

February 22 2021

Glen Williams Phase II: Addendum 2

Prepared for

Charleston Developments
(1404649 Ontario Limited)



Project Study Team

North-South Environmental Inc.

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Glen Williams Phase II EIR: Addendum 2

1. Introduction

The purpose of this addendum is to address comments by the Region of Halton (the Region) on the Environmental Implementation Report (EIR) prepared by North-South Environmental Inc. in March, 2015. The comments were provided following submission of the draft plan of subdivision for the proposed Glen Williams Phase 2 residential development north of Bishop Court in the Hamlet of Glen Williams. These comments are provided in Appendix 1. The study area (Figure 1), Part of the West Half of Lot 23, Concession 10, is owned by Charleston Developments.

There have been changes to the site since the EIR was issued. Following comments from Credit Valley Conservation (CVC) on the EIR, follow-up conversations were held with CVC to resolve the issue of a wetland that remained on the site. The wetland was proposed for removal, and needed to be removed as soon as possible so that a Risk Assessment could be conducted on the site, and fill could be imported as permitted by the current fill permit. The wetland had resulted from excavations due to gravel extraction, and was determined to have low functions that could be replicated outside the development area.

A wetland compensation area was proposed in a location and with a configuration acceptable to CVC. A permit to remove the wetland was received on March 13th, 2020. The wetland was removed by May 31st, 2020.

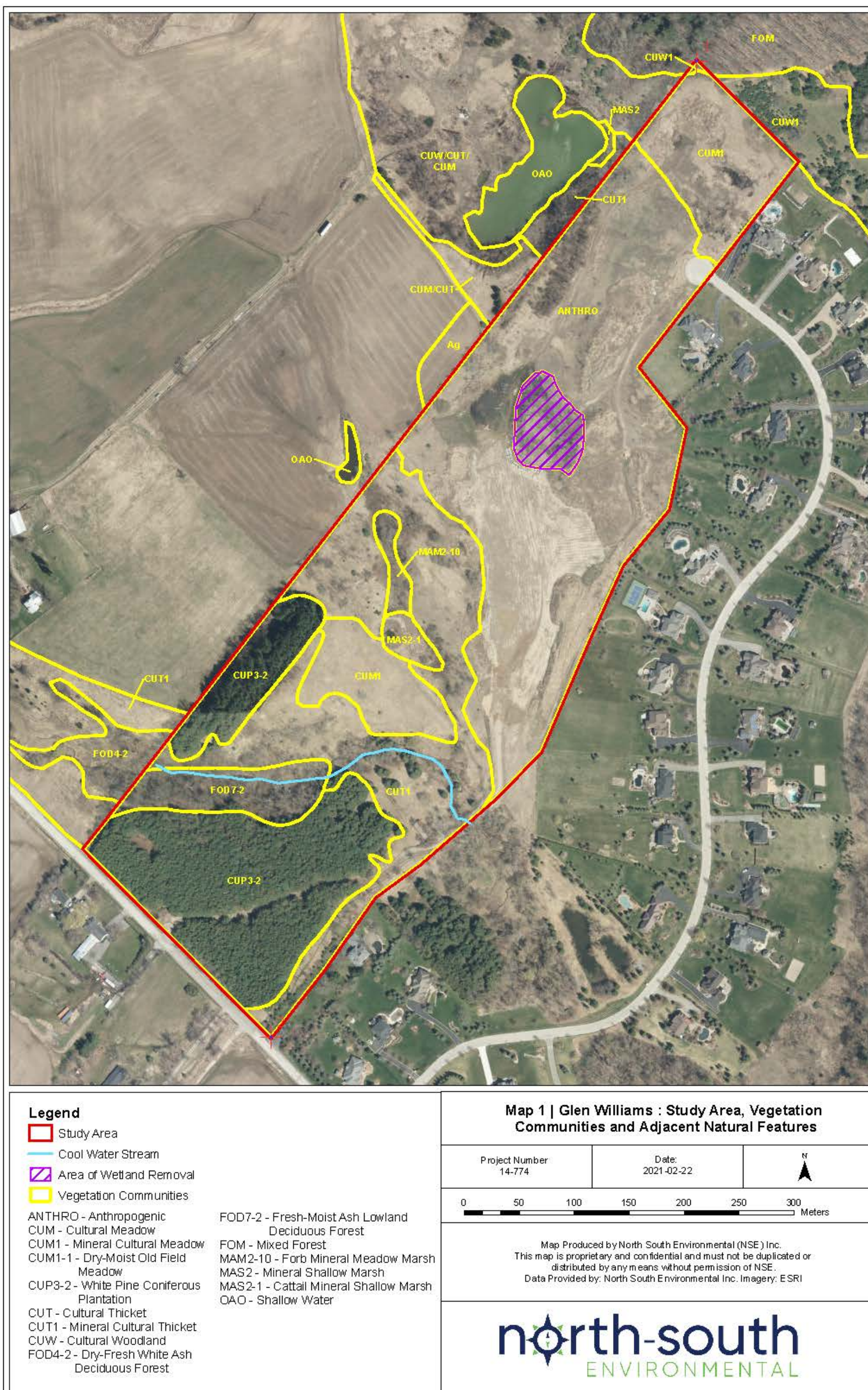
2. Current Conditions

2.1. On-site Conditions

A site visit was conducted on 16th October, 2020 to review the site conditions. Figure 1 provides an update of the vegetation community classification on the site and in the immediate vicinity. The eastern portion of the study area was previously used for aggregate extraction, and presently has a variety of features resulting from the former gravel extraction and from recent grading and filling. These latter areas mainly consist of compacted gravel, and rough roadways which are visible across the study site. Most of the site consists of bare soil (noted as "Anthropogenic" as there is no code for vegetation classification). Vegetation is absent from the area due to recent grading and filling.

