Mr. Holden Rhodes & Ownership Team

Rosseau Springs Limited

June 13, 2025

Subject: Peer Review Response – FRi's Response to the Peer Review of the Rosseau Springs Environmental Impact Study, Conservation Design Subdivision, Rosseau, Township of Seguin, January 2025

Mr. Rhodes & Ownership Team:

Please find attached FRi Ecological Services' response to a May 23, 2025 peer review of the above-noted environmental impact study (EIS). The response includes a standalone document which reproduces the numbering system from the review to facilitate ease of reading. The environmental impact study has also been revised to reflect the comments which have been addressed in the review document.

The revised EIS includes a 'revised June 2025' label to reflect the changes made because of the peer review process.

I trust the peer review has been appropriately addressed and look forward to the next phase of this conservation design project.

Respectfully,

R Geauvreau

Rebecca Geauvreau

Biologist, FRi Ecological Services

Peer Review Response June 13, 2025 – Rosseau Springs

The following is FRi's response to the peer review by Beacon Environmental, dated May 23, 2025. The following responses first note the Beacon comment, which is *italicized* and then provide the associated response. The same number/letter formatting was used to mirror the peer review for ease of reference.

1. *Methodology*
   a) *Field data cited in the report is from 2021 and 2022. Given the size and complexity of the study area, it is suggested that field investigations are updated to provide current information, particularly where potentially regulated species could occur.*

FRi response:

The field investigations in 2021 and 2022 were comprehensive and while the subject property is large, it is not particularly complex. The approach to identify unique habitat features and set these aside from the development area greatly reduces the 'complexity' of the areas that will be subject to small-scale development. Most of the area which will be subject to limited development is represented by mature, hardwood forest.

There are no regulated species or habitat under the *Endangered Species Act* on the subject property. There is similarly, no other 'regulated' species on or near the property under other relevant legislation.

Comment appropriately addressed.

   b) *Appendix E does not indicate effort for each survey. Understanding that surveys are often completed concurrently, the effort for each targeted survey should be more clearly indicated. Beacon recommends the preparation of a table outlining the chronological field surveys that have been completed so the amount of effort devoted to each taxonomical group is clear.*

FRi response:

Appendix E has been updated to reflect the effort for each targeted survey including a table outlining the field surveys and effort by taxonomical group. An overview map for the 2021 survey year was produced with more detailed maps showing the approximate areas covered during the respective visits along with a table describing the survey efforts for each date. These survey dates and mapping demonstrate how the entire property was surveyed and in many cases resurveyed during the fall of 2021 to provide a comprehensive habitat-based approach to support the conservation design approach to development. Following this work in 2021, a Natural Environment Constraint map series was produced and this was used to guide the siting and sizing of proposed lots for development. This was the basis for field work completed in 2022 and while the entire property was visited, locations with the potential to provide specialized features or habitat were the focus of the field work.

Comment appropriately addressed.

c) *A clearly outlined methodology section is not included in the report. Beacon recommends the preparation of a clear methodology section on the protocols implemented for each taxonomical survey completed. This methods section should be separate from the introduction of any field findings or analysis.*

FRi Response:

The methodologies and approaches used at the Rosseau Springs property were detailed in the EIS. Pages 15 through 20 provide a step-wise, detailed description of the conservation design approach and how it was applied to this property and the proposed development. Appendix B includes comprehensive ecosite-based natural heritage constraint mapping and associated primary and secondary conservation areas. Each natural heritage category – these categories mirror both the Township's Official Plan and the Provincial Planning Statement (2024), are clearly described and arranged in a logical order which follows that which is found in the relevant planning and policy documents.

Where species-specific surveys were undertaken, they are detailed and referenced under each natural heritage category in the report. For example, snake surveys for both Massasauga and Eastern hog-nosed snakes (at risk species) were completed following the '*Survey Protocol for Ontario's Species at Risk Snakes, 2016*'. This document and others are referenced in the respective sections and if the reviewer or other reader needs additional information on the survey methodology, please refer to the referenced documents. Where they are referenced as being followed, FRi followed the methodologies described therein.

The Environmental Impact Study report includes headings and subheadings and the author took care to provide a useable navigation pane in which the reader can quickly and easily move between sections of the report. I would encourage the reader or reviewer to take advantage of this navigation pane.

Lastly, the peer reviewers comment to have a separate 'methodology' section is simply a matter of style difference. This is not a requirement of an EIS in Seguin Township. Pages 45 through 47 of the EIS detail Seguin's environmental impact study framework and provides details on how the report meets the Township requirements as well as a hyperlinked section so the reader can quickly reference the sections which address the Township's EIS framework.

Comment appropriately addressed.

d) *It is unclear if breeding bird surveys were completed. Appendix E notes avian surveys, however as noted above, the methodologies are not described in adequate detail. Beacon recommends early morning roving surveys be completed throughout the subject property to assess the avian communities, including regulated species such as Red-headed Woodpecker and others to expand the discussion of Significant Wildlife Habitat and policy conformity.*

FRi Response:

Specific breeding bird surveys following a protocol were not completed. Rather, FRi relied on roving surveys during the in-person field visits from May through August (152 in-person hours) and passive acoustic recorders which were deployed as detailed on pages 55 – 62 which shows the locations and photographs of the surrounding area.

The recorders that were deployed were Wildlife Acoustics Song Meter Mini Bat with an acoustic microphone attachment. FRi has proprietary recording schedules which allow for both bat (ultrasonic) and bird (acoustic) monitoring with the same unit. The schedule alternates between acoustic and ultrasonic detection based on the time of day and anticipated species present/targeted. For example, to reliably detect calling nightjars and bats, the recorders must alternate between acoustic and ultrasonic monitoring during the night.

The deployment locations are detailed on pages 55 – 62 and the resulting monitoring resulted in 149 monitoring nights with approximately 9 – 10 hours of each 24 hour period dedicated to recording acoustic species e.g. avian and amphibians. These recordings were analyzed using Wildlife Acoustics software (Kaleidoscope, SongScope) and a subsample ~50% were verified by an experienced avian biologist. Spectrograms were also analyzed as part of the biologist-verified data.

The list of species detected in Appendix F includes the species heard or observed in-person as well as those detected on the acoustic recordings.

Comment addressed.

e) *It is unclear whether amphibian call surveys were completed. Amphibian surveys should be conducted, including three evening surveys using the Marsh Monitoring Protocol (MMP) on wetlands within the subject property, as well as salamander egg mass surveys within vernal pools.*

FRi Response:

Amphibian call surveys, specifically in-person surveys, were not completed. There is no need for amphibian surveys given the thorough coverage using the passive acoustic recorders and in-person searches of every single wetland area including ‘vernal pools’.

As noted above, the acoustic recorders were deployed from early May through June which captures a portion of the amphibian breeding and calling season and the egg mass searches were completed as noted in the EIS, Appendix E. Pages 83 – 85 of the EIS detail how amphibian breeding habitat was addressed as significant wildlife habitat, and despite confirming amphibian eggs in only two (2) of the twenty-one (21) wetland areas, every single wetland was at minimum assumed to provide suitable breeding habitat for amphibians and was protected accordingly. Wetland setbacks of 30 metres and in some instances 15 metres are recommended – see the Wetlands section of the report, pages 96 and 97 as well as Appendix B and finally the wetland ecosites detailed in pages 33 – 39 provide additional information.

It is FRi's opinion that since all confirmed and suitable (not confirmed) amphibian breeding habitat, and the movement corridors between these features are protected and set aside from development, there is no need for in-person evening amphibian surveys. Note the Marsh Monitoring Protocol (MMP) was implemented more than 30 years ago as a citizen science project and while valuable, technological advances like acoustic monitoring equipment and data analysis, have replaced the need for the limited, point-count information that three evening surveys would provide.

