

# **CHATHAM-KENT FOREST MANAGEMENT STRATEGY**

## **BACKGROUND REPORT**



**PREPARED BY:  
Strategic and Development Services  
C-K Smart Growth Planning Services  
May, 2003**

PURPOSE.....	3
SCOPE.....	3
The Urban Forest.....	3
The Rural Forest.....	4
WHAT WE KNOW.....	4
Community Strategic Plan.....	4
New Official Plan Environmental Background Report.....	5
Ontario Smart Growth.....	7
BENEFITS OF FOREST RESOURCES.....	7
Social/Economical/Ecological/Spiritual/Aesthetic Benefits.....	7
Measuring the Benefits of Trees.....	7
Kyoto Protocol.....	7
WHAT IS BEING DONE ELSEWHERE.....	9
Forest Conservation By-law.....	10
Conservation Authority.....	10
Education Programs.....	10
Forest Advisory Committee.....	10
Forest Cover Greater Than 30%.....	10
Forest Management Staff.....	10
Managed Forest Tax Incentive Program.....	10
Municipally Owned Woodlots.....	11
Official Plan Policies.....	11
Tree Planting Partnerships/Tree Planting Programs.....	11
Watershed Planting Projects.....	11
Woodlot Acquisition Programs.....	11
WHAT IS BEING DONE IN CHATHAM-KENT.....	11
Managed Forest Tax Incentive Program.....	11
Tree Planting Policy.....	11
Consent Practices.....	11
Local Conservation Authorities.....	12
Pay It Forward.....	12
Stewardship Kent.....	12
Memorial Forest Program Lower Thames Valley Conservation Foundation.....	12
Conservation Easement.....	12
Land Trusts.....	13
Tax Benefits for Conservation Easements and Land Trusts.....	13
FOREST MANAGEMENT STRATEGY TASK FORCE OPTIONS.....	13
ADDITIONAL INCENTIVES AND OPTIONS CONSIDERED.....	14
CONCLUSIONS AND RECOMMENDATIONS.....	15
PUBLIC POLICY AND PRACTICES.....	15
Official Plan.....	15
Other Municipal Policies.....	16
PROGRAMS.....	16
Partnerships.....	16
Incentives.....	17
Initiatives.....	18
REGULATIONS.....	19
Municipal Act.....	19
Planning Act.....	19
IMPLEMENTATION.....	19
Administration.....	19
Enforcement.....	20
FINANCIAL IMPLICATION OF RECOMMENDATIONS.....	21
Current Municipal Property Tax Implications.....	21
10 Acres Forest Cover.....	21
Other Financial Implications.....	22
Next Step.....	22

## **PURPOSE**

The Municipality of Chatham-Kent was created in 1998 through the amalgamation of 23 municipalities. Since amalgamation the Municipality has among other important and leading documents completed the Community Strategic Plan, and various background studies relating to the development of a New Official Plan and Zoning By-law. The Community Strategic Plan and the Environmental Background Study for the New Official Plan identified the need for environmental protection and enhancement within Chatham-Kent. The purpose of this report is to provide background information relating to the development of a Municipal Forest Management Strategy. The Strategy will form the basis for Municipal decisions that affect the tree cover throughout Chatham-Kent. It will support the policy direction adopted by Council to:

- Develop an aggressive reforestation and forest management strategy to support natural heritage policies and the Community Strategic Plan
- Employ both voluntary and regulatory measures to demonstrate commitment to natural heritage protection and enhancement
- Encourage protection of small woodlots based on incentives identified in the forest management strategy

As the recommendations suggest, the strategy will go beyond land use policy and utilize voluntary and regulatory measures and practices that can be employed simultaneously and in conjunction with one another for greater effect.

## **SCOPE**

The scope of this report will focus on both urban and rural trees and includes:

- Urban and Rural Forest
- Small rural forested areas (less than 4 hectares)
- Large rural forested areas (greater than 4 hectares)
- Tree planting

### **The Urban Forest**

The typical urban forest is made up of woodlots, street and backyard trees, ravines, parkland wetlands, green patches, and corridors of grassland with all of the components of a city mixed in. In the past, urban forests were not considered ecologically significant: however, during the last decade, the important relationship between urban forests, quality of life, human activity, and health has been recognized. Urban forests allow people to escape from the hustle and bustle of city life and enter into an atmosphere of peace and relaxation. Besides their recreational and aesthetic benefits, urban forest combat air and noise pollution, filter water, stabilize soils and provide habitat and food for wildlife. When these benefits are combined with reduced stress and increased health, trees become a necessity not just a luxury.

(Greening Canada - A guide to community tree planting)

## **The Rural Forest**

In healthy rural forests, most natural processes remain undisturbed. The soil is rich and full of the vital nutrients needed for growth and is protected from compaction, moisture loss and erosion by plants and layers of old leaves, needles, and branches. Rural forests tend to be larger than urban forests and support more diverse species and habitats. Trees in a rural forest also tend to live longer than in urban areas, and when one generation of trees dies, another is ready to take its place. Even dead trees still live in the forest providing homes for various birds and animals. Although local environmental conditions may be good, rural forests still need care and protection to flourish.