As noted above, a former wetland that had become established in a depression left by the former gravel extraction was removed by May 31, 2020 (the former location is shown in Figure 1), with permission from the CVC. A large depression remains, which has temporarily filled with standing water over the past weeks because of recent periods of rain. This water generally drains slowly into the permeable soils (shale) placed near the north side (Tasker 2020, pers. Comm.).

Figure 1. Ecological Land Classification on the Glen Williams Site and its Environs (2020)



Soil is banked at a low gradient near the depression. Figure 2 provides a photo of the area where the wetland was removed.

Figure 2. Photo of the area where the wetland was removed looking toward the northeast portion of the site



Five different vegetation communities were identified within the property outside the area of filling and grading (Figure 1). A large portion of the remainder of the study site supports cultural and successional communities (those arising from recent disturbance): Cultural Thicket (CUT1), Cultural Meadow (CUM1-1) and Cultural Plantation (CUP3-2). Areas of cultural meadow have shrunk since past visits because of the growth of shrubs at the periphery. The only wetlands on the site are seasonally flooded areas along the eastern tributary, identified as Shallow Marsh (MAS2-1) and Meadow Marsh (MAM2-10). A small pond, mapped within the western part of the wetland boundary within the community labelled MAS2-1, will be retained on the site.

The function of the Cultural Plantation, which is mapped as Supportive Greenlands within the Region, was noted as low in the 2006 EIS and 2010 EIR. This remains true in 2020, on the basis of a site visit conducted in October of 2020. The plantation is composed of few species of planted conifers. The trees are densely planted, and produce intense shade, so that there is almost no understory or ground layer. Lower portions of the dominant canopy trees have died because of the intense shade. The current condition of the plantation is further detailed in the Tree Assessment Report prepared by MacKinnon & Associates, November 13, 2019.

Very few wildlife species were noted in the original EIS within the plantation despite summer and winter surveys, and this is not likely to have changed. Birds included common residents of plantations in urban habitat, all of which use bird feeders and whose populations are boosted in residential areas, including Red-breasted Nuthatch, Mourning Dove, American Crow, Blue Jay, Black-capped Chickadee, Northern Cardinal, song Sparrow and Chipping Sparrow. Mammal species noted in the plantation were Eastern Cottontail and Grey Squirrel. In 2006, browsed twigs indicated that White-tailed Deer occasionally foraged within this unit. However, almost all lower branches within the plantation have died, and the shrub layer is very sparse, leaving little forage for deer. No evidence of deer browse was noted during the visit in October 2020.

The vegetation community on site which is the most representative of the vegetation present prior to human disturbance is the Deciduous Forest (FOD7-2) associated with the area of steep slopes on the southwest side of the Western Tributary, and along the lower bank on the northwest side of the Western Tributary.

As noted in 2006, a turtle and three amphibian species were noted in a small pond just west of the Eastern Tributary, in an area that will not be altered by development. This pond is likely to be too small to be overwintering habitat for turtles. Nesting habitat is also not present on the site, as turtles nest in loose, unvegetated soils, and all recent areas of soil filling have been compacted. All other parts of the site are entirely vegetated. This pond was surveyed as part of the original EIS and did not support amphibian numbers consistent with Significant Wildlife Habitat. The pond is proposed to be enlarged to improve its function as part of the compensation for the removal of the wetland on the eastern part of the site.

2.2. Features on the Site Periphery

Figure 1 shows the vegetation communities within approximately 50 m of the site boundary, in order to address comments by the Region. These features include the following:

- Areas of forest and cultural communities occur on the northwest corner of the site, associated with the continuation of the tributary to the north.
- A large pond is adjacent to the subject property, situated on the property to the northeast of the Phase II area. The pond was created by gravel extraction, and is steep-sided, with almost

no wetland vegetation along the water's edge except a narrow bank of Common Reed (*Phragmites australis* ssp. *australis*) along the east side. The drop from the northern site boundary to the pond edge is a steep slope approximately 10 m high, and is mainly vegetated with a dense cover of grasses, with scattered shrubs and young trees.

- A small dug pond is visible north of the subject property, north of the central part of the property boundary (this conclusion was reached because the spoil pile resulting from the excavation is evident on the north side of the pond). This pond has a narrow band of Narrow-leaved Cattail (*Typha angustifolia*) along the edge. The steep slope to this pond is vegetated with cultural thicket.
- A mature mixed forest dominated by Sugar Maple (*Acer saccharum*), Eastern Hemlock (*Tsuga canadensis*) and American Beech (*Fagus grandifolia*) occurs on the slope on the northeastern corner of the site, extending east and north of the site. Cultural thicket and woodland occur between the eastern site boundary and the deciduous forest along the slope to the east.

3. Summary of On-site Constraints

Figure 3 illustrates constraints that have been identified on the site. They are:

- Wetland buffer of 15 m
- Intermittent stream buffer of 15 m
- Cool water stream buffer of 30 m
- Meander Belt
- Meander Belt setback
- Top of bank as staked with CVC on August 17, 2006
- Top of bank 5 m setback
- Long term stable slope crest
- Stable slope crest 5 m buffer

The development limits coincide with the outermost constraint lines, as shown in Figure 4.

3.1. Habitat for Endangered and Threatened Species

MNRF was contacted regarding all potential habitat for SAR on the site as part of the Ecological Risk Assessment (letter to Megan Eplett dated July, 2015 and email responses received in September and October, 2015, provided in Appendix 1). Ms Eplett indicated concern only regarding Bank Swallow. These concerns were addressed through the exemption requirements for Threats to Health and Safety, not imminent (Section 23.18 of Ontario Regulation 242/08), which involved a Mitigation Plan, as required by MNRF. The site is no longer suitable for Bank Swallow, due to importation of fill and site grading (under a Fill Permit issued by CVC). Fill has been smoothed out and compacted throughout the site. These concerns were addressed through a Mitigation Plan.

MNRF did not express concerns regarding the Eastern Meadowlark in 2015, and the site is now less suitable for Eastern Meadowlark than in the past as shrubs and young trees have overtaken most of the potential habitat, leaving only a small area of meadow (as shown in Figure 1).

