

August 20, 2013

Amanda McCloskey  
District Planner Aylmer District  
Ministry of Natural Resources  
615 John Street North  
Aylmer, Ontario  
N5H 2S8

Dear Ms. McCloskey:

**Project No: 60302651**

**Regarding: Evaluation of Wetland Communities within Patch 10102**

The following letter is provided in response to the Ministry of Natural Resources (MNR) comments received via email correspondence from yourself on August 19<sup>th</sup>, 2013. Your correspondence provided comments regarding our submission, dated July 29, 2013, of a wetland evaluation for wetland communities found within Vegetation Patch No. 10102 located southeast of Highway 401, west of Wellington Road South and north of Dingman Drive in the City of London.

Our response is provided below. MNR comments are in italics with our corresponding response in regular font.

1. *"Inadequate information was provided to MNR to approve the wetland data/boundaries as it stands currently.*
  - *For example there was no community data provided to confirm wetland species and soils information (page 4 of 48) as well as an overall vascular plant inventory (page 32 of 48).*
  - *A sub-water catchment map was also not provided."*

The additional information referred to is provided in Attachments 'A' (a plant list of species observed and soils information) and 'B' (a sub-watershed catchment map) of this letter. This additional information in no way alters the evaluation or our conclusions regarding the significance.

2. *"The digital wetland evaluation template/ scoring used is out of date. Please refer to the updated manual for the new scoring system. The new OWES manual can be accessed at the following* link:  
[http://www.mnr.gov.on.ca/en/Business/Biodiversity/2ColumnSubPage/STDPROD\\_068974.html](http://www.mnr.gov.on.ca/en/Business/Biodiversity/2ColumnSubPage/STDPROD_068974.html) *"*

The evaluation we conducted for the wetland communities in Patch 10102 was conducted in accordance with the up-dated 2013 OWES protocols. The link above does not provide a digital

version of the score sheets. Consequently, to ensure that our evaluation reflected the updates from the 2013 OWES manual, the excel spreadsheet that we currently have and have used in the past for wetland evaluations submitted to the Aylmer District office, was cross-referenced and modified to include up-dates. It would be appreciated, that a digital copy of the wetland evaluation score sheets be sent to us, if available.

3. *“Wetland communities were provided for only a portion of the woodland (page 48 of 48). The woodlot to the south which appears to have un-evaluated wetlands was not considered at all. MNR recommends the entire feature is considered.”*

The whole of Patch 10102 was considered during the evaluation exercise. The woodland features to the south contain soils and plant species associations typical of upland environments, so it was not included as part of the wetland evaluation. More detail with regards to these conditions can be provided if required. As a note, AECOM conducted the wetland evaluation including those communities referred and the results indicated a non-significant wetland scoring.

4. *“MNR recommends the sub-watershed is considered in this wetland evaluation.
  - a) *When two or more wetlands are separated by less than 750m of a non-wetland area and are functionally linked, the wetland units can be considered for inclusion as part of a wetland complex. Functional linkages include surface water and ground water connections.”**

It is understood that “not all wetlands that occur in close proximity should be considered as a complex and that wetland complexes are commonly related in a functional way where they tend to have similar or complementary biological, social and/or hydrological functions” (MNR OWES Manual Southern Edition, 2013). The wetland communities located within Patch 10102 are not hydrologically connected to other wetland communities within the 750 m setback. We have considered this wetland system overall as palustrine, however within the site is an isolated system as water inputs are from overland flow and outputs are to an engineered pond directly adjacent to the west of Patch 10102.

- b) *“The attached map identifies unevaluated potential wetlands within a single watershed (i.e. linked through ground water connections).”*

We have reviewed the map entitled “Pen Equity Identified Wetland Complex”. We disagree with the content of this map and question the source of the information used to identify a wetland complex for the “PenEquity Wetland”. A vast majority of the patches identified do not contain wetland communities. Furthermore, this map does not reflect the unevaluated wetlands identified and delineated on The City of London’s Official Plan Schedule B-1.

