

Township of North Kawartha

Report to Council

To: Mayor and Council Members
Date: November 15, 2016
Author: Rob Browning, CAO
Subject: Follow-up to Jack Lake Road Logging inquiry

Recommendation:

FOR INFORMATION

Background:

Mr. Ambrose Moran made a presentation to Council on October 18, 2016 again raising concerns about logging on Jack Lake Road. Council requested follow-up to the concerns raised.

Analysis:

As stated previously, the Township owns all assets contained within its road allowance unless it has granted permission for a party to utilize any portion of it through an agreement. Staff is unaware of any agreements being in place for this part of Jack Lake Road.

The Township does not have a tree cutting by-law per se but has the ability to pursue any party that damages public property. In researching this matter further, staff was not able to easily locate a map clearly defining the road allowance on this road. Mr. Moran indicates that he was able to research the road allowance at the registry office. Staff has not gone to the registry office for this purpose. Staff appreciates Mr. Moran's diligence in correcting the information regarding the road allowance. Township has maps and information in their office as to what properties they own

In a subsequent telephone conversation with the MNRF representative, it was still MNRF's opinion that the forestry plan was being followed and there were not any infractions. The work on the road allowance was discussed. If the road allowance is in fact 66 feet with 33 feet being on either side of the centre line of the road, the MNRF suggests that no harvestable

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trees were cut. If the road allowance is 83 feet as was suggested by Mr. Moran, the MNRF suggests that possibly three harvestable trees were cut.

First admission that MNMRF illegally cut trees and certainly more than 3

As for the clearing of brush and small trees, the MNRF representative offered the opinion that this type of brushing was beneficial to the health of the forest in general and should be done often.

Illegally cutting trees is not brushing

The MNRF Representative also indicated that without fires and logging the health of the forest would decline and result in the loss of species including white pine. The representative has offered to meet with staff and explain the process of maintaining a forest's health.

Staff also contacted representatives from the Bancroft Minden Forest Company. The representatives indicated that they only cut trees designated under the forest plan. They also indicated that they only used an existing entrance that they had previously used for other work.

Illegally cutting trees on municipal property is not designated in the forest plan

The company will be performing work in this area later in the fall and has committed to meeting with Township staff "after the hunting season" (Staff understands that there is no hunting season in this area) and before work commences to discuss whether additional approvals are required.

Summary

Should Council wish staff to further investigate whether township trees were harvested without permission, then Council should provide that direction as it will require the engagement of resources to clearly delineate the road allowance and determine specific locations of the trees and whether they were on municipal property or not. If they were on Township property, then the municipal solicitor would be engaged to initiate the appropriate action.

Financial Implications:

No implications at this time

Strategic Plan:

That DIRECTION was given through Council motion 17-67 passed by Council with 4 affirmative votes and one negative vote by Carolyn Amyotte --'That staff be directed to look into matters as detailed in letter Jan 18 2017 from Ambrose Moran to verify facts and determine a position going forward and further bring back the information to Council

4. Environment - Protect and Enhance Both the Natural and Human Environment

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4.1. Promote Responsible Environmental Stewardship.