



April 21, 2020

Mr. Matt Coffey, MCIP, RPP
Planning Coordinator, Approvals
The Corporation of the County of Prince Edward
332 Picton Main Street
Picton, Ontario K0K 2T0

Re: Peer Review of Environmental Impact Study, Pebble Beach East Campground, Prince Edward County, Ontario; Our File 5318

Dear Mr. Coffey:

Thank you for asking Michalski Nielsen Associates Limited to complete a peer review of the Environmental Impact Study (EIS) for the proposed Pebble Beach East Campground, an expansion of camping facilities associated with Fourwind Holdings Inc.'s Quinte's Isle Campark. The subject lands are located on the Salmon Point Peninsula, at the southern limit of Prince Edward County. The new development is to consist of 337 park model trailer sites on a 38.2 ha parcel of land, having shoreline frontage on Lake Ontario. Planning permissions are being sought to amend the Official Plan designation for these lands from "Rural" to "Shore Land", and to rezone these lands from Rural 2 (RU2) and Rural 3 (RU3) to a Special Trailer Park Commercial (TPC-12) and Environmental Protection (EP).

As a brief overview, lands on which this development are proposed consist primarily of gently grading agricultural lands, with a portion of those lands containing woodland or thicket communities. Portions of the woodland and thicket areas have wetland characteristics. Adjacent lands to the east contain a Provincially Significant Wetland (PSW), the Soup Harbour PSW. Development is proposed outside of the wetland communities, and will also preserve portions of the other woodland areas. All development is to be set back a minimum 30 m from the Lake Ontario waterfront. There are no boat docks or other shoreline structures being proposed as part of this development, nor are there any other proposed shoreline modifications for such purposes as beaches or activity areas.

Michalski Nielsen Associates Limited was initially retained to complete a peer review in the fall of 2018, and completed a site inspection in the company of the campground ownership and project planner on October 19 of that year. The planning process was put on hold for some time thereafter, and we were requested to continue this review, using an updated planning submission package, in early 2020. Our

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review has focused on the EIS prepared by Beacon Environmental, dated October 2019. However, to assist in our review of that report, we have also been provided, and have read through, the following documents:

- Planning Report, Pebble Beach East, Fourwinds Holdings, County of Prince Edward, prepared by RFA Planning Consultant Inc. (March 2018; updated October 2019);
- Wave Uprush Analysis, Quinte Isle Campark, Pebble Beach East, prepared by Shoreplan Engineering, dated July 9, 2019;
- Pebble Beach East Stormwater Design Brief, prepared by Greer Galloway Consulting Engineers, dated September 24, 2019;
- Environmental Compliance Approval No. 0655-B8XM92, issued by the Ministry of Environment, Conservation and Parks on March 4, 2019, in support of the proposed sewage works for this facility;
- Quinte Conservation comments entitled “Pebble Beach – East Development, Review of Wave Uprush Analysis and Environmental Impact Study, dated April 6, 2020; and
- Beacon Environmental memorandum regarding the Quinte Conservation Comments on Environmental Impact Study, dated April 14, 2020.

To complete this review, we have:

- read through each of the above-noted documents;
- reviewed proposed development plans;
- attended the site to familiarize myself with existing conditions, as well as the nature of previously approved development associated with both the older portions of Quinte’s Isle Campark and the more recent Pebble Beach West Campground addition; and
- considered the environmental policy direction of relevant planning documents, including the Provincial Policy Statement (2014 and 2020) and the Prince Edward County Official Plan (Office Consolidation, January 2011).

Further, we have relied on my firm’s and my own extensive experience in environmental consulting. In this regard, I am the president of Michalski Nielsen Associates Limited, a firm which specializes in the evaluation of the natural environment and water quality impacts associated with land use change. I am an ecologist with over 30 years of experience in completing Environmental Impact Studies in support of many forms of development, and in providing natural environment input towards various other municipal exercise, including Official Plans and Secondary Plans, infrastructure development, etc. Over that period, I have also peer reviewed many projects.

