**PRESIDENT’S LETTER**

Dear PALS Supporters,

The Fall months have been very busy as our research consultant John Bacher’s articles will attest, and our most recent efforts to promote the use of restrictive covenants/easements in a new fruit land program continue along a steady path. This time though, rather than waiting a year or two between meetings with a variety of Ministers of Agriculture, a very long, and subsequently quite inaccurate Ministry study by its consultant Wayne Caldwell, an election, and then a prorogued Legislature, all of which tested our resolve, the PALS Easement Team, with the help of our strong supporter, Environment Minister Jim Bradley, had a very productive meeting in late October with the Honourable Jeff Leal, Minister of Rural Affairs. Shortly after this, upon our request, we received an invitation to meet on December 11th with the Honourable Kathleen Wynne, Premier and Minister of Agriculture and Food. (see quotables)

What makes this meeting and its results so crucial, is not just the looming review of the Greenbelt Plan, with increased pressures from some for a loosening of the restrictions such as those on severances, and the supposed need for “flexible” planning to “round out communities” - voiced in local Greenbelt Review discussions by municipal planners. There is also a huge shadow over the future of tender fruit farming with the loss of the last canning plant a few years ago, the steady increase in the average age of Niagara farmers, an exit of some formerly very prosperous farmers due to financial difficulties, and a recent tally of only 300 of these very specialized farmers.

As you will see in our most current research paper regarding Michigan’s Cherry Belt, where zoning and payments to farmers for restrictive covenants on the land helped the farmers reinvest and drew in new farm commerce, this kind of investment in farmers and the land is an excellent formula for continued agricultural and land preservation success.

Wish us well in our ongoing work towards a similar goal here in Niagara, the best fruit lands in North America. We will keep you posted!

Val O’Donnell

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**PALS Christmas Wine & Cheese Party and 2013 Heritage Mennonite Quilt Raffle Draw**

**Saturday, December 14th 2 pm to 4 pm**

@ 36 Else Street, St. Catharines

Last minute tickets on our lovely hand crafted quilt are still available by phoning Gracia Janes at 905 468 2841, or e mail at gracia.janes@bellnet.ca. Gracia will put your stubs in the draw box when she gets your order and you can then send the money in to her at PALS, Box 1090 St. Catharines L2R &A3.

The price is right, at $2 for 1 ticket, $5 for 3 tickets and $15 for a book of 10 tickets!!!.
In response to the airport announcement, Friends of the Rouge commented that, “With both the Pickering Airport and the Rouge National Park, the Federal Government is following the problematic path of announcing decisions before a rational, scientific and public environmental assessment has been completed. On issues of great importance to current and future Canadians (e.g. climate change, pipelines, Pickering Airport, Rouge Park) the federal government appears to be taking an anti-science, and anti-public consultation and anti-environmental approach.

The federal government’s Pickering airport plans are following the path that led to the wasting of billions of tax dollars and thousands of acres of precious green space and farmland during the creation of Mirabelle Airport in Montreal. Transport Canada’s past air travel predictions (Mirabelle) have proven wrong. The predicted need for a large Airport in Pickering is also questionable.

The Greater Toronto Airport Authority is already deeply in debt for the expansion of Pearson Airport and the landing fees at Pearson are amongst the highest in the world. Pearson and several other southern Ontario Airports currently have surplus capacity. With growing fuel costs, carbon-fed climatic extremes, concerns about the spread of terrorism and disease and recurring airline solvency problems, air travel is becoming expensive and inconvenient for the average tax payer. Many forward thinking nations in Europe and Asia are investing in high speed rail lines as an alternative to more airports.

Before taxpayers incur more Airport debts and before priceless public lands are sold or paved to subsidize the Pickering Airport, the Federal government needs to conduct a thorough and public environmental assessment.”

City of Toronto Celebrates Lois James’ 90th Birthday!

On September 30, 2013, the City of Toronto honoured Lois James at a ceremony and reception held at the Scarborough Civic Center. The event was held a few days before her 90th birthday. Lois has worked with PALS to protect prime farmland in Ontario for over 35 years. She spearheaded the cancellation of plans for expressways, dumps and housing development on provincially owned lands that are now protected by the Rouge and Robert Hunter provincial parks. For all this James was awarded the Order of Canada in 2006. James continues to struggle to protect threatened landscapes of rural Ontario. She became one of the first persons to put a new sign against the recent airport announcement by the federal government in front of her home.