(Green Canada-A guide to community tree planting)

## **WHAT WE KNOW**

### **Community Strategic Plan**

Sustaining and enhancing our environmental assets clearly emerged as one of the six essential strategies to make Chatham-Kent the kind of community its residents desire. The management and enhancement of tree cover and forests is a major component of the Strategic Plan and plays an important role in achieving several objectives in the plan including:

- Health: Providing safe, caring and healthy environment  
A1 – Maintain and improve the quality of our natural resources
- Economy: Working aggressively to develop a diversified economic base  
B3 – Develop and promote Chatham-Kent as a desirable tourist destination
- Environment: Sustaining and enhancing our environmental assets  
C1 – Develop pride in the community for its environmental assets  
C2 – Encourage restoration activities to enhance the environment and maintain existing resources  
C3 – Establish standards for environmental excellence  
C4 – Sustain, preserve and restore natural & renewable resources
- Heritage: Recognizing and promoting our diverse heritage  
D2 – Protect and promote our diverse natural and historical areas of resources

### **Expected Results**

- Increase in forest cover and natural habitat throughout Chatham-Kent
- Enhancement of our historical/cultural/environmental assets
- Increase in tourist dollars spent in Chatham-Kent
- Increase in environmental content of education and training programs
- Increase in the rate of interest in environmental stewardship
- Decrease in environmental destruction

- Sustaining woodlots & institute a reforestation program
- Increase in environmental policies, by-laws and regulations
- Increase in quality of air and water

### **New Official Plan Environmental Background Report**

The Environmental Background Report indicates that the forest cover in Chatham-Kent is approximately 4%, including the First Nations Reserve Moravian of the Thames and Rondeau Provincial Park. These areas however are not part of the Municipality of Chatham-Kent. The Municipality of Chatham-Kent has approximately 1.7% forest cover, which is significantly less than pre-settlement and well below the Draft Framework guideline of 30%.

(Environment Canada et al.'s Draft Framework Guide for Habitat Rehabilitation 1996)

Another concern identified is that there are just over 300 patches within the municipality that are large enough to support species that require at least 100m of forest edge. Interior habitat is important for some species especially forest interior birds because this habitat is generally free from negative edge effects such as increased predation, competition, pollution and wind. These negative effects tend to be reduced 100m from the forest edge.

Also identified is the lack of natural corridors and linkages between the forest patches. Corridors provide links between natural areas and are potential buffers between natural and human communities. The value of natural heritage features is increased with corridors and linkages. Natural linkages allow for migration of wildlife, native plant distribution and clean water. These corridors support major wildlife movement, including bird migration in the spring and fall. Corridors also provide social and economic benefits. They can provide services such as snow and wind protection, prevent erosion and flood protection.

Wood lots are an important part of our natural heritage. The report indicates that these natural heritage areas must be preserved and restored as they contribute to a healthy environment, help protect biodiversity, protect water quality for drinking and can be used for recreation. Natural Heritage can integrate social, cultural and recreational values. The historical clearing and draining of the land for agriculture and community development in Chatham-Kent has resulted in a degraded ecosystem.

(Environmental Background Report – Dillon Consulting)