- c) *“Several of the unevaluated potential wetland units also occur within 750m of the Regina Mundi Kirk Cousins (UT 6) PSW.”*

We disagree with the assertion that the wetland communities in Patch 10102 are part of a complex of the Regina Mundi Kirk Cousins Provincially Significant Wetland (PSW) for the following reasons: 1) the Regina Mundi Kirk Cousins Provincially Significant Wetland (PSW) and Patch 10102 are not functionally linked by either surface water or ground water connections, 2) the Regina Mundi Kirk Cousins Provincially Significant Wetland (PSW) is situated within another subwatershed, 3) the Regina Mundi Kirk Cousins Provincially Significant Wetland (PSW) is greater than 2 km from Patch

10102, 4) to our knowledge, the unevaluated wetland patches between the Regina Mundi Kirk Cousins Provincially Significant Wetland (PSW) and Patch 10102 have not been evaluated .

d) *"If the greater sub-watershed unevaluated potential wetlands were considered under OWES these would likely all be included in one wetland complex."*

The wetland communities within the Patch 10102 are not hydrologically connected via surface water to any other wetland system within the watershed. Water inputs to the patch are via precipitation and overland flow and the patch outlets to an adjacent engineered pond. No surface water connection exists between the pond and Dingman Creek.

5. *"MNR does not support the conclusions made that this wetland is "non-provincially significant".*

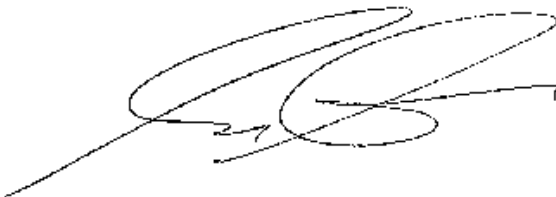
We disagree based on the fact that a comprehensive evaluation was completed and the resulting score clearly indicated a non-significant wetland. We see no rationale for concluding otherwise.

*If you intend to provide additional information to MNR to address the comments provided above, the MNR recommends we have a discussion prior to resubmitting a wetland evaluation for the PenEquity Property. During those discussions MNR can provide more detailed comments on the wetland evaluation submitted as well as more guidance with respect to acquiring or inputting information/data collected into a current 2013 wetland evaluation template to bring file to current OWES standards. Until such time that a complete wetland evaluation is provided to MNR to review and if appropriate approve, the MNR recommends this wetland is treated as provincially significant.*

We disagree with treating the wetland as Provincially Significant during the process of evaluation and subsequent review by MNR. We know of no precedence for undertaking such an approach. Furthermore, we know of no policy or guideline that directs the treatment of unevaluated wetlands as Provincially Significant.

We would be please to meet with you to clarify any outstanding concerns and to resolve this matter at your earliest convenience.

