

OTTAWA-CARLETON WILDLIFE CENTRE (OCWC)

RESPONSE TO THE REVISED

WILDLIFE CONSTRUCTION PROTOCOL

It is very disappointing that the reasonable recommendations in the City of Ottawa's draft Wildlife Construction Protocol have been watered down – some will say the Protocol has been gutted – given the City's publicly-expressed commitment to wildlife-sensitive planning.

The removal of the requirements for developers to submit a Wildlife Mitigation Plan and Construction Site Management Plan will substantially eliminate the most effective means to reduce direct harm to wildlife during construction.

That these requirements have been replaced by 'Best Practices' guidelines only, leaves many unanswered questions.

'Best Practices' – A Useful Tool or Empty Rhetoric? 'Best Practices' will mean little unless accompanied by an implementation plan, the City's will to support it and a demonstration of where recommendations are actually being applied. In that the onus has been removed from developers/contractors to submit plans for mitigation measures, it now rests squarely on planning staff to ensure that Protocol recommendations are part of the Conditions of Approval, particularly in the development of large natural areas where a variety of wildlife species will be impacted.

But, will planning staff consider this a priority? The controversial Client Relationship Leaders initiative undertaken by the City to provide a concierge service to developers increases, in many people's view, the already imbalance between the development industry and community interests when it comes to planning matters.

Even if the Protocol's recommendations are considered a priority, is there the staff resource required to support it? It has already been identified that staff need to be more involved in carrying out the field work to ensure the accuracy of existing conditions reports and in supporting the proposed site alteration by-law. If the Construction Protocol is to be successful, it will require staff to work with industry in implementing the Protocol's recommendations.

Wildlife Resources Officer: The establishment of this position was one of the Wildlife Strategy recommendations approved by Council in 2013. It was deferred, at that time, to be reconsidered in the next term of Council based on need. We suggest that this is the time to fulfill this commitment given not only the Wildlife Construction Protocol but the increasing number of other wildlife issues regularly arising in Ottawa due to the impact of development as well as more general human-wildlife conflict situations.

Sensitive Timing Windows: The goal of avoiding the most sensitive times of year for the initial clearing of a site, when the greatest harm is done to wildlife, particularly in large areas of wildlife habitat, will be a key element in a successful Protocol.

It is an aspect that will continue to get public attention as people will not accept that living creatures which feel pain and suffering are not accorded the same degree of protection as trees receive under the City of Ottawa's Tree Conservation Guideline.

The initial stripping, digging, moving of earth and felling of trees in large natural areas should not be an intentional death sentence for the animals that reside there.

Ensuring a Fair and Transparent Process: The City has reported that there were 106 submissions from members of the public to the draft Wildlife Construction Protocol, indicating that most were in support of the draft Protocol. Given this, why have the Protocol's key recommendations been dropped?

It will be important when the Protocol is made public that there be full disclosure with respect to the consultation and that all comments, whether in support or opposed, be on the public record. This is not to dwell on differences but rather to create the kind of open and transparent discussion and respect for different views that will be essential in finding compromises to move forward.

We have always stressed that cooperation from all parties is the key to developing a progressive model of wildlife-sensitive planning in this City.

The OCWC's Position with respect to the Revised Protocol: We believe that the recommendations in the Protocol remain excellent ones. However, without a clear implementation plan or, more specifically, the commitment of planning staff and the development industry to work together to see the recommendations implemented, it is impossible to fully endorse it.

At the same time, as one of the stakeholders, we recognize the very good work undertaken in developing the Protocol and, after 15 years since a Protocol was first proposed by the former Regional government in Ottawa, we want to see it move forward.

Thus, we will support the revised Protocol on these conditions:

- 1) The contradiction in the City's EIS guidelines be corrected and that one of the site assessments be done during winter (in fresh snow) so as to determine, through tracking, the presence and movements of mammals, the majority of which are nocturnal. This would seem essential given that the MNRF Technical Manual in classifying Significant Wildlife habitat includes assessing seasonal concentration of wildlife and animal movement corridors.

- 2) The City work closely with community stakeholders on wildlife concerns. Local residents have knowledge of wildlife and habitat that can and should be utilized. For the Protocol to be successful, it will require the leadership of the City, the cooperation of developers and the support and involvement of the community.
- 3) Establish a Wildlife-Friendly Certification Program for developers that adopt 'best practices' which demonstrate respect for wildlife and biodiversity. This is something the City could do in cooperation with local wildlife organizations that would reflect very well on developers marketing projects advertised as 'living close to nature' as well as on Ottawa's reputation as a 'green and livable City'.
- 4) An example of a developer/contractor who is currently preparing to adopt the 'best practices' recommendations in the Protocol be announced at the time the Protocol goes to Council for approval. Should this be premature, then a report be provided to stakeholders, within one year of the Protocol's adoption by Council, outlining where 'best practices' have been implemented in development/construction projects in the City of Ottawa.