

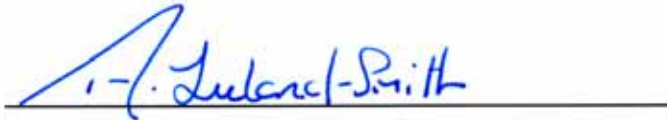


Cedar Creek

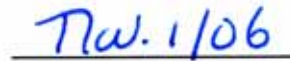
Terms of Reference

Approval Statement

I am pleased to approve the Terms of Reference for the preparation of a park management plan for Cedar Creek (Recommended) Provincial Park (Nature Reserve Class). These terms of reference meet all requirements as set out in the *Ontario Provincial Park Management Planning Manual*. They will effectively guide the park management planning process.

A handwritten signature in blue ink that reads "A. Ireland-Smith". The signature is written over a horizontal line.

Adair Ireland-Smith
Managing Director
Ontario Parks

A handwritten date in blue ink that reads "Nov. 1/06". The date is written over a horizontal line.

Date

TERMS OF REFERENCE

Cedar Creek (Recommended) Provincial Park (Nature Reserve Class)

Park Management Planning Process

1.0 PURPOSE

The purpose of the terms of reference is to:

- explain the rationale for initiating a management plan for Cedar Creek, a recommended provincial park (nature reserve class);
- outline a proposed planning program for the preparation of the plan; and
- identify the staff and other resources required for the planning process.

2.0 BACKGROUND

The Cedar Creek property is located northwest of the hamlet of Arner (near the intersection of Essex County Roads 20 and 23), approximately 15 kilometres south of the Town of Essex, and eight kilometres east of the community of Harrow (see Figure 1: Regional Setting). The property is bordered by the 3rd Concession Road to the north, the Chrysler Canada Greenway (a segment of the Trans Canada Trail and formerly a portion of the Chesapeake and Ohio/Lake Erie and Detroit River Railway) to the south, and private properties on both the east and west. The 70 hectare (173 acre) parcel is comprised in part, of Lots 18 and 19, Concession 2, in the geographic Township of Colchester South, Essex County (see Figure 2: Local Setting). The site was acquired on August 4, 2004, by The Nature Conservancy of Canada (NCC) through a partnership with the Ministry of Natural Resources (MNR) to secure protected natural areas. Title was registered with the MNR. Acquisition funding raised by the NCC included a significant contribution from the Essex Region Conservation Authority (ERCA).

About 20 hectares of the property was formerly utilized for agriculture. Aerial photography shows evidence of a former horse training track on the site. Adjacent land uses include a recreational trail (Chrysler Canada Greenway/Trans Canada Trail - hiking, biking, running, cross-country skiing and horseback riding), agriculture, estate residential and conservation lands (Chrysler Canada Greenway). Cedar Creek and two small tributaries bisect the property. The creek is navigable by canoe from its mouth at Lake Erie to the southerly portion of the property. Parks and other protected areas in the region include Ojibway Prairie Provincial Park, Wheatley Provincial Park, Point Pelee National Park, Fort Malden National Historic Site, Bois Blanc Island Lighthouse National Historic Site and a number of conservation areas managed by ERCA (e.g. Big Creek, Cedar Beach, Cedar Creek, Chrysler Canada Greenway, Crystal Bay, Devonwood, Hillman Marsh, Holiday Beach, John R. Park Homestead, Kopegaron Woods, Maidstone, McAuliffe Woods and White Sands).

