MTE Consultants
123 St. George St., London, Ontario N6A 3A1

September 16, 2021
MTE File No.: 48807-100

Tosin Bello
55 Lebovic Avenue Unit C-115
Toronto, Ontario, M1L 2T7
tosinagentbello@gmail.com

Dear Mr. Bello:

RE: Continued ESAct Studies at 1095-1185 North Talbot Road, Windsor

Executive Summary:
The site does not contain breeding habitat for Yellow-breasted Chat [END], and with mitigation measures and installation of artificial habitat, there are no expected impacts to protected bats. On behalf of the proponent, we seek MECP opinion on whether the below assessments are valid and impacts to protected species and their habitats are avoided.

Introduction:
MTE has been retained by Bellocorp Inc (the proponent) to conduct Natural Heritage investigations to support Endangered Species Act (ESAct) review. A Preliminary Screening Report was submitted on April 29, 2021, and a reply received on June 18, 2021. MECP requested that assessments for Yellow-breasted Chat [END] and Myotis [END] roosting habitat be conducted on the site to continue the ESAct review. This report summarizes the results and interpretation of those investigations.

Yellow-breasted Chat [END]:
Throughout its range, this species requires open-canopy habitats for nesting, preferring early successional shrub-thickets with open patches of herbaceous vegetation (Ontario Recovery Strategy, 2020). Nesting of Yellow-breasted Chat [END] is also suspected to be area sensitive; research indicates that the minimum patch size for nesting is between 2.3ha and 10ha and edge areas are avoided (Ontario Recovery Strategy, 2020).

The site, approximately 3ha in size, contains a small cultural meadow, cultural thickets, and linear clearings that were cleared prior to the purchase of the property. Thicket habitats comprise approximately 2.6ha of the site, just over the conservative minimum size for habitat patches that support nesting (2.3ha). Site visits in mid-summer confirmed that the thicket habitats are predominantly relatively dense and shady, without sufficient interior young shrublands featuring open patches of herbaceous vegetation to support nesting [Figure 1]. The larger of the two cultural thickets (Community 2, ~1.45ha) is in the later stages of thicket succession and is transitioning into a cultural woodland. With a developing canopy that is denser than that of a young shrub-thicket, Community 2 is not suitable to support nesting of this open-canopy obligate species. The smaller thicket (Community 1, ~1.18ha) is below the suspected minimum patch size for Yellow-breasted Chat [END] nesting, without sufficient interior shrub-thicket habitat to support nesting of this species. Additionally, the site is surrounded by urban development with significant isolation from other natural areas.

Breeding bird surveys were conducted on June 29, and July 10, 2021, within the predicted nesting period (Ontario Recovery Strategy, 2020), to further confirm that the thicket habitat was not used by this species for nesting [Appendix A]. No Yellow-breasted Chat [END] were

observed. Due to the small size, unsuitable habitat, and lack of breeding evidence, the site is not expected to support nesting of this species.

Myotis [END] Maternity Roosts
Bat maternity roost surveys, guided by *Survey Protocol for Species at Risk Bats within Treed Habitats* (MNRF, 2017) and conducted on September 16, 2021, identified eight candidate Myotis [END] roost trees within Community 2 (CUT1) [Figure 1; Appendix B].

Because the targeted bat roost surveys were conducted during the leaf-on period, tree attributes that support bat maternity roosting (cavities, crevasses, loose bark, etc) may have been obscured by foliage. As such, it is possible that some candidate bat roost trees were present but not recorded during targeted surveys. Based on the predominance of species which rarely contain attributes that support bat roosting (Eastern Cottonwood, White Pine, and Norway Spruce), few habitat trees are expected to have been missed, if any, during the targeted surveys. Additionally, some of the identified candidate roost trees within the Subject Lands may be retained through tree preservation, the specifics of which will be established during the detailed design. To accommodate for potential roost trees that were not recorded, and with consideration of tree preservation, we estimate that approximately ten candidate Myotis [END] roost trees may be impacted by the development.

To avoid impacts to Protected Species of bats, above-ground tree removal will occur between October 1 and March 31, outside of the active season for bat rearing and maternity roosting. To replace candidate bat maternity roost trees, rocket-style bat boxes will be installed at a rate of one box installed for every five trees removed. The two rocket-style bat boxes will be installed near the Stormwater Management (SWM) pond proposed on Lot 10, under the direction of a qualified professional.

Conclusion
Based on a review of background information and site investigations, impacts to Yellow-breasted Chat [END] are not expected. ESAct concerns for the proposed development are limited to potential impacts to maternity roosting habitat for Protected Species of bats. To reduce the potential for impacts, vegetation removal will occur between October 1 and March 31, outside of the active season for bats, and replacement bat roosting habitat (two rocket boxes) will be installed under the direction of a qualified professional. On behalf of the proponent, we seek MECP opinion on whether the assessments provided are valid with regards to potential impacts to Protected Species and Habitats.

Yours Truly,

MTE Consultants Inc.