To reiterate, all confirmed and potential amphibian breeding habitat and adjacent areas are set aside from the development area. They were identified as primary and secondary conservation areas before the proposed lot layout was imagined; therefore, there is no need for additional information on amphibian breeding as it will not result in changes to how the confirmed and potential breeding habitat is protected.

Comment addressed.

f) *It is unclear if aquatic habitat assessments were done and how the thermal and flow regime of the watercourses and streams on the subject property were determined. Please clarify and provide a discussion of thermal and flow regime of the watercourses.*

FRi Response:

The watercourses were assessed, mapped and described following '*The Stream Permanency Handbook for South-Central Ontario'*, Ministry of Natural Resources, 2nd edition, 2013. The representative photographs included in the report can be referenced to confirm the assessment. Pages 103 – 117 detail the field investigations, the path and type of stream encountered.

Stream temperatures, where water was present during the summer months were consistent with the daytime air temperature suggesting a warm or cool thermal regime. The permanent stream where it originates in the G224Tl wetland and then flows through a shaded G025 hemlock forest stays cooler than air temperatures at the northern most end, but as it flows through the maple hardwood bush under Maplehurst Road and through a series of culverts to Lake Rosseau, it warms up, with average temperatures reflecting daytime air temperatures. Regardless, there were no instances of upwellings or other very cold ground water – e.g. 5 – 7°C despite air temperatures in the 20+°C range.

Comment addressed.

g) *Table 3 (Environmental Conditions During Snake Surveys, 2022) does not include the survey time and duration. Beacon recommends the EIS be revised to include this information and to convey the effort dedicated to snake surveys.*

FRi Response:

The snake surveys were completed in the mornings and into the early afternoon; sometimes later in the afternoon if mid-day daytime temperatures put the survey conditions out of the

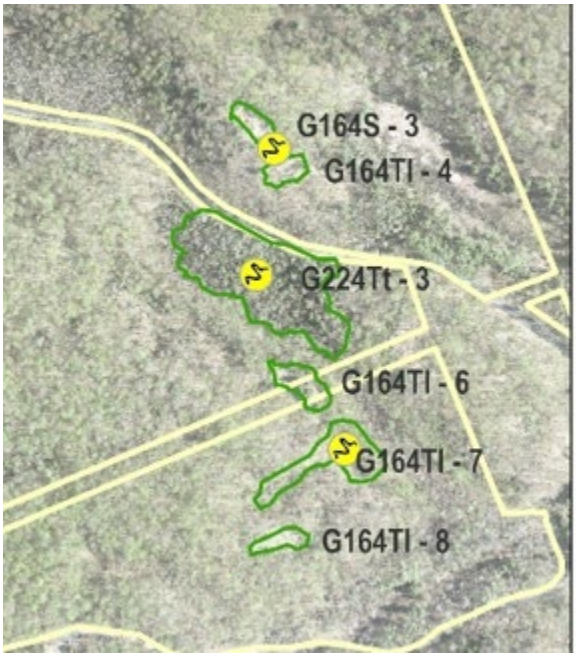
recommended range e.g. too hot. Appendix E has been revised to include effort expressed as hours for each of the 10 snake surveys.

Comment addressed.

h) *Figure 99 (Snake Survey Locations) depicts 7 snake survey stations; however, 10 station are noted within the report and Table 3. Please clarify this discrepancy. It also appears the large rock barren in the northeastern portion of the subject property was not included as a survey station. All rock barrens should be visited for reptile surveys to appropriately understand potential impacts*.

FRi Response:

There were 10 individual rock barrens and rock barren ecoelements surveyed; note the overview map included a label for two station locations that were actually overlapping two rock barrens and three rock barrens respectively. Note that both G164S-3 and G164Tl-4 were surveyed (2 stations) as were G164Tl-6, G164Tl-7 and G164Tl-8 (3 stations). With the other identified stations, the total number of stations is 10.



The rock barren in question (G164Tt-5) was identified as rock barren based on the presence of bedrock (smooth) at the surface and abundant juniper in the understory. Field notes say the following 'seems to be the result of anthropogenic historic activities, not the same qualities or value as the other rock barren areas, bedrock at surface and scattered juniper, along with other 'rock barren' qualifiers; odd spot.'

Page 35 of 43, Appendix B of the EIS shows the rock barren and representative photos of the same. Based on FRi's extensive experience surveying for snakes, the G164Tt-5 rock barren lacked suitable microhabitat to support activities like gestation or thermoregulation. It was assessed as not

offering suitable microhabitat for gestation or thermoregulation in the spring of 2022 to support surveys e.g. no different than the surrounding forested habitat, and therefore, no specific surveys were undertaken at this site.

The G164Tt-5 ecosite measures just over 1ha and meets the criteria for significance to be considered 'significant wildlife habitat'. Ironically, and the report notes this, the rock barren is likely a result of historic farming activities as evidenced by the aerial photos (1927 – 1951). A 15 metre no development setback is recommended for the G164Tt-5 rock barren regardless of species use. Note that the existing Summit Drive (cottage access) and an existing road/trail are present within the recommended setback. Upgrades and ongoing maintenance to both Summit Drive and the proposed road to access lots 43 – 47 will continue, otherwise, no new development is recommended within the setback or the feature itself.

Comment addressed.

i) *It is unclear how current the background information is such as iNaturalist or e-Bird records. Please include the dates the most recent background sources were accessed and revise the search to include current records if appropriate.*

FRi Response:

There are always periods of time between an environmental impact study field work and reporting and the subsequent peer review process if one is required. The background information contained in this report includes searches of both iNaturalist and eBird, both of which were last reviewed in November and December 2022 for the first iteration of the report. Following that and the release of an earlier iteration of this report to the North Rosseau Lake Association, an unsolicited review pointed out that Eastern Whip-poor-will were detected on the property in May 2023. As the report explains on page 74 and 75, FRi would have had no way of knowing of a future 'candidate' element occurrence. The same applies to any other species that may have been observed since the original field investigations.

The subject property has remained largely unchanged since the 2022 field investigations. Since there has been no change in the available type and size of habitat on the property, it stands to reason that there would not likely be different or new species using the habitat after 2022.

In addition, while iNaturalist and e-Bird are valuable citizen science tools, they are not to be relied on in the absence of both context and in-person knowledge and information about a property. When a project is not supported by a neighbourhood, sightings of rare species sometimes show up on citizen science platforms like iNaturalist. This could be a coincidence, but it is also possible that these reported 'sightings' are malicious and intended to derail or otherwise delay a project.

FRi reviews sources like iNaturalist but are cautious about how much weight these observations are afforded given the lack of rigor that other sources e.g. NatureServe have and enforce.

Comment addressed.

2. *Findings*
   a) *The size and resolution of the graphics provided throughout the report are difficult to interpret given the size and complexity of the subject property. Beacon recommends that a revised report include figures on aerial orthoimagery at an appropriate scale and resolution. Scale bars should be included for ease of reference and the authors should explore graphically separating portions of the property into quadrants so visual detail is not lost as is at the present scale.*

FRi Response:

FRi acknowledges that it is difficult for large properties to provide a level of detail while maintaining perspective for some mapping products. The map background layer, whether topographical or orthoimagery, was chosen for ease of reading and understanding. The wetlands and rock barrens were highlighted and shown in more detailed mapping in Appendix B for reference. The Appendix B map series includes the 2018 ortho (SCOOP2018) imagery as a basemap and has inset reference maps showing where the 'zoomed in map' is in relation to the larger parcel. There is also a scale bar included with this map series.

