



CPAWS Ottawa Valley Chapter
190 Bronson Avenue
Ottawa, Ontario K1R 6H4
(613) 232-7297
www.cpaws-ov-vo.org

February 3, 2012

Glenn Desy
300 Water Street, Floor 2,
Robinson Place South Tower
Peterborough ON, K9J 8M5
Phone: (705) 755-5336
Fax: (705) 755-5483

**RE: EBR Registry Number: 011-5306
Amendments to the General Regulation (Ontario Regulation 242/08) under the Endangered Species Act, 2007 to prescribe the habitat for seven species at risk.**

Dear Mr. Desy:

The Ottawa Valley Chapter of the Canadian Parks and Wilderness Society has been working to protect species and their habitat in eastern Ontario for the past four decades. We have a particular interest in species at risk in the Algonquin to Adirondacks (A2A) region. Please accept our input on the “Proposed Habitat Protection for Seven Species at Risk” within that area.

RAPIDS CLUBTAIL

We agree with the proposed provision to include in the habitat regulations “any part of a river, stream or other body of water, up to the high water mark that is being used by a Rapids Clubtail or on which a Rapids Clubtail directly depends in order to carry out its life processes”.

We recommend that the areas of deciduous or mixed forest within 800 metres of the high water mark be included rather than only those areas within 200 metres. This would conform to the proposal in the “Recovery Strategy for the Rapids Clubtail (*Gomphus quadricolor*) in Ontario (2010)” which states: “At each location, the area prescribed as habitat should include the section of the river containing the rapids and the pools below the rapids, plus the wooded shores on either side extending inland to include any forest which is within 800 metres of the shoreline” (p. 10). Also, it is clear that a precautionary approach is needed in this instance as the Recovery Strategy notes that “. . . there is an apparent but unknown

sensitivity to specific habitat features” (p. 5) and “. . . suggesting a habitat specialization which is not clearly understood” (p.6).

We further request that a provision be made to include in the habitat regulations any new locations where the Rapids Clubtail is discovered, as called for in the Recovery Strategy (p. 10).

Finally, we ask that the proposed provision stating that “habitat would be protected until 5 years of documented non-use by a Rapids Clubtail” be replaced by one that would protect these important sites indefinitely. The Recovery Strategy indicates how difficult it is to find the Rapids Clubtail, even at known locations. For example, the Humber River population appears to have persisted, undetected, from 1939 to 2005 (p. 10), and it is noted that “the Thames River population may persist, undetected since 1989” (p.10). These examples indicate that a population may go undetected for decades, and that a 5 year limit is not suitable.

GRAY RATSNAKE (Frontenac Axis Population)

We are concerned that the proposed habitat regulations for the Frontenac Axis population of the Gray Ratsnake are insufficient. In particular, we recommend that the habitat regulations include areas suitable for foraging, thermoregulation, hibernation, reproduction, dispersal, or migration within 2000 metres of any area that has been used by a Gray Ratsnake, rather than within the proposed 1000 metres.

The “Recovery Strategy for the Gray Ratsnake (*Pantherophis spiloides*) – Carolinian and Frontenac Axis Populations in Ontario (2010)” emphasizes the importance of protecting a larger area, stating that: “The maintenance of healthy Gray Ratsnake populations depends upon individual snakes from neighbouring hibernacula being able to interact and thus connectivity of forest habitat is important within approximately one or two kilometres surrounding a hibernaculum” (p. 15), as well as noting that: “Studies have confirmed gene flow between communal hibernacula at least eight kilometres apart”. (p. 15).

Sincerely,

John McDonnell
Executive Director
Ottawa Valley Chapter
Canadian Parks and Wilderness Society