



Stantec Consulting Ltd.  
400 - 1331 Clyde Avenue, Ottawa ON K2C 3G4

June 24, 2022  
File: 160925112

**Attention: Marc-Antoine Dufresne, Coordonnateur Acquisition et Vérification Diligente**  
Groupe EMD-Batimo  
400-6485 Rue Doris-Lussier  
Broisbriand, Quebec  
J7H 0E8

Dear Mr. Dufresne,

**Reference: Butternut Health Assessment Report #EMD002 – Groupe EMD-Batimo – EMD Kanata**

This letter is in regard to my butternut health assessment of three (3) butternut (*Juglans cinerea*) trees within the proposed EMD Kanata Study Area located at 150 Kanata Avenue within the City of Ottawa, Ontario (18T 429000E, 5018108N) to support Groupe EMD-Batimo's proposed EMD Kanata project (the Project). Please read this letter carefully as it contains important information regarding Groupe EMD-Batimo's commitment to the provincial *Endangered Species Act, 2007* (ESA).

The enclosed BHA report documents the results of the butternut health assessment that was conducted by the designated Butternut Health Assessor (BHA) identified below.

Butternut is listed as an endangered species on the *Species at Risk in Ontario List*, as such, it is afforded protection under the ESA from being killed, harmed or removed. If Groupe EMD-Batimo is proposing to undertake an activity that may affect butternut (e.g., excavation, site preparation), you are considered to be eligible to follow the requirements set out in Part V of Ontario Regulation (O. Reg.) 830/21 under the ESA.

Please visit e-laws at the link provided below for the legal requirements of eligible activities under section Part V of O. Reg. 830/21 and conditions that must be fulfilled. Information about butternut is also available at: <http://www.ontario.ca/environment-and-energy/butternut-trees-your-property>. Municipal by-laws and legislation other than the ESA may also be applicable to the removal or harming of trees.

If the enclosed BHA report does not identify which butternut tree(s) are proposed to be killed, harmed, or removed 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 trees are proposed to be killed, harmed, or taken (by referencing the tree identification numbers) when you submit the enclosed BHA report to the Ministry of Environment, Conservation and Parks (MECP).



June 24, 2022

Marc-Antoine Dufresne, Coordonnateur Acquisition et Vérification Diligente

Page 2 of 3

Reference: **Butternut Health Assessment Report #EMD002 – Groupe EMD-Batimo – EMD Kanata**

The BHA Report must be submitted at least 30 days prior to registering an eligible activity under O. Reg. 8300/21 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 and audit the results of this report. If the MECP chooses to examine the trees, a representative of MECP 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 Part V, 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 Part V, please contact the local MECP district office to determine whether you will need to seek an authorization (e.g., a permit). A link to the directory of MECP offices is provided below.

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 MECP should an examination of the trees occur. If you have any questions, please contact your local MECP district office.

Sincerely,

**STANTEC CONSULTING LTD.**

Digitally signed  
by Josh Mansell  
Date: 2022.06.24  
10:49:14 -04'00'

Josh Mansell  
Biologist, BHA #520  
Phone: (613) 355-5493  
Josh.mansell@stantec.com

- Attachments:
1. Attachment 1 – Butternut Health Assessor's Report
  2. Attachment 2 – Original BHA data forms
  3. Attachment 3 – Electronic copy of the Excel data spreadsheet (BHA Tree Analysis)
  4. Attachment 4 – Figure 1 – Butternut Tree Locations
  5. Attachment 5 – Photographic Record – BHA #EMD002



June 24, 2022

Marc-Antoine Dufresne, Coordonnateur Acquisition et Vérification Diligente

Page 3 of 3

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**Links:**

*Endangered Species Act, 2007:*

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_07e06\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_07e06_e.htm)

Ontario Regulation 830/21 (refer to Part V):

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_210830\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_210830_e.htm)

MECP office locations:

<https://www.ontario.ca/environment-and-energy/ministry-environment-district-locator>

**ATTACHMENT 1:**  
Butternut Health Assessor's Report  
(#EMD002)

Josh Mansell, BHA #520  
 Stantec Consulting Ltd.  
 400 – 1331 Clyde Avenue  
 Ottawa, ON K2C 3G4  
 613-355-5493  
 josh.mansell@stantec.com

Marc-Antoine Dufresne,  
 Coordonnateur Acquisition et Vérification Diligente  
 Groupe EMD-Batimo  
 madufresne@emd-batimo.ca

Property Owner of Site: Groupe EMD-Batimo  
 Property description: 150 Kanata Avenue, Ottawa, Ontario (Study Area)  
 BHA Report Number: EMD002  
 Date(s) of Butternut health assessment: June 14, 2022  
 Date BHA Report prepared: June 24, 2022

Map datum used:  NAD83  WGS84

Total number of trees assessed in this BHA Report: 3

The assessed trees were numbered in the Study Area using the following name convention: n/a – butternut trees were not flagged in the field.