The EIS report is quite large due to the large number and file size of each figure and photograph. It is possible that the report provided to the peer reviewer was not of the original size and resolution which would affect the quality and readability of the report and associated figures.

It is FRi's position that the report as provided (full resolution) is at an appropriate scale and resolution. While scale bars are not included on each map in the report body, a ratio scale is included providing the reader with context for scale. The scale bar versus ratio is again, a style preference.

FRi will respond to specific questions about the report and map contents, but we will not prepare a new set of maps and figures in a revised report as there is no reason to do so in terms of meeting the requirements of an EIS as stated in the Township's Official Plan.

Comment addressed.

   b) *Beacon recommends that additional justification should be provided as to why non-wetland forested areas are not designated as conservation areas.*

FRi Response:

Respectfully, in a landscape that is largely forested, forest ecosites are not unique and do not offer unique habitat features that are otherwise unavailable. In the context of central Ontario's inland areas, forest is the most common 'condition'. This contrasts with most areas in southern Ontario which are dominated by some form of human activity whether it is farming, road networks or built up communities. In southern Ontario, forests are rare, and in fact 'woodlots' are a feature that may be considered a primary or secondary conservation area.

In the planning context of central Ontario, official plans and the relevant policy documents, recognize natural heritage features like wetlands, significant wildlife habitat, ANSI's, fish habitat and the habitat of endangered and threatened species. For southern Ontario, specifically ecoregions 6E and 7E, those five natural heritage categories are considered along with two more – significant woodlands and significant valleylands. The 2024 PPS (and it's predecessors) recognize 'woodlands' in the context of southern Ontario as potentially important, while this is not the case for the rest of Ontario – ecoregions 1 through 5. Rosseau Springs is situated in Ecoregion 5E (report page 21).

Non-wetland forested areas were not designated as conservation areas; they do not qualify as such under the existing planning framework for ecoregion 5E.

Comment addressed.

c) *Beacon recommends that all communities and ecosites that are described in the report include representative botanical species from the canopy, lower and ground vegetation layers where present. This is particularly important for communities where the determination of upland or wetland is less clear (i.e. ecosite G123Tt) and for those that occupy larger areas on the landscape or occur in multiple locations. There are several vegetation types in the report that do not include this information.*

FRi Response:

Plant lists have been updated in each of the ecosite descriptions. Note that initial ecosite determination was based largely on soil depth, texture and moisture, and secondarily informed by the trees present on the site. Following the provincial ecological land classification system, the understory and herbaceous vegetation is usually of little importance in determining one ecosite from the next. The ecosites can change when soil texture changes e.g. fine mineral to coarse mineral, for example, or when the moisture regime changes. Since trees are the longest growing species on a site, they are the best representation of what ecosite is present. Herbaceous annual species can grow or not, depending on seasonal or annual changes like an opening in the canopy caused by a wind event. Immediately following a wind event, early successional, sun-loving species e.g. raspberry will grow where they otherwise would not have because the conditions in mature canopied forest are not suitable for raspberry. The presence of raspberry does not change the ecosite classification.

Respecting clarity on the boundary between upland and wetlands, FRi are qualified and experienced OWES wetland evaluators and always apply the 50-50 rule when deciding on a boundary. For Rosseau Springs, in the spirit of the conservation design approach, many of the areas delineated as wetland could similarly be assessed as G124 or G125 upland ecosites. During July and August the G131, G133 wetland ecosites in particular, look very similar to their non-wetland counterparts. Regardless, FRi erred on the side of wetland where the soil texture, moisture and depth suggested so.

Comment addressed.

d) *A botanical inventory was not included. A two-season botanical inventory should be collected and provided, with particular attention to species that are within the proposed removal areas.*

FRi Response:

A botanical inventory and collection is not a requirement of an EIS for the Township of Seguin. A list of species encountered in each ecosite is included in the respective ecosites section of the revised report.

Comment addressed.

e) *It is not clear which amphibians were detected on the property and those that are assumed to be present. Figure 104 and 105 present unidentified amphibian egg masses. These likely belong to a species of spotted salamander and should be included in the SWH analysis. A more detailed discussion on potential amphibian species on site should be included.*

FRi Response:

As noted in the report, FRi did not know the type of amphibian eggs observed in the two wetland units. A number of species were heard calling including American toad, Gray treefrog, green frog, Northern leopard frog, spring peeper and wood frog. No salamanders were observed, however, biologists were not looking under structure e.g. fallen logs or otherwise disturbing the leaf layer to search for amphibians; rather they were assumed present and suitable important habitat e.g. breeding areas, were identified and set aside from the development area.

The process for assessing for significance is outlined in the Significant Wildlife Habitat Criteria Schedules for Ecoregion 5E. The criteria include a minimum size for the wetland area, presence of egg masses and numbers of or calling from individuals of the listed species. Rather than assessing presence or absence and the associated criteria, FRi delineated all wetlands and assumed they were significant and protected them as amphibian breeding habitat.

There is no need for additional discussion or assessment as the level of protection afforded to all the potential amphibian breeding habitats meets or exceeds what is required when significant wildlife habitat is confirmed. The EIS assumed all suitable wetlands were confirmed significant wildlife habitat for amphibians.

Comment addressed.

f) *A search for Pileated Woodpecker nesting cavities should be completed within the proposed removal footprints, along with clarifying the potential presence of any other Schedule 1 birds under the Migratory Bird Regulation.*

FRi Response:

FRi completed leaf-off cavity searches for bird and bat habitat which included Pileated Woodpecker nesting cavities. Pileated Woodpeckers were heard on the passive acoustic recordings near the property and are anticipated to be breeding generally in the Rosseau area. There were no Pileated nesting cavities identified during the leaf-off field investigations and the forest type and condition is generally less suitable. Areas along wetland edges and steep slopes where historic farming activities did not occur, are more likely to host suitable nest cavity trees for Pileated Woodpeckers. These areas are generally either outside of the proposed lots or are part of a recommended setback area.

FRi has included additional information in the section addressing breeding and migratory birds on page 136 of the report specific to the regulations.

- *Migratory Birds Convention Act* (1994) – protects nests when they contain a live bird or viable egg. The exception to this is those species listed on Schedule 1 of the *Migratory Birds Regulations, 2022* (MBR, 2022); for those species listed, there are required 'waiting periods' during which if the nest remains unoccupied, it is considered abandoned and not longer has a high conservation value for migratory birds. The four species listed on Schedule 1 of the MBR, 2022 whose range overlaps the subject property are:

Species of Migratory Bird	Waiting period (months)	Present at Rosseau Springs
Great Blue Heron *Ardea herodias*	24	Not present, no suitable habitat - colonial stick nesting in trees
Green Heron *Butorides virescens*	24	Not detected on acoustic recordings, no nests present, suitable habitat e.g. lacustrine and thicket swamp edges, wetland marsh edges for nesting set aside from development
Black-crowned Night Heron *Nycticorax nycticorax*	24	Not present, no suitable habitat (colonial nesting in trees along marshes)
Pileated Woodpecker *Dryocopus pileatus*	36	Birds present; heard calling occasionally in June and July 2022; however, no nest cavities or suitable potential trees observed in the development areas. (See Bats section for more information on cavity trees)

Comment addressed.

g) *The wetland limits of community G22rTt-3 appear to extend further northwest than indicated in the report, based on aerial imagery. Beacon recommends confirmation of the limits of the G22rTt-3 wetland.* (FRi assumes G22rTt-3 is a typo and was intended to read G224Tt-3)

FRi Response:

FRi completed in-person boundary assessments for each ecosite and ecoelement identified on the subject property. This included delineating the boundary of each wetland area using ESRI's Field Maps application with an accuracy of 1 – 2 metres. The boundary of the G224Tt-3 wetland was verified by qualified and experienced OWES biologists and digitally mapped using the aforementioned software. This information was used to create the map products in the report. FRi confirms that the in-person boundary mapped in 2021 and 2022 is correct.

