

# City of Kingston Official Plan

## Guidelines for Environmental Impact Assessments

This document should be read in conjunction with the Cataraqui Region Conservation Authority (CRCA) Planning Policy. These guidelines have been prepared to assist *qualified persons* with the preparation of site-specific *environmental impact assessments (EIA)*, and to ensure consistency between reports. The guidelines reflect the current knowledge of the CRCA, and may or may not satisfy the specific requirements of other agencies. These guidelines will be updated from time to time.

### 1.0 Background

Much of the landscape of the Cataraqui Region is covered by a connected system of natural areas. This *natural heritage system* is one of the Region's greatest assets, as it provides the basis for our quality of life, including the economic cornerstones of cottaging and tourism. Areas such as *wetlands*, *woodlands*, *alvars*, and lakes provide habitat for a diversity of flora and fauna, protect the *quality and quantity of water*, and provide opportunities for outdoor *recreation*. Ongoing research by the CRCA, the Ontario Ministry of Natural Resources (MNR), and others is helping to improve local knowledge of the extent of the *natural heritage system*, as well as its *ecological function*.

### 2.0 Purposes of Assessment

*Development* for human needs is an ongoing process in the Region, as new residents and visitors come to the area and as *infrastructure* is improved. Where *development* and *site alteration* is proposed within or adjacent to the *natural heritage system*, there is an expectation that the proponent must demonstrate no *negative impacts* on the *natural heritage features and areas* or *ecological functions* of the area. This intent is found in the Provincial Policy Statement (PPS) issued under the Ontario Planning Act, which states that all decisions regarding land use planning in Ontario 'shall be consistent with' the PPS.

The demonstration of no *negative impacts* is normally the subject of an *environmental impact assessment (EIA)*, which is prepared by a *qualified person* at the expense of the proponent. The PPS and supporting documents indicate the types of *natural heritage features and areas*, and the width of *adjacent lands* around them, where an *EIA* is normally required.

The Cataraqui Region Conservation Authority and its member municipalities rely upon the technical expertise and independent professional judgment of environmental professionals. It is therefore crucial that *EIA* documents be prepared using the best available information and scientific methods, and that authors provide an open and unbiased assessment of development proposals.

*Environmental impact assessments* are best prepared early in the approvals process, when the subject site can be assessed in an undisturbed state. Authors are encouraged to contact the CRCA and municipality prior to the commencement of their assessment. The completed *EIA* is reviewed by municipal and CRCA staff, and sometimes by MNR or others, and is then either endorsed or refuted by a planning approval authority (e.g. a municipal council).

### 3.0 EIA Content

The scale and content of the *EIA* required will vary with the scale and type of the *development* or *site alteration* that has been proposed. In some situations, *EIAs* may be 'scoped' to a more defined assessment of selected features and impacts. The scale and content of the *EIA* shall be determined in preconsultation with the Conservation Authority and the municipality, prior to the commencement of work on the document.

## Appendix A

The *EIA* document shall:

- a) be prepared by a *qualified person* who has been educated in, and has current knowledge of, biology, ecology, landscape ecology and any other relevant fields of study, as required (the professional shall also have an understanding of the *natural heritage system* of the Cataraqui Region);
- b) be consistent with the intent of the Provincial Policy Statement;
- c) for areas on and immediately adjacent to the site, include descriptions and clearly legible, scaled maps of the existing land uses, and the proposed *development* and *site alteration*, including all proposed buildings, structures, driveways and parking areas, and sources of human intrusion, light, noise, dust, etc.;
- d) illustrate the precise location of all of the *natural heritage features and areas* on, or adjacent (as defined by the PPS and supporting documents) to the site on clearly legible, scaled maps;
- e) provide a thorough field inventory of flora and fauna and related habitat (which is to be completed during the growing season, and preferably in more than one of spring, summer, and fall - additional field work may be required during the winter for specific attributes, for example, deer wintering yards), as well as relevant information on soils and geology, slope, hydrology, and hydrogeology;
- f) include the best information available from others (as recorded in reports and databases, or as identified via personal communication) regarding the items listed in (d) and (e) above;
- g) review the *ecological functions* of the *natural heritage features and areas* identified above, including the habitat needs of species that utilize *adjacent lands* (as defined by the PPS and supporting documents), and an assessment of how the site contributes to the *natural heritage system* of the area (e.g. subwatershed) and the Cataraqui Region;
- h) discuss the significance, as defined in the PPS, of the *natural heritage features and areas* and *ecological functions* identified in (d), (e), (f), and (g) above, and assess any apparent trends in the ecological health of same;
- i) predict the positive and *negative impacts* of the proposed *development* or *site alteration* on the various attributes of the environment on and adjacent to the site, such as habitat, vegetation, soil, *surface water features*, *groundwater features*, air, and any other relevant attributes, taking into consideration the sensitivity of the attributes, impacts both during and after construction, and where appropriate, the role of flooding and *erosion hazards*;
- j) predict the cumulative impacts of the proposal and any other existing or known future proposals in the vicinity;
- k) evaluate the significance of all predicted positive and *negative impacts* on the environment;
- l) recommend extents of land where: (1) disturbance must be avoided, and (2) disturbance must be limited, in order to maintain the *natural heritage features and areas* and *ecological functions* of the area, supported by a detailed rationale;

- m) explore opportunities for enhancement of the *natural heritage system*;
- n) discuss the merits of alternative *development* options, and recommend feasible and cost-effective measures that could be implemented to avoid or mitigate the predicted *negative impacts* of the selected option (e.g. timing of work, fencing, erosion and sediment control, pathway routing, etc.);
- o) where appropriate, outline a program through which the mitigation measures and the long-term impacts associated with the proposal can be monitored and assessed; and
- p) conclude with an independent opinion by the *qualified person* as to whether or not the proposed *development* or *site alteration* is appropriate, and is consistent with the intent of the Provincial Policy Statement.

#### 4.0 Other Considerations

Sensitive information regarding the habitat of *endangered or threatened species*, or the habitat of other species at risk, shall be utilized and considered by the author, but shall not be shared in a manner that could further endanger the species or its habitat.

Changes to the boundary of an evaluated *Area of Natural and Scientific Interest (ANSI)* or *wetland* shall be subject to the approval of the Ontario Ministry of Natural Resources. Changes to the boundary of an Environmentally Significant Area (ESA) shall be subject to the approval of the CRCA.

#### 5.0 EIA Review Process

The CRCA will assess a cost-recovery fee for its review of an *EIA* document, based on an approved fee schedule. Straightforward proposals (such as minor *development* on *adjacent lands*) will normally be reviewed at the staff level. More complex proposals may be subject to a peer review, at the expense of the proponent, by a third party *qualified person* who will be retained by the municipality.

The completion and acceptance of an *EIA* by the CRCA shall not guarantee that a *development* or *site alteration* proposal will automatically be approved by the municipality. Also, approvals from other agencies may be required.

Any approved *development* or *site alteration* shall be constructed in accordance with the recommendations of the approved *EIA*. An implementing agreement between the proponent and the municipality will normally be required (e.g. a subdivision, site plan, or *development* agreement). The municipality may require that funds be held in reserve for the purpose of long-term monitoring, which may occur following the completion of the *development* or *site alteration*.

For more information about these guidelines or the review of an *EIA*, please contact the CRCA Biologist at (613) 546-4228, or via fax at (613) 547-6474.