Sincerely,  
**AECOM Canada Ltd.**



Gary A. Epp, M.Sc., Ph.D.  
Director of Ecology, Environment

GE:ge.  
Encl

cc: Leger Xavier PenEquity  
Calvin McCourt PenEquity

## **Attachment 'A'**

### Plant Species List and Soils

| BOTANICAL NAME        |                                     | COMMON NAME                      | COEFFICIENT OF CONSERVATISM | WETNESS INDEX | WEEEDNESS INDEX | PROVINCIAL STATUS | OMNR STATUS | COSEWIC STATUS | GLOBAL STATUS | LOCAL STATUS MIDD | heM1 - emergent meadow marsh | 4S1 - swamp thicket | 4S2a - deciduous swamp |
|-----------------------|-------------------------------------|----------------------------------|-----------------------------|---------------|-----------------|-------------------|-------------|----------------|---------------|-------------------|------------------------------|---------------------|------------------------|
|                       | SOURCE                              |                                  | OLDHAM ET AL                | OLDHAM ET AL  | OLDHAM ET AL    | NEWMASTE R        |             |                | NEWMASTER     | AM 1993           |                              |                     |                        |
| <b>Aceraceae</b>      |                                     | <b>Maple Family</b>              |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Acer</i>           | <i>saccharinum</i>                  | Silver Maple                     | 5                           | -3            |                 | S5                |             |                | G5            | C                 |                              |                     | ✓                      |
| <i>Acer X</i>         | <i>freemanii</i>                    | Freeman's Maple                  |                             |               |                 |                   |             |                |               |                   |                              |                     | ✓                      |
| <b>Anacardiaceae</b>  |                                     | <b>Sumac or Cashew Family</b>    |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Toxicodendron</i>  | <i>radicans ssp. negundo</i>        | Poison-ivy                       | 5                           | -1            |                 | S5                |             |                | G5T           | X                 | ✓                            |                     |                        |
| <b>Apiaceae</b>       |                                     | <b>Carrot or Parsley Family</b>  |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Daucus</i>         | <i>carota</i>                       | Wild Carrot                      |                             | 5             | -2              | SE5               |             |                | G?            | IC                |                              | ✓                   |                        |
| <b>Asteraceae</b>     |                                     | <b>Composite or Aster Family</b> |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Leucanthemum</i>   | <i>vulgare</i>                      | Ox-eye Daisy                     |                             | 5             | -1              | SE5               |             |                | G?            |                   | ✓                            |                     |                        |
| <b>Caprifoliaceae</b> |                                     | <b>Honeysuckle Family</b>        |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Lonicera</i>       | <i>tatarica</i>                     | Tartarian Honeysuckle            |                             | 3             | -3              | SE5               |             |                | G?            | I                 |                              | ✓                   |                        |
| <i>Viburnum</i>       | <i>lentago</i>                      | Nannyberry                       | 4                           | -1            |                 | S5                |             |                | G5            | C                 |                              | ✓                   |                        |
| <b>Cornaceae</b>      |                                     | <b>Dogwood Family</b>            |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Cornus</i>         | <i>racemosa</i>                     | Red Panicle Dogwood/Gray dogwood | 2                           | -2            |                 | S5                |             |                | G5?           | X                 | ✓                            | ✓                   |                        |
| <b>Fabaceae</b>       |                                     | <b>Pea Family</b>                |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Vicia</i>          | <i>cracca</i>                       | Tufted Vetch                     |                             | 5             | -1              | SE5               |             |                | G?            | I                 |                              | ✓                   |                        |
| <b>Lamiaceae</b>      |                                     | <b>Mint Family</b>               |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Lycopus</i>        | <i>americanus</i>                   | Cut-leaved Water-horehound       | 4                           | -5            |                 | S5                |             |                | G5            | C                 | ✓                            |                     |                        |