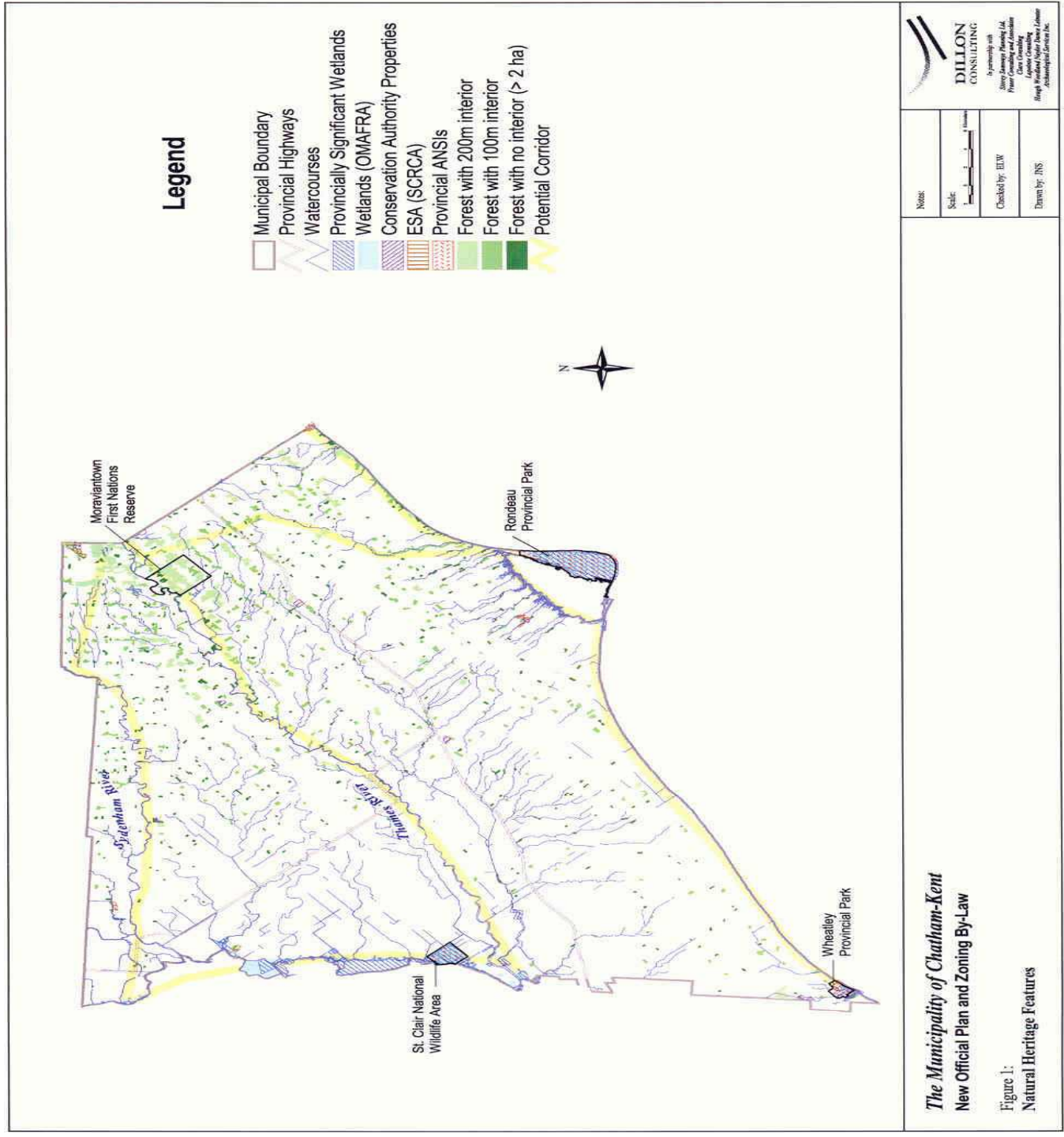


Figure 1

## **Ontario Smart Growth**

Smart Growth is the Ontario Government's approach to providing and managing growth in ways that create strong economies, build strong communities and promote a healthy environment. The Smart Growth initiative is based on six goals – one of which is to “protect and enhance the environment”. The management and enhancement of tree cover and forests is consistent with the Ontario Smart Growth initiative.

## **BENEFITS OF FOREST RESOURCES**

### **Social/Economical/Ecological/Spiritual/Aesthetic Benefits**

Forest resources should be sustainably managed to meet the social, economic, physical and environmental needs of the community. The benefits of forest cover includes:

- Air quantity
- Water quality
- Soil erosion protection
- Enrich topsoil and increase crop yeild
- Regulates air temperature
- Carbon sequestering
- Timber and non-timber forest products
- Improved property value
- Biodiversity (genetic, species and community)
- Adapting to climate change
- Forests are calming, pleasing and provide a place for relaxation
- Link us to our distant past
- Most visible and tangible reminder of our integration in a depending ecosystem

### **Measuring the Benefits of Trees**

- A single mature tree can absorb carbon dioxide at a rate of 48 lbs/year and release enough oxygen back into the atmosphere to support two human beings.
- A single mature tree reduces the amount of atmospheric CO<sub>2</sub> as released by a typical car driven 500 miles.
- 300 trees can counter balance the amount of pollution one person produces in a lifetime. (Regional Municipality of York)

### **Kyoto Protocol**

Climate change is a global problem, affecting all countries. While greenhouse gases (GHG'S) form naturally, many human activities add additional GHG'S to the atmosphere. Heating and cooling buildings, using energy at home and work, driving vehicles to move people and goods, powering industrial process – most things we do that consume energy contribute to the problem. Radiation from the sun enters the earth's atmosphere, and GHG'S act like a greenhouse's glass to block this heat from escaping back to space. There is a direct link between rising atmospheric GHG concentrations, particularly carbon dioxide (CO<sub>2</sub>), global warming and more frequent

extreme weather events. In Canada, climate change will affect fishing, farming, forestry, lakes, rivers, coastal communities and the North.

Forests and agricultural soils can remove and store carbon dioxide from the atmosphere. The management and enhancement of tree cover and forests will assist in meeting our national and global responsibilities under the Kyoto Protocol.

(Government of Canada-Canada and the Kyoto Protocol-Viewpoint: Carbon Sinks – Web Site)

## WHAT IS BEING DONE ELSEWHERE

A survey was completed to determine policies, practices and initiatives presently undertaken in other municipalities. Areas that were identified include: tree planting partnerships, tree planting incentive programs, woodlot acquisition funds, education programs, and the Managed Forest Tax Incentive Program. The following table is a summary of the survey:

	Calgary	Chatham-Kent	Elgin	Essex	Frontenac	Lambton	Leeds, Grenville	Lennox	London	Middlesex	Ottawa	Peterborough	York Region
Forest Conservation By-law	✓		✓			✓			✓	✓	✓	✓	✓
Conservation Authority Partnership		✓	✓	✓		✓				✓			✓
Education Programs	✓		✓							✓	✓	✓	
Forest Advisory Committee										✓	✓		
Forest Cover Greater Than 30%					✓		✓	✓				✓	
Forest Management Staff							✓			✓		✓	✓
Managed Forest Tax Incentive Program	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Municipally Owned Woodlots		✓					✓	✓	✓	✓		✓	✓
Official Plan Policies						✓							✓
Tree Planting Partnerships	✓	✓		✓		✓	✓				✓	✓	✓
Tree Planting Programs	✓	✓	✓			✓	✓			✓	✓	✓	✓
Watershed Planting Projects												✓	✓
Woodlot Acquisition Programs							✓		✓	✓	✓	✓	✓

### **Forest Conservation By-law**

In Ontario, municipalities can prohibit or regulate tree cutting on private land through powers granted under the Municipal Act. Municipalities can enact forest conservation by-laws that set a minimum standard for forest harvesting practices. These minimum standards are usually based on restricting cutting below certain circumference limits. This prevents the total removal or destruction of forests and is relatively easy to enforce. The option to carry out good forestry practices is also found in most by-laws and is encouraged as much as possible.

### **Conservation Authority**

Conservation Authorities assist in the conservation and restoration and responsible management of Ontario's water, land and natural habitat through programs that balance human, environmental and economic needs. Our local conservation authorities (Lower Thames Valley Conservation Authority and the St. Clair Region Conservation Authority) provide forest education programs, tree planting programs and forest management advice.

### **Education Programs**

Education programs provide information to the public about the benefits of tree cover, what species should be planted where, and good forest management practices. Local Conservation Authorities, volunteer groups and local municipalities provide these education programs.

### **Forest Advisory Committee**

Provide input into tree and forest management policies. The committee also provides support for the promotion of public awareness for trees and forest protection and enhancement.

### **Forest Cover Greater Than 30%**

The Official Plan Environmental Background Report indicated that 30% forest cover is the desired amount of forest cover based on the Draft Framework Guideline. (Environment Canada ed al.'s Draft Framework Guide for Habitat Rehabilitation 1996)

### **Forest Management Staff**

Municipalities with staff responsible for the management of municipally owned woodlots as well as the enforcement of Forest Conservation By-law.

### **Managed Forest Tax Incentive Program**

The Managed Forest Tax Incentive Program is a program, which encourages sustainable forest management by giving landowners a rebate on their taxes. The landowners must agree to certain conditions including preparing and following a Managed Forest Plan for their forests. The goal of the plan is to improve the owner's knowledge of the forest and participation in managing forests.

## **Municipally Owned Woodlots**

These woodlots are owned and managed by the local municipalities.

## **Official Plan Policies**

Some Official Plans contain policies that guide the protection and enhancement of natural heritage resources, and may include wetlands, woodlots or wildlife habitat.

## **Tree Planting Partnerships/Tree Planting Programs**

Tree planting partnerships and programs are programs that are organized and supported by local volunteer groups, municipalities and local stewardships. These groups not only provide the trees but also organize the manpower to assist in the planting of trees for larger projects.

## **Watershed Planting Projects**

Watershed planting projects are associated with fish and wildlife habitat rehabilitation programs and include the planting of trees and tall grass prairies. Some of our local watershed projects include partnerships with Stewardship Kent, Ducks Unlimited and local Conservation Authorities.

## **Woodlot Acquisition Programs**

The purpose of these programs is to develop a Woodlot Acquisition Fund to purchase significantly identified woodlots.

## **WHAT IS BEING DONE IN CHATHAM-KENT**

The current tree planting and conservation initiatives in Chatham-Kent include:

### **Managed Forest Tax Incentive Program**

There are five property owners or 309.84 acres of forested land in the Municipality of Chatham-Kent, participating in the Managed Forest Tax Incentive Program.

### **Tree Planting Policy**

The Municipality provides young trees free of charge to property owners of Chatham-Kent for planting on their own property subject to an application and regulations as set out in the Tree Planting Policy. This policy include the provision for all new subdivision agreements to include a clause making at least one tree per residential lot mandatory, subject to the regulations in the Tree Planting Policy, with a one year warranty.

## **Consent Practices**

In very select circumstances, we have entertained consents that have resulted in the separation of existing woodlots. We have done so on the bases and in support of the Community Strategic Plan. To date we have entertained three such applications. This has been done with caution and although the practice has some beneficial effects, namely in the preservation of woodlots we have not explored the full impact of such policies.

### **Local Conservation Authorities**

Local conservation authorities encourage the planting of trees for windbreaks, small woodlots and wild life shelters. They also provide hands on conservation programs, tree planting programs and woodlot management services. The St. Clair Region Conservation Authority has a Forest Technician on staff that provides support for the Local Thames Valley Conservation Authority, the Municipality of Chatham-Kent and private property owners. The forest technician provides advice and information on good forest management practices.

### **Pay It Forward**

The Pay It Forward committee has established a goal to have 3.6 million trees planted within the Municipality over the next two to three years. This initiative would be the equivalent to 3,600 acres of newly planted trees and raise Chatham-Kent's forest cover by approximately 1 percent.