4. Proposed Within-Lot Enhancements

4.1. Restoration of Hamlet Buffer

The function of Supportive Greenlands is proposed to be enhanced by implementation of a 20 m Hamlet Buffer, which will incorporate the northern portion of the plantation along the northern boundary. The Hamlet Buffer will be included along the backs of lots, but will be protected by a Conservation Easement. The northern 10 m of the Hamlet Buffer will be restored to a mix of coniferous and deciduous vegetation (i.e. a combination of Conifer Forest and Mixed Forest).

Areas along the backs of Lots 24 to 28 south of the road will also be restored with a 10 m buffer, as well as the area to the east of Lot 1. A 3.5 m swale will run along the southern lot boundary within these lots, outside the 10 m restoration area, as the swale must be kept clear of trees and shrubs.

Figure 3. Constraints within and Adjacent to the Glen Williams Site

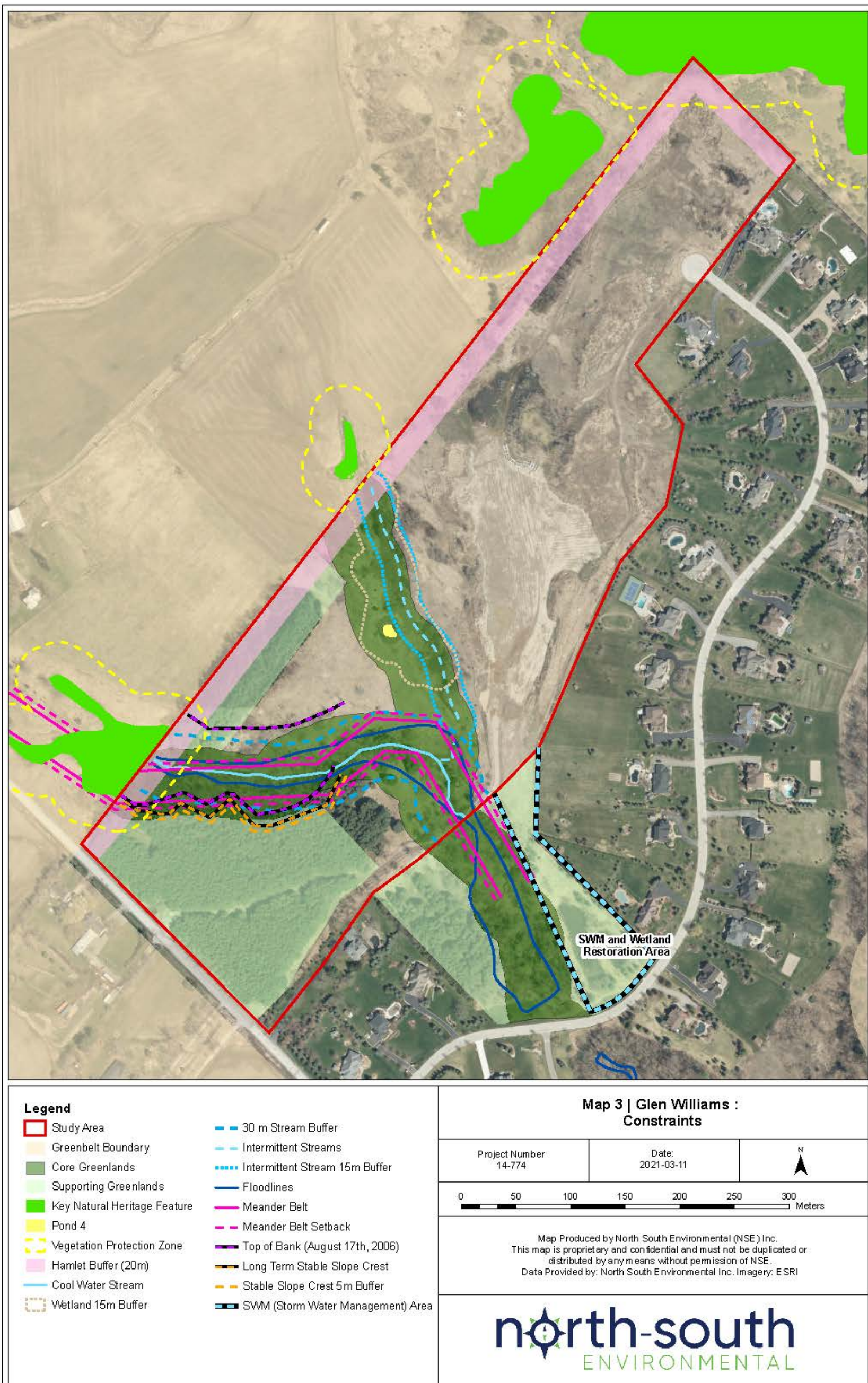
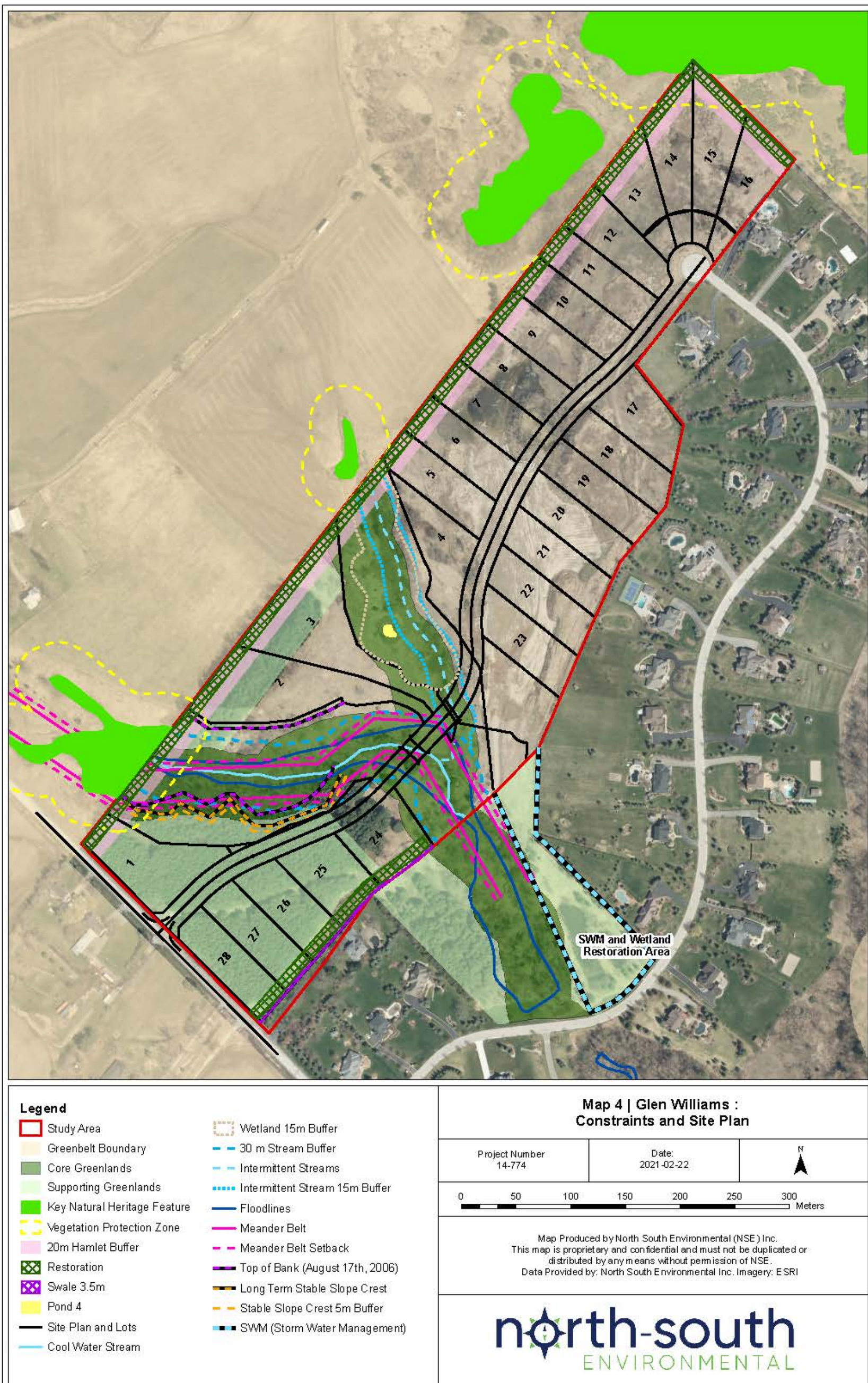


