

Ottawa-area landowners block Ministry access

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Ottawa-area landowners who refused permission for surveyors to look for endangered orchids on their property this summer will be left in peace, even after new protection regulations come into effect in February.

"MNR staff do not have rights of entry on to private property in general," said Paula Norlock, a biologist with the Ministry of Natural Resources in Kemptville who specializes in species at risk. "The exceptions for that are enforcement officers ... (but) we have no indication that anything wrong is going on on those properties."

New regulations under Ontario's 2007 Endangered Species Act will make it illegal to damage or destroy the habitats of several species, including the eastern prairie fringed orchid, a delicate white flower that grows in fens and wet fields. The orchid is rare across the globe, and one of its largest populations grows in the Ottawa area.

This summer, the Ottawa Stewardship Council, in conjunction with the MNR, undertook a survey to determine the extent of the flower's range in Ottawa.

But of 16 private landowners approached by the surveyors, 13 refused access to their property. The landowners' main concern was that discovery of the plant would restrict the uses of their property, particularly future development, according to the Ottawa Stewardship Council report. In an interview Thursday, Norlock said the ministry will not take any further steps with regards to these landowners.

"We don't know that (the orchids) exist on their property," she said. "There is no infraction, so there isn't necessarily a next step."

However, Norlock said that the landowners may be approached in the future by a recovery team, to ask if they want to participate in efforts to protect the species. She said the ministry wants to co-operate with landowners.

"The ministry doesn't want to limit any economic opportunities by people on their property," she said. "All we want to do is work with landowners. In Eastern Ontario, that's the only chance for survival for these species."

If property owners seek to develop their properties, Norlock said, the ministry might be asked by the city to review the development from an environmental perspective.

If endangered species such as the orchid are found on a property, the law requires permits and "mitigation measures" that may involve steps like excluding certain parts of the plant's habitat from development.

If wanton destruction of the wetland habitat is taking place, the ministry can step in, she said.

"The Endangered Species Act authorizes enforcement officers to seek warrants to enter a property if there are reasonable grounds to believe an offence is taking place."

Norlock said that the orchids also grow in many rural counties surrounding Ottawa, including Lanark; Stormont, Dundas, and Glengarry; and Leeds and Grenville.

She said provincial botanists have worked with private landowners in those areas for years to survey the wetland-loving orchids, and have never encountered opposition.

"A lot of people enjoy wetlands on their property. It attracts wildlife and if they do have livestock, it's water for them," she said.

The orchids also grow in the Marlborough Forest in southwestern rural Ottawa, and the Ministry of Natural Resources is working with the city on an educational campaign there to discourage all-