In preparing this peer review, I have given consideration to the following matters:

- has the field work that has been done on this property to characterize existing environmental conditions and constraints been sufficiently thorough and followed industry standards?;
- are the conclusions which have been reached regarding environmental constraints reasonable?;
- does the reporting provide sufficient guidance with respect to measures to avoid or minimize adverse environmental impacts, in keeping with the direction of the various environmental policy documents and good environmental practices?; and
- do the development plans prepared by the applicant give appropriate consideration to the site's environmental constraints and any associated recommendations in the EIS to minimize adverse environmental impacts?

1.0 SECTION-BY-SECTION REVIEW OF EIS

1.1 Introduction

- The introduction provides a good explanation of the purpose of the EIS, and includes mapping to orient the reader to the location of the property.
- The introduction explains the reasons for the revisions to the Site Plan and the EIS that had been prepared in February 2018. These Site Plan revisions result in increased avoidance of wetland features (the previous plan involved some wetland encroachment and offsetting).
- The natural heritage policies, regulations and legislation which are deemed to be of particular relevance to this project, and which are therefore addressed in the EIS, are described; that list appears appropriately thorough and Michalski Nielsen Associates Limited agrees with the analysis completed. While an updated (2020) Provincial Policy Statement (PPS) comes into effect on May 1, 2020 (post-dating this planning submission), it is noted that the updates to that document do not alter the natural heritage policies.
- The discussion of the *Endangered Species Act* includes a concluding statement that three Species at Risk (SAR) have been identified within the area identified in the Natural Heritage Information Centre's (NHIC's) one kilometre square corresponding to the subject property as follows:
 - Snapping Turtle (Special Concern);
 - Eastern Meadowlark (Threatened); and
 - Bobolink (Threatened)

Although the subsequent discussion of SAR goes somewhat beyond that, in also identifying the potential for Barn Swallow (Threatened) and various Endangered bat species, there is no discussion of SAR known to the broader area. It must be kept in mind that species listed in the NHIC database

are based on known records for that very specific area only, and are therefore often incomplete. There are a great deal more SAR known to Prince Edward County as a whole. The assessment of SAR should at least consider the results of a NHIC search of a broader geographic area, coupled with the review of any SAR lists compiled for that municipality, where available. For example, in our search of the NHIC records over a 5 km radius of the subject lands, the following 14 additional SAR species were identified:

- Swamp Rose Mallow (Special Concern);
- Eastern Pond Mussel (Endangered);
- Pugnose Shiner (Endangered);
- Eastern Sand Darter (Endangered);
- American Eel (Endangered);
- Lake Sturgeon (Great Lakes – Upper St. Lawrence population) (Threatened);
- Eastern Musk Turtle (Special Concern);
- Northern Map Turtle (Special Concern);
- Blanding’s Turtle (Threatened);
- Spiny Softshell Turtle (Endangered);
- Black Tern (Special Concern);
- Piping Plover (Endangered);
- Eastern Wood Pewee (Special Concern); and
- Wood Thrush (Special Concern).

Further, correspondence that was received by Beacon Environmental from the Ministry of Natural Resources and Forestry (MNRF), and which is included as an Appendix to the EIS, identifies the potential for the following additional 12 SAR species within the broader environs:

- American Ginseng (Endangered);
- Bridle Shiner (Special Concern);
- Grass pickerel (Special Concern);
- Eastern hog-nosed Snake (Threatened);
- Bank Swallow (Threatened);
- Grasshopper Sparrow (Special concern);
- Bald Eagle (Special Concern);
- Eastern Whip-poor-will (Threatened);
- King Rail (Endangered);
- Loggerhead Shrike (Endangered);
- Red Headed Woodpecker (Special Concern); and
- Red Knot Rufa subspecies (Endangered).

Although some of these species may well not be relevant to the subject property, several do have potential relevance to either the property or adjacent nearshore and wetland areas. In our opinion,

the potential for SAR needs to be addressed in a more fulsome manner in this EIS (additional discussion on this matter is included in our review comments relating to Section 4 of the EIS).