Figure 4. Subdivision Plan Overlaid on Constraint Map



5. Off-site Constraints

5.1. Features within the Halton Natural Heritage System: Significant Woodland Associated with Western Tributary

The off-site woodland associated with the Western Tributary is not within the Greenbelt Natural Heritage System. However, this woodland is within Halton's Natural Heritage System, and would meet the criteria for Significant Woodland as it is contiguous with the on-site woodland (therefore meeting the size criterion of 0.5 m) and encompasses a watercourse (the Western Tributary) that would be considered a Major Creek or Certain Headwater Creek: another criterion for Significant Woodland.

For this feature, a buffer of approximately 20 to 30 m is provided by the setbacks on the east side of the Western Tributary. The west side of the feature is also largely buffered by the setbacks on the site, except a small area on the north side of Lot 1, which is within an area of plantation that will not be developed as it is outside the development limit. No further buffer is proposed in this area. However, the Hamlet Buffer and other restoration areas provide the appropriate buffer to this feature.

5.2. Features within the Greenbelt Natural Heritage System

The Greenbelt Natural Heritage System to the north of the site is shown in Figure 5. The Greenbelt Natural Heritage System protects Key Natural Heritage Features and Key Hydrologic Features. Key Natural Heritage Features include:

- Habitat of endangered species and threatened species;
- Fish habitat;
- Wetlands;
- Life science areas of natural and scientific interest (ANSIs);
- Significant valleylands;
- Significant woodlands;
- Significant wildlife habitat (including habitat of special concern species);
- Sand barrens, savannahs and tallgrass prairies; and
- Alvars

Key hydrologic areas include:

- Permanent and intermittent streams;
- Lakes (and their littoral zones);
- Seepage areas and springs; and
- Wetlands

Figure 5. Greenbelt Protected Countryside to the North, East and West of the Site