This BHA Report includes the following tables:

- Table 1: Butternut Trees Assessed in the Study Area
- Table 2: Trees Determined by BHA to be Butternut Hybrids
- Table 3: Summary of Assessment Results

Table 1: Butternut Trees Assessed in the Study Area

Tree #	UTM (NAD 83)	Category (1, 2, or 3)	DBH (cm)	Cultivated (Y/N)	Proposed to be killed, harmed or taken	Reason tree is proposed to be killed, harmed or taken
BN001	18T 428925E, 5018174N	2	44	N	n/a	n/a – Activities are not proposed to occur within 25m of Bn001
BN002	18T 429017E, 5018248N	1	50	N	n/a	n/a – Activities are not proposed to occur within 25m of Bn002
BN003	18T 429027E, 5018123N	2	50	N	Taken	To facilitate construction of Groupe EMD-Batimo's proposed 150 Kanata Ave. project.

Table 2: Trees Determined by BHA to be Butternut Hybrids

Tree #	UTM coordinates	Method used (genetic testing or field identification):
n/a	n/a	n/a

Table 3: Summary of Assessment Results

Result	Total #	Important information for persons planning activities that may affect Butternut:
Category 1	1	<ul style="list-style-type: none"> <li>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”.</li> <li>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.</li> <li>Category 1 trees may be killed, harmed or taken <u>after</u> 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>”.</li> </ul>
Category 2	2	<ul style="list-style-type: none"> <li>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”.</li> <li>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.</li> <li>Activities that may kill, harm or take up to a maximum of ten (15) Category 2 trees may be eligible to follow the rules in Part V of Ontario Regulation 830/21, in accordance with the conditions and requirements set out in the regulation.</li> <li>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 more than fifteen (15) Category 2 trees: <a href="https://www.ontario.ca/page/species-risk">https://www.ontario.ca/page/species-risk</a></li> </ul>
Category 3	0	<ul style="list-style-type: none"> <li>A Category 3 tree is one that may be useful in determining sources of resistance to butternut canker and is considered “archivable”.</li> <li>Activities that may kill, harm or take up to a maximum of five (5) Category 3 trees may be eligible to follow the rules in Part V of Ontario Regulation 830/21, in accordance with the conditions and requirements set out in the regulation.</li> <li>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 more than five (5) Category 3 trees: <a href="https://www.ontario.ca/page/species-risk">https://www.ontario.ca/page/species-risk</a></li> </ul>
Cultivated	0	<ul style="list-style-type: none"> <li>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 condition</li> </ul>

Result	Total #	Important information for persons planning activities that may affect Butternut:
		<p>of a regulation, may be eligible for the exemption provided by Part V of Ontario Regulation 830/21</p> <ul style="list-style-type: none"> <li>• 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. 830/21 or a condition of a permit issued under the ESA. This information can be accessed by contacting the local MECP district office:  <a href="https://www.ontario.ca/environment-and-energy/ministry-environment-district-locator">https://www.ontario.ca/environment-and-energy/ministry-environment-district-locator</a></li> <li>• 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.</li> </ul>
Hybrid	0	<ul style="list-style-type: none"> <li>• Hybrid butternut trees are not protected under the ESA, but their removal may be subject to municipal by-laws and other legislation.</li> </ul>

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 Microsoft Excel data analysis spreadsheet and one printed copy of the Microsoft Excel data analysis spreadsheet.

## **ATTACHMENT 2:**

Butternut Health Assessment Field Data Sheets



# Butternut Data Collection Form 1 - 2010 Edition

Surveyor ID or BHA # **0520**

(PLEASE USE BLOCK LETTERS)

Date (dd/mm/yyyy)

**14 - 06 - 2022**

Shaded fields are mandatory for Butternut Health Assessments

**Surveyor Contact**

First **JOSH** Last **MANSELL**

Email **josh.mansell@stantec.com**

Telephone **(613) 355-5493** Telephone Other ( ) x

**Property Owner**

First Last

(check if same as surveyor)

OR Company **GRUPE EMD-BALTIMO**

Email **mad@fresnerend-baltimore.ca**

Telephone **(438) 858-4028** Telephone Other **(514) 887-6230** x

**Property Owner's Mailing address**

Address Postal Code Prov.

City

**Tree Location (if different from mailing address)**

Address/(911#) **150 KANATA AVE**

Township Lot Con

City **OTTAWA**

**Directions**

The site is located at the NW corner of Kanata Ave. + Maritime Way.