- The EIS notes that Prince Edward County Official Plan of 2011 remains in effect, as the draft 2018 Official Plan has not yet been approved by the Province; that is consistent with our interpretation as well.
- The EIS notes that the relationship of proposed development to the adjacent Soup Harbour PSW is addressed in the report, which is appropriate in respect of both the Prince Edward County Official Plan, as explained, but also in respect of the PPS as portions of the property are within adjacent lands to that wetland, as defined in that policy document.

1.2 Methods

- The background review completed as part of the EIS appears to have been appropriately thorough, and did include direct consultation with MNRF, who at that time were the agency responsible for administering the *Endangered Species Act*.
- Field investigations were carried out on a number of different days through the spring and fall periods, at times which were appropriate to the collection of both general site information and for the targeted surveys.
- The completion of targeted surveys for amphibians (capturing all three breeding periods), breeding birds (which captured early and late breeders over two different years), bat snag surveys and bat detector use were appropriate to this site. These surveys also collectively provided an opportunity for incidental observations of other wildlife over a number of days, during two seasons. It is our opinion that the scope of these field investigations was appropriate in being able to properly characterize site conditions.
- The EIS noted that breeding bird surveys included specific searches for Bobolink and Eastern Meadowlark. Bat survey work was also completed. These targeted SAR surveys were appropriate to the site. Although we have a concern with the thoroughness of reporting on other SAR species, this concern relates to the documentation of habitat availability (or the lack thereof); given this, and the extent of incidental wildlife observations included within the field program already completed, we are not suggesting additional targeted SAR surveys should have been completed.

1.3 Existing Conditions

- The EIS included an examination for permanent or seasonal drainage features, and confirms that no such features existing within the property. This is consistent with our observations during a more limited site review, including that site drainage in towards Lake Ontario and local depressional features, via sheet flow.

- Vegetation communities have been mapped in accordance with the Ecological Land Classification (ELC) system, work which appears appropriately thorough. The report provides brief descriptions of the vegetation composition of each community, and includes several reference photographs, which are useful.
- The EIS also includes a master list of vascular plant species, and their provincial ranking status, in one of the appendices. Although the text of the report notes that the master plant list included as Appendix B to the report additionally includes their global ranking status and native versus non-native status, that is not the case, although it is apparent that the authors of the report had such information at hand in preparing the report.
- The discussion on breeding amphibians, and inclusion of mapping showing survey locations, is well presented in the EIS.
- The discussion on breeding bird surveys, which includes, a tabular summary of observed species (by date), their rarity status, and whether they are considered area sensitive, is well presented in the EIS. Although the tabular summary does not provide locational information on all species observed, mapping is provided which shows the observed locations of the one identified species which is protected under the *Endangered Species Act*, as well as on the two area-sensitive species that were identified.
- The EIS discussion on Barn Swallow, which was observed, and on Bobolink and Meadowlark, neither of which were observed, is appropriately thorough.
- The discussion on the results of the bat assessment that was undertaken is very limited in the EIS, simply noting that one protected bat species, Little Brown Myotis, was detected. The authors of the report note that this triggered the submission of an Information Gathering Form, Avoidance Alternative Form, and an Application for an Overall Benefits Permit to the Ministry of Environment, Conservation and Parks (MECP; this provincial agency recently took over the administration of the *Endangered Species Act* from MNRF). Correspondence from MECP is included in an appendix to the EIS and provides the required sign-off from the province (subject to the implementation of mitigation measures). Notwithstanding this, it is our opinion that the public process requiring satisfaction through the completion of an EIS would benefit from a more complete discussion in the EIS of the results of the bat survey work, how those results impact on project design, and how those results influence other mitigation measures.
- It is Michalski Nielsen Associates Limited's opinion that Section 3 of the EIS should include a summary of additional SAR species which have the potential to be found on or adjacent to the subject property. This could be accomplished by the inclusion of a SAR screening table, listing all species of potential relevance, a description of their habitat requirements, discussion of whether portions of the subject property or adjacent lands provide any potential habitat for these species and, if potential habitat is present, recommended measures to mitigate against any adverse impacts.

Although we recognize that sign-off under the *Endangered Species Act* has been received from MECP, correspondence with that agency was apparently limited to a single species. As with our comments above relating to the bat survey results, it is our opinion that the public process requiring satisfaction through the completion of the EIS would benefit from the inclusion of more detail on the SAR screening process.