The site (approximately 50 hectares) is partially located within the provincially significant Cedar Creek Life Science Area of Natural and Scientific Interest (ANSI). Positioned on the relatively level Essex clay (till) plain, this property is predominantly a mature upland hardwood community of white oak, black oak, red oak and red maple. There is a lowland community adjacent to a portion of Cedar Creek that traverses the site and consists of American elm, silver maple, red ash, white ash and willow species. There is also an old field community with goldenrod and aster species, as well as a small shrub community adjacent to the Chrysler Canada Greenway. The size of the property, its location within the ANSI and proximity to the creek is important to the overall quality and integrity of the ANSI and vice versa. The acquired Cedar Creek property contains at least nine provincially rare plants, three of which are ranked as threatened, and another as a species of special concern by the National Committee on the Status of Endangered Species in Canada (COSEWIC). Cedar Creek lies within Ecodistrict 7E-1, which is part of the Carolinian Life Zone (a zone representing the extreme southwest region of Ontario where the eastern deciduous forest of North America has its most northern limits). It is within this zone that the highest frequencies of



Cedar Creek

Figure 2: Local Setting

Legend

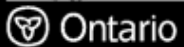
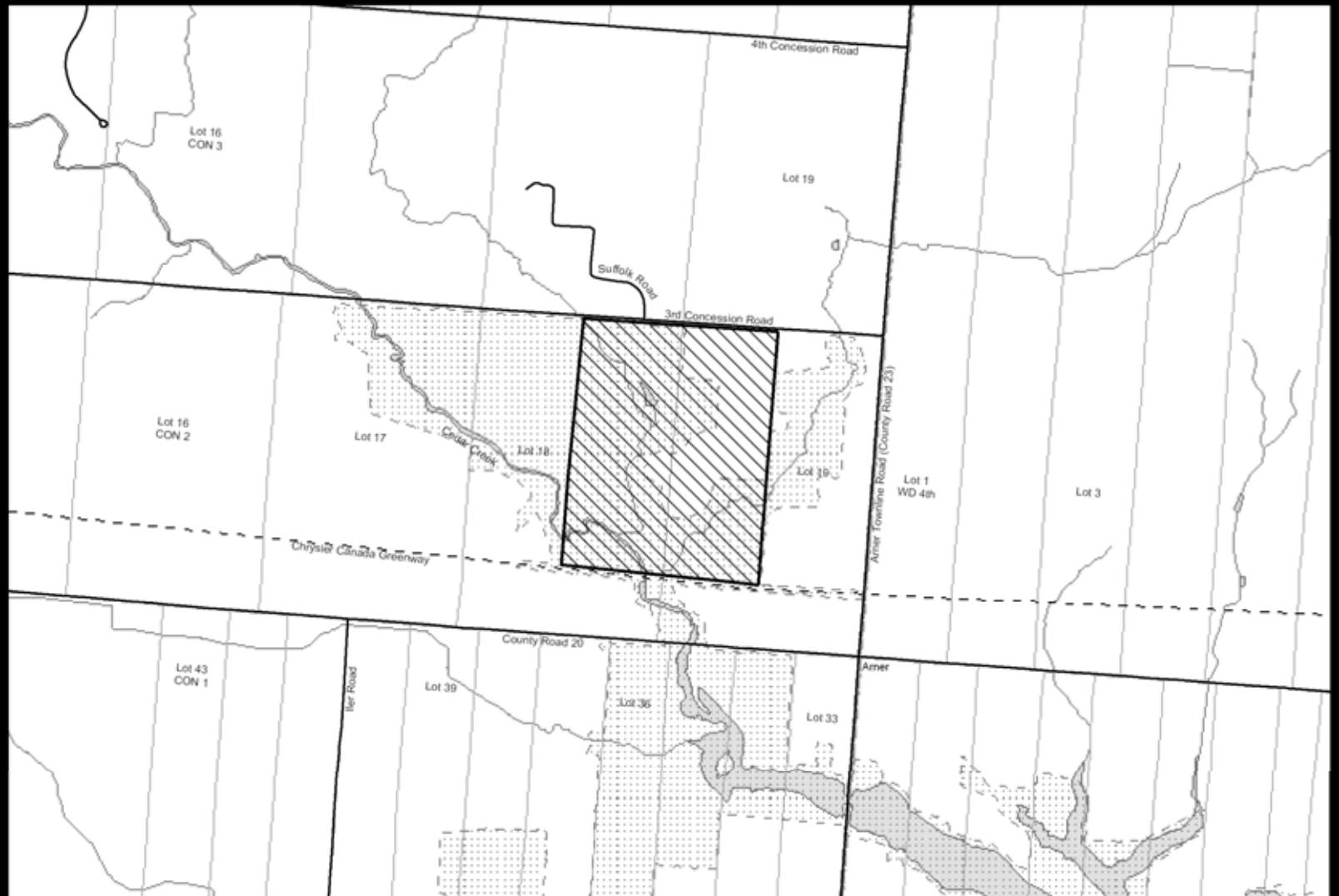
- Road
- Trail
- Lake / River
- Geographic Township
- Lot Fabric
- Area to be Regulated
- Cedar Creek Provincially Significant Life Science ANSI