Green Wash Rouge Park Consultation Paves Way for Airport

For the past two years PALS has been deeply involved in consultations on the establishment of the proposed Rouge National Park, which is planned to be the start of a new class of “urban” national parks, based on future legislation. Working closely with the environmental group, Friends of the Rouge. PALS made detailed comments in our submission. These were complimented by articles in the Toronto Field Naturalists’ newsletter, by our researcher John Bacher, and through a U Tube Video on the challenges to expand forest cover in southern Ontario, which is available on the Science For Peace website.

Throughout the process PALS made it clear that improvements should be made in the Federal government’s proposed concept for its Rouge Park National Park. Our basic call was for the addition of 43 square kilometres of federally owned land to the proposed Park area. Most of this land is currently protected by the Ontario Greenbelt, but this protection comes up for review in 2015. PALS also indicated clearly in our submissions that we support the concept that agriculture should remain part of the Park. There are some farms in the 100 kilometre study area proposed by ourselves and Friends of the Rouge, which have pick-your-own operations for fruits and vegetables. Such farming elements should remain in the park, but there are large cash cropping operations which over time should be naturalized for watershed protection.

Our campaign, carried out with the endorsement of a number of environmental groups such as the World Wildlife Fund, did have an impact in Parliament. The petition for a 100 kilometre Rouge National Park was introduced in the federal parliament by Kirsty Duncan, the MP for Etobicoke North. Duncan stressed that the national park should implement and strengthen “the ecological visions and policies of previously approved Rouge Park plans.”

Throughout the consultation process environmental groups thought it was a mystery why the 43 square kilometres were being excluded from the proposed Rouge National Park study area. This mystery was uncovered in a June 11 announcement by the federal government, which was billed as the response to the National Park consultations. It was a great shock to environmentalists who were kept outside of the press conference by the formidable police presence, that the announcement had little to do with the Rouge National Park. It did however, explain why our pleas for a larger park had fallen on deaf ears. What was announced was a “New Proposed Airport Site” in Pickering. It is approximately 27 square kilometres in size-two and half times bigger than the existing Pearson Airport. Much of this encroaches upon the protected area of the Ontario Greenbelt.
AROUND THE REGION
OF NIAGARA

Niagara Peninsula Conservation Authority Plan Threat to North West Niagara

Since our inception much of PALS energy has been focused on protecting an area described by the late dairy farmer Peter Grandoni as the “Black Belt”, from urban sprawl. This is a corridor of land immediately south of the Greenbelt in Niagara Falls and Thorold, which is vulnerable to urban sprawl. It provides an important corridor for wildlife movement between the Niagara Escarpment and the Welland River.

In addition to the on-going battle at the OMB to stop sprawl in the Black Belt, a new threat has arisen from the Strategic Plan of the Niagara Peninsula Conservation Authority (NPCA) which was heavily influenced by advisory committees full of persons hostile to the protection of the “Black Belt”. These include planning consultants for developers and their lawyers.

Rather than focusing on ecological objectives such as the need to increase forest cover and protect stream habitat, all important to farmers and other rural residents, the NPCA draft strategic plan stresses the need for economic growth. It also puts forward the suggestion of the “disposal” or sale of NPCA properties. One such site, the Shriners Creek Conservation area is located in Niagara Falls on the border of the Black Belt. Our brief notes that at the entrance to this protected area “potential hikers are told that only specially authorized persons are to be admitted. If people cannot enjoy hiking here it will be much easier to ‘dispose’ of these lands-no one will know what has been lost. Certain NPCA properties are off limits to the public for good reason concerning the potential for environmental damage, or potential conditions that may have been made by donors. This is not the situation with the Shriners Creek Conservation Area, which no longer has a sign acknowledging that it exists. Apart from a potential sale of the property, the only logical reason to keep people out is the polluted state of the water-issues that the Strategic Plan should address but is silent on.”