Comment addressed.

h) *The SWH assessment should be updated following the completion of additional surveys noted in this review. Beacon recommends a figure be prepared to indicate where SWH is present on the subject property.*

FRi Response:

Additional surveys addressing significant wildlife habitat are not required to inform the assessment and report. The conservation design approach included setting aside potential and confirmed habitat areas with the objective of protection rather than undertaking surveys to 'prove' absence or insignificance. The approach to significant wildlife habitat are detailed on pages 78 and 79 of the report. Additional surveys would only serve to either remove recommended protections or confirm that the recommendations for significant wildlife habitat are appropriate.

No additional surveys will be completed.

A figure was added to the report showing the confirmed and potential SWH's on the subject property. See Figure 108, page 96.

Comment addressed.

i) *The breeding bird community presented in Appendix F lacks the numbers of territories as well as status and ranks. Beacon recommends that Appendix F be updated to include provincial and local rankings including COSSARO, S-ranks and provincial area-sensitivity at minimum. Beacon also recommends that species with elevated sensitivity or those with status under the Endangered Species Act (ESA) should be provided on a figure, including Canada Warbler (Cardellina canadensis).*

Appendix F includes a list of the species detected during in-person roving surveys and on the passive acoustic recordings. The laws and regulations that apply to all the listed species (including migratory birds and those protected under the *Fish and Wildlife Conservation Act*) were

appropriately addressed through the recommendation including timing of tree clearing and site preparation activities. Species listed as 'special concern' were noted as such in the Significant Wildlife Habitat section of the report. Breeding bird numbers or territories were not assessed – this is irrelevant for the subject property since the impacts to breeding birds will be avoided by ensuring any work that could impact birds is done outside of Environment Canada's breeding/nesting calendar. Knowing the number of breeding pairs does not provide any useful information to corroborate or otherwise support the recommendations for protecting all breeding birds regardless of numbers or territories. There is no need for numbers in this case as the information is useless to inform protections. The report addresses relevant species groupings as outlined; recommendations are consistent with both the *Migratory Birds Convention Act and the Fish and Wildlife Conservation Act.*

Similarly, the conservation ranks for the species detected is irrelevant for the purpose of this report since they are already addressed under the respective natural heritage categories – for example, either as and 'endangered or threatened species' or 'significant wildlife habitat' or all other migratory and breeding birds.

There were no bird species listed as endangered or threatened under the ESA which were detected on the subject property. If there had been, they would have been addressed under the appropriate section of the report. Similarly, special concern species like Canada Warbler, while they did have 'status' as special concern under the pre-amended ESA, they did not receive species or habitat protection under that legislation. To suggest that they should somehow be considered under the ESA is incorrect and not consistent with the law.

FRi will not be revising or otherwise including additional information or mapping for avian species. It is our position that the completed assessment is thorough and meets the expectations outlined in the Township's environmental impact study framework. It is our position that breeding and migratory birds will be protected consistent with relevant legislation and policies.

Comment addressed.

3. *Impacts and Mitigation Measures*
    a) *Beacon recommends a discussion on policy prescribed feature setbacks should be included in the report (i.e. Figure 10 references stream and rock barren setbacks and Figure 62 references industry standard without policy reference, clearly linking the features on the site to specific sections and policies in the applicable documents. Specific policy numbers should be explicitly referenced where appropriate.*

FRi Response:

The recommended stream setbacks of 20 metres and 5 metres are discussed in detail on pages 118 to 120 along with Figure 148 which shows the setbacks. A 20 metre setback is consistent with the recommended setback for fish habitat cool water streams in the Natural Heritage Reference

Manual (NHRM)[1]. The setback is for watercourses that are fish habitat; most of the watercourses on the subject property are not direct fish habitat; so the recommended setbacks far exceed what is necessary to avoid impacts to the thermal regime of the watercourse. For the two watercourses – the intermittent and ephemeral watercourse – a 5 metre setback is recommended based on the function of these watercourses (drainage channels). Both watercourses collect and convey small amounts of water occasionally; the channel at the north end of the property is a result of an MTO cross drain culvert under Hwy 632 and the steep topography and the southerly ephemeral channel is likely an historic agricultural drain. Neither is fish habitat, and it is FRi's opinion that a 5 metre setback is more than sufficient to maintain the function of the channel to collect and convey water.

The reference to 'industry standard' refers to the NHRM recommended setbacks and the duplication of the same in most municipal official plans and associated policies. While some municipalities have smaller or larger setbacks e.g. City of Greater Sudbury has a 12 m setback policy; generally, the 15 – 20 metre setback on warm watercourses and 30 metre setback on cold watercourses is the 'industry standard'.

The recommended 30 metre setbacks for wetlands is related to Seguin Township's Official Plan, Section D.4.3. which states that '*it is the policy of this Plan to protect wetlands and limit development in proximity to these natural heritage features'*. While the Plan and Zoning By-law do not offer any specific setback distances, in the spirit of conservation design, a 30 metre setback was applied to most wetland areas, while some of the hardwood swamp ecosites, a 15 metre setback was recommended. Despite the 15 metre recommendation, most of the wetland units will have, in practice, a 30 metre setback. Please refer to figure 109 in the report for a visual representation of this recommendation.

The recommended 30 metre setback for the rock barrens is related to the Significant Wildlife Habitat Mitigation Support Tool[2] Index #21: Rock Barren, Cliff and Talus Slope section. The guidance in this section notes that rock barrens are rare to uncommon in Ontario and rock barrens greater than 1ha may be considered significant. The SWHMiST recommends that development not be permitted within the SWH rock barren unless no negative impacts can be demonstrated. It also notes that residential development on rock barren habitat will destroy it and that the best mitigation option is to avoid developing in the habitat. FRi has achieved and exceeded these recommendations by applying a 30 metre setback on all but one rock barren feature. The rock barren feature near Summit Drive and the proposed interior subdivision road, was recommended to have a 15 metre setback for the reasons outlined on pages 81 and 82. The G164Tt-5 rock barren has a 15 metre recommended setback but in practice the majority of the rock barren will have a 30 metre+ setback with the exception of redevelopment of an existing trail to an interior subdivision road. As noted, FRi supports this reduced setback and asserts that it is consistent with

[1] Ontario Ministry of Natural Resources. 2010. Natural Heritage Reference Manual for the Natural Heritage Policies of the Provincial Policy Statement, 2005.

[2] Ontario Ministry of Natural Resources and Forestry. 2014. Significant Wildlife Habitat Mitigation Support Tool. 533 pp.

the SWHMiST recommendations as development avoids the rock barren and the small section of interior subdivision road represents 'limited development' near the rock barren feature.

The recommended 30 metre setbacks on both wetlands and rock barrens are also related to the General Habitat Descriptions for both Blanding's Turtle and Massasauga which describe the three categories of habitat which includes a 30 metre setback around categories 1 and 2. Although neither of these species were confirmed on the subject property, the rock barren and wetland habitats are unique in the central Ontario landscape. In the spirit of the conservation design approach, unique features on the landscape were set aside from the area available for development.