- Yes  No Can Share Location Information with other Butternut Recovery Organizations?
- Yes  No Site visits OK? (prior arrangements will always be made for a site visit)

**Butternut Trees Tally by Diameter Class**

(Do a dot tally in blank space; write total# in box for each)

Tree Condition	< 3 cm	3-15 cm	16-30cm	>30 cm
Vigorous: > 50% Live Crown Minor or no cankers				02
Poor Vigor: <50% Live Crown or >50% Live Crown + heavily cankered stem				01
Dead				03

Historically, do some trees produce seeds?  Y  N  Unknown

Estimated area containing butternut for properties > 1 acre (0.4 hectares) **004** Acres  Hectares

**Overall Property Description (area(s) containing Butternut)**

- Rolling Upland  Bottomland
- Valley Slope  Variable
- Tableland  Unknown

**Vegetation Community/ies**

- Open  Fencerow
- Shrubland  Roadside
- Deciduous Forest  Quarry
- Conifer Forest  Urban Yard
- Mixed Forest  Urban Park

**Other**

**Soil Drainage**

- Well Drained
- Moderately Drained
- Poorly Drained
- Unknown

**Soil Depth**

- > 1metre
- 30 - 99cm
- < 30cm

**Soil Texture**

- Clay  Sand  Unknown
- Clay Loam  Variable
- Loam  Unknown
- Loamy Sand

BHA to support Grube EMD-Baltimore's proposed development of 150 Kanata Ave

\* Bn002 is located ~10m from adjacent excavation/development -> permitted for?

Please enter matching numerical page link code on forms 1 and 2

Page Link **428925**

(Contact Information follows all applicable privacy policies and guidelines)

Please return forms to:  
Forest Gene Conservation Association  
Suite 233, 266 Charlotte St.  
Peterborough, ON, K9J 2V4  
www.fgca.net

49731

**Butternut Data Collection FORM 2 (2010 Edition)**

(PLEASE USE BLOCK LETTERS)

Fill when Form 1 indicates canker is well established. The information on Form 2 must be filled out for all trees when doing a Butternut Health Assessment.

**Shaded fields are mandatory for Butternut Health Assessments**

**EMD** Site Code(A,B,...Z, AA...)

Surveyor ID or BHA # **0520**

Date (dd/mm/yyyy) **14-06-2022**

Surveyor Last Name **MANSELL**

Tree ID Numbering: 1,2,3,...Starting from 1 for each site

Tree # **001** Zone **18** Easting **428925** Northing **5018174**

Crown Class **075** Live Crown % **15** Main Stem Length(m) Below crown **15** Seed Signs  
 Twig Dieback **1** #Stems **1** Butternut Origin  Natural  Planted  Unknown  Male Flowers  Female Flowers  Seed Set  None

Assess below live crown  
 #Epic-Live **00** #Open **01** #Sooty **03**  
 #Epic-Dead **00** Root **01** **05**  
 Bark Type **5** =<2m **01** **05**  
 # Callused Wounds >2m **01** **02**

Metres from badly cankered tree  < 40  > 40  None Found

Competing Species  
**PICOLAU**  
**OSTUJRG**  
**ACESACH**

Previously Tree #51 in City of Ottawa EIS (2020)

Tree # **002** Zone **18** Easting **429017** Northing **5018248**

Crown Class **040** Live Crown % **00** Main Stem Length(m) Below crown **00** Seed Signs  
 Twig Dieback **2** #Stems **2** Butternut Origin  Natural  Planted  Unknown  Male Flowers  Female Flowers  Seed Set  None

Assess below live crown  
 #Epic-Live  #Open  #Sooty   
 #Epic-Dead  Root    
 Bark Type  =<2m    
 # Callused Wounds >2m

Metres from badly cankered tree  < 40  > 40  None Found

Competing Species

Previously Tree #19 in City of Ottawa EIS (2020) - 1cm from adjacent excavation

Tree # **003** Zone **18** Easting **429027** Northing **5018123**

Crown Class **085** Live Crown % **00** Main Stem Length(m) Below crown **00** Seed Signs  
 Twig Dieback **1** #Stems **1** Butternut Origin  Natural  Planted  Unknown  Male Flowers  Female Flowers  Seed Set  None

Assess below live crown  
 #Epic-Live  #Open  #Sooty   
 #Epic-Dead  Root    
 Bark Type  =<2m    
 # Callused Wounds >2m

Metres from badly cankered tree  < 40  > 40  None Found

Competing Species

Previously Tree #18 in City of Ottawa EIS (2020)

