ENVIRONMENTAL IMPACT STUDY (EIS) REQUIREMENTS

Development Services Guideline Document

Summary of the EIS Process

This document summarizes the technical information and format requirements that constitute a "complete submission" for an **Environmental Impact Study** (hereafter designated as EIS). The purpose of an EIS is to assess potential impacts of development and site alteration on natural heritage features, ecological functions and natural areas, consistent with Provincial Policy Statement (hereafter designated PPS) policy 2.1 (natural heritage policies) and the natural heritage aspects of other PPS sections (e.g. 1.2.1 and 2.2). The assessment process used by the City of London is identified in Section 15 of the Official Plan.

This document outlines the City of London's expectations regarding the EIS process: To ensure all relevant themes, background information and timelines are identified at the earliest stage of a development proposal and including guidance as to the level of effort required to adequately assess impacts. This document is to be used in conjunction with the City's Environmental Management Guidelines and other provincial resource documents.

About Environmental Impact Studies

The need to complete an Environmental Impact Study will be identified at the consultation stage and will be listed in the "Record of Consultation". Natural heritage features and areas of concern to the Municipality and the Province are identified in the Official Plan. Significant and potentially significant (unevaluated) components of the natural heritage system, subject to EIS, are delineated on Schedule B1 of the Official Plan; "Natural Heritage Features". An EIS will also address the protection of other natural heritage features and ecological functions not specifically identified on Schedule B1, as per PPS sections 2.1 and 2.2 and Official Plan policy 15.4. This includes the habitat of Species at Risk (*Species at Risk Act* S.C. 2002, c.29), wildlife habitat, fish habitat, other woodland patches larger than 0.5 ha (1.2 ac.), aquifers, headwater areas, water quality and quantity. To address PPS policy 2.1.2, the EIS must describe and assess the diversity and connectivity of natural features within the developing lands and, where applicable, at a broader scale to maintain, restore or improve the long-term ecological function and biodiversity of the natural heritage system.

The EIS is used to provide a sufficient level of detail to demonstrate that a proposed development will have no negative impacts on the natural features or ecological functions of the subject and surrounding ("adjacent") lands. An EIS does not ensure that development proposals will be approved. Their purpose is to inform the design and configuration of the development, to avoid negative impacts at the outset, and to identify appropriate mitigation and/or compensation for unavoidable impacts. Recommendations from the EIS are used to develop conditions of Draft Plan Approval or Site Plan Approval (pursuant to Section 41 of the *Planning Act* and in accordance with Section 19.2.2 of the Official Plan) that may include additional study requirements, restoration and monitoring.

Preparing the Environmental Impact Study

Where an Environment Impact Study is required, it must be submitted to the City as part of a "complete application" for subdivision and site plan approvals. Applicants are encouraged to maintain a dialogue with Staff from Development Services, Planning and Environmental and Parks Planning throughout the preparation of the EIS. Consultation with other agencies, advisory committees or community groups is also a requirement of the process. Staff from Development Services will assist applicants in scheduling, to ensure these groups are incorporated in the process.

Using the resources and materials outlined herein will ensure that the appropriate level of assessment and supporting documentation is provided for each section of the EIS. Because every study is unique, a separate "Terms of Reference" must be developed for every application. Defining appropriate levels of detail at the consultation stage of the process will expedite processing of applications and avoid delays in decisions.

Submitting an Environmental Impact Study

All required EIS materials are to be submitted to Development Services as prescribed by the stages of the process. All proposals are to be submitted in both paper (six copies) and electronic (.pdf) formats. Field data must be submitted in paper and electronic format suitable for inclusion in the City's Environmental Land Classification (ELC) database.

Resources

- City of London, Environmental Management Guidelines Revised January 2007 available at www.london.ca

- City of London Official Plan Policies available at www.london.ca

- Ontario Ministry of Natural Resources. March 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. Toronto: Queen's Printer for Ontario. 248 pp.

- EIS Completeness Checklist (pages 6 and 7)

Important to Remember

Where development is undertaken, there are inevitably ecological impacts: Identifying these impacts does not necessarily result in rejection of the proposal, provided that the natural heritage features and ecological functions identified in the PPS and Official Plan are protected from potential threats.

For this reason, it is imperative that the EIS conclude with a statement specifying the impacts on natural heritage features and/or ecological functions the proposed development will have. It must include the following: 1) How the proposal will avoid negative impacts and/or, if impacts cannot be fully avoided; 2) How the proposal will mitigate or compensate for residual impacts on ecologically sensitive features and functions. This "conclusion statement" will relate specifically to the features or functions for which the area is identified, as verified by the criteria in the Official Plan chapter 15.4 which enables the planning authority to weigh the positive and negative aspects of the proposal and make an informed planning decision (OMNR 2010).

Environmental Impact Studies in the Subdivision and Site Plan Approval Process

The preparation, submission and implementation of an EIS is integrated and designed to run simultaneously with the Subdivision and Site Plan approval processes; the stages and steps are described below.