Comment addressed.

b) *Beacon recommends that report graphics be provided in higher resolution to clearly indicate feature limits (discussed above) as well as prescribed setbacks and clear red areas where encroachments are proposed into the prescribed setbacks. These areas should be quantified in the text and shown graphically to facilitate review.*

FRi Response:

The report graphics are provided in the original highest resolution, hence the very large file ~100 MB. The shared version includes full resolution graphics; it is difficult to provide additional information without understanding which graphics are not clear. It is FRi's understanding that any accepted setbacks will be measured on the ground by an Ontario Land Surveyor during the final lot plan survey. These measurements will be very accurate and will translate into site plan agreements at the lot level. Please note that before the proposed lot layout was contemplated, FRi provided digital files to the engineering firm outlining the primary and secondary conservation areas as well as any other features of interest along with the recommended setbacks to facilitate a lot layout plan that avoided the features. FRi's data accuracy averages 1 – 2 metres, which is sufficient for the purpose of natural heritage investigations but is not adequate for land surveying purposes. FRi will always defer to an OLS for precise, on the ground boundary delineations and measurements.

FRi anticipates that the 'encroachments' on the recommended setbacks will be addressed at the site plan control stage. Development will need to respect the Ontario Building Code and other Official Plan considerations. For example, septics must be at least 20 metres from any watercourse or waterbody according to the Township's Official Plan.

Comment addressed.

c) *Additional clarification is required with respect to communities without setbacks, and those where varying buffers are applied (5m, 15m, or 30m is applied on wetlands or streams, as well as 15m vs 30m on rock barrens), as this is not clear from the report. The source and suitability of the 5m stream setback is also not clear, and Beacon recommends further clarification regarding setbacks.*

FRi Response:

It is unclear which 'communities without setbacks' that the reviewer is referring to. All the natural heritage features identified have a recommended setback along with justification for the same. In addition to the respective natural heritage sections e.g. wetlands, the Management Plan section of the report (pages 132 – 143) outlines the setbacks and reasons for the same. This is consistent with the Official Plan EIS requirement for a Management Plan.

Table 2 (pages 40 and 41) outlines the ecosites and associated recommendations for the primary and secondary conservation areas. Appendix B includes a comprehensive map series which shows the recommendations and includes representative photographs of each of the wetland and rock barren ecosites.

As discussed in FRi response 2.b), forested ecosites are not unique in central Ontario, and therefore, are the areas where for the subject property, development should be focused. Pages 131 - 132 include an Impact Assessment Summary which reiterates that every development proposal, regardless of size, has an impact on the existing features. This is an understanding that is built into planning frameworks and associated policies but is often overlooked. An informed impact assessment seeks to understand the scale of the anticipated impacts and residual impacts after avoidance and mitigation measures are implemented. Potential impacts are addressed two ways; firstly when an impact is anticipated, measures are taken to avoid disturbance to the extent possible. E.g. avoid cutting trees during the breeding bird season. The second approach to address potential impacts is to assess the future condition with the impact and decide whether it is acceptable within the agreed on planning framework e.g. Official Plan, PPS.

Comment addressed.

d) *The impacts and mitigation sections of the report should be collaborative in nature and reference applicable companion reports prepared by other members of the consulting team where appropriate.*

FRi Response:

References to companion reports are included in the EIS; a single additional reference to a section (Section 10) of the Stormwater Management report was added. Comment addressed.

e) *Appendix B notes the presence of a porcupine den identified during preliminary work however this is not discussed or revisited in the EIS. Beacon recommends confirmation of the location of the suspected or identified den and include in the impact and mitigation discussion.*

FRi Response:

FRi revisited the area in 2022 and confirmed that the 'den' site was not in use; and not active. Under the Fish and Wildlife Conservation Act, active dens are protected; the area will be protected even though it is not in use given its location beside the rock barren. Comment addressed.

f) *Wetland encroachments and buffer reductions need to be clearly quantified, visualized and discussed. Beacon recommends lot lines should be adjusted to respect 30m on wetlands where possible and proposed reductions need to be justified with policy and a net impact discussion.*

FRi Response:

Although a limited number of lot lines (Lots 3, 4, 5 and 19) overlap the recommended 30 metre setbacks on wetlands, it is anticipated that these will be addressed at the site plan control stage. Note that site plan controls can address 'encroachments' to ensure that the 30m or most of it is not affected by development at the individual lot level.

For Lot 3, 750 square metres of the ~4,246 square metres total lot area overlap the 30 metre wetland setback. For Lot 4, ~2128 square metres of the ~4152 square metres total lot area overlap the 30 metre wetland setback. For Lot 5, 728 square metres of the ~5345 square metres total lot area overlap the 30 metre wetland setback. For Lot 19, approximately 1528 square metres of the ~4800 square metres total lot area overlap the 30 metre wetland setback.

Lot 47 has a slight overlap- ~722 square metres on the G121 mast production ecosite of the total 5477 square metres of total lot area. The overlap represents approximately 2.3% of the total area (31,500 square metres) of the G121 ecosite. Comment addressed.

g) *In relation to comment 2h above, Beacon recommends that the lot lines of lot 37 be revisited to minimize buffer reductions in this location given the sensitivity of that ecosite and the possibly larger feature area than shown.*

FRi Response:

Lot 37 is wholly outside of any wetland setback area. The southerly most side lot line crosses a very small portion of the recommended 20 metre setback on the small, intermittent watercourse that flows out of the G224Tt-3 wetland. This small watercourse outlets to the ditch line along Maplehurst Rd. The watercourse is downstream of the wetland; there are no anticipated impacts to the wetland as a result of the very limited encroachment on the watercourse setback. Also note that the lot line encroachment is simply a line on the map; any development on Lot 37 is subject to side and front yard setbacks which will limit or even eliminate the potential for 'encroachment' on the wetland. Comment addressed.

h) *Beacon recommends the lot line encroachments at the rear of Lots 3, 4, and 5 be revised, where possible, to ensure adequate protection to the wetland.*

FRi Response:

FRi anticipates the rear yard setbacks along with site plan controls specific to these three lots will effectively mitigate any potential impacts to the wetland. Comment addressed.

i) *A discussion on wetland water balance should be included in the report and referenced in the appropriate hydrogeological report if undertaken. A high-level discussion should be included regarding the pre and post construction conditions and a link to the noted stormwater management measures to promote infiltration.*

FRi Response:

It is our understanding that a wetland water balance is not a requirement of the technical studies undertaken in Seguin Township and that a specific 'wetland water balance' was not undertaken. The stormwater management report[3] addresses pre and post construction conditions and concludes that there will be no impacts (Section 7 & 8). The SWM report includes the following measures to promote infiltration, taken from section 9:

- The use of Low Impact Development (LID) treatment train approaches
    - Vegetated roadside ditches
    - Rock check dams
    - Natural infiltration through wetland areas.
- These were assessed to meet or exceed the 70% Total Suspended Solids (TSS) removal criteria.

Comment addressed.

j) *Appendix B notes a 30m buffer to rock barrens during the preliminary investigations which has been reduced throughout the EIS. Beacon recommends additional justification to speak to why the rock barren setback is appropriate and how impacts to rock barrens and associated wildlife is being addressed particularly with lots 45, 46 and 47 where reptile surveys did not occur.*

