

From: Species at Risk (MECP) <SAROntario@ontario.ca>
Sent: Wednesday, June 23, 2021 9:55 AM
To: Grainger, Susan; [REDACTED]
Subject: EXTERNAL: Re: POTENTIAL DANGER TO BUTTERNUT TREES

Hi Susan,
Thank you for your Butternut Inquiry.

Butternut is listed as endangered in Ontario, and therefore are protection under the Endangered Species Act (ESA). This means that no activity can be done that would kill, harm or harass a Butternut, or damage and destroy its habitat, unless an appropriate instrument (such as a permit or an agreement) under the ESA has been sought. It is up to the landowner to not contravene the ESA.

Butternut Assessment Information

The main threat to the survival of Butternut is Butternut Canker, and this disease has affected most Butternut trees across the province. Butternut Canker appears to affect Butternut trees at various degrees based on a supposed genetic resistance to the Canker. It is important to note that Butternut is a unique species, in that it is the only species on the Species at Risk in Ontario (SARO) list that requires a preliminary assessment to be undertaken before ESA requirements can be afforded to individual trees. In Ontario, individual Butternut trees are evaluated by qualified Butternut Health Assessors to determine their health and potential resistance to Butternut Canker.

Butternut Health Assessments (BHAs) are required in order to assess the health of the tree, to determine if the tree is Category 1, 2 or 3. These Categories and their corresponding ESA requirements as outlined below:

- If a BHA identifies a tree as a hybrid, no authorization under the ESA is required to remove the tree, as it is not a pure Butternut and not protected under the ESA.
- If a BHA identifies a tree as a Category 1, no authorization under the ESA is required to remove the tree, as it affected by Butternut canker (a fungal disease) to such an advanced degree that retaining the tree would not support the protection or recovery of Butternuts in the area.
- If a BHA identifies a tree as a Category 2, Registration under section 23.7 of the Ontario Regulation 242/08 is likely feasible so long as all requirements of the Regulation are met.
- If a BHA identifies a tree as a Category 3, then a 17(2)(c) Permit is likely required.

As a general rule, the 25m buffer zone around a Butternut is protected. The Ministry considers this to be the Critical Root Zone, where critical roots that support the growth and life functions of the tree are located. This area is considered to have the lowest threshold for alterations.

The Ministry also protects the 25m-50m buffer around the tree, as this is the area that Butternut individuals depend upon for nut dispersal and seedling establishment, two critical components of successful reproduction. However, this buffer is considered to have a moderate threshold to alterations.

I hope this information helps,
Lisa

From: Grainger, Susan [REDACTED]
Sent: June 18, 2021 11:12 AM
To: Species at Risk (MECP) <SAROntario@ontario.ca>
Subject: POTENTIAL DANGER TO BUTTER NUT TREES

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Good afternoon,

The Ministry of Natural resources was kind enough to provide your email address as they advised me that they had no jurisdiction with regards to this potential problem.

I am writing in hopes of discussing additional information with regards to Butter Nut trees.

I understand that these trees are currently on the "Endangered Species List"

My reason for writing is that there intends to be some building on the lot next to my house in erecting a duplex, in the Village of Spencerville, Ont.

There seems to currently be five (5) Butter Nut trees on this lot and was wondering if you could provide me with some information in regards to building near these trees.

Is there a certain footage the proposed building will need to be away from the trees?

When building, are they allowed to damage the root system of these trees?

I was indeed wondering if it would be possible for someone to come out and take a look at the trees as I'm almost positive that these are Butter Nut based on the looks of them as well as other Butter Nuts in the area. There seems to be an abundance of these trees around the village.

These trees were not planted, they are naturally occurring trees.

We have until the end of June only as it is my understanding that building will commence soon after this date.

If you could call me back at 343-552-5986 or email me at suzikiz@icloud.com it would be very much appreciated.

Thanking you in advance for the consideration.

Best regards,

Susan Grainger
PO Box 254
7 South Street (AKA Plan 40 Pt. Lot 4)
Spencerville, Ontario
343-552-5986
Email: suzikiz@icloud.com

I have sent this email from my work email address. Please respond using the above noted email address if possible.