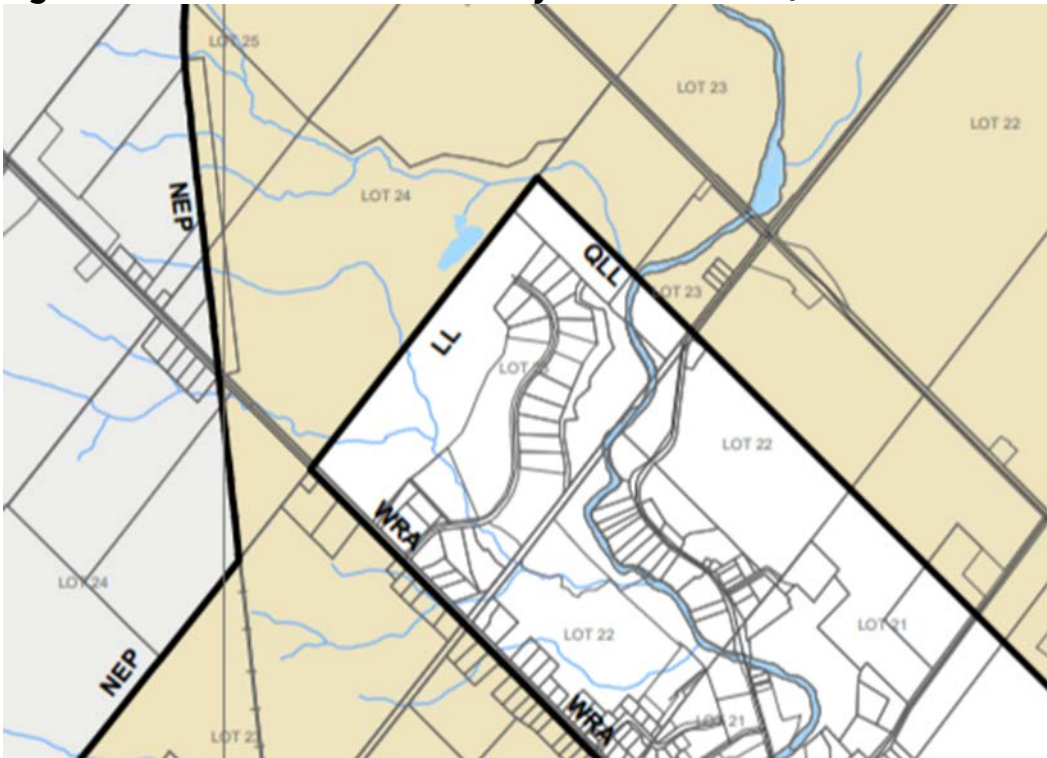
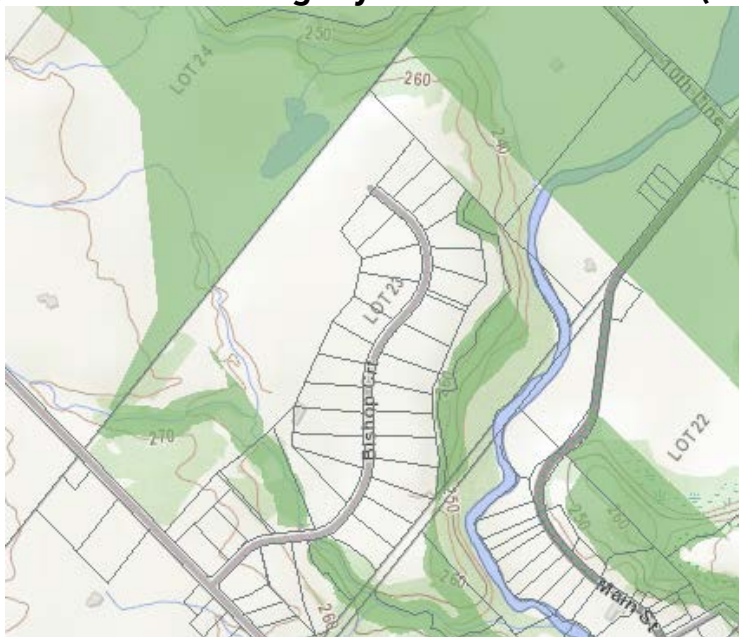


Figure 6. Natural Heritage System for the Greenbelt (Off-site) and Region of Halton (On-site)



5.2.1. Ponds

The two ponds on lands north of the property would be considered fish habitat by the Department of Fisheries and Oceans (DFO). They would therefore be considered Key Natural Heritage Features within the Greenbelt Natural Heritage System. These ponds would have to be sampled to determine if they supported fish, but if they are fish habitat, a 30 m buffer would be required within the Greenbelt Plan area. This 30 m buffer would not be required on the subject lands. The ponds would likely not be sensitive to development. The ponds are sufficiently buffered by the steep bank that separates them from the site and by the 20m Hamlet Buffer on the northern property limit.

5.2.2. Eastern Forest Unit

The off-site forest unit to the east is within the Greenbelt Natural Heritage System, as shown in Figure 5. It is considered a Key Natural Heritage Feature. The buffer associated with Key Natural Heritage Features within the Greenbelt is 30 m. However, this buffer requirement does not apply within the site.

This feature is largely buffered by the adjacent cultural woodland that lies between the property boundary and the edge of the woodland. A small portion of the northeastern corner of lots 14 and 15 is adjacent to the forest, which occupies a slope that grades steeply away from the site boundary. The 20 m Hamlet Buffer will provide protection on this corner. In addition, it is recommended that the edge of lots 14 and 15 be fenced to avoid impacts to the forest edge.

6. Proposed Development

All lot lines are outside constraints noted in Figure 3, as shown in Figure 4. The proposed development has been described in detail in the previous EIS (North-South Environmental 2010).

6.1. Summary of Proposed Habitat Restoration

The Hamlet Buffer area is proposed to be 20 m, within which structures will not be permitted. The 20 m buffer is proposed to be within a Conservation Easement. Trees in the existing plantation will not be retained as they are nearing the end of their life span; however, planting is proposed to restore both coniferous and deciduous trees within the northern 10 m of this buffer. The 20 m buffer will restore and enhance the limited function of the plantations that are designated Supportive Greenlands by providing cover for wildlife in winter, nesting sites for species that depend on coniferous habitat and providing forage for deer. Nodes of coniferous forest with intervening mixed forest are planned to provide additional diversity to the habitat.

Restoration of a 10 m buffer along the southern boundary of Lots 24 to 28 (outside a drainage swale that serves as part of the stormwater treatment works proposed for the site) is planned to enhance the habitat diversity between the tributaries.

Restoration areas are also planned along the tributaries north and south of the road, particularly east of Lot 1 which is currently occupied by the plantation. Restoration of native hardwoods and conifers to initiate restoration of native woodland is proposed for these areas. Detailed restoration plans will be provided at the detailed design stage.

A wetland will be constructed south of the storm water facility to enhance the functions of the remaining wetland on the site (as shown conceptually in Figure 3). A second restoration site is also proposed adjacent to the Western Tributary. The total area of restoration will occupy the same area as the removed wetland but will provide an enhanced function.

APPENDIX 1 | Communication with MNRF regarding Species at Risk

Appendix page

Hi Leah,

Please see answers in red below. Let me know if you have any other questions.