### **Stewardship Kent**

Stewardship Kent has been a partner with the Municipality of Chatham-Kent on various reforestation and wetland redevelopment projects, which include areas in Merlin, the Fletcher Land Fill Site and McDonald Park.

### **Memorial Forest Program Lower Thames Valley Conservation Foundation**

The Lower Thames Valley Conservation Foundation in partnership with local funeral homes encourages and promotes the planting and dedication of a tree in memory of a loved one. The Lower Thames Valley Conservation Foundation accepts application for the planting of the memorial tree with a minimum donation of \$30.00. A memorial ceremony is held and the tree is planted at one of the following memorial forests: McKinlay Woodlands...A Living Memorial at the C.M. Wilson Conservation Area or the Two Creeks Memorial Groves at Two Creeks Conservation Area.

### **Conservation Easement**

A conservation easement is a legal agreement by which a landowner voluntarily restricts or limits the types and amounts of development that may take place on her/his land to protect its natural features. Each conservation easement agreement's restrictions are tailored to fit the particular property, the interest of the landowner and the natural features to be protected. In such an easement agreement, which you enter into with an organization such as the Federation of Ontario Naturalists, Nature Conservancy of Canada, Southern Ontario Woodlands and Ontario Heritage Foundation or a locally based land trust, you and the organization mutually agree to certain limits on land use. The limitations can include no land severances, no subdivisions, no golf courses, no tree cutting and no new roads. With an easement you can still own the land, restrict public access to it, and sell, give or pass it on to whomever you wish. Since the easement is registered on title,

it binds all owners of land over the easement's term. So if you sell, you have the assurance that your limits on the use of the land will be honoured.

### **Land Trusts**

Land trusts are organizations that have taken it upon themselves to protect ecologically or culturally significant areas of that are not currently protected. They are non-government, non-profit organizations registered as charities which rely primarily on membership and donations for funding of their projects. The purpose of a land trust is to protect an area of land that the government and other organizations are not willing or able to protect and as a result limit unnatural change.

### **Tax Benefits for Conservation Easements and Land Trusts**

Favourable tax implications are often associated with the donation of land or conservation agreements. This is true for corporations as well as individuals. Under new legislation introduced in 2000, donors of land or conservation easements receive a significant reduction in the amount of their federal and provincial income tax payable through tax credits resulting from the value of the gifted lands. Donations of ecologically sensitive land can be applied against 100% of a donor's annual income. Donors also pay less tax on any capital gains that kick in when the land changes hands. In order to be eligible for this benefit, all donations of land or conservation easements must be certified by Environment Canada as ecologically sensitive. (Nature Conservancy of Canada – Web Site)

### **FOREST MANAGEMENT STRATEGY TASK FORCE OPTIONS**

On April 17, 2003, the Forest Management Strategy Task Force held their first meeting to explore options that could be included as part of the Forest Management Strategy. The purpose of the meeting was to explore both incentive and regulatory based options for a Forest Management Strategy. The task force includes members from St. Clair Region Conservation Authority, Lower Thames Valley Conservation Authority, Kent Farmer's Federation, REALM (Regenerative Agriculture Land-Use Management Group), Stewardship Kent, Naturalist Group, Christian Farmers and AG Business Centre.

The following is a list of proposed options from the task force group:

- Provide voluntary designation for the protection of woodlots in the Official Plan. Property owners could request the Municipality to designate their woodlot under a natural heritage or conservation designation.
- Provide voluntary Forest Conservation By-law. Woodlot owners could request that a Forest Conservation By-law apply to their property. The by-law would prohibit or regulate the injury or destruction of trees as set out in the by-law.
- Employ or contract a Forest Technician to provide assistance in the development of woodlot management plans for private and public owned woodlots
- Offer incentives for reforestation, which could include a tax deferral or tax reduction for a certain period of time based on the amount and type of reforestation. For example, identified

corridors would receive a greater incentive than a windbreak or an area outside of the identified corridor.

- Develop and promote education programs, relating to the benefits of maintaining and enhancing our tree cover. These programs should also include what type of tree should be planted where.
- The existing Chatham-Kent tree planting policy should be amended to include the requirement that all trees provided by the Municipality be native trees. The policy should also include a list of native trees.
- Natural heritage systems, including corridors and linkages, should be identified in the Official Plan and include polices to encourage and support reforestation. The corridors and linkages should also be prioritized so that reforestation initiatives can focus on the areas with the greatest significance associated with a balanced ecosystem.
- Woodlots and windbreaks should be removed from drainage assessments. Woodlots and windbreaks do not have the same benefit as farmland from the municipal drains and therefore should not be included in the drainage assessment.
- Institute a reforestation program for public lands including roadside planting. The Municipality should inventory publicly owned lands that would be suitable for reforestation and develop a plan and timeframe for the reforestation.
- Include severance policies in the Official Plan that would permit the severance of lots for the purpose of reforestation or protection of existing woodlots. These severances would be within an identified corridor or linkage and would include the requirement of an agreement that would ensure the reforestation and protection of the lands.
- Establish a Chatham-Kent Woodlot Advisory Group to assist in the development of policies relating to the protection and enhancement of woodlots.