High Rainfalls Causes Major Flooding in Niagara Falls

Another reason that PALS, following the lead of Jean Grandoni, has for many years opposed urban expansion in the Niagara Falls area in the Black Belt, is the problem of surcharged from sewers that regularly cause basement flooding and pollution. There was a massive surge in such flooding this summer from heavy storms, resulting in far larger than the usual amounts of furniture being put out on the street for garbage collection. One reason for basement flooding, due to sewage back-ups, is the burying of streams. At an OMB hearing on Beaverdams Creek in 1997, PALS attempted to oppose the burying of a stream, which had been protected, until its status as a Provincially significant wetland was successfully challenged by a developer’s ‘down-rating’ study. This may have been one of the last streams in Ontario to be buried to facilitate development.

QUOTABLES

“Effective Use of Agricultural Easements on Tender Fruit and Grape Land in Peninsula Township, Grand Traverse County, Michigan”

November 7, 2013
By Dr. John Bacher (PhD)
Researcher,
Preservation of Agricultural Lands Society

1. Many Similarities Between Need For Agricultural Easements in Niagara Fruit Belt and Michigan’s Cherry Belt

There are many similarities between the very limited unique area of tender fruit and grape growing in the Old Mission Peninsula and the Niagara Fruit Belt. In both cases a tiny area with unique microclimate that is excellent for fruit growing, exists because of the interactions of air currents between an escarpment and a Great Lake.

The Old Mission Peninsula is a scenic, narrow 17 mile long area of 17,000 acres bisecting Lake Michigan in the northwest part of lower Michigan. This is roughly comparable to the tiny area of tender fruit land in the Niagara Fruit Belt which is composed of lands stretching 40 miles from the mouth of the Niagara River to Grimsby from the Niagara Escarpment to Lake Ontario and a small area on the Fonthill Kame.

While not a significant producer of peaches and apricots, the Old Mission Peninsula Fruit Belt is comparable to Niagara. Depending on weather, it produces between 40 and 90 per cent of the crop of red tart (sour) cherries in the United States, and also has extensive vineyards and plum and apple production. Both areas are under pressure from urban sprawl with the US Cherry belt being threatened by urban expansion from Traverse, Michigan.
2. History of Environmental Activism in Old Mission Peninsula to Protect Unique Foodland Similar to Niagara

Like Niagara, the Old Mission Peninsula has a long history of environmental activism to protect its unique fruit lands from urban sprawl. According to the American Farmland Trust this can be traced back to “rising community sentiment for protecting the local agricultural economy” in 1977, just a year after the formation of Niagara’s Preservation of Agricultural Lands Society. 2 ibid.

Also like Niagara, a program for Agricultural Easements was adopted in Peninsula Township, the heartland of the Michigan Cherry Belt, in 1994. Although municipally initiated, the program receives substantial financial support from the Michigan and American governments. 3 Ibid.

3. Concerns for Scenery and Tourism Similar in Peninsula Township and Niagara Fruit Belt.

Peninsula Township Ordinance #23, states clearly the objectives of its agricultural easement program. Its goals are similar to the situation in Niagara regarding the need to perpetuate the spectacular vistas from the Niagara Escarpment to Lake Ontario of scenic orchards and vineyards and to protect the unique fruit lands for farming from the destructive impacts of urban sprawl.

Ordinance 23 spells out that, “Peninsula Township is a desirable place to live and visit because of its panoramic views of agricultural acreage interspersed with stands of trees, open fields and rolling terrain. The framing of many of these views with the sight of clean, open bay waters, creates a spectacularly spacious effect. The views, agriculture and open spaces, woodlands, wetlands and dark night sky are all considered valuable natural and aesthetic resources which should be protected.

The climate, significant changes in elevation and proximity to water make this a unique area where certain crops can be grown as well or better than anywhere else. The resources not only include more than seven thousand acres of land suitable for farming they also include other woodland, wetlands and open lands adjacent to these farmlands. Such lands provide unique, aesthetic and economic benefits to the citizens of the Township and are an important part of the Township’s heritage. However, Peninsula Township is experiencing substantial development pressure because of its location adjacent to Traverse City. The same characteristics which have made this area so desirable for fruit production also make it attractive for residential sites.”