Thanks,
Megan

Megan Eplett | Management Biologist | Aurora District | Ministry of Natural Resources and Forestry

From: Leah Lefler [<mailto:llefler@nsenvironmental.com>]
Sent: October-07-15 12:02 PM
To: Eplett, Megan (MNRF)
Subject: RE: SAR at Charleston Homes site in Glen Williams

Hi Meghan,

I was wondering if you could clarify a few things for me:

1. How large of an area does the Mitigation Plan need to apply to? Is there a standard distance from nesting burrow that should be applied? E.g. 100 m surround the nesting location?

The mitigation plan is applied to the whole site however actions prescribed in the mitigation may only be relevant in the areas of the site that are Bank Swallow habitat. The General Habitat Description for Bank Swallow outlines habitat as a 500m radius surrounding the nesting location.

2. How long (in terms of time) does the Mitigation Plan apply – just during the removal of the nests, or throughout development? I assume that it applies to the timing of the nest removal, not the entire project. Is this assumption correct? There are concerns that the mitigation plan will apply beyond the removal of the nests, which would impact project timing/completion.

A copy of the mitigation plan itself must be retained for at least 5 years after the activity is complete. The mitigation plan would be applicable throughout the carrying out of the authorized activity, in this case the removal of the contaminant. However the actions prescribed in the mitigation plan may be occurring on a shorter time scale (i.e. the removal of nests).

With thanks,
Leah

From: Eplett, Megan (MNRF) [<mailto:Megan.Eplett@ontario.ca>]
Sent: September-23-15 3:16 PM
To: Leah Lefler
Cc: ESA Aurora (MNRF); Glenn Wellings (glenn@wellingsplanning.ca); Denise Isabelle (disabelle@aelenv.com)
Subject: RE: SAR at Charleston Homes site in Glen Williams

Hello Leah,

That is correct, through discussion with our regional office I can confirm that the project **will** qualify for the Threats to Health and Safety exemption under the ESA as the addition of soil will

clean the contaminated area. Apologies for the confusion with this file, this exemption is still quite new.

Attached is an excerpt of Section 23.18 of Ontario Regulation 242/08 which describes the exemption requirements for Threats to Health and Safety, not imminent. Notice of Activity must be given prior to works commencing. The following link provides additional guidance and links to providing notice of activity: <http://www.ontario.ca/environment-and-energy/health-and-safety-projects-threatened-and-endangered-species> .

You are correct that a mitigation plan must be prepared in order to meet the requirements of the regulation. The Mitigation Plan must include:

1. A description of the activity and its main purpose and an explanation of the threat to human health or safety that requires that the activity be carried out and of the serious consequences that would result, in the short or long term, if the activity was not carried out.
2. The proposed start and completion dates of the activity.
3. A description of all of the stages of the activity and a timeline for the stages.
4. A list of all the species that are listed on the Species at Risk in Ontario List as endangered or threatened species and that are likely to be affected by the activity.
5. An assessment of the activity's likely effects on members of each species identified under paragraph 4.
6. A map indicating the geographic location of the activity on the property where it will occur.
7. Details of how the person will carry out the steps that are required to minimize the adverse effects of the activity on a species identified under paragraph 4, including,
 - i. the dates on which, and locations at which, each step will be carried out, and
 - ii. the times during the year when the species is likely to be carrying out a life process related to hibernation or reproduction, including rearing, and during which the person must avoid killing, harming or harassing members of the species. O. Reg. 176/13, s. 14.

As the project will involve the removal of Bank Swallow nests, MNRF Aurora recommends mitigating by completing the works outside the active nesting season for Bank Swallow (May 1 – August 15).

Please let me know if you have any additional questions.

Thank you,
Megan

Megan Eplett | Management Biologist | Aurora District | Ministry of Natural Resources and Forestry



July 29, 2015

Megan Eplett
A\ Management Biologist
Ontario Ministry of Natural Resources and Forestry
Aurora District Office
50 Bloomington Road West
Aurora, ON L4G 0L8

Dear Ms. Eplett,

Re: review of Species at Risk and habitat suitability for Charleston Homes, Glen Williams

The purpose of this letter is to summarize the potential for Species at Risk (SAR) at the Charleston Homes site in Glen Williams, based on an assessment of habitat suitability, to ensure that SAR and SAR habitat are properly addressed in our study process. The following SAR are reviewed below, based on their potential to occur on or near the site:

- Butternut (*Juglans cinerea*)
- Barn Swallow (*Hirundo rustica*)
- Bank Swallow (*Riparia riparia*)
- Eastern Meadowlark (*Sturnella magna*)
- Bobolink (*Dolichonyx oryzivorus*)

Figure 1 provides an illustration of the Charleston Homes site in Glen Williams (referred to as the subject property), and includes Ecological Land Classification to describe the vegetation communities that occur on the subject property. Figure 1 was prepared as part of work completed at the site by North-South Environmental in 2006 (NSE 2006).