| <b>Oleaceae</b>       |                                     | <b>Olive Family</b>              |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Fraxinus</i>       | <i>nigra</i>                        | Black Ash                        | 7                           | -4            |                 | S5                |             |                | G5            | X                 |                              |                     | ✓                      |
| <b>Oxalidaceae</b>    |                                     | <b>Wood Sorrel Family</b>        |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Oxalis</i>         | <i>stricta</i>                      | Upright Yellow Wood-sorrel       | 0                           | 3             |                 | S5                |             |                | G5            | X                 | ✓                            |                     |                        |
| <b>Rhamnaceae</b>     |                                     | <b>Buckthorn Family</b>          |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Rhamnus</i>        | <i>cathartica</i>                   | Common Buckthorn                 |                             | 3             | -3              | SE5               |             |                | G?            | IC                |                              | ✓                   |                        |
| <i>Frangula</i>       | <i>alnus</i>                        | Glossy Buckthorn                 |                             | -1            | -3              | SE5               |             |                | G?            | IU                | ✓                            | ✓                   |                        |
| <b>Rosaceae</b>       |                                     | <b>Rose Family</b>               |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Crataegus</i>      | <i>mollis</i>                       | Downy Thorn                      | 4                           | -2            |                 | S5                |             |                | G5            | X                 |                              | ✓                   |                        |
| <i>Fragaria</i>       | <i>virginiana</i>                   | Virginia Strawberry              | 2                           | 1             |                 | SU                |             |                | G5T?          | C                 |                              | ✓                   |                        |
| <i>Malus</i>          | <i>pumila</i>                       | Common Crabapple                 |                             | 5             | -1              | SE5               |             |                | G5            | I                 |                              |                     |                        |
| <i>Potentilla</i>     | <i>norvegica ssp. monspeliensis</i> | Rough Cinquefoil                 | 0                           | 0             |                 | SU                |             |                | G5T?          |                   |                              | ✓                   |                        |
| <b>Vitaceae</b>       |                                     | <b>Grape Family</b>              |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Vitis</i>          | <i>riparia</i>                      | Riverbank Grape                  | 0                           | -2            |                 | S5                |             |                | G5            | C                 | ✓                            |                     |                        |
| <b>Cyperaceae</b>     |                                     | <b>Sedge Family</b>              |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Carex</i>          | <i>bebbii</i>                       | Bebb's Sedge                     | 3                           | -5            |                 | S5                |             |                | G5            | C                 | ✓                            | ✓                   |                        |
| <i>Carex</i>          | <i>lacustris</i>                    | Lake-bank Sedge                  | 5                           | -5            |                 | S5                |             |                | G5            | C                 |                              |                     | ✓                      |
| <i>Carex</i>          | <i>vulpinoidea</i>                  | Fox Sedge                        | 3                           | -5            |                 | S5                |             |                | G5            | C                 | ✓                            |                     |                        |
| <b>Juncaceae</b>      |                                     | <b>Rush Family</b>               |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Juncus</i>         | <i>canadensis</i>                   | Canada Rush                      | 6                           | -5            |                 | S5                |             |                | G5            | X                 | ✓                            |                     |                        |
| <b>Poaceae</b>        |                                     | <b>Grass Family</b>              |                             |               |                 |                   |             |                |               |                   |                              |                     |                        |
| <i>Sorghum</i>        | <i>halapense</i>                    | Johnson Grass                    |                             | 3             | -1              | SE2               |             |                | G?            | I                 |                              | ✓                   |                        |