Scale: 1:23,615

This map is for illustrative purposes only. Do not rely on it as being a precise indicator of routes, locations or features nor as a guide to navigation.

Prepared by Ontario Parks, Southwest Zone, August 2005



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rare and endangered floral and faunal species in Canada are found. Cedar Creek is designated as a Carolinian Canada Site.

Ontario Parks' policy requires that management plans be prepared for all provincial parks. The objective is to develop a management plan commencing in 2006. A park management plan will define the protected area's goal, objectives and long-term direction for the protection, development, management and use of its natural values. The plan will also address such issues as permitted activities, site restoration and resource management.

The primary role of this planning process will be to identify the contributions that Cedar Creek makes to the achievement of the four Ontario Provincial Parks system objectives which are protection, heritage appreciation, recreation and tourism. In addition, the planning process will identify and establish management policies aimed at maintaining or enhancing those contributions. Various reports, supporting documents, unpublished data and other relevant information will be made available for public review, at various stages of the planning process (as discussed in Section 6), during the development of the park management plan.

Based on its ANSI status and the presence of the various provincially rare plant species, which add to the overall significance of the property, Cedar Creek is recommended to be protected and regulated under the *Provincial Parks Act* as a nature reserve class provincial park. In cooperation with the MNR Aylmer District, an amendment to area-specific Crown land use policy will be harmonized with the park management planning process whenever possible to address pertinent changes in land use direction, namely, the recommended establishment of a new nature reserve class provincial park.

3.0 PLANNING AREA

The planning area will include the entire 70 hectare property. Park management plans apply only to the area within the regulated boundary of the park. Within the park boundary, the protection objective will be achieved through appropriate zoning, control of land use and activities, education, and monitoring of ecological impacts. Appropriate mitigation of potential impacts will ensure continued protection of significant features. Park management plans may consider potential impacts that activities occurring in adjacent areas may have on park values and features. Park management plans may also consider the impacts of park activities on adjacent land and water uses.

4.0 PLANNING TEAM

The planning team will consist of:

- Ross Hart, Park Superintendent, Wheatley Provincial Park (chair and technical support);
- Brian Huis, Park Planning Specialist, Southwest Zone, Ontario Parks, London (planning advisor);
- Tim Marchand, Assistant Park Planner, Southwest Zone, Ontario Parks, London (planning support);
- Sandy Dobbyn, Zone Ecologist, Southwest Zone, Ontario Parks, London (ecological support)
- James Duncan, Southwestern Ontario Program Office, The Nature Conservancy of Canada; and
- Kevin Money, Coordinator of Conservation Areas, Essex Region Conservation Authority.

A position on the planning team will be reserved for a staff person from the MNR Aylmer District to accommodate any emerging issues of mutual program interest. *Ex officio* members of the planning team will be Peter Sturdy, Zone Manager, Southwest Zone, Ontario Parks and Barton Feilders, Manager, Planning and Research Section, Ontario Parks. The planning team may consult externally with academics, knowledgeable stakeholders and others as required for scientific and technical expertise.

5.0 INTEGRATION

Integration of the various resource management and stewardship interests will be addressed at appropriate stages during the planning process.