Stage 1: Consultation

The *Consultation Stage* of the approval processes provides the greatest opportunity for the applicant to receive early direction on the need for and scope of any required Environmental Impact Studies:

Step 1. Informal Scoping Meeting (*Pre-application consultation*) – to avoid unnecessary pre-development investment in lands not suitable for development, applicants are encouraged to take advantage of the informal pre-consultation meetings to discuss any and Provincial or Municipal concerns, including environmental.

Step 2. Submitting an Initial Proposal Report – formal consultation begins when the applicant submits an "Initial Proposal Report" (IPR). An IPR shall include a section regarding Natural Heritage/Parks (Section 12). Through the IPR it will be determined whether further studies will be required, including the subject lands status report or EIS.

Step 3. Applicant receives Record of Consultation – the "Record of Consultation" (ROC), produced by Environmental and Parks Planning, that follows the IPR will indicate if the development proposal requires an EIS. The *Issues Summary Report*, submitted by the applicant with the IPR, assists the municipality in the development of the terms of reference for the EIS. These *reports* will document and map all natural heritage features or areas and their ecological functions, reasonably expected to be affected, on or adjacent to the proposed development.

Step 4. The Issues Summary Checklist Report (Terms of Reference) – before an EIS is initiated a "Terms of Reference" (hereafter designated as TOR) must be created by a technical committee represented by Environmental and Parks Planning with input from the Upper Thames River Conservation Authority (UTRCA) or other pertinent agencies or community groups. **Note:** It is expected that the applicant's ecological consultant will be present when the TOR is being drafted by the technical committee.

The *Issues Summary Checklist Report* and any other supporting documentation provided by the applicant will be used to finalize the TOR. The *Issues Summary Checklist Report* as created and agreed to by the technical committee and the applicant's ecological consultant will be signed and dated by the Ecologist Planner for the City of London. Creating, signing and dating the *Issues Summary Checklist Report* signifies approval of the TOR.

The EIS and supporting documents are now ready for submission as part of the complete application.

Stage 2: Approval Process

The "Approval Stage" begins when the Applicant is notified - by letter from Development Services - that their application package for Subdivision or Site Plan Approval has been "deemed complete".

Step 1: The Complete Application and the EIS - the EIS report constitutes part of a complete application. This report is screened by staff to ensure that it contains all required elements described herein. If the EIS does not contain all required elements, including the signed and dated *Issues Summary Checklist Report* described above, the application will be deemed **"incomplete"** and <u>all submitted materials</u> will be returned to the applicant immediately.

Reminder: The signed and dated *Issues Summary Checklist Report* (described above) is to be submitted as part of the complete EIS. A deemed complete EIS is not an approved EIS.

Step 2: Circulation for Review -The complete application package, including the EIS, will be circulated to the technical committee for the standard review period (35 days). The Applicant should anticipate that there will be questions, comments and issues requiring clarification, further study, or additional discussion with them or their consultant(s) prior to draft approval of the EIS. The EEPAC are allocated at least one meeting cycle (minimum 35 days) to provide written comments.

Reminder: EEPAC meets on the third Thursday of each month to review EIS submissions in order to satisfy the 35 day minimum requirement for Study comments.

All written comments provided to the applicant (or agent[s]) by the technical committee must be addressed in writing and/or through a joint meeting. Any addendums or new information require will be reviewed in a shorter (2 week) period: Failure to comply with, or address, previously identified comments, questions or concerns may result in the imposition of further conditions of draft approval or revisions to the draft plan to ensure outstanding items are satisfied.

Step 3: Receipt of Draft Approval Package- when all issues identified by the technical review committee have been satisfactorily addressed, the EIS will be **recommended for acceptance** by Environmental and Parks Planning. All recommendations of the approved EIS are incorporated into later portions of the approval process as: 1) Conditions of Draft Approval (for Subdivisions), 2) Conditions of Site Plan Approval, 3) Conditions within the Development Agreement, or 4) negotiated individually through discussion with Environmental and Parks Planning staff.

Stage 3: Design Studies

The Design Studies stage encompasses the submission, review and clearance of all studies required as conditions of draft approval. It may still be necessary at this stage to submit additional information relating to the EIS to prevent or mitigate identified impacts, focus environmental management strategies, and/or monitoring requirements and refine other processes to protect significant natural heritage features and functions.

Stage 4: Servicing Drawings

The File Manager or their designate will review the submitted drawings to ensure they are consistent with all the EIS related conditions of draft approval and detailed design materials cleared at the design studies stage. All drawings shall include the surveyed limits of the natural heritage feature (as approved by the City) and the required buffers and setbacks. The final conditions of the development agreement shall include all recommendations from the EIS that continue to be relevant.

Stage 5: Data Collection Prior to Construction

Where a monitoring program was a requirement of the EIS, baseline data must be collected and approved by Environmental and Parks Planning prior to construction or site alteration.