|             |  |
|-------------|--|
| COMMON NAME |  |
|-------------|--|

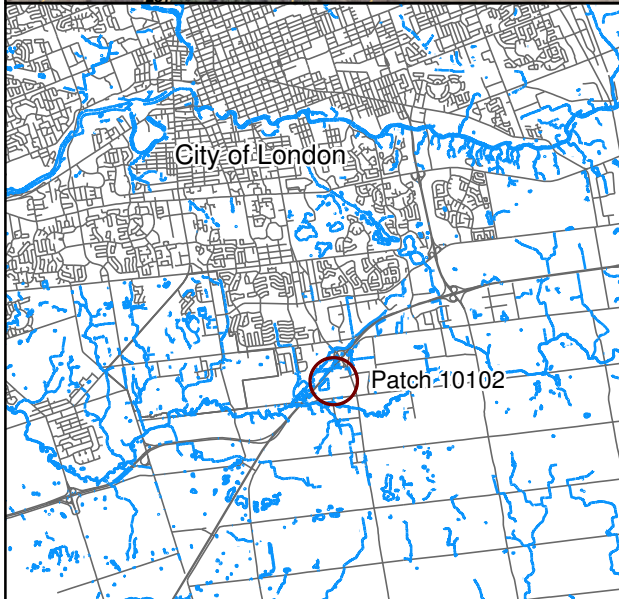
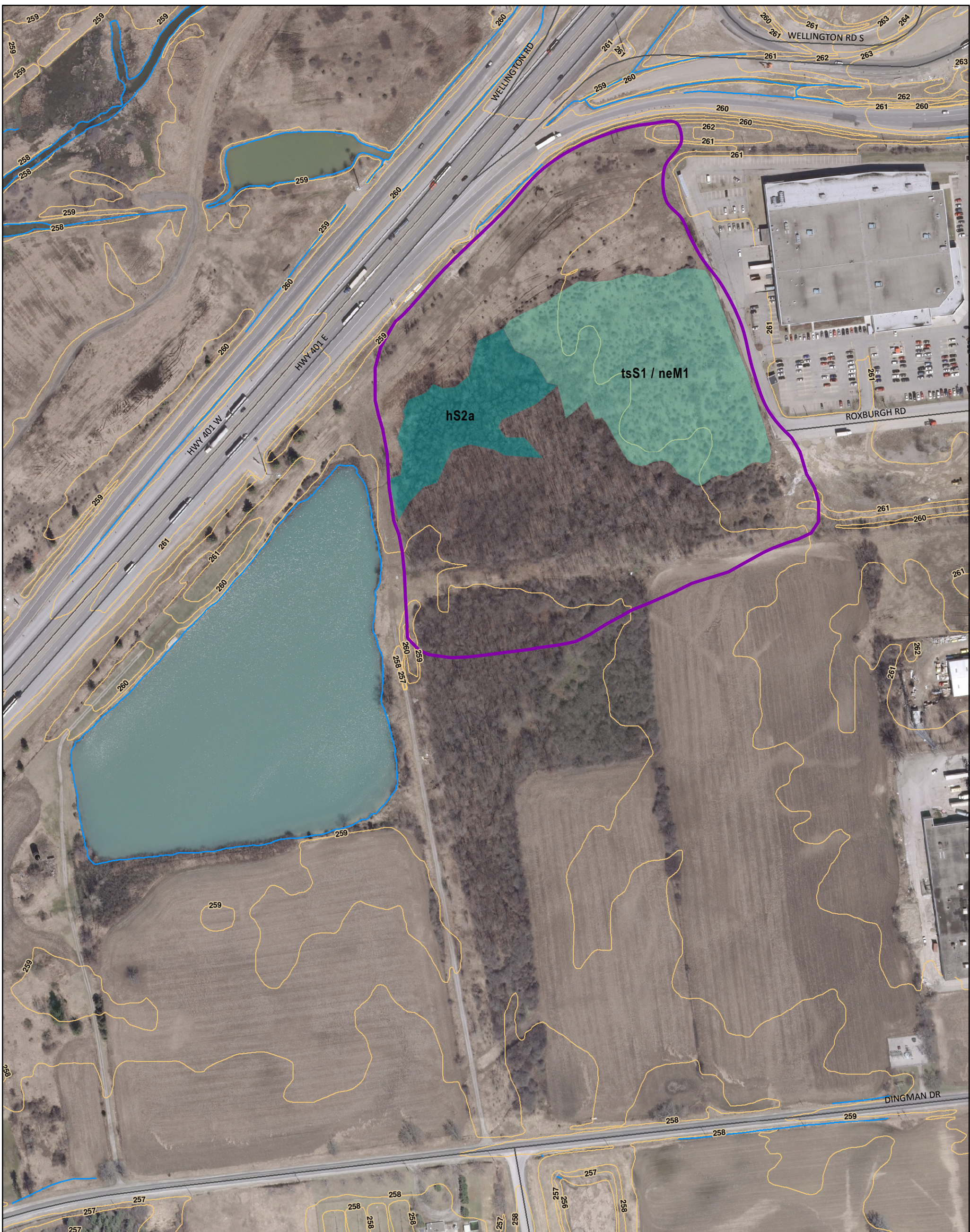
### hS2a - deciduous sw

## hS2a

evidence of water

**Attachment B**  
Sub-catchment Map





### Legend

-  Rivers  
 Roads  
 hS2a  
 neM1 / tsS1  
 Wetland Catchment Area

| Name | Description |
|------|-------------|
| neM1 | ne*, m      |
| tsS1 | ts*, gc     |
| hS2a | h*          |
| hS2b | h*, ts, gc  |



## Pen Equity Subject Lands Status Report

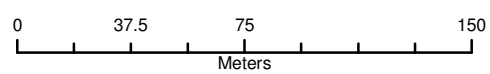
### Wetland Evaluation Map

## Ecological Land Communities within Patch 10102

August  
2013

1:2,500

Datum: NAD 83, Zone 17  
Source: City of London



### Figure 1

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