Internal Integration

- The draft terms of reference, preliminary park management plan and recommended park management plan will be circulated for review to Ontario Parks, MNR (i.e. Chatham Area, Aylmer District and Southern Region) prior to Ontario Parks' approval;
- MNR program specialists will be asked to identify significant resource values within the protected area and environs, and management options which could be considered within the existing park policy framework;
- If mutually desirable, a meeting regarding the planning process, issues, options, etc. could be held with Ontario Parks, District and/or Regional staff;
- Staff from other Ministry programs may be asked to serve as resource contacts during the public consultation phase of the planning process;
- Advance copies of all communications products will be shared with the local MNR communications/information officer prior to Ontario Parks' approval;
- An open invitation will be extended to a staff person from the MNR Aylmer District to participate on the planning team to accommodate any emerging issues of shared program interests; and
- An amendment to area-specific Crown land use policy, including the preparation of a new policy report for the site, will be undertaken in cooperation with the MNR Aylmer District.

External Integration

- Park management planning materials will be distributed in order to meet public consultation requirements associated with the *Environmental Assessment Act* and the *Environmental Bill of Rights (EBR)*, taking direction from Ontario Parks Bulletin PM 11.02.02;
- The Caldwell First Nation and Bkwejwanong Territory (Walpole Island) will be consulted in advance of each stage of the planning process;
- Prior to final approval, draft planning documents will be circulated to The Nature Conservancy of Canada for review; and
- Meetings may be held with stakeholders to discuss the planning process, issues, options, etc. as required.

The following documents or background materials will guide and support the planning project. A list of pertinent background information is attached to the Terms of Reference as Appendix A.

- Ontario Ministry of Natural Resources. 1992. *Ontario Provincial Parks: Planning and Management Policies, 1992 Update*.
- Ontario Ministry of Natural Resources. 1994. *Ontario Provincial Park Management Planning Manual*.
- Ontario Ministry of Natural Resources. 1995. *Environmental Bill of Rights Procedures Manual (Working Draft)*. Corporate Policy and Planning Secretariat.
- Ontario Ministry of Natural Resources. 2005. *Our Sustainable Future - Ministry of Natural Resources Strategic Directions*. Natural Resources Information Centre, Peterborough.
- Ontario Ministry of Natural Resources. 2005. *A Class Environmental Assessment for Provincial Parks and Conservation Reserves*. Ontario Parks, Queen's Printer for Ontario, Peterborough.
- Ontario Ministry of Natural Resources. 2005. *Protecting What Sustains Us: Ontario's Biodiversity Strategy*. Queen's Printer for Ontario, Peterborough.

6.0 PUBLIC CONSULTATION

The public consultation process will be conducted in an open and transparent manner. During the term of the planning process, First Nations, the public and various interest groups will be provided with:

Phase 1: *an invitation to participate in the planning process and an invitation to inspect the approved terms of reference, combined with an opportunity to review the background information file (45 days);¹*

Phase 2: *an opportunity to review the preliminary park management plan (45 days); and*

Phase 3: *an opportunity to inspect the approved park management plan (45 days).*

If optional planning steps are necessary (e.g. to deal with complex management options which may emerge as a result of the planning process) additional public consultation opportunities will be provided to address them. The public consultation proposals are outlined in the following sections.

6.1 Phase 1 – Initial Invitation to Participate, Terms of Reference and Background Information File

Following approval of the terms of reference, public notice will be given as follows:

- *pre-consultation with local First Nations' communities;*
- *mailing to First Nations' communities, agencies, interest groups, local politicians (municipal and provincial) and adjacent property owners;*
- *posting of the approved terms of reference on the Ontario Parks' website;*
- *paid advertisement in local newspapers;*
- *posting of an EBR policy proposal notice on the Environmental Registry;*
- *posted notices onsite; and*
- *meetings with stakeholder groups and agencies, as required.*

These notices will outline the proposed planning process, identify the opportunities for public input and solicit public comments.