- The discussion of fish habitat in Section 3 of the report is very brief, simply noting that no fish habitat occurs within the property itself. However, this property occurs along the shoreline of Lake Ontario, where nearshore fish habitat is present, and adjacent to a coastal wetland (Soup Harbour PSW), which likely also provides fish habitat. Information that was received from MNRF on the fishery of Lake Ontario is included in one of the appendices of the report but the relevance of that information is not discussed in the body of the EIS. While we recognize that the proposed development does not involve any works within the nearshore or on the shoreline, it is our opinion that the nearshore fishery remains potentially relevant to other mitigation measures being considered, including shoreline setbacks and water quality protection measures; the inclusion of some discussion of the nearshore fishery would therefore be beneficial.

1.4 Analysis and Integration

- It is our understanding that mitigation measures relating to flood hazards, which take into consideration the recent unprecedented high water levels in Lake Ontario, are being finalized on the basis of ongoing consultation between Quinte Conservation and the coastal engineers involved in this project. It is appropriate that we leave comments on this topic to Quinte Conservation.
- The subsection of the report addressing significant habitat of Endangered and Threatened species will benefit from our recommended inclusion of a SAR screening table that considers the habitat potential for other species known to this general area. That said, we do not have any concerns relating to the EIS statement regarding how Barn Swallow and SAR bats are being addressed.
- The EIS includes discussion on criteria that a municipality may use to determine woodland significance. We have no concerns with the conclusions reached in the EIS that woodlands in the property do not meet any of these thresholds.
- On the matter of significant wetlands, it is our opinion that the EIS should include a more robust description of Soup Harbour PSW, allowing readers to better understand how the features and functions of this adjacent resource give rise to its identification as a provincially significant feature, as this is relevant to the migration measures being recommended (buffers, water quality protection, etc.).
- The EIS does discuss the wetlands within the property, their small size, and the lack of any apparent hydrological connection between these features and either the Soup Harbour PSW and Lake Ontario. Beacon Environmental's conclusions in this regard appear quite reasonable.

- We agree with the EIS report authors that the determination of what might constitute Significant Wildlife Habitat must occur at a broader municipal or watershed level, and that the role of an EIS is simply to identify candidate Significant Wildlife Habitat, and provide some context around its potential broader importance. The EIS does include discussion of candidate Significant Wildlife Habitat, although that discussion is limited to a small number of potential categories. It is our opinion that this discussion should additionally include the following categories of Significant Wildlife Habitat, as defined in the Significant Wildlife Habitat Criteria Schedule for Ecoregion 6E:

Seasonal Concentration Areas of Animals

- waterfowl stopover and staging areas (terrestrial);
- waterfowl stopover and staging areas (aquatic);
- shorebird migratory stopover area;
- bat maternity colonies;
- turtle wintering areas;
- migratory butterfly stopover areas.

Specialized Habitat for Wildlife

- waterfowl nesting area;
- turtle nesting areas.

Habitat of Species of Conservation Concern

- open country bird breeding habitat;
- Special Concern and rare wildlife species.

The discussion of potential habitat for Special Concern or rare wildlife species will benefit from our suggested inclusion of a screening table for all potentially relevant SAR species within the EIS.

- The discussion of site opportunities in the EIS speaks to legitimate opportunities for ecological improvements that can be achieved as part of this project, including the potential for improved habitat opportunities and corridor functions in association with Lake Ontario shoreline riparian areas, and possible water quality improvements to site runoff. Note that these opportunities should also be properly reflected in the EIS recommendations.
- With respect to the recommended limits of development, Michalski Nielsen Associates Limited has no fundamental concerns with these limits, however some clarification is required on the matter of setbacks versus buffers, terms which appear to be used somewhat interchangeably, but which should be distinguished from one another (a setback generally implies a structural setback or grading setback, whereas a buffer implies lands which are to be left in a natural state and/or naturalized). For example, constraints are described as including a 30 m setback from the water's edge, with no clarification of whether all or part of this is to be protected as a naturalized buffer.