### **ADDITIONAL INCENTIVES AND OPTIONS CONSIDERED**

- Tax incentives for not only reforestation but also to encourage protection, maintenance and enhancement of existing forest cover.
- Develop partnerships with private and for not-for-profit groups for the protection and enhancement of our forest cover.
- Develop policies that would establish options for developers that are proposing development within and around existing woodlots and in corridor areas.
- Promote the use of conservation easements or land trusts through organization such as the Federation of Ontario Naturalists, the Nature Conservancy of Canada and Ontario Heritage Foundation.
- Budget Municipal funds annually to augment the existing municipal tree planting policy.
- Provide special fundraising initiatives or use existing funds in the Strategic Development Fund or the Community Investment Fund to purchase or lease lands, for land trust or for conservation easements.
- Develop partnerships with the Conservation Authorities for the management of woodlots within Chatham-Kent.
- If direct property tax incentives are not available, the municipality could compensate the landowners the equivalent of their taxes as an incentive for managed forest lands.
- Develop Official Plan policies that would allow woodlot owners to use their property for tourist/commercial venture such as birding, hunting, camping and multi use activities while maintaining the natural benefits of the woodlot.

- The Official plan should identify locally and regionally significant woodlands and develop policies for their protection.
- Establish an Environmental Advisory Committee made up of volunteer local residents with environmental and/or community expertise to advise council on matters related to environmental protection and planning.
- Encourage that policies/practices of other organizations such as Municipal Property Assessment Corporation are consistent with and not counter to the protection and enhancement of forest cover.

## **CONCLUSIONS AND RECOMMENDATIONS**

On May 15, 2003 the Forest Management Strategy Task Force held a second meeting to review the options, conclusions and recommendations.

The recommended Policies, Programs, Regulations and Enforcement described herein are based on the information contained in this Background Report and focus on the directions articulated in the Community Strategic Plan.

## **PUBLIC POLICY AND PRACTICES**

### **Official Plan**

The scope of public policies and practices is to establish a framework for the identification; management and improvement of publicly and privately owned forested and treed lands so that the Community will have a greater biodiversity and increased forest cover in the future.

The policy objective is as follows:

- To protect existing forested areas of local and regional significance meaning those forest patches greater than 4ha and areas within natural corridors and linkages.
- Establish Target Natural Corridor Areas for reforestation.
- Increase forest cover to at least 10% of total land area of Chatham-Kent from the current 1.7%.
- Provide for complementary uses of forested areas that would allow for greater and more practical use of these areas while at the same time maintaining the forest and the benefits that accrue from these natural areas.

The following policy directions are recommended for consideration and inclusion in the Official Plan:

- Identify and designate significant forested areas in the Official Plan.
- Develop corridors and linkages along lakeshores and major rivers in Chatham-Kent and identify them as priority forestation areas as depicted in Figure 1 on page 5.
- Develop policies for the preservation and reforestation of forested lands within defined corridors and linkages and forest patches greater than 4 ha.

- Allow consents to sever land that would lead to the preservation, reforestation and linking of forested areas along corridors and linkage or in patches of greater than 4 ha. while maintaining the intent of the Provincial Policy Statement. Through the use of conditions, regulate the location of any development in these areas using site plans, agreements for the maintenance and enhancement of the forest, ensuring reforestation is undertaken in a timely fashion, and for ongoing maintenance and enhancement.
- Wherever possible, provide and enhance physical linkages between surrounding forest clusters through such methods as conditions of consent, forest management agreements, reforestation plans, and Forest Conservation By-laws.
- Provide policy flexibility to allow an appropriate range of complementary land uses within forested areas such as the use of forest for birding, camping, hiking and outdoor education.
- Wherever development is proposed within a significant area, an environmental impact evaluation be required. An appropriate environmental impact evaluation guideline would be developed to assist in the identification of key components of the evaluation and mitigation measures.

### **Other Municipal Policies**

- Develop policies to support the Chatham-Kent Forest Management Strategy.

Currently, The Municipality of Chatham-Kent has a Tree Planting Policy. The Municipality provides young trees free of charge to property owners for planting on their own property subject to an application and conditions as set out in the policy. This policy requires that all new subdivision agreements include a clause requiring at least one tree per residential lot subject to the provisions of the tree planting policy with a one year warranty.

These policies and practices can be further enhanced by:

- Developing guidelines and practices to increase the planting of appropriate trees and/or shrubs along municipal drains and roadsides in appropriate locations.
- Specifying native species as part of the Municipal Tree Planting Policy.
- Emphasizing locations where trees would have the greatest benefit.
- Instituting a reforestation program for public lands including an inventory of publicly owned and surplus lands suitable for reforestation.
- Continuing to require developers to plant trees within their developments and also replace destroyed trees.

