

Department of Development & Property



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Species at Risk Branch
Ministry of Environment, Conservation and Parks
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November 3, 2021

Submitted online via the Environmental Registry of Ontario

Re: ERO 019-4278 Minister's Order for temporary suspension of protection upon the listing of Black Ash under the Endangered Species Act

To Whom it May Concern,

Thank you for the opportunity to comment on ERO listing 019-4278, Minister's Order for temporary suspension of protection upon the listing of Black Ash under the Endangered Species Act. The County of Renfrew strongly supports this proposal and encourages the Ministry of Environment, Conservation and Parks (MECP) to move forward with this temporary suspension.

Emerald Ash Borer (EAB), an invasive wood-boring beetle that attacks all species of ash, has arrived in Renfrew County, but has not yet spread throughout. First recorded in the County in 2013, EAB impacts can be seen in towns such as Arnprior and Renfrew, along the south part of Highway 17 and recently along Highway 60 as far as Deacon. However, evidence of ash decline due to EAB has not been observed in many forest settings in Renfrew County, and ash persists in swale and lowland ecosystems and as a minor component of many stands, as seedlings, saplings and mature trees. Black ash is a common species in Renfrew County, and is abundant in roadside ditches, low-lying areas and surrounding water features.

We continue to have concerns about this listing as a whole and encourage MECP to work with municipalities and the forest sector to evaluate the true status of black ash across the Province, and determine if listing the species will actually protect the species, or simply lead to economic and social consequences.

We ask that during this suspension, you consider how Black Ash being listed as Endangered under the ESA will impact the County of Renfrew, and others. For example:

- **On Renfrew County Forests:**

- o Black Ash is rarely targeted as a tree to harvest, because although abundant, it is not often merchantable, generally occurs in difficult to access areas, and is not a commercially in-demand species. However, it is rare that there would *not* be incidental felling or knocking over of ash to

make a skid trail, brush or build a road, or when harvesting adjacent to water or wet areas of concern. It is impossible to avoid ash in the overstory and as regeneration during regular forest management activities.

- Because of the impending mortality of ash as EAB spreads, if it does occur as a merchantable tree in managed areas, it is preferentially removed (but not eliminated) to encourage regeneration of other species. If it must remain standing or be assessed before felling to meet ESA requirements, these proactive management activities would likely halt and forest diversity and resilience would be negatively impacted. There are also significant potential economic implications of creating more reserves from harvesting and bypassing areas where Black Ash is present.
- Listing under the ESA will directly contradict the MNRF-supported “Preparing for Emerald Ash Borer, a Landowners Guide to Managing Ash Forests”, published in 2012 to provide advice for landowners to diversify and preserve ash-dominated forests prior to EAB-induced mortality. If these forests are allowed to succumb to EAB-induced mortality without proper management, the resulting drastic reduction in forest canopy will lead to forest and treed wetland loss through changes in water tables, flooding, and the proliferation of invasive species.
- **On County Roads and Trails:**
 - Black Ash is common and abundant in road and trail ditches, which are subject to frequent brushing for safety and maintenance.
 - Death and decline due to EAB has led to necessary removal of ash along public roadways and in semi-urban environments and parks, as a matter of public safety. If it became necessary to go through an assessment process similar to Butternut to do this work, the workload and cost would be stifling. If the dead or dying trees are left uncut because of process, trails may have to be closed as a matter of public safety.
- **In Development of Private Land:**
 - Many rural lots have low areas that provide excellent habitat to Black Ash. During building and development, it is inevitable that some of this area needs to be filled or cleared. Requiring a permit or overall benefit under the ESA would be detrimental to the now-increasing demand for severances, building and expansion on rural land.

Protecting Black Ash from being harmed, killed or harassed during forestry, roads or development will not protect the trees from EAB. On the contrary, listing Black Ash as endangered will inevitably lead to its pre-emptive removal on private land to avoid future persecution, reduce the ability to manage forests for resilience against EAB and other invasive species, and will lead to increased human safety hazards because of hesitancy or inability to meet ESA requirements for removal of EAB affected ash. Putting an “assessor”-type system in place similar to Butternut would be unachievable on the scale that ash exists.

Our advice would be to *not* list Black Ash as an endangered species, as it is unclear how this designation will help the species recover, whereas it is known that the impact to many sectors and industries would be great in areas where EAB is not yet fully established and Black Ash is common. A better use of resources that would be necessary for policing, evaluating and permitting for inevitable Black Ash removal would be the expedition of parasitic wasp trials for biocontrol of EAB.

The proposed temporary suspension of protection of black ash is necessary to allow all those affected by the listing, including the Ministry of Northern Development Mines, Natural Resources, and Forestry (MNDMNRF) to develop appropriate and comprehensive management actions should the listing stand. It is imperative that government use this time to plan for the future of black ash in Ontario, beyond simply listing the species. How protections will be implemented, what protections will be implemented, and what the measures will be determining the success of these protections all need to be considered and shared with municipalities, the public and the forest sector well in advance of the end of the two-year temporary suspension, to ensure unintended consequences are avoided.

It is critical that this proposed Minister's Order be implemented, but it is even more important that this time be used to seriously evaluate the impacts of Black Ash being listed as Endangered – will there be a positive outcome for the species, or only negative impacts on forestry, infrastructure and development?

Please do not hesitate to contact us for further information.

Sincerely,

A handwritten signature in blue ink that reads "Lacey Rose".

Lacey Rose, RPF

County Forester, County of Renfrew

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