Butternut

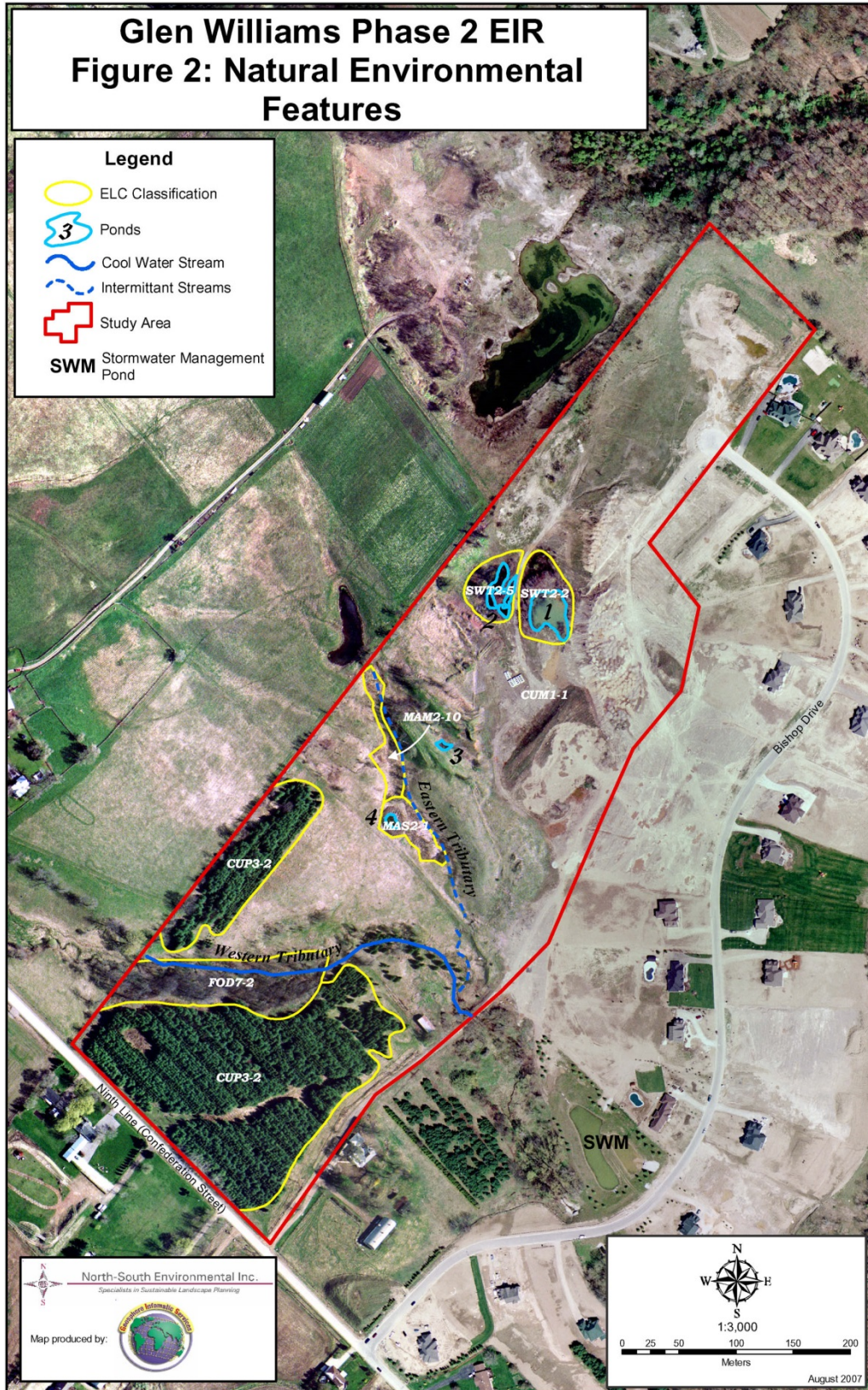
In your letter dated June 30, 2015 you noted that Butternut, an Endangered species in Ontario and Canada, has the potential to occur in our study area and may require further assessment or field studies to determine presence. As part of the Environmental Implementation Report (EIR) study process, North-South Environmental Inc. (NSE) completed botanical surveys on June 28th, July 1st and July 9th in 2006. These field surveys provided a floral species list for the site. Butternut was not located during these surveys; therefore, it is unlikely that this species occurs at the subject property.

Barn Swallow

In your letter dated June 30, 2015 you also noted that Barn Swallow, a Threatened species in Ontario and Canada, has the potential to occur in our study area and may require further assessment or field



Figure 1. Natural Environmental Features noted at the subject property during fieldwork completed by North-South Environmental in 2006 as part of the Environmental Implementation Report study process.



studies to determine presence. As part of the EIR study process, North-South Environmental Inc. (NSE) completed breeding bird surveys on June 28th and July 1st in 2006. These field surveys provided a list of birds, which included breeding status, for the site. Barn Swallow was not noted during these surveys. It is possible that this species occasionally visits the subject property to forage. Barn Swallow is an aerial insectivore, which frequents open areas to forage for insects. Suitable nesting structures for Barn Swallow (i.e., barns, other buildings, bridges, etc.) are not present on the subject property; therefore, it is unlikely that this species breeds at the subject property.

Bank Swallow

Bank Swallow, a Threatened species in Ontario and Canada, was noted by NSE at the subject property during surveys completed in 2006 as part of the Environmental Implementation Report study process. This species was noted in the eastern portion of the study site. Nest holes were not located during the surveys completed by NSE, but the EIR noted that Bank Swallow nest holes may occur at the study property based on the availability of suitable habitat (i.e., gravel pit). Subsequently, Credit Valley Conservation (CVC) completed a site visit at the subject property on July 15, 2015 and noted three Bank Swallow nests (Figures 2 and 3). CVC staff noted that Bank Swallow nesting locations are situated in the central area of the property specifically within the raised exposed area surrounding a utility pole immediately adjacent to the haul route.

Figure 2. Map of Bank Swallow nesting site at subject property. Map prepared by CVC staff.