## **PROGRAMS**

### **Partnerships**

Tree cover and forestation is a key element of the natural environment, especially in Chatham-Kent where so little tree cover exists. This, coupled with a number of social, economic and environmental benefits, not to mention the aesthetic value accruing to the community as a whole from an appropriate amount of tree cover, makes protection and reforestation measures a

community priority that requires the engagement of a number of community partners. The Community Strategic Plan identifies a number of key partners on this issue. The programs mentioned in this study require the effort and involvement of these partners to achieve the forestation goals outlined here and in the Community Strategic Plan. These partners are found in all sectors of the community and include the following:

- Private interests
  - Regenerative Agricultural Land Use Management Group (REALM)
  - Corporations
  - Tourism Interests
  - Educational Institutions
- Public
  - Southwest Agra-Development (SWOD)
  - Stewardship Kent
  - Lower Thames Valley Conservation Authority
  - St. Clair Region Conservation Authority
  - All levels of government
  - Educational Institutions
  - Ministry of Natural Resources
- Not for Profit
  - Nuture the Future
  - Pay it Forward
  - Kent Federation of Agriculture
  - Christian Farmers Association
  - Sydenham Field Naturalists
  - Friends of Rondeau
  - Service Clubs
  - Kent Cloverleaf Club
  - Ontario Heritage Foundation
  - Nature Conservancy of Canada
  - Ducks Unlimited
  - Federation of Ontario Naturalists
- Residents, property owners and the general public

## **Incentives**

There is a fundamental belief that all of society benefits from improved tree cover. As a result, the expense of establishing, protecting and maintaining tree cover must be shared by society in general and not just those who own woodlots. Incentives should be provided to landowner to protect, enhance, establish and maintain forested areas. The following incentive opportunities are suggested:

- Link incentives with initiatives to ensure that the greatest environmental benefit is being received from the money spent and that specific expected results are being achieved.
- The use of the Managed Forest Tax Incentive Program for non-agricultural properties.

- Municipality establish a Forest Management Grant Program that provides financial incentive to land owners wishing to preserve, protect, maintain and enhance forest cover on their lands based on a series of guidelines that include the requirement of a Forest Management Plan and a Forest Conservation By-law. Grants would be based on the size of the woodlot and be equivalent to the taxes collected on the property under forest cover. Currently, this translates into a total of \$40,000 of tax revenue. Under this program, if the forest is removed, grant money initially paid would be reimbursed in proportion to the forest removed.

## Initiatives

A number of initiatives leading to the preservation and enhancement of tree and forest cover exist. Although the following are listed as the most prevalent, any form of tree preservation and enhancement is encouraged:

- Encourage voluntary tree planting events with partner groups and individual land owners.
- Maintain and expand arrangements with private and public nurseries for the provision of trees at reduced rates for tree planting programs in Chatham-Kent.
- Establish a tree nursery, managed by not-for-profit, volunteer organizations for the provision of trees for tree planting programs within Chatham-Kent and explore opportunities for the continued funding of this nursery initiative.
  - Explore the use of Hydro One corridors for tree nursery purposes.
- Develop a public education and awareness program, with the active involvement of a variety of community partners, to promote an understanding of the benefits of enhanced tree cover, the incentives available and encouragement to plant, preserve, maintain and enhance tree cover throughout the municipality. The program should include the following:
  - Formal school curriculum component for all school aged children.
  - Multi media advertisements and information commercials.
  - The advantage of conservation easements, land trusts and participation in the Managed Forest Tax Incentive Program.
- Provide opportunities for land owners with woodlots to voluntarily have a Forest Conservation By-law imposed on their lands. This would allow land owners to ensure that their woodlots are preserved and cared for after these areas are no longer within their control.
- Develop a Forest Land Trust where land owners may donate lands for the purpose of maintaining treed areas and where the public may donate funds for the specific purpose of enhancing and preserving forest cover throughout the community. Combine this initiative with a public forest land purchasing strategy that provides special funding for the purchase and maintenance of high priority forested areas based on criteria developed for this purpose.
- Encourage Land Trusts and Conservation Easements as a means of preserving and enhancing tree and forest cover Chatham-Kent through partnership arrangements with such organization such as the Conservation Authorities, the Nature Conservancy of Canada, Ducks Unlimited, Federation of Ontario Naturalist, the Ontario Heritage Foundation and other nature organizations.

## **REGULATIONS**

### **Municipal Act**

Forest Conservation By-laws are authorized under the Municipal Act. These by-laws allow municipalities to prohibit, regulate and enforce the injury or destruction of trees or any class of trees specified in the by-law. One of the goals of the strategy is to employ both regulatory and voluntary measures to demonstrate commitment to natural heritage protection and enhancement. The recommendation to establish a Forest Conservation By-law that would apply to forested areas of local and regional significance and along targeted corridors and linkages is a regulatory measure in keeping with this goal. It is also recommended that the by-law be used on a voluntary basis when requested by owners of property located outside of the designated areas.

The Strategy should include the use of regulations as implemented through a Forest Conservation By-law under the Municipal Act. The regulation should not, however, be applied throughout the entire Municipality. Its use should be limited to voluntary imposition and in cases of severance or development approval. This approach is consistent with the original policy direction adopted by Council to employ both voluntary and regulatory measures to demonstrate commitment to natural heritage protection and enhancement.