Tree # **004** Zone **1** Easting **000000** Northing **000000**

Crown Class **000** Live Crown % **00** Main Stem Length(m) Below crown **00** Seed Signs  
 Twig Dieback  #Stems  Butternut Origin  Natural  Planted  Unknown  Male Flowers  Female Flowers  Seed Set  None

Assess below live crown  
 #Epic-Live  #Open  #Sooty   
 #Epic-Dead  Root    
 Bark Type  =<2m    
 # Callused Wounds >2m

Metres from badly cankered tree  < 40  > 40  None Found

Competing Species

Tree # **005** Zone **1** Easting **000000** Northing **000000**

Crown Class **000** Live Crown % **00** Main Stem Length(m) Below crown **00** Seed Signs  
 Twig Dieback  #Stems  Butternut Origin  Natural  Planted  Unknown  Male Flowers  Female Flowers  Seed Set  None

Assess below live crown  
 #Epic-Live  #Open  #Sooty   
 #Epic-Dead  Root    
 Bark Type  =<2m    
 # Callused Wounds >2m

Metres from badly cankered tree  < 40  > 40  None Found

Competing Species

Please enter matching page link code on forms 1 and 2

Page Link **428925**

(Contact Information follows all applicable privacy policies and guidelines)

Please return forms to:  
 Forest Gene Conservation Association  
 Suite 233, 266 Charlotte St.  
 Peterborough, ON, K9J 2V4  
 www.fgca.net

49731



# **ATTACHMENT 3:**

**Butternut Health Assessment Tree Analysis**

### BHA Tree Analysis (version: December 2013)

This table is to be completed by a designated Butternut Health Assessor (BHA).

<b>BHA Report #</b>	EMD002	<b>Assessment Date(s)</b>	14-Jun-22				<b>Total # Butternut Trees in BHA Report</b>	3												
<b>BHA ID #</b>	520	<b>BHA Name</b>	Josh Mansell																	
<b>Landowner / Client Name</b>		EMD-Batimo (Marc-Antoine Dufresne)																		
<b>Property Location</b>		150 Kanata Ave., Ottawa, Ontario																		
input field data										automatic calculations from field data						Categories:				
Tree #	Live Crown %	Tree dbh (cm)	# bole cankers				# root flare (RF) cankers		<40 m from cankered tree? (Y or N)	Circ. (cm) = Pi x dbh	total bole canker width (sooty x 2.5 + open x 5)	total RF canker width (sooty x 2.5 + open x 5)	bole canker % of circ.	RF canker % of circ.	total bole & root canker % of 2xCirc	1: non-retainable, 2: retainable, 3: archivable				
			sooty (S) (will be assigned 2.5 cm per canker)		open (O) (will be assigned 5 cm per canker)		RF S	RF O								LC% >= 50 & BC% = 0	LC% >70 & BRC % <20	LC% >70 & BC % <20	Preliminary tree call	FINAL TREE CALL a Cat 2, dbh>20cm <40m from a Cat 1
			S <2 m	S >2 m	O <2 m	O >2 m														
1	75	44	5	2	1	1	3	1	n	138.2	27.5	12.5	19.9	9.0	14.5	1	2	2	2	2
2	40	50	7	8	1	0	2	3	n	157	42.5	20.0	27.1	12.7	19.9	1	1	1	1	1
3	85	50	3	2	1	0	0	1	n	157	17.5	5.0	11.1	3.2	7.2	1	2	2	2	2

## **ATTACHMENT 4:**

Figure 1 – Butternut Tree Locations



## **ATTACHMENT 5:**

Photographic Record of Butternut Health Assessment



Photo 1: Existing conditions surrounding Bn001. Bn001 and habitat is not proposed to be impacted by Groupe EMD. Looking northwest.



Photo 2: Canopy of Bn001 observed to be 75%. Bn001 and habitat is not proposed to be impacted by Groupe EMD.



Photo 3: Existing conditions surrounding Bn002 – note proximity to adjacent development. Bn002 and habitat is not proposed to be impacted by Groupe EMD. Looking north.



Photo 4: Canopy of Bn002 observed to be 40%. Bn002 and habitat is not proposed to be impacted by Groupe EMD.



Photo 5: Existing conditions surrounding Bn003 looking northwest from Maritime Way.



Photo 6: Canopy of Bn003 observed to be 85%. Looking west from Maritime Way.



Client/Project  
 Groupe EMD  
 150 Kanata Ave. & 1200 Canadian Shield Ave. (EMD Kanata)  
 Butternut Health Assessment

Title  
 PHOTOGRAPHIC RECORD

Date  
 24/05/2022

Project No.  
 160925112

Page  
 Page 1 of 1