6.2 Phase 2 – Preliminary Park Management Plan

Following the evaluation and public review of the terms of reference and background information, a preferred approach is developed and draft policies are refined. This package becomes the basis for the preliminary park management plan. This document will meet all content requirements as set out in the *Ontario Provincial Park Management Planning Manual*. The plan will outline a prioritized implementation strategy for their respective elements and summarize any public consultation that has occurred. The preliminary park management plan will stand as a statement of Ontario Parks' preferred policy for the site. Consultation carried out at this stage will consist of the following:

- *pre-consultation with local First Nations' communities;*
- *mailing to First Nations' communities, agencies, interest groups, local politicians (municipal and provincial) and adjacent property owners;*
- *posting of the preliminary park management plan on the Ontario Parks' website;*
- *paid advertisement in local newspapers;*
- *revised posting of an EBR policy proposal notice on the Environmental Registry;*
- *staffed open house;*
- *posted notices onsite; and*
- *meetings with stakeholder groups and agencies, as required.*

¹ Note: In an effort to achieve efficiencies in this park management planning process, the Background Information will be made available in conjunction with the approved Terms of Reference during Phase 1, as opposed to a separate phase unto itself.

The preliminary park management plan will be made available electronically or in hard copy to be circulated to adjacent landowners, agencies, municipalities, interest groups, politicians and First Nations. Within the preliminary park management plan, there will be a summary explanation of the opportunities for public participation and how input was considered. A proposed amendment to area-specific Crown land use policy, including the preparation of a new policy report for the site, will be initiated at this stage of the park management planning process to address any pertinent changes in land use direction.

6.3 Phase 3 – Approved Park Management Plan

The final park management plan will take into consideration public response to the preliminary park management plan. The approved park management plan will meet all content requirements as set out in the *Ontario Provincial Park Management Planning Manual*. The document will contain all policies and directional statements for the management of the protected area. Interested participants in the planning program have a final opportunity to determine if their concerns had been considered and addressed. Consultation carried out at this stage will consist of the following:

- *pre-consultation with local First Nations' communities;*
- *mailing to First Nations' communities, agencies, interest groups, local politicians (municipal and provincial) and adjacent property owners;*
- *posting of the approved park management plan on the Ontario Parks' website;*
- *paid advertisement in local newspapers;*
- *posting of an EBR policy decision notice on the Environmental Registry;*
- *posted notices onsite; and*
- *meetings with stakeholder groups and agencies, as required.*

The park management plan will be published in sufficient numbers to be circulated to those individuals and organizations who directly contributed to the park management planning process. Within the park management plan, there will be a summary explanation of the opportunities for public participation and how input was considered.

7.0 PLANNING SCHEDULE SUMMARY

Refer to Appendix B.

8.0 ONTARIO PARKS' STAFF RESPONSIBILITIES

In addition to preparing the park management plan and its various components, the planning team will be responsible for direct consultation with First Nations, interest groups, municipalities and the general public. Specific staff responsibilities will be as follows:

- Ross Hart, Park Superintendent, Wheatley Provincial Park will chair the planning team and provide ongoing assistance to the project by providing information about current operations, facilities, resource management issues and community concerns, and will serve as a liaison to local First Nations, stakeholders and the public.
- Brian Huis, Parks Planning Specialist, Southwest Zone, Ontario Parks will provide specific guidance and advice regarding the Ontario Parks' planning and public consultation process, and will ensure that all EBR, *Environmental Assessment Act* and *Provincial Parks Act* and Ontario Parks' policy requirements are fulfilled.
- Tim Marchand, Assistant Park Planner, Southwest Zone, Ontario Parks will conduct research and background information collection and prepare public consultation, communications and planning documents.

- Sandy Dobbyn, Zone Ecologist, Southwest Zone, Ontario Parks will provide input in the areas of ecology, resource management and monitoring.
- Peter Sturdy, Zone Manager, Southwest Zone, Ontario Parks will approve final drafts of planning materials.
- Other planning team members and contacts may be assigned various tasks throughout the project.

9.0 BUDGET

Through its annual work planning, Ontario Parks will undertake the park management planning process for Cedar Creek, subject to the availability of funding and unforeseeable changes in priorities or policy.