### **Planning Act**

Planning Act provisions can be used to effectively implement the approaches recommended in the Policy Section of this study. The Act can be used to:

- Impose specific conditions on consents for the severance of forested areas requiring agreements and other instruments to preserve and enhance forested areas.
- Impose site plan requirements as a condition of planning approvals for development in significant forest area to ensure the location of development will have minimal impact on the effectiveness of the forest.
- Incorporate conditions in subdivision agreements requiring tree cover in appropriate locations and in appropriate percentages and guidelines be developed for this purpose.

## **IMPLEMENTATION**

### **Administration**

An administrative structure is required to administer the policies and programs and to ensure that the overall focus of the Forest Management Strategy is maintained. In addition, measuring the success of the policies and programs will be crucial to the effective implementation of the strategy. As a result, the following are recommended:

- Through the services of a professional Forester prepare a Forest Management Plan for Chatham-Kent woodlots.
- Explore the establishment of an Environmental Advisory Committee that will advise Chatham-Kent administration and Council on environmental issues including those

related to Forest Management. This committee is to have representation from all sectors of the community in order that it may best represent the community at large.

- Retain the services of a qualified Professional Forester in the administration of policy, programs, services and regulations.
- Review opportunities and clear roles for partner public agencies, such as Conservation Authorities to administer, encourage initiatives and manage programs.
- Actively encourage policies and practices of other organizations such as the Municipal Property Assessment Corporation are consistent with the protection and enhancement of forest cover. Where inconsistent, Chatham-Kent should take measures to aggressively encourage change to these policies and practices.

## **Enforcement**

Enforcement of agreements, Forest Conservation By-law, and Forest Management Plans are required if the regulatory components of this strategy are to work. The regulatory vehicles, because they are principally voluntarily imposed, should be used as a last resort toward the advancement of forest cover and tree cover in Chatham-Kent and not a first line of defense. The following are recommended:

- Adequate staff should be trained to deal with these enforcement issues.
- Retain the contractual services of a forest professional to assist in give advice in forest management initiatives and enforcement.

**FINANCIAL IMPLICATION OF RECOMMENDATIONS**

**Current Municipal Property Tax Implications**

The Municipality’s interest in preserving forested areas has resulted in some questions about the use of tax policy to promote this initiative. Forested areas that are included as part of the farmland property class currently receive very favourable tax treatment.

Generally, 10% of the farm property can be forest at a zero assessment value. For example, on a 100 acre parcel, 60 acres of which are workable, would be entitled to 10 acres of forest tax-free. The remaining is assessed at around 30% of the farmland rate. The farmland tax rate would apply to the forest portion, less the 10 acres. At \$3,000 an acre for farmland, taxes on the 60 acres would be \$660. The tax on the bush portion would be \$100.

The forest must be attached to farmland to qualify for the farm tax rate. If it is separated, the forest would be in the residential property class and would be subject to a tax rate 4 times that used for farmland.

The other property class that could be considered for forested arrears is the managed forest class. The Ministry of Natural Resources has to determine that you qualify. The managed forest rate is the same as the farmland rate and therefore, higher than the existing “bush” rate applied to the bush portion of farmland. To be a managed forest, there are tree density, age and size criteria that must be met. The minimum lot size is about 10 acres. Further, farmland tax rates can be reduced, managed forest rates cannot, although there is a proposal currently under discussion that would allow Council to lower the tax rate on the managed forest class.

Example:

100 acre parcel of land with 40 acres of forest cover

- 10% of the farm would be tax free if in forest cover (10 acres)
- the remaining forest cover or 30 acres receives a 30% reduction of the farmland rate
- the balance of the farm or 60 of farmland would receive the full farmland rate
- the assessed value for farmland is \$3,000 per acre

10 Acres Forest Cover (Tax Free)	}	Forest Cover Total Taxes - \$99
30 Acres Forest Cover (Assessed @ 30% Farmland Rate)  \$900/acre x .0036696 x 30 acres = \$99		
60 Acres Farmland (Assessed at full Farmland Rate)  \$3000/acre x .0036696 x 60 acres = \$660	}	Farmland Total Taxes - \$660

If the full 100 acres parcel was assessed at full farmland rate of \$3,000/acre (300,000 x .0036696), then the total taxes would be \$1,100. The total taxes for a 100 acres parcel of land with 40 acres of forest cover would be \$759. Therefore the total tax reduction for the 40 acres of forest cover would be \$341. This amount would be returned to the landowner in the form of a municipal forest management grant.

### **Other Financial Implications**

The following are the financial implications associated with the recommendations made in this report:

- Property Tax Rebate Program - \$40,000
- Cost of Municipal Tree Planting Program 2003 - \$16,200
- Contractual Service of a Professional Forester - \$ 10,000

The financial implications associated with the recommendation to establish a seedling nursery for planting stock on public lands will be investigated as the proposal is being explored. All opportunities for fundraising, grants and other sources of revenue should be explored.

### **Next Step**

Consultation with a variety of interest groups is now required. Administration will consult with a number of groups in the month of June to gain input on the proposed strategy. The results of the consultation and final recommendations will be provided to Council in July. The Forest Management Strategy, once completed, will be used by Chatham-Kent in establishing policies and practices for its own operations and will serve as a guide to community groups and individuals in the area of tree cover and forestation and will form an integral part of the new Official Plan.