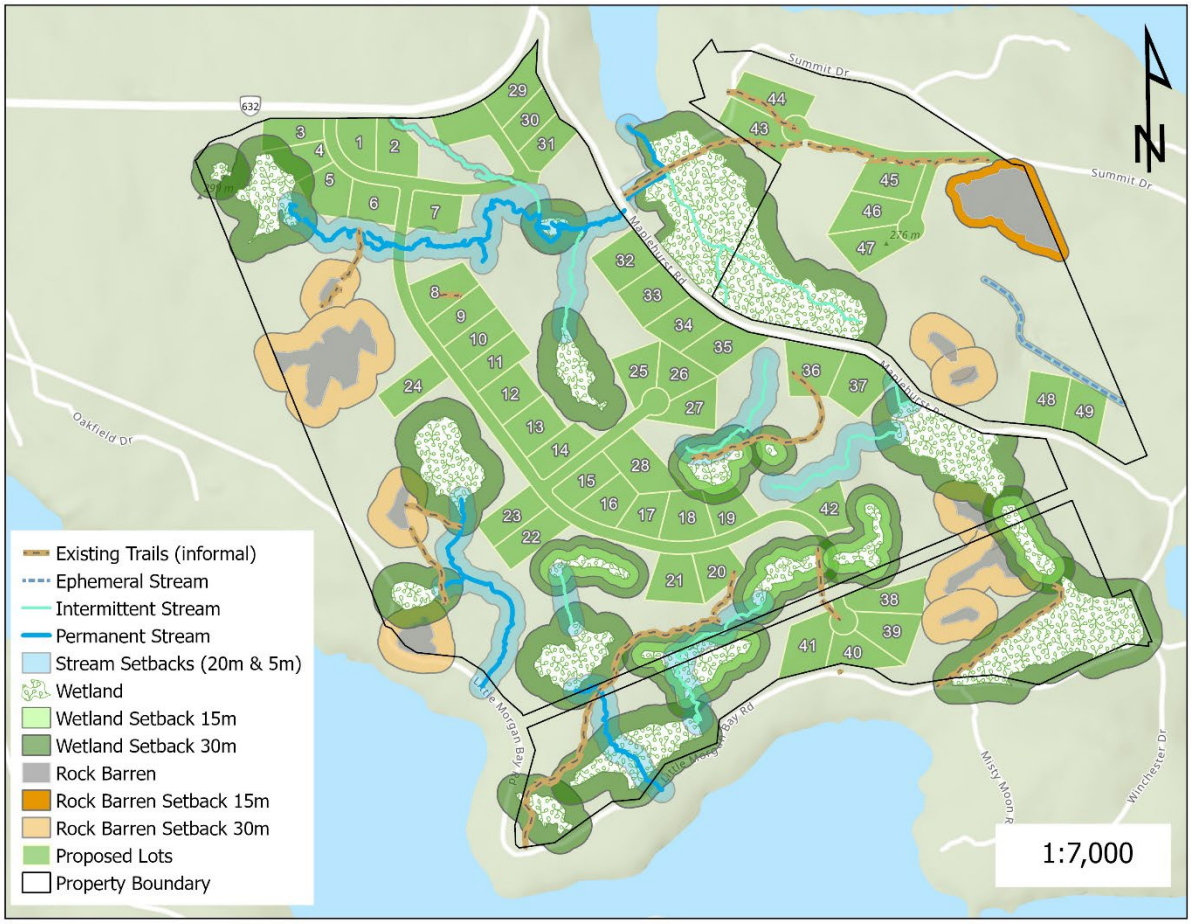
FRi Response:

Appendix B represents the initial Conservation Design Natural Environment Constraints and the recommended setbacks for both the rock barrens and the wetland areas. Respectfully, the EIS does not reduce setbacks 'throughout the EIS'. Note that the only setback on any rock barren less than 30 metres is the 15 metre setback recommended for the G164Tt-5 rock barren. The reasons for this reduced setback are already described above in responses 2h) and 3a). Please note that Appendix B also recommends (page 35 of 43) a 15 metre setback on the G164Tt-5 rock barren feature. This assessment and recommendation has been consistent since 2021.

There is an existing road/trail access from Summit Drive through the property – see Figure 10 in the EIS, reproduced below – which will be improved to provide access to Lots 43 – 47. The justification for the reduced setback has been provided (see above), additionally, the existing road/trail represent an existing disturbed area where rock barren habitat is not present. Note that

[3] Stormwater Management Report. Rosseau Springs. EXP. August 2023. 49 pp.

Summit Drive, which provides access to a number of other properties is also within 30 metres of the rock barren area. This is an instance of the application of common sense but using an existing disturbed area, rather than additional tree clearing etc. to avoid a rock barren area that does not warrant protection for the reasons outlined above. First and foremost, the rock barren is anthropogenic in nature and does not offer any particular habitat for reptiles that is different, better or unique compared to the surrounding hardwood forest. Comment addressed.



k) *A discussion on roadway impacts and mitigation should be included given the proposed increase in traffic on existing roads as well as the introduction of new roadways through and adjacent to natural features, particularly herptofauna.*

FRi Response:

Roads can be dangerous for snakes and turtles and increase mortalities for herptofauna. Typically, there is a higher correlation of mortalities with high-traffic, high-speed, multi-lane highways compared to interior subdivision residential roads.

The interior subdivision road is a closed / dead end loop and it is anticipated that only lot owners and visitors will use this road. There are 36 proposed lots which will use the interior subdivision

road and which does not connect to Maplehurst Road. It is anticipated that this will be a neighbourhood where traffic calming measures can be employed which will provide safe non-motorized use of the road by pedestrians, cyclists and others. These approaches to traffic will serve to protect turtles, snakes and amphibians as well.

Maplehurst Road currently provides access for ninety-one (91) cottages/residences, 85 of which are beyond the subject property. There are 8 lots- Lots 32 – 37- and Lots 48 & 49, which will have access and frontage on Maplehurst Road. This is a net increase of 8.7% driveways and an assumed similar increase in traffic. FRi does not expect an increase in the risk for road mortalities given the low suitability of forests to provide important habitat for herptofauna.

In studies in Ontario, forests are the most abundant ecosite available for turtles and snakes, but are among the least used. The General Habitat Description for both Massasauga's[4] and Blanding's Turtles[5], describe three categories of habitat for the species, from the least tolerant to alteration to the most tolerant to alteration. For both species, the majority of forested areas fall into the 'category 3' habitat, or the habitat where there is a high level of tolerance to alteration.

The current largely forested condition makes the interior of the site somewhat less suitable for herptofauna at the landscape scale. While reptiles and amphibians are generally present in the area, they were not observed on the subject property (see respective sections of the EIS) to the extent that FRi has seen on other more suitable properties. The absence of open water wetlands e.g. marshes, and open/semi-open non-wetland habitat e.g. meadows or anthropogenic clearings, makes the site much less suitable for critical life processes for many herptofauna. Nesting and gestation sites for snakes and turtles are limited to absent; suitable overwintering for both species groups is very limited to the identified wetlands in the report. However, there is a lack of suitable intervening or nearby habitat features to encourage or facilitate the use of isolated features. For example, the G224 wetlands could function as hibernation sites, but they are surrounded by mature upland hardwood forest. Turtles and snakes tend to avoid mature, upland forests, especially extensive areas. They will travel through smaller forest areas when there are abundant suitable open and semi-open areas intervening. Herptofauna often use the wetted (turtles) or open/edge (snakes) as corridors to move between suitable habitat areas.

FRi always encourages project proponents to develop turtle and snake 'friendly' approaches. These can include signage and awareness campaigns to encourage road users to share the road and respect human and animal traffic.