Additionally, the EIS states “30 m to the Soup Harbour PSW”, without indication of whether this is to be a buffer or a setback. Finally, the text of the EIS describes a 15 m buffer to unevaluated wetland features, whereas Figure 6 in the EIS describes this as a 15 m setback. Our preference would be for lands within 30 m of the Lake Ontario waterfront and Soup Harbour PSW, as well as 15 m from the unevaluated wetlands, to be substantially (or entirely) maintained as natural/naturalized buffers.

- The planned construction of an internal roadway between the two wetland units appears reasonable, providing the width of this crossing is minimized and that other appropriate mitigation measures are applied.
- Development plans do provide for the protection of considerable areas of woodland outside of the two unevaluated wetlands within the property, which is good. Some encroachment into these woodland areas, as is proposed, is supportable on the basis of the findings of the EIS.

1.5 Description of Development Proposal

- The description of the development proposal and site servicing in the EIS provides useful information on the specifics of this proposal. That description notes that 71% of the site will be retained as open space, which, despite portions of this to be maintained lawn or landscaped areas, is a high proportion of open space.
- The proposed stormwater management system, which includes safe conveyance of post-development flows and water quality treatment of runoff from roads and driveways through oil/grit separators designed to provide an Enhanced level of treatment (80% suspended solids removal) appears reasonable to the nature of this development.
- The report notes that grading requirements, and associated earthworks, will be quite minimal, which is an important means of mitigating against sediment and erosion concerns during construction.

1.6 Impact Assessment and Mitigation

- The impact assessment portion of the EIS is provided in tabular form. While a useful means of summarizing the purposes of various mitigation measures, one concern is that the recommended mitigation measures are in cases quite general or vague, and are therefore open to some level of interpretation. For example, one recommended mitigation measure is to “restrict or limit grading within the buffer zones and/or setbacks.” In our opinion, there should be no grading, within any proposed buffers unless such works are very specifically described, and very limited in scale (for example, if required for a stormwater outlet diffuser). As another example, “BMPs such as proper separation, stockpiling and erosion control measures . . . will be implemented” provides insufficient direction. Michalski Nielsen Associates Limited is of the opinion that these recommendations

should be provided in greater detail and specificity, serving as a more concrete set of instructions to guide the Site Plan process.

- The recommendations in relation to both Significant Wildlife Habitat and SAR should also be expanded upon, as may be appropriate, on the basis of the additional analysis we have recommended on these two matters. For example, depending on the results of this additional analysis, it may be beneficial to have timing restrictions on certain aspects of construction, as well as site-specific SAR awareness training for contractors engaged in certain aspects of that work.
- The above being said, Michalski Nielsen Associates Limited is of the opinion that the mitigation measures being recommended all have merit and collectively serve to minimize adverse impacts associated with this development proposal.

1.7 Policy Conformity

- The tabular summary of policy conformity provides a useful summary of how various environmental policy requirements are being met. As per our previous comments, the discussion related to both Significant Wildlife Habitat and the habitat of Endangered and Threatened species should be expanded upon, as may be necessary, on the basis of the additional analysis we have recommended on these two matters.
- Beacon Environmental notes that it is their opinion that the proposed development also conforms to the County's new draft Official Plan, which is still not in effect.

1.8 EIS Summary and Recommendations

- The EIS summary notes that a next stage of this project, following the Official Plan Amendment and rezoning, will involve preparation of a Site Plan Agreement. As it is our opinion that the recommendations of an EIS are a very important tool to guide the development of the Site Plan, and as we have recommended that there be additional detail and specificity to these recommendations in the EIS, we additionally recommend that Beacon Environmental be engaged to review these later Site Plan details to ensure they are fully consistent with the direction of the EIS.
- Although there are certain areas in which we have requested that the EIS include additional supporting information, we are in general agreement with Beacon Environmental that the proposed development can occur in a manner which will not adversely impact on any significant natural heritage features and ecological functions. It is additionally noted that in our review of the existing developments of Quinte's Isle Campark and the Pebble Beach West development, it is very clear that those facilities are well managed, and that the newer aspects of these developments have been implemented with considerable care; this provides a good level of confidence that the Pebble Beach East development will similarly be implemented and managed with care.

