

Ministry of
Natural Resources

Ministère des
Richesses naturelles

50 Bloomington Road West
Aurora, Ontario L4G 3G8



December 5, 2006

Mr. Ian Buchanan
Manager of Natural Heritage and Forestry Services
Roads Branch
Transportation and Works Department
The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario L3Y 6Z1

Dear Mr. Buchanan:

RE: SUMMIT GOLF AND COUNTRY CLUB, RICHMOND HILL - COMMENTS ON
FOREST CONSERVATION BY-LAW SPECIAL PERMIT APPLICATION

The Ministry of Natural Resources (MNR) has reviewed the documentation received in support of the proposed forest clearing. The site is located in a Natural Core Area of the Oak Ridges Moraine Conservation Plan. The site is also in the regionally significant Jefferson Forest Area of Natural and Scientific Interest (ANSI). Application of the draft criteria for identification of significant woodlands on the Oak Ridges Moraine would indicate that the forest is also a significant woodland. The forest is thus a key natural heritage feature in the meaning of the Oak Ridges Moraine Conservation Plan. The following technical comments on the Environmental Impact Statement (EIS), addendum to the EIS and Hydrological Impact Assessment are provided:

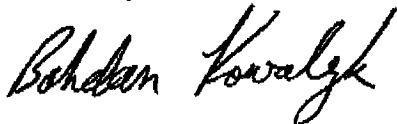
1. The EIS states that municipal road improvements have created such unreasonable safety, liability and playability issues that they have caused the closure of one golf hole near Stouffville Road. However, the golf course appears to have continued to function with the hole closed.
2. The EIS does not identify or examine the potential appropriateness of alternatives to the design presented.
3. It appears that MNR's Aurora District was not consulted and that MNR's inventory of the Jefferson Forest ANSI published in May 2001 was not considered. The MNR inventory could have provided a basis for more species that deserve special searches or consideration. For example, the MNR inventory identified the provincially rare burning bush (*Euonymus atropurpurea*) and sharp-leaved goldenrod (*Solidago arguta*) to be in the ANSI. The MNR inventory also identified within the ANSI the existence of butternut (*Juglans cinerea*) which in 2003 was identified as an endangered species. Consequently, it does not seem that the EIS inventory placed any special emphasis on looking for these species.
4. The EIS does not appear to have made any special searches for the threatened Jefferson salamander on the property. Pure (non-hybrid) Jefferson salamanders have been found in smaller woodlands during other studies in the vicinity.
5. The quantitative description of the proposed tree removal on pages 19-20 of the EIS only provides species percentages and is not sufficient for the understanding of vegetation

community impacts. A tree diameter range of 10 to 50 centimetres only confirms that this is mature forest. A 100 metre edge to interior distance is standard in the evaluation of forest interior bird habitat, but an edge distance of 10 to 30 metres would be better for an evaluation of edge plant habitat versus forest vegetation habitat. Table 3 includes European white birch although this species does not appear on the subsequent list of recorded plants.

6. Reforestation to compensate for tree loss is commendable. However, the proposed planting areas are often small and narrow. It would be helpful to compare the typical forest vegetation amount (buffered by a 10 to 30 metre edge distance) that is proposed for removal and replacement. In any case, it should be obvious that new plantings will not simply replace the natural attributes of age and composition.
7. The addendum of June 30, 2006 only recognizes the ovenbird as an area-sensitive forest breeding bird among those recorded. However, the red-breasted nuthatch (in unit 3) and the pine warbler (in units 2 and 3) are also area-sensitive forest birds that were recorded in the area to be affected. Therefore, it is unclear how the report concludes there would be negligible impact on breeding forest birds.
8. From the recorded plant species, it would appear that not all of the soils are very well drained. Crested wood fern (*Dryopteris cristata*) is an obligate wetland species, almost always (>99% probability) occurring in wetlands and associated with an advanced successional stage, indicating the site-restricted nature of its location. Other recorded species that usually occur in wetlands (67-99% probability) include small enchanter's nightshade (*Circaea alpina*), tall meadow-rue (*Thalictrum pubescens*) and Canada elderberry (*Sambucus canadensis*). It is not clear if the hydrological assessment involved any searches for additional hydrologically sensitive features that were not already known, i.e., closer to the proposed construction. This may have implications on the interpretations of habitat for certain species.
9. Also from the recorded plant species, the presence of the regionally rare black maple (*Acer nigrum*), round-lobed hepatica (*Anemone americana*) and pipsissewa (*Chimaphila umbellata*), as well as the uncommon witch-hazel (*Hamamelis virginiana*), wintergreen (*Gaultheria procumbens*), fringed polygala (*Polygala paucifolia*) and bristly greenbrier (*Smilax hispida*) does corroborate the uncommon nature of the communities proposed for removal.

If there are any questions or comments, please contact the undersigned at 905-713-7714.

Yours truly,



Bohdan I. Kowalyk, R.P.F.
Aurora District Forester

cc: David Sit, Ministry of Municipal Affairs and Housing