Stage 6: Inspections and Reporting During Construction

If an environmental inspection is required by the EIS a qualified professional ecologist/biologist must be appointed to the inspection team and be present at the identified stages of construction. All site inspection reports pertaining to construction stages that require environmental inspection must be submitted to Environmental and Parks Planning in addition to standard reporting.

All monitoring reports must be submitted to, and approved by, Environmental and Parks Planning.

Ongoing Monitoring:

Final monitoring and inspection will be undertaken after construction has been completed and generally not until assumption of the subdivision by the City, or when 75% or more of the subdivision has been developed. Before assumption, where the City determines that ongoing monitoring is required, such additional monitoring will be funded either by the developer or by the City, at the City's discretion.

Final assumption of the subdivision will require approval of a site inspection report demonstrating that all recommendations of the EIS have been implemented. City Staff may inspect the site/project after receiving the report, to ensure the consistency and quality of the project and report.

After assumption, the City may choose to continue the monitoring program for a longer period at the City's expense, or to discontinue the program if all requirements have been met and long-term impacts are not anticipated.

Environmental Impact Study: Required Elements and CHECKLIST FOR COMPLETENESS

A "complete" Environmental Impact Study must provide the information as described below for each section. The structure for a 'thorough' Environment Impact Study is as follows and as detailed in the City of London's Environmental Management Guideline Document.

Required Tables and Figures (as indicated below) will be listed in the approved Terms of Reference included in the *Issues Summary Checklist Report.*

Environmental Impact Study: Required Elements and CHECKLIST FOR COMPLETENESS

Any required item not included will result in the EIS being considered incomplete.

Mandatory Elements – must be included in every EIS.	Required?	Included?	
		Yes	No
Title Page including address and date	✔		
Table of Contents, including list of Tables, Maps and Appendices	✔		
EIS is signed by Principal Author and Reviewer	✔		
Site location (at appropriate scale and with sufficient legible features to easily locate the site)	✔		
Schedule B1 at a scale appropriate to read the onsite designations of each feature	✔		
Schedule B2 at a scale appropriate to read the onsite designation of each feature	✔		
Vegetation patch boundaries (in entirety including offsite portions if applicable) and patch #'s	✔		
Vegetation communities delineated and labelled for every patch, including all watercourses	✔		
Vegetation community map with proposed development overlay	✔		
Hazard mapping with proposed development overlay	✔		
Contour mapping with vegetation community overlay	✔		
Final proposed environmental feature boundaries and buffers	✔		
Conclusions and Recommendations	✔		
Bibliography	✔		
Approved EIS Issues Summary Checklist (signed and dated)	✔		

Supporting Documentation – required if indicated by the Issues Summary Checklist	Required by ISR?		Included?	
	Yes	No	Yes	No
Subwatershed Study Tributary Factsheet(s) where appropriate				
ELC Sheets for all vegetation communities				
Southern Ontario Wetland Evaluations for each wetland				
Full Plant Species List, including vegetation community location(s)				
Full Wildlife Species List, including vegetation community location(s) or monitoring station				
Composite map showing location of all ELC plots, breeding bird				

and amphibian monitoring stations					

Standard Data Tables – required if indicated by the Issues Summary Checklist		**Required by ISR?**		**Included?**	
Table #	**Table Title**	**Yes**	**No**	**Yes**	**No**
SD1	Reports/References Relevant to the Subject Site				
SD2	Summary of Field Inventories Conducted (or Relied Upon)				
SD3	Partners in Flight Priority Land Bird Species (ON BCR13)				
SD4	Summary of Species of Conservation Concern and Provincially and Regionally Rare and Uncommon Vegetation Communities				
SD5	Regionally Significant Vegetation Communities				
SD6	Cumulative Habitat Land Area Impacts Summary				
SD7	Environmentally Significant Area Evaluation (O.P 15.4.1.3)				
SD8a	Significant Woodland Evaluation (O.P 15.4.5)				
SD8b	Woodland Standards and Patch Conditions				
SD9	Significant Habitat Evaluation (O.P. 15.4.7)				
SD10	Habitat Characterization for Watercourses				
SD11a	Ecological Buffer Assessment (EBA) Calculation				
SD11b	EBA Range Refinement				
SD11c	Total Buffers and Setbacks				
SD12	Net Effects Assessment Table				
SD13	Summary of Monitoring Requirements				

Notes

(1) Individual maps may not be required for each of the above content requirements. It is possible that one map may legibly supply multiple requirements.

(2) Tables are prefixed with SD (Standard Data) as to not interfere with other table presentation/ numbering in the EIS.

(3) Tables SD7, SD8a, SD8b and SD9 must be completed once for every patch or terrestrial feature within the subject lands.

Date Submitted: _____

Checked for Completeness by: _____

(File Manager or Site Plan Officer's name)

Date Checked: _____

Conclusion: Is this a "complete EIS?" ☐ Yes   ☐ No

Attach pages 6 and 7 to all copies of the submitted EIS