Lindsay McKay
Biologist
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Figure 1: Leaf-on Site Photos and Candidate Bat Habitat

(NHIC Mapping, 2021)

0 1,000

Scale 1:50,000

Key Plan

1 CUT1 - Mineral Cultural Thicket (1.18ha)

2 CUT1 - Mineral Cultural Thicket (1.45ha)

3 CUM1 - Mineral Cultural Meadow (0.36ha)

- Linear Clearings

- Candidate Myotis Roost Tree

* Locations are approximate and should be verified by survey where necessary.

Print on 11X17, Landscape Orientation

0 25

Scale 1:1250

August 2021

MTE

Appendix A

Breeding Bird Summary

AVIFAUNAL SURVEY INFORMATION SUMMARY SHEET

Project Name: Bellocorp North Talbot **MTE File No.:** 48807-100
Collector(s): LMM

	Date	Start	Finish	Weather
Visit 1	29-Jun-21	6:22	6:50	23C, Overcast
Visit 2	10-Jul-21	7:45	8:15	16C sun/cloud

Species Abbr.	Species Name	Comm. 1				Comm. 2				S Rank	ESA Status	PIF Status	Notes
		Visit 1		Visit 2		Visit 1		Visit 2					
		Code	No.	Code	No.	Code	No.	Code	No.				
MODO	Mourning Dove			OB	2	P/OB	2			S5			
BLJA	Blue Jay			VO	1	OB	2	VO	2	S5			
TRES	Tree Swallow					P	2			S4			
AMRO	American Robin	SM/VO	8			VO/OB	7	VO	2	S5			
EUST	European Starling	SM	3			SM	3			SNA			
NOCA	Northern Cardinal	SM	1			SM/OB	4	SM	4	S5			
RWBL	Red-winged Blackbird	OB	12	OB	3					S4			
COGR	Common Grackle					FY	4			S5			
HOSP	House Sparrow					VO/SM	4	VO/SM	5	SNA			visit 1: nestlings heard

Evidence Codes:

Breeding Bird - Possible

SH=Suitable Habitat SM=Singing Male

Breeding Bird - Probable

T=Territory A=Anxiety Behaviour D=Display N=Nest Building P=Pair V=Visiting Nest

Breeding Bird - Confirmed

DD=Distraction NE=Eggs AE=Nest Entry NU=Nest Used NY=Nest Young FY=Fledged Young FS=Food/Faecal Sack

Other Wildlife Evidence

OB=Observed DP=Distinctive Parts TK=Tracks VO=Vocalization HO=House/Den FE=Feeding Evidence CA=Carcass
Fy=Eggs or Young SC=Scat SI=Other Signs (specify)

Appendix B

Candidate Bat Maternity Roost Trees

Appendix B – Suitable Maternity Roost Trees for Little Brown Myotis/Northern Myotis

Include all live and dead standing trees ≥10cm dbh with loose or naturally exfoliating bark, cavities, hollows or cracks.

Project Name: 488607-100 Survey Date(s): Sept 16 2021

Site Name: N talbot bellocorp Observers(s): LMM

ELC Ecosite: Snag Density (snags/ha):

Tree #	Tree Species ID	dbh (cm)	Height Class[2]	Snag attributes (check all that apply)	Easting	Northing	Notes
1	Basswood	5 stem largest 25	2	☑ cavity[3] ☐ loose bark ☑ crack ☐ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3?[4] 2	336500	4678562	multiple small cavities cracks in declining stems
2	elm?	21	2	☐ cavity ☑ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 2	336492	4678572	
3	basswood	4 stem 38	1	☐ cavity ☐ loose bark ☐ crack ☑ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 1	336555	4678544	large knot hole/cavity ~2m
4	sugar maple	4 stem 85	1 3 stems converged	☑ cavity ☑ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 1	336567	4678543	large stems converged black spots on leaves
5	basswood	5 stem 40	2	☑ cavity ☐ loose bark ☐ crack ☑ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 1	336574	4678539	
6	cottonwood	4 large stems 52	1	☑ cavity ☐ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 1	336611	4678522	large cavity ~2m
7	sugar maple	11 large stems 70	1	☑ cavity ☐ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☑ Decay Class 1-3? 2?	336658	4678504	large cavities ~1.5m black spots on leaves
8	burr oak	3 stem 55	1	☐ cavity ☑ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☐ Decay Class 1-3?	336575	4678645	#20 tag
				☐ cavity ☐ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☐ Decay Class 1-3?			
				☐ cavity ☐ loose bark ☐ crack ☐ knot hole ☐ other snag within 10m? ☐ Decay Class 1-3?			

[2] Height Class: 1 = Dominant (above canopy); 2 = Co-dominant (canopy height); 3 = Intermediate (just below canopy); 4 = suppressed (well below canopy)

[3] The approx. height of the cavity should be noted. Note that cavities with an entrance near the ground may also be used by bats if they are "chimney-like".

Decay Class: 1 = Healthy, live tree; 2 = Declining live tree, part of canopy lost; 3 = Very recently dead, bark intact, branches intact