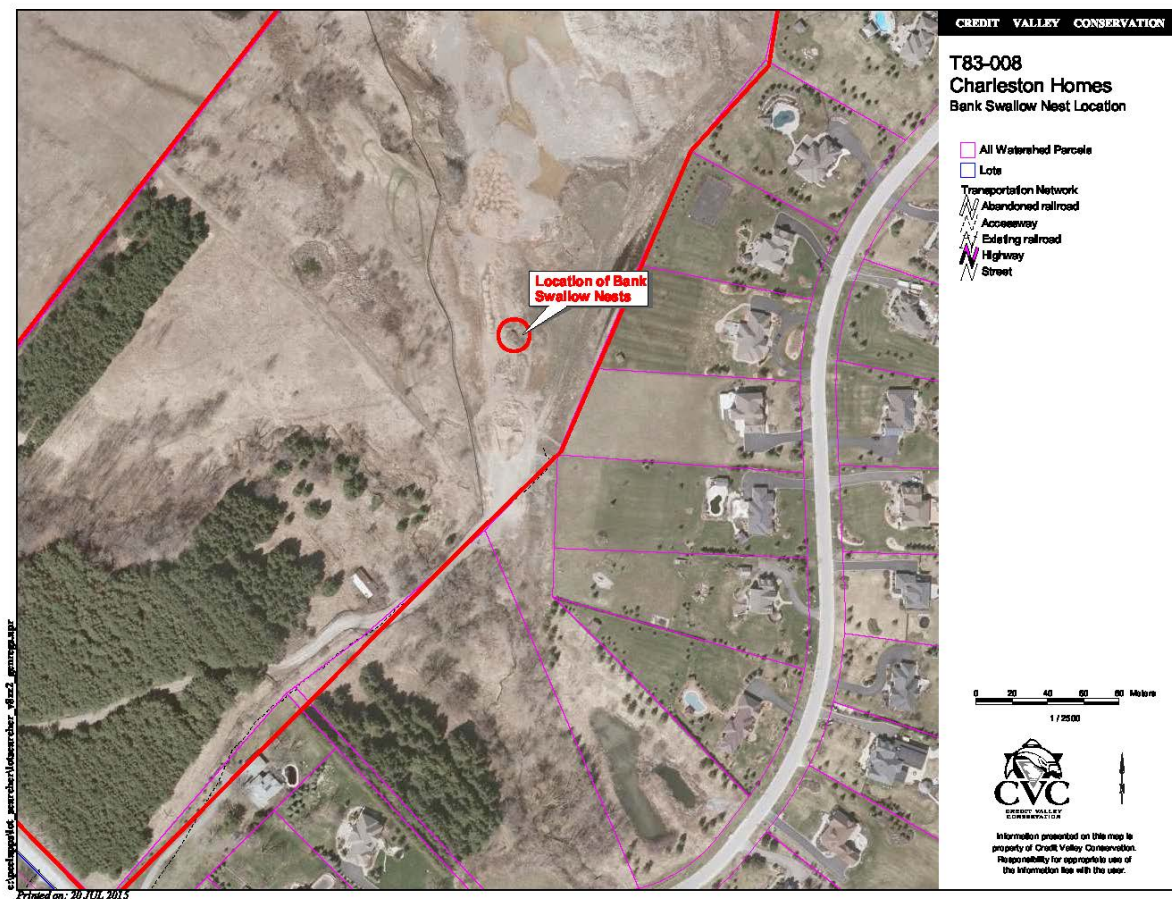


Figure 3. Photograph of Bank Swallow nesting holes at subject property. Photograph taken by CVC staff on July 15, 2015.



Eastern Meadowlark

Eastern Meadowlark, a Threatened species in Ontario and Canada, was noted by NSE at the subject property during surveys completed in 2006 as part of the EIR study process. This species was noted on a fence post at the northwestern edge of the site. The subject property contains a large cultural meadow (CUM1-1) (see Figure 1) vegetation community, which is dominated by Smooth Brome (*Bromus inermis*), Canada Goldenrod (*Solidago canadensis*), White Sweet Clover (*Melilotus alba*) and Bladder Campion (*Silene cucubalus*). In southern Ontario, Eastern Meadowlark nest primarily in hayfields and pastures. These habitats are typically dominated by non-native grasses such as Timothy (*Phleum pratense*), Kentucky Bluegrass (*Poa pratensis*), and various broadleaved plants such as clovers (*Trifolium* spp.) (McCracken et al. 2013). Based on field surveys completed in 2006 for the EIR, species composition of the CUM1-1 community includes Timothy and Red Clover (*T. pratense*) but is not dominated by these species. The habitat requirements of Eastern Meadowlark appear to be quite specific in terms of species composition and vegetation structure (McCracken et al. 2013). Lands to the northwest of the subject property consist of agricultural fields, which may provide suitable breeding habitat for Eastern Meadowlark and other grassland birds, depending on the annual crop cover. For example, Eastern Meadowlark will readily nest in hay fields, but will not typically nest in soybean fields. It is unlikely that the subject property provides suitable breeding habitat for Eastern Meadowlark in its current state.

Bobolink

Bobolink, a Threatened species in Ontario and Canada, was noted in the vicinity of the subject property in the Natural Heritage Information Centre (NHIC) database. According to the NHIC database, Bobolink was last observed west of the subject property on adjacent lands in 2002. Based on the description of habitat for Eastern Meadowlark provided above, it is unlikely that the subject property provides suitable breeding habitat for Bobolink, which has similar habitat requirements to Eastern Meadowlark. Furthermore, field surveys completed in 2006 did not indicate the presence of Bobolink on the subject property or from adjacent lands.

In Summary

Based on the above review of SAR and the potential for SAR habitat at the subject property, one species (i.e., Bank Swallow) considered to be Threatened in Ontario has been identified. Bank Swallow was listed as a Threatened species in Ontario in 2014. Since this species is a relatively new SAR, protocols and best management practices for this species have not yet been firmly developed. At this time, we would like to engage MNRF in discussions on how best to proceed knowing that Bank Swallow is nesting within an area requiring a Risk Assessment, and within an area proposed for development.

We look forward to receiving your input on this important matter.

If you have any questions regarding the above, please do not hesitate to contact me.

Yours truly,



Leah Lefler, MES
Ecologist
North-South Environmental Inc.

References:

McCracken, J.D., R.A. Reid, R.B. Renfrew, B. Frei, J.V. Jalava, A. Cowie, and A.R. Couturier. 2013. Recovery Strategy for the Bobolink (*Dolichonyx oryzivorus*) and Eastern Meadowlark (*Sturnella magna*) in Ontario. Ontario Recovery Strategy Series. Prepared for the Ontario Ministry of Natural Resources, Peterborough, Ontario. viii + 88 pp.

North-South Environmental Inc. 2015. Glen Williams Phase 2 Environmental Implementation Report. Prepared for Charleston Homes. ii + 82 pp.