2.0 SUMMARY COMMENTS AND RECOMMENDATIONS

The subject property is a 38.2 ha parcel of land with shoreline frontage on Lake Ontario. It consists primarily of agricultural lands, with gentle grades towards the lake. It also includes some treed swamp and thicket swamp wetland communities, and some additional woodland areas. There is a PSW on adjacent lands. A proposal has been made to develop a campground on the property, which is to consist of 337 park model trailer sites. This development can be implemented in a manner which protects the small internal wetlands, protects much of the additional woodland, and includes substantial setbacks/buffers from both Lake Ontario and the adjacent PSW. There are no boat docks or other shoreline structures being proposed, nor are there any proposed shoreline modifications for such purposes as beaches or activity areas.

In general terms, Michalski Nielsen Associates Limited is of the opinion that this new land use can be supported. All of the necessary field work has been completed as part of the EIS in support of such a conclusion. However, it is our opinion that the EIS would benefit from additional discussion and analysis in certain areas to ensure proper transparency, to support the conclusions of the EIS, and possibly to add to the mitigation measures that are being recommended. Further, it is our opinion that the recommendations of the EIS need to be better flushed out, in order to serve as a more concrete set of instructions to guide the Site Plan process. Our specific recommendations are provided below; all such recommendations can be addressed as an addendum to the original report.

Recommendation #1: Appendix B to the EIS should be updated to include global ranking status and native versus non-native status, to ensure consistency with the description of that appendix in the body of the report.

Recommendation #2: Please include additional detail on the findings of the bat survey work that was undertaken, and how such work impacted on project design and other mitigation measures.

Recommendation #3: Please provide summary information on additional SAR species which have the potential to be found on or adjacent to the subject property. This could be accomplished by the inclusion of a SAR screening table, listing all species of potential relevance, a description of their habitat requirements, discussion of whether portions of the subject property or adjacent lands provide any potential habitat for those species and, if potential habitat is present, recommended measures to mitigate against any adverse impacts.

Recommendation #4: Please include some discussion of the nearshore fishery of adjacent Lake Ontario, and any associated fish habitat opportunities associated with Soup Harbour PSW.

Recommendation #5: Please include a more complete description of Soup Harbour PSW, to better describe how that wetland's features and functions give rise to its identification as a provincially significant feature.

Recommendation #6: Please include discussion of other potential candidate Significant Wildlife Habitat. Several other categories of potentially relevant Significant wildlife Habitat are listed in this peer review.

Recommendation #7: Please clarify whether lands within 30 m of Lake Ontario, 30 m of Soup Harbour PSW, and 15 m of the small internal wetlands (with the exception of the intended road) are to be preserved/re-naturalized as buffers, and not simply act as setbacks. Any intended works or uses within those lands should be clearly specified.

Recommendation #8: Please provide greater detail and specificity on the proposed mitigation measures, to ensure these provide concrete instructions to guide the Site Plan process. In doing so, expand on those recommendations relating to Significant wildlife Habitat and SAR, as may be appropriate, based on the additional requested analysis of SAR habitat and Significant Wildlife Habitat.

Recommendation #9: Please update the discussion in Section 7 of the EIS regarding policy conformity with respect to Significant Wildlife Habitat and SAR, as may be necessary, on the basis of the additional analysis we have recommended on those two matters.

Recommendation #10: Please include a recommendation in the EIS that Beacon Environmental review the later Site Plan details to ensure these are fully consistent with the direction of the EIS recommendations, and provide sign-off to the County to that effect.

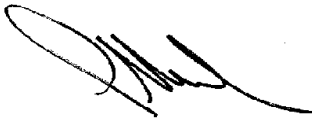
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In closing, I trust this peer review is complete and provides useful guidance towards the completion of an addendum to the EIS. I would be happy to discuss my comments further with the County, Quinte Conservation, proponent and proponent's consultant team.

Yours truly,

MICHALSKI NIELSEN ASSOCIATES LIMITED

Per:



Gord Nielsen, M.Sc.
Ecologist
President

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