

Douglas Kennedy, BHA 202
121 Grassy Rd
Omeme, Ontario
K0L 2W0
289-892-2827



Mason Homes
6 – 30 Pennsylvania Ave
Concord, Ontario
L4K 4A5
905-761-2050

July 26, 2017

RE: 425 King St, Cobourg

Dear Jared Dykstra

This letter is in regard to my assessment of the Butternut trees on your property. Please read this letter/report carefully as it contains important information about the Endangered Species Act, 2007 (ESA).

Potential Butternut trees located and assessed at the above noted property during the site visit on July 12 & 26, 2017 were identified as hybrid. Hybrid trees are not protected under the Endangered Species Act, 2007 (ESA). Please be advised that other Butternut trees identified on the property must also be assessed by a BHA if a proposed activity may cause them to be killed, harmed or removed.

Please retain this letter and the following BHA Report for your records, along with any other documentation you may receive from the MNR should an audit of the assessment occur.

If you have any questions, please do not hesitate to contact me or the Species at Risk Biologist in the local MNRF district office.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Kennedy". The signature is fluid and cursive, with a large loop at the end.

Douglas Kennedy
Environmental Technologist, MFPA, BHA
Green Side Up Environmental Services
289-892-2827
www.greenservices.ca

Enclosures:

1. Information from the Ministry of Natural Resources and Forestry about Butternut and the *Endangered Species Act, 2007*
2. Butternut Health Assessor's Report
3. Original data forms

Ministry of Natural
Resources and Forestry

Species At Risk

P.O. Box 7000, 300 Water Street
Peterborough ON K9J 8M5

Ministère des Richesses naturelles
et des Forêts

Espèces en péril

C.P. 7000, 300, rue Water
Peterborough ON K9J 8M5



The enclosed Butternut Health Assessor's Report documents the results of the Butternut health assessment that was conducted by the designated Butternut Health Assessor (BHA) identified in the top section of the report. If there are other Butternut trees (of any size or age) at the site that may be affected by the activity and they are not identified in the enclosed BHA Report, they too must be assessed by a designated BHA.

Butternut is listed as an endangered species on the Species at Risk in Ontario List, and as such, it is protected under the *Endangered Species Act, 2007* (ESA) from being killed, harmed, or removed. If you are planning to undertake an activity that may affect Butternut, you may be eligible to follow the requirements set out in section 23.7 of Ontario Regulation 242/08 under the ESA, or you may need to seek an authorization under the ESA (e.g., a permit).

Please visit e-laws at the link provided below for the legal requirements of eligible activities under section 23.7 of Ontario Regulation 242/08 and conditions that must be fulfilled. Information about Butternut is also available at: <http://www.ontario.ca/environment-and-energy/butternut-trees-your-property>.

If you are eligible to kill, harm or take Butternut under section 23.7 of the regulation, your first step is to submit the BHA Report and the original data forms enclosed in this package to the local Ministry of Natural Resources and Forestry (MNRF) District Manager. Note that MNRF cannot accept photocopies or scanned electronic copies of the data forms.

Note regarding changes:

If the enclosed BHA Report does not identify which Butternut tree(s) are proposed to be killed, harmed, or taken in Table 1 (i.e., if "unknown" is indicated in the second last column of Table 1), or, if the information in the last two columns of Table 1 has changed since the date this BHA Report was produced, **do not make any edits to the BHA Report**. Instead, please attach a cover letter that identifies which Butternut tree(s) are proposed to be killed, harmed, or taken (by referencing the tree identification numbers) when you submit the enclosed BHA Report to the local MNRF District Manager.

The BHA Report must be submitted at least 30 days prior to registering an eligible activity to kill, harm, or remove a Butternut tree. During this 30 day period, no Butternut trees (of any category) may be killed, harmed, or removed, and MNRF may contact you for an opportunity to examine the trees. If MNRF chooses to examine the trees, a representative of MNRF will contact you using the information you supplied when you submitted the BHA Report.

If you are eligible to follow the rules in regulation under section 23.7, you may register your activity using the “Notice of Butternut Impact” form on the [MNRF Registry](#) **after the 30 day period has elapsed**.

If you are **not** eligible to follow the rules in regulation under section 23.7, please contact the local MNRF district office to determine whether you will need to seek an authorization (e.g., a permit). A link to the directory of MNRF offices is provided below.

Note that municipal by-laws and legislation other than the ESA may also be applicable to the removal or harming of trees.

Please retain this information and a copy of the BHA Report (including copies of all data forms) for your records, along with any other documentation you may receive from MNRF should an examination of the trees occur. If you have any questions, please contact your local MNRF district office.

Links:

Endangered Species Act, 2007:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_07e06_e.htm

Ontario Regulation 242/08 (refer to section 23.7):

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_080242_e.htm

MNRF Office Locations:

<https://www.ontario.ca/government/ministry-natural-resources-and-forestry-regional-and-district-offices>

Butternut Health Assessor's Report Number: 221-001

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Mason Homes
6 – 30 Pennsylvania Ave
Concord, Ontario
L4K 4A5
905-761-2050
jdykstra@masonhomes.ca

Site location: 425 King St. Cobourg, Ontario

Date(s) of Butternut health assessment: July 12 & 26, 2017

Date BHA Report prepared: July 26, 2017

Map datum used: NAD83 WGS84

Total number of trees assessed in this BHA Report: 14

The assessed trees were numbered on site using white paint. The numbers at the site correspond to the tree numbers referenced in this report.

This BHA Report includes the following tables:

- Table 1: Trees Determined by BHA to be Butternut Hybrids
- Table 2: Summary of Assessment Results

Table 1: Trees Determined by BHA to be Butternut Hybrids

Tree #	Latitude	Longitude	Method used (genetic testing or field identification):
1	43.9634678	-78.1463407	Field Identification
2	43.9634972	-78.1462500	Field Identification
3	43.9634331	-78.1461583	Field Identification
4	43.9631782	-78.145583	Field Identification
5	43.9634958	-78.1454314	Field Identification
6	43.9631222	-78.1457389	Field Identification
7	43.9630112	-78.1468235	Field Identification
8	43.9629639	-78.1467524	Field Identification
9	43.9635972	-78.1464000	Field Identification
10	43.9636306	-78.1463528	Field Identification
11	43.9636306	-78.1463528	Field Identification
12	43.9636561	-78.1462602	Field Identification
13	43.9636821	-78.1462415	Field Identification

Tree #	Latitude	Longitude	Method used (genetic testing or field identification):
14	43.9638333	-78.1462556	Field Identification

Table 2: Summary of Assessment Results

Result:	Total #:	Important information for persons planning activities that may affect Butternut:
Hybrid	14	<ul style="list-style-type: none"> Hybrid Butternut trees are not protected under the ESA, but their removal may be subject to municipal by-laws and other legislation.

Butternut Health Assessor's Comments:

Additional assessment may be made for hybrid trees in the fall as there are some characteristics that only appear or can be confirmed when dormant.

This concludes the summary of the BHA Report. A complete BHA Report must also include:

1. All original (hard copy) data forms (i.e., all completed sets of Form 1 and Form 2), and
2. Electronic and printed copies of the Excel data analysis spreadsheet. *Only for true Butternut trees.*