APPENDIX A

BACKGROUND INFORMATION

Allen, G. M. and Oldham, M. J. 1990. *Cedar Creek Area of Natural and Scientific Interest – A Life Science Inventory*. Chatham District, Southwestern Region, Ministry of Natural Resources.

Chapman, L.J. and Putnam, D.F. 1984. *The Physiography of Southern Ontario*. 3rd Edition. Ontario Geological Survey, Special Volume 2, Toronto.

County of Essex. 2005. *County of Essex Official Plan*.

County of Essex. 2004. Ortho Air Photo Imagery.

Cowell, D.W. 2006. *Earth Science Inventory Checklist for Cedar Creek (Recommended) Provincial Park (Nature Reserve Class)*.

Klinkenberg, R. 1982. *Cedar Creek Life Science Inventory Check-sheet*. Ontario Ministry of Natural Resources, Division of Parks, Park Planning Branch, Toronto.

Klinkenberg, R. 1984. *Life Science Areas of Natural and Scientific Interest in Site District 7-1. A Review and Assessment of Significant Natural Areas in Site District 7-1*. Ontario Ministry of Natural Resources, Parks and Recreational Areas Section, Southwestern Region, London.

Ojibway Nature Centre. 2005 *Cedar Creek Christmas Bird Count*. Windsor Parks and Recreation. <http://www.ojibway.ca/cedar05.htm>

Oldham, M. J. 1983. *Environmentally Significant Areas of the Essex Region*. Essex Region Conservation Authority, Essex, Ontario.

Ontario Ministry of Natural Resources. 1983. *Chatham District Land Use Guidelines*. Chatham District, Chatham.

APPENDIX B
Cedar Creek Park Management Planning Schedule Summary

STAGE IN PLANNING PROCESS	DESCRIPTION	PRODUCT(S)	CONSULTATION/ COMMUNICATIONS	PROPOSED TIMETABLE
<p>1a. Preparation of Invitation to Participate and Approved Terms of Reference</p> <p>1b. Background Information</p>	<ul style="list-style-type: none"> • Identify scope of the planning program • Schedule • Costs • Responsibilities • Public consultation <ul style="list-style-type: none"> • Gathering and general review of background information 	<ul style="list-style-type: none"> • Terms of reference <ul style="list-style-type: none"> • Background information file 	<ul style="list-style-type: none"> • First Nations pre-consultation • Circulation of the approved terms of reference • Electronic posting of the approved terms of reference • Paid advertisements inserted in local newspapers • EBR policy proposal notice posting on the Environmental Registry • Posted notice onsite • Meetings with stakeholder groups, as required 	<p>Winter 2006</p>
<p>2. Preliminary Park Management Plan</p>	<ul style="list-style-type: none"> • Content requirements defined by <i>Ontario Provincial Park Management Planning Manual</i> 	<ul style="list-style-type: none"> • Preliminary park management plan • Proposed amendment to land use direction 	<ul style="list-style-type: none"> • First Nations pre-consultation • Circulation of preliminary park management plan • Electronic posting of preliminary park management plan and proposed amendment to land use direction • Paid advertisements inserted in local newspapers • Staffed open house • EBR policy proposal notice update on the Environmental Registry • Posted notice onsite • Meetings with stakeholder groups, as required 	<p>Summer 2007</p>
<p>3. Approved Park Management Plan</p>	<ul style="list-style-type: none"> • Content requirements defined by <i>Ontario Provincial Park Management Planning Manual</i> 	<ul style="list-style-type: none"> • Approved park management plan • Approved amendment to land use direction 	<ul style="list-style-type: none"> • First Nations pre-consultation • Circulation of the approved park management plan • Electronic posting of the approved park management plan and approved amendment to land use direction • Paid advertisements inserted in local newspapers • EBR policy decision notice posted on the Environmental Registry • Posted notice onsite • Meetings with stakeholder groups, as required 	<p>Winter 2007</p>