4. Agricultural Easements Have Rescued Michigan’s Cherry Belt From Sprawl

In 2006 Anita Zurbrugg did an evaluation of the Peninsula Township agricultural easement program, then 13 years in operation, as part of an evaluation of such efforts across the United States, by the American Farmland Trust. She concluded that “Easements have helped to retain a viable agricultural economy, despite increasing residential development pressures aided by the community’s attractiveness as a popular site for summer vacationers.” 4 American Farmland Trust Research Paper#1

A great reduction in urban sprawl was found by Zurbrugg following the establishment of an agricultural easement program in 1994. She found that while, “The township lost 1,100 acres of agricultural land to urban uses in 1968-1989, since the start of the easement program in 1994, only 70 cropland acres have been converted, less than 1 percent of the 1990 cropland base.” 5 ibid

Zurbrugg stressed that the easements compliment the planning framework established by the Grand County Master Plan, which has established an Agricultural Preserve Area. (APA). It is the eventual goal of the program to have agricultural easements on all of the agricultural parcels located within Peninsula Township’s 9,200 acre APA area.

Since Zurbrugg’s study, the Peninsula Agricultural Easement program continues to receive great acclaim for rescuing Michigan’s Cherry Belt from urban sprawl. It was the subject of an recent article in Bridge Magazine, a news publication of the Center for Michigan, by Ted Roelofs. 6 Bridge Magazine, Old Mission postcard : Land protection taxes benefit farmers.September 23, 2013.

Roelofs notes, that according to research done by the Land Trust Alliance land prices had become so high that it had become difficult to arrange for inter-generational transfer of properties among farm families. He notes that cherry farmers have become the strongest supporters of the easement program.

One of the growers with largest acreage, Bern Kroupa has stated that without the program, “We would probably have a lot more of what I call wildcat housing, helter-skelter, un-planning incursions into farmland. They usually don’t work well together. It would have been a dispiriting and ugly landscape.”

Agricultural easements now protect half the land within the designated APA area in Peninsula Township. Since the program began in 1994 only one farm was lost from agricultural production. Farmers have invested revenues from selling agricultural products, tourism and recreation, and have received financial support from the Michigan Department of Environmental Quality, the Michigan Department of Natural Resources, and the Michigan Department of Community Planning and Development.
easements back into their operations, in many cases, rejuvenating aging orchards. The purchase of a local cherry producing plant by Bunette Foods, has been widely attributed to the success of the agricultural easement program. 7. www.bunette foods.com/locations.html.

5. Trends Since 1994 in Niagara and Peninsula Township Make Compelling Case For Easement Program

Trends in Niagara and Peninsula Township since 1994 make a compelling case for the need for an easement program. Following the demise of the Niagara Tender Fruit Land Program to acquire agricultural easements, there was a significant increase in agricultural severances, and a number of urban boundary expansions took place, the largest being of over 600 acres of fruit land in Pelham, right up onto the establishment of the Greenbelt. Although protected for now, the Town of Grimsby has announced its intention to use the Greenbelt Review to press for the complete elimination of the protection of tender fruit lands within its municipality.

The Preservation of Agricultural Lands Society (PALS)

Working to Protect the Best Farmlands in Canada Since 1976

Box 1090 St. Catharines L2R 7A3 (905) 468 2841

Premier Kathleen Wynne
Legislative Bldg., Queens Park
Toronto, Ontario
M7A 1A1

November 9th 2013

Dear Premier Wynne,

On the advice of Jim Bradley, Minister of Environment, and with the support of Jeff Leal Minister of Rural Affairs, who we met on October 21st, the Preservation of Agricultural Lands Society (PALS) respectfully requests to meet with you as Premier and as Minister of Agriculture and Food, to discuss our proposal that the Province invest in a renewed Niagara fruit land program to protect the extremely limited, irreplaceable, tender fruit and grape lands “in perpetuity” as a unique and very important part of the world renowned Greenbelt.

As you may be aware, the public has overwhelmingly supported PALS in our efforts to protect these historic and unique lands permanently, as have a variety of groups, such as the Ontario Farmland Trust, and legislators, such as the late Mel Swart Thorold/Welland MPP for over 17 