related to Tallwood Creek, east of Richmond.

23. Comment: Given the magnitude and duration of the project and extent of the proposed improvements, EEPAC recommends that the proposed Municipal Class EA for Windermere Road Improvement work be required to include, but not be limited to:

1. mitigation measures to address and eliminate the existing erosion and slope stability deficiencies associated with the storm/drainage discharges from the subject project catchment areas;
2. mitigation measures to address storm drainage storages and/or energy dissipation measures/systems to minimize and/or eliminate adverse effects of additional (post-construction) storm/drainage surface peak flows discharges, which are outletting into the receiving water resources system due to increases in peak flows and velocities (energy of discharges) that may adversely affect the existing erosion slope stability conditions; and
3. erosion sediment control plan and measures together with the water quality monitoring program spanning pre-construction and during construction activities, aiming to minimize impacts of sediment on fish and fish habitat, and the risk of sediment being conveyed to Medway Creek, the Thames and their tributaries.