



Niblett Environmental Associates Inc.
Biological Consultants

August 8, 2014

PN 13-089

Mr. Murray Davenport, P. Eng.
M.J. DAVENPORT & ASSOCIATES LTD.
169 Lansdowne St. East, Suite 101
Peterborough, ON K9J 7P7

Subject:

**Kennedy Drive development
Lot 14, Concession XIII
Cavan Township
Twp. of Cavan-Monaghan**

Species at Risk Assessment-addendum

Dear Mr. Davenport:

Niblett Environmental Associates Inc. (NEA) was retained by M.J. Davenport & Associates Limited to complete a biological inventory of a property located in the Township of Cavan-Monaghan, described as Part of Lot 14, Concession 13, for Species at Risk that may be found within the project area (Kennedy Drive area, Mount Pleasant).

A Species At Risk Assessment was completed and submitted by NEA on November 11, 2013 based on fall field surveys. The conclusion of that report was:

There is potentially suitable habitat for the eastern meadowlark and limited habitat for the milksnake on the subject property. No additional rare species were observed during our surveys. As initial field visits were conducted late in the season, further surveys will be required to complete an impact analysis for these species and the proposed works.

In-season surveys were conducted on the entire property using the MNR protocols for Eastern Meadowlark surveys on several dates in the peak breeding season (May-June, 2014). One pair of meadowlarks was confirmed in the field at the south end of the property and partially within Lot 3 on the updated draft plan of subdivision.

As such, the regulations under the Endangered Species Act and specifically Regulation 242/08 apply. This is a standardized process with MNR to document the record and submit the appropriate forms to lead to a permit. Options have been explored to avoid impacting habitat and creating appropriate compensation.

Details will be provided to MNR Peterborough District Biologists to address the eastern meadowlark habitat and to seek a permit under the ESA.

Milk snakes were not observed during the additional surveys. As this species is listed as Special Concern, it is not covered under the ESA. Typical mitigation measures to prevent harm to any snakes that may be found during the construction phase, it to leave the snake alone, relocate or contact MNR for advice. Stone piles outside the development area that may serve as habitat will be retained and others in the development envelope will be relocated to those same areas.

It is our recommendation that this ESA process for meadowlark habitat can occur at the same time as the subdivision application is being reviewed or as a condition of draft approval. The County will be kept up to date on the ESA permit process with MNR.

If you require further details on my findings or recommendations, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Ellingwood". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Chris Ellingwood
President and Sr. Terrestrial and Wetland Biologist