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Client name: Homes First Development Corporation
Mailing address: 51 Oak Avenue, Richmond Hill, Ontario, L4C 6R5

Phone:
Email address:

July 28, 2023

RE: 318 Lake Street, Town of Picton, ON - Residential Subdivision

BHA Report Number: 1
Date(s) of Butternut health assessment: May 25, 2023

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

Butternut is listed as an endangered species on the Species at Risk in Ontario List, and as such, it is protected under the 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 MECP District Manager. Note that the MECP will

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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

Summary of changes related to Butternut:

<http://www.ontario.ca/environment-and-energy/butternut-trees-your-property>

MECP office locations:

http://www.MECP.gov.on.ca/en/ContactUs/2ColumnSubPage/STE_L02_179002.html

not accept photocopies. The BHA Report must be submitted at least 30 days prior to registering 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 MECP may contact you for an opportunity to examine the trees.

If MECP chooses to examine the trees, a representative of the MECP will contact you using the information you supplied when you submitted the BHA Report. After the examination has been completed, MECP will notify you if the examination results change whether you are eligible for the regulation.

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 MECP 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 Ministry of Environment, Conservation and Parks (MECP) office to determine whether you will need to seek a permit. A link to the directory of MECP offices is provided in the text box on the previous page.

As a designated Butternut Health Assessor (BHA), I am providing the following Butternut Health Assessor’s Report for the tree located at the above noted property, for which I completed an assessment during the site visit on the above noted date. If there are other Butternut trees at the site that may be affected by the activity and they are not identified in this report, they too must be assessed by a BHA.

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

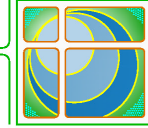
Please retain this letter and a copy of the BHA Report for your records, along with any other documentation you may receive from the MECP should an examination of the trees occur. If you have any questions, please do not hesitate to contact me or your local MECP district office.

Sincerely,

Stefan Taina

Enclosures:

1. Butternut Health Assessor’s Report
2. Original data forms
3. Electronic and printed copies of the Excel data spreadsheet (BHA Tree Analysis)



Butternut Health Assessor's Report

Stefan Taina, BHA #505
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Phone: 705-722-6278
Email address: jdbellassociates@rogers.com

Client name: Homes First Development Corporation
Mailing address: 51 Oak Avenue, Richmond Hill, Ontario, L4C 6R5

Phone:
Email address:

Property description: 318 Lake Street, Town of Picton, ON - Residential Subdivision
BHA Report Number: 1
Date(s) of Butternut health assessment: May 25, 2023
Date BHA Report prepared: July 28, 2023

Map datum used: NAD83

Total number of trees assessed in this BHA Report: 3

The assessed tree was identified on the attached Tree Inventory Plan TP-1.
The number on the plan corresponds to the tree number used in this report.

This BHA Report includes the following tables:

- Table 1: Butternut trees proposed to be killed, harmed, or taken
- Table 2: Butternut trees that are **not** proposed to be killed, harmed or taken
- Table 3: Trees determined to be hybrid Butternuts
- Table 4: Summary of Assessment Results

Table 1: Butternut trees proposed to be killed, harmed, or taken

Tree #	UTM coordinates	Category ¹ (1, 2, or 3 ²)	dbh ³ (cm)	Cultivated ? (Y/N)	to be: (enter one: killed,	Reason tree is proposed to be killed, harmed or taken:
BN1	18 4873047 327088	2	75	N	killed	Proposed development
BN2	18 4873047 327101	2	87	N	harmed	Proposed development
BN2	18 4873044 327110	2	73	N	harmed	Proposed development

¹ The extent to which the tree is affected by Butternut Canker is presented in the Excel document titled, "BHA Tree Analysis" that accompanies this BHA Report.

² The rules in regulation under section 23.7 of O. Reg. 242/08 are not applicable to Category 3 trees.

³ dbh: diameter at breast height, rounded to nearest cm (if tree is shorter than breast height, enter zero)

Table 2: Summary of Assessment Results

Result:	Total #:	Important information for persons planning activities that may affect Butternut:
Category 1		- A Category 1 tree is one that is affected by butternut canker to such an advanced degree that retaining the tree would not support the protection or recovery of butternut in the area in which the tree is located; and is considered “non-retainable”. - During the 30 day period that follows your submission of this BHA Report to the MECP District Manager, no Butternut trees (of Category 1, 2, or 3) may be killed, harmed, or taken, and MECP may contact you for an opportunity to examine the trees. - Category 1 trees may be killed, harmed or taken after the 30 day period that follows submission of this BHA Report to the MECP District Manager, unless the results of an MECP examination indicate that the assessment has not been conducted in accordance with the document entitled “Butternut Assessment Guidelines: Assessment of Butternut Tree Health for the Purposes of the <i>Endangered Species Act, 2007</i>”.
Category 2	3	- A Category 2 tree is one that is not affected by Butternut Canker, or is affected by Butternut Canker but the degree to which it is affected is not too advanced and retaining the tree could support the protection or recovery of butternut in the area in which the tree is located, and is considered “retainable”. - During the 30 day period that follows your submission of this BHA Report to the MECP District Manager, no Butternut trees (of Category 1, 2, or 3) may be killed, harmed, or taken, and MECP may contact you for an opportunity to examine the trees. - Activities that may kill, harm or take up to a maximum of ten (10) Category 2 trees may be eligible to follow the rules in section 23.7 of Ontario Regulation 242/08, in accordance with the conditions and requirements set out in the regulation. - Refer to e-Laws for the legal requirements of eligible activities under section 23.7 of Ontario Regulation 242/08 and conditions that must be fulfilled: http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_080242_e.htm
Category 3		- A Category 3 tree is one that may be useful in determining sources of resistance to Butternut Canker, and is considered “achievable”. - Category 3 trees are not eligible to be killed, harmed or taken under section 23.7 of Ontario Regulation 242/08. - Visit the MECP website using the link below for information on how to seek an ESA authorization, or consider an alternative that will avoid killing, harming or taking any Category 3 trees:
Cultivated		An activity that involves killing, harming, or taking a cultivated Butternut tree that was not required to be planted to fulfill a condition of an ESA permit or a

Result:	Total #:	Important information for persons planning activities that may affect Butternut:
		condition of a regulation, may be eligible for the exemption provided by subsection 23.7 (11) of O. Reg. 242/08. • Prior to undertaking the activity, the owner or occupier of the land on which the Butternut is located (or person acting on their behalf) will need to determine whether the exemption for cultivated trees is applicable by determining whether or not the tree was cultivated as a result of the requirements for an exemption under O. Reg. 242/08 or a condition of a permit issued under the ESA. This information can be accessed by contacting the local MECP district office. • The owner or occupier of the land on which the Butternut is located (or person acting on their behalf) is encouraged to append the details regarding whether the tree was planted to satisfy a requirement (e.g., the permit number or registration number) to this BHA Report for their records.
Hybrid		• Hybrid Butternut trees are not protected under the ESA, but their removal may be subject to municipal by-laws and other legislation.

NOTE: This concludes the summary of the BHA Report. A complete BHA Report must include the original (hard copy) data forms (i.e., all completed sets of Form 1 and Form 2), an electronic copy of the Excel data analysis spreadsheet, and one printed copy of the Excel data analysis spreadsheet.