

**Ministry of Natural
Resources**

Box 5000
4890 Victoria Ave. N.
Vineland Station, Ontario
L0R 2E0

Tel: (905) 562-4147
Fax: (905) 562-1154

**Ministère des Richesses
naturelles**

C.P. 5000
4890 avenue Victoria Nord
Vineland Station, Ontario
L0R 2E0

Tél : 905-562-4147
Télé.: 905-562-1154



Guelph District

July 19, 2012

Neil Taylor
1016 Wilson Ave
Kitchener, ON
N2C 1J3

Re. South Kitchener Transportation Corridor, Bleams Rd. Extension, and River Road
Extension Class EA

Dear Mr. Taylor,

On November 30th, 2011 MNR staff, including myself, attended a meeting at the Region of Waterloo at your request. The meeting was planned to discuss concerns that were raised by you at the Oct. 5, 2011 meeting of Regional Council. Those concerns were with respect to the limits of Jefferson Salamander habitat that is protected under the Endangered Species Act in the Hidden Valley area of Kitchener. You did not attend this meeting. The issues you outline in your letter dated June 28th were addressed and discussed at this meeting.

The Jefferson Salamander regulated habitat in Hidden Valley was identified and delineated according to the existing regulation and based on known breeding ponds.

For your reference, below is a copy of the habitat regulation for Jefferson Salamanders that can be easily found on e-laws (O.Reg. 242/08).

Jefferson salamander habitat

28. For the purpose of clause (a) of the definition of "habitat" in subsection 2 (1) of the Act, the following areas are prescribed as the habitat of the Jefferson salamander:

1. In the City of Hamilton, the counties of Brant, Dufferin, Elgin, Grey, Haldimand, Norfolk and Wellington and the regional municipalities of Halton, Niagara, Peel, Waterloo and York,
 - i. a wetland, pond or vernal or other temporary pool that is being used by a Jefferson salamander or Jefferson dominated polyploid or was used by a Jefferson salamander or Jefferson dominated polyploid at any time during the previous five years,

Visit us at our website <http://www.gov.on.ca>

Call any MNR Office in Ontario for information at -
1-800-667-1940 (English) ... or ... 1-800-667-1840 (French)
8:30 am to 5 pm - Monday to Friday

In order for us to serve you better, please call ahead to make an appointment with staff

- ii. an area that is within 300 metres of a wetland, pond or vernal or other temporary pool described in subparagraph i and that provides suitable foraging, dispersal, migration or hibernation conditions for Jefferson salamanders or Jefferson dominated polyploids,
- iii. a wetland, pond or vernal or other temporary pool that,
 - A. would provide suitable breeding conditions for Jefferson salamanders or Jefferson dominated polyploids,
 - B. is within one kilometre of an area described in subparagraph i, and
 - C. is connected to the area described in subparagraph i by an area described in subparagraph iv, and
- iv. an area that provides suitable conditions for Jefferson salamanders or Jefferson dominated polyploids to disperse and is within one kilometre of an area described in subparagraph i

You will note that the regulation is very clear as to the areas that are considered regulated habitat – in a nutshell, for the area in Hidden Valley, it's the known breeding pond and 300 meters around it as long as the habitat is suitable for foraging, dispersal, migration or hibernation. If and when salamanders are found outside of regulated habitat, in an upland area and not in a breeding pond, their presence can be addressed via Section 9 of the ESA.

Regards,

Karine Bériault
SAR Biologist
Guelph District MNR

cc.
Ian Hagman, District Manager
Al Murray, Area Supervisor