

June 19, 2018

ATTN: James Crispo  
2115 South Bay Road  
Sudbury, Ontario  
P3E 6H7

**Re: Natural Heritage Features – 2115 South Bay Road, Sudbury, Ontario.**

Dear Mr. Crispo,

As requested, Tulloch Environmental, a division of Tulloch Engineering (Tulloch), visited your property at 2115 South Bay Road in Sudbury, Ontario (the Property), on the 18<sup>th</sup> of June 2018. The purpose of this visit was to perform a preliminary habitat assessment of developed areas encroaching on adjacent lots (i.e. shed/outbuilding and patio) as well as naturalised areas in immediate vicinity (i.e. within 120m). No species-specific surveys were performed as part of this site visit. Photos are provided in the attached appendix.

The shed located at the rear of the Property (i.e. within encroachment area; Photo 1) supports overhanging eaves without soffits that open directly to the shed interior (Photo 2). These eaves present unobstructed access by wildlife to the shed interior. The eaves and shed interior supports suitable nesting habitat for common migratory bird species, including American Robin (*Turdus migratorius*) and Eastern Phoebe (*Sayornis phoebe*). Migratory birds, their eggs / offspring and their active nests are federally protected from harm under the *Migratory Bird Convention Act* (MBCA). Suitable habitat for migratory birds must be thoroughly searched for evidence of nesting prior to alteration to ensure compliance with the MBCA. Alternatively, site alteration should not occur within the General Nesting Period which, in Sudbury, is considered by Environment and Climate Change Canada to be from April 8 to August 28 (Nesting Zone C3).

The shed interior also supports habitat that could be utilised by up to three local species of Endangered bat; Little Brown Myotis (*Myotis lucifugus*), Northern Myotis (*Myotis septentrionalis*) and Eastern Small-footed Myotis (*Myotis leibii*). Male and non-gravid female Myotis bats day-roost individually, or in small groups, in a transient manner across the landscape. Day roosts naturally occur in tree cavities and rock crevices but are also known to occur in human-built structures. Contents within the shed interior, including piled firewood (Photo 3), present suitable habitat for day-roosting by Myotis bats. Day-roosting habitat for Myotis bat species is not typically protected under the Endangered Species Act as it is not limiting on the landscape. Tulloch has been advised by the Ministry of Natural Resources and Forestry (MNRF) on other projects that the alteration of Myotis bat day-roosting habitat should not occur while

the species are active on the landscape (from April 16 to September 30) as the habitat could be occupied at the time of disturbance. The Sudbury District of the MNRF should be contacted to verify this timing window.

Rock dominated knolls approximately 70m northwest of the Property support low and sparse canopies of White Birch (*Betula papyrifera*) and Red Oak (*Quercus rubra*) rooted in shallow soils above consolidated bedrock (Photo 4). Bedrock outcroppings are common and are unvegetated or covered in low shrubs (e.g. *Vaccinium angustifolium*) and lichen. These conditions support ideal nesting habitat for Eastern Whip-poor-will; listed as provincially Threatened under Ontario's *Endangered Species Act* (ESA). The ESA establishes protection for Eastern Whip-poor-will as well as components of its habitat. Based on Tulloch's other work in the area, we are aware that Eastern Whip-poor-will occurs throughout the southern shores of Ramsey Lake. Targeted surveys performed to MNRF standards would be required to confirm species presence / absence at this Property.

A review of the MNRF's Make A Map: Natural Heritage Areas web application indicated that Blanding's Turtle (provincially Threatened) is known to occur within vicinity of the Property (MNRF Natural Heritage Information Center; square 17NM0245). Trembling aspen (*Populus tremuloides*) stands approximately 30m west of the Property appear to be situated in a swale between rocky knolls to the north and south. This swale appears to a catchment area for water run-off and may support wetland conditions (e.g. hardwood swamp; Photo 5). Classification of this area according to the Ecological Land Classification system would be required to confirm if soil conditions and feature size warrant wetland status and, if so, to delineate the edges of the wetland area. If classified as a wetland swamp, the MNRF may require the swamp and areas within 30m to be considered Blanding's Turtle habitat; subject to protections under the ESA.

As indicated, no species-specific surveys were performed for migratory birds or at-risk wildlife. As such, we cannot confirm the presence or absence of these species. Further habitat assessment would be required to confirm and fully delineated / describe habitat present. Please note that the ESA and the MBCA are proponent-driven, and it is up to a proponent to ensure that any activity they are undertaking is in compliance with these Acts.

Please feel free to contact us should you have any further questions,



**Kelly Major, M.Sc. EP**  
Terrestrial Ecologist  
Tulloch Environmental, a Division of Tulloch Engineering

# Photo Appendix

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Photo 1 – Shed located on encroachment.



Photo 2 – Eaves; open to interior.



Photo 3 – Stacked firewood inside shed.



Photo 4 – Suitable habitat for nesting by Eastern Whip-poor-will; ~70m northwest of Property.



Photo 5 – Wet forested area approximately ~30m west of the Property.