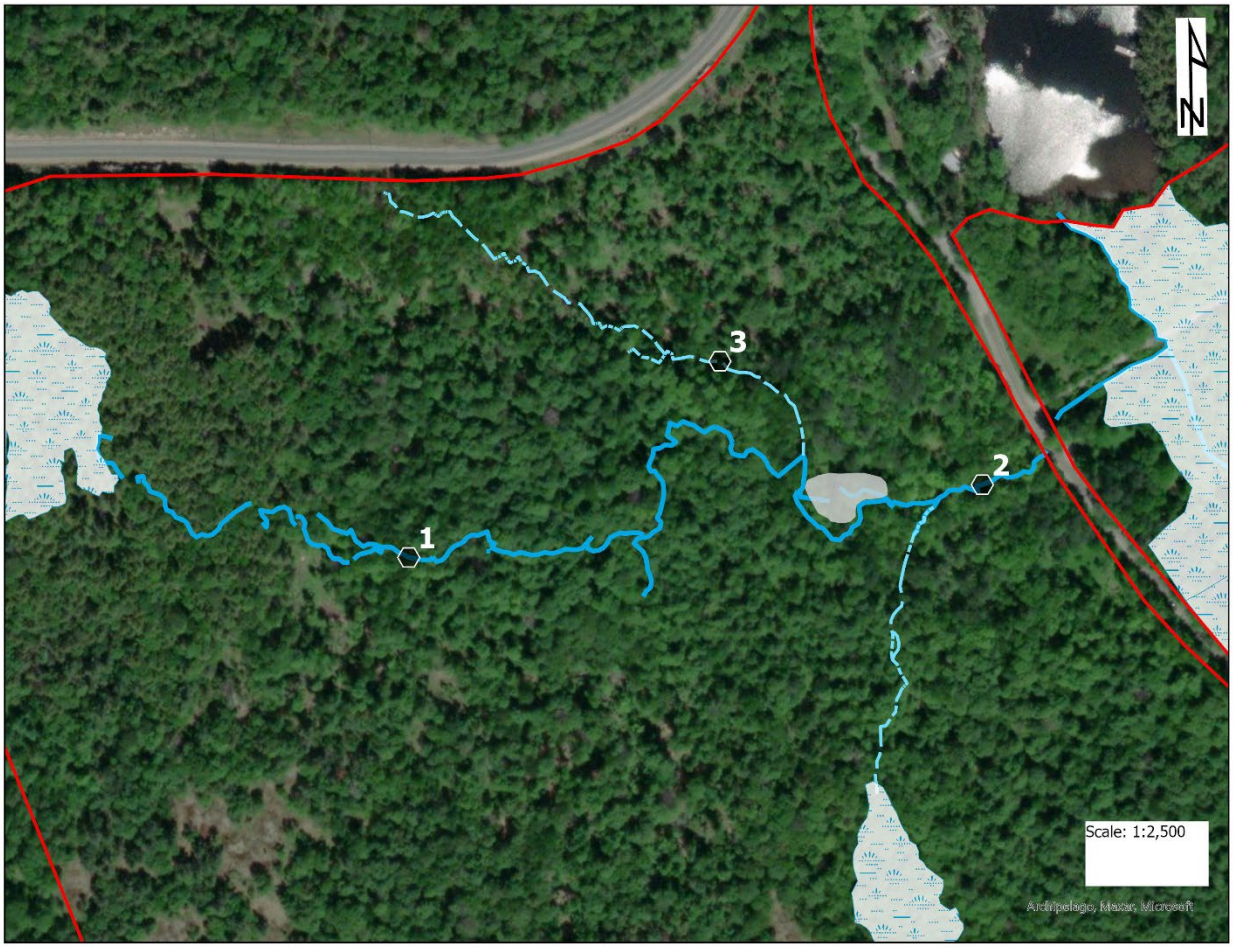
Many road calming measures and approaches to encourage drivers to slow down are best tackled at the municipal level. FRi would encourage the municipality to work with the neighbourhood to implement traffic calming measures on Maplehurst Road. Comment addressed.

[4] Ministry of Natural Resources. 2013. General Habitat Description for the Massasauga (*Sistrurus catenatus*).
[5] Ministry of the Environment, Conservation and Parks. 2013, updated 2021. General Habitat Description for the Blanding's Turtle (*Emydoidea blandingii*).

c) *Beacon recommends that the locations of the three crossings that were discussed with DFO should be clearly indicated on a figure.*

FRi Response:

Attached below and included in Appendix C of the revised EIS is the Culvert Location Map that was submitted with the Request for Review and was approved by DFO (April 2023). Note that since that time, culvert #2 will not be necessary as the connection to Maplehurst Drive was removed from the plan of subdivision after consultation with the neighbours. Comment addressed.

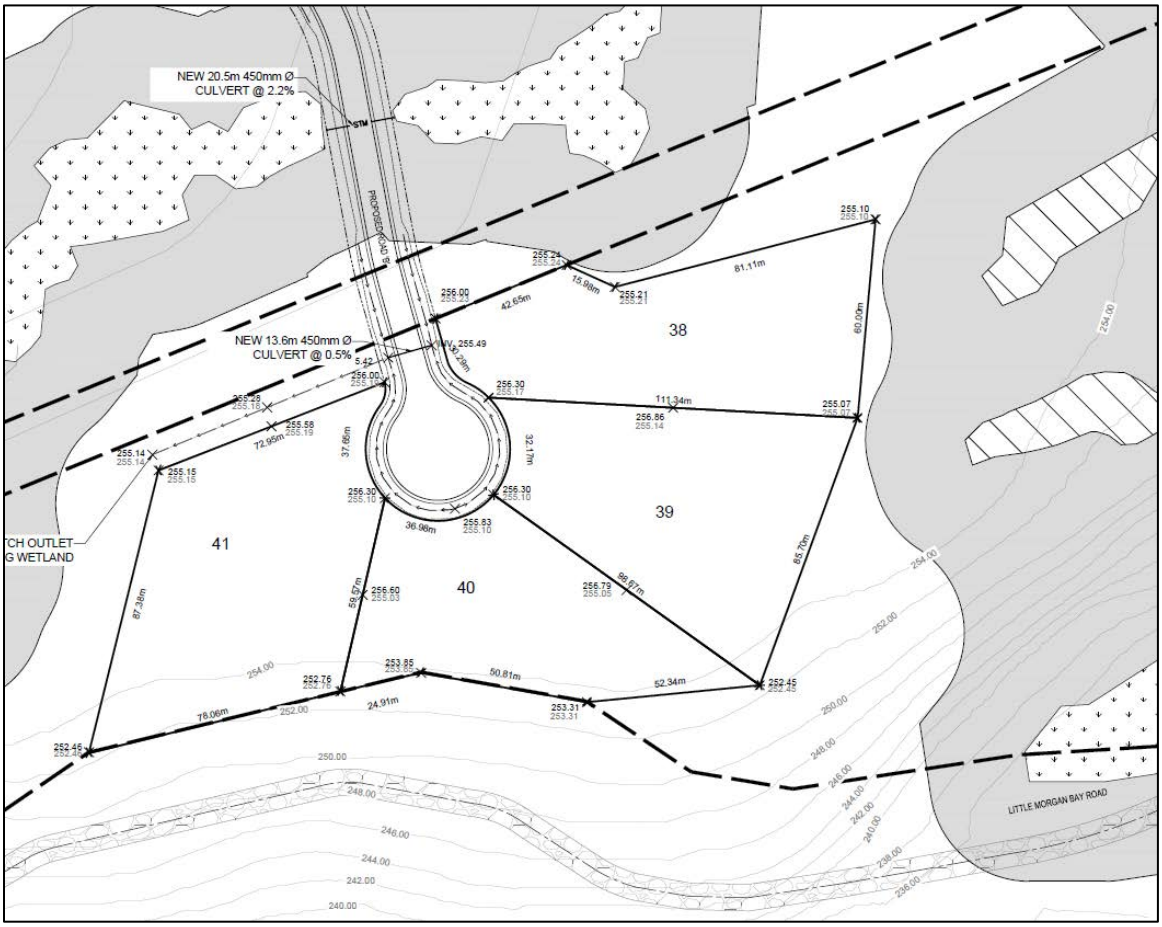


l) *Beacon recommends the exploration of alternate options for the roadway connecting lot 42 to lots 38 – 41. Can it be eliminated to avoid wetland removal? Is it possible for these lots to front onto Little Morgan Bay Road instead of through the swamp?*

FRi Response:

The proposed road does not go through the wetland; rather it goes through the setback area between the two hardwood swamps (see the figure appended below this paragraph). There is no connection between the G131Tt-1 and G131Tt-2 hardwood swamp wetlands. The G131Tt-2 wetland appears to be hydrologically isolated for most of the year (see page 18 of Appendix B). At

some times of the year, the G131 hardwood swamps are dry. These swamp areas function mostly to retain large amounts of water e.g. during a rainstorm, and slowly release water through evaporation, absorption and percolation. The G131Tt-1 (westerly) connects to a series of wetlands and connecting watercourses to eventually outlet to Lake Rosseau. The G131Tt-2 (easterly) wetland appears to either be isolated or very occasionally 'fill' with water and spill over in an undefined path to the G131Tt-1 wetland. The engineering team included a cross drain culvert at this location to maintain a hydrological connection once the road is built. Comment addressed.



Screen grab of the April 2023 Rosseau Springs Subdivision drawings by EXP which shows the lots and wetlands in question along with the proposed road (to scale) which avoids the wetlands entirely.

The very limited encroachment on the wetland setbacks will not have any negative implications for the function of the wetland. FRi anticipates the wetlands on both sides of the road will continue to attenuate and slowly release rainfall and other seasonal runoff. Similarly, they will continue to function for wildlife e.g. wetted corridors, amphibian breeding potential.

Explore alternate access option:

The ownership group considered many options for the subdivision design following the initial identification of the primary and secondary conservation areas. The following are reasons why connecting to Little Morgan Bay Road is not an option:

1. The ownership group consulted with neighbours in 2022, 2023 and 2024 (and 2025) and are looking to minimize perceived and real social impacts on the neighbours. Adding access to Little Morgan Bay Road creates a thoroughfare (alternate route to Maplehurst Rd) and is contrary to the gentle footprint approach of the Rosseau Springs ownership group and conservation design approach.
2. The area of land between Little Morgan Bay Road and the rear lot lines of Lots 39 – 41 is quite steep and could preclude access e.g. winter issues.
3. It would require at least three new entrances on Little Morgan Bay Road which is at best 1.25 lanes wide. This could result in safety issues.
4. There is an existing hydro line and poles that run along the north side of Little Morgan Bay Road which could cause access/easement issues with Hydro One and the future lot owners.
5. Little Morgan Bay Road is a private road as we understand, and it is unclear as to the legal ownership or whether owners would permit additional access(es).

   Comments addressed.

m) *Beacon recommends that FRiCorp confirm and indicate if lot 47 respects the tree protection zone of the mast producing tree SWH area adjacent and confirm that no mast tree removal is proposed.*

FRi Response:

No mast producing trees will be harmed or removed. Side and rear yard setbacks preclude development for most of the overlap; a 'no-development' area can be added to the site plan if necessary. FRi recommends this approach once the subdivision receives draft plan approval and subsequent surveys to confirm the exact layout of lot lines on the ground. Following that, FRi or other qualified person can confirm that any development on Lot 47 is outside of the area identified as mast producing significant wildlife habitat and associated with the G121 oak hardwood ecosite.

Comment addressed.

n) *Beacon recommends that FRiCorp revisit potential impacts on the ephemeral stream north of lot 48 and 49 and consider reducing lot depth for protection.*

FRi Response:

No need. See the explanation in the relevant section of the EIS. Comment addressed.

Regulated Species under the ESA

There are a few species who are listed in Ont. Reg. 230/08 – Species at Risk List in Ontario, whose range overlaps the subject property. As noted, surveys were completed for Eastern Hog-nosed snake and Massasauga, but none were observed.

FRi has considerable experience surveying for and observing species at risk snakes. FRi field crews also survey another site in Seguin Township and confirm the presence of both species at the 'control' site, but did not observe any at Rosseau Springs despite excellent survey conditions.

Respectfully, the ESA (before the June 5, 2025 amendments) was 'proponent-driven' legislation. There is no framework for consultation with MECP outside of the previously available authorization framework. If a project proponent was unsure or unable to achieve avoidance under the ESA

legislative regime, they could engage MECP through the submission of an Information Gathering Form. This proponent-driven or proponent-led process was only necessary when a proponent needed advice or interpretation. In the case of Rosseau Springs, FRi completed detailed field investigations following standards and accepted protocols and arrived at a conclusion of absence for most species at risk and habitat. Further, unique potential habitats e.g. rock barrens and wetlands, were set aside from the development area at the outset of the subdivision planning process.

Eastern hog-nosed snakes are difficult to survey for and find, especially in sub-par habitat. Areas of extensive forest are not 'suitable' for Eastern hog-nosed snakes and the Rosseau Springs property seems to lack the necessary open and semi-open habitats that most snakes including hog-nosed prefer. Hog-nosed snakes are much less common in the Muskoka area on the east side of the Hwy 400-69 corridor. They are more common and more often found on the west side of the highway corridor.

It is also important to point out that the recent changes to the *Endangered Species Act* have reframed and focused the definition of habitat. Habitat is now considered (paraphrased) …*those areas which an animal occupies or habitually occupies for the purposes of breeding, rearing, staging, wintering or hibernating and the area immediately around that place.*

From Bill 5 which received Royal Assent on June 5, 2025:

(3) The definition of "habitat" in subsection 2 (1) of the Act is repealed and the following substituted:

"habitat" means, subject to subsection (3),

(a) in respect of an animal species,

(i) a dwelling-place, such as a den, nest or other similar place, that is occupied or habitually occupied by one or more members of a species for the purposes of breeding, rearing, staging, wintering or hibernating, and

(ii) the area immediately around a dwelling place described in subclause (i) that is essential for the purposes set out in that subclause.

Regardless of the change in the ESA habitat definition, FRi completed surveys following the latest provincial survey protocol and did not find snakes. Under the relevant law, the new definition of habitat would only apply to areas where snakes habitually occupy and the area immediately around it. Wetlands (conifer) could provide suitable habitat for hibernation – these areas and the 30 metres around them have been set aside from development. FRi asserts this more than achieves 'habitat protection' under the new definition of habitat for Eastern hog-nosed snakes. Comment addressed.

Additional Comments from Beacon

- *Sections and headings within the report should be numbered to facilitate cross referencing in the report and overall readability.*

  FRi Response: This is a style preference only, it has nothing to do with the content of the EIS. The pdf version includes bookmarks, hyperlinks and a navigation pane which facilitate ease of movement through the text. Comment addressed.

- *Scientific names should be referenced throughout the body of the report, in conjunction with common names, to provide greater clarity as to species being discussed as common names can vary locally.*

  FRi Response: Scientific names are included in the report – they are only used the first time a species is mentioned, following that, they are omitted for the sake of report length and to avoid redundancy. Comment addressed.

- *Page 16 notes the Rosseau Springs ownership group will retain and maintain the lands outside of the proposed development. Beacon recommends that FRiCorp clarify what is meant by 'maintain the lands outside of the proposed development'.*

  FRi Response: It is FRi's understanding that it will ultimately depend on who owns the land. The Rosseau Springs ownership group is willing to continue to own the property, however, there may be parkland dedication that transfers ownership of some of the lands to the municipality or they may want to maintain and have ownership of the trails so it is uncertain at this point. The ownership group will work with the municipality to ensure the area is appropriately considered. Comment addressed.

- *No reference is provided for the preliminary report within Appendix B. Please provide.*

  FRi Response: Rosseau Springs Conservation Design Subdivision Natural Environment Constraints. December 2021. FRi Ecological Services. Comment addressed.

Rebecca Geauvreau, June 13, 2025

Species at Risk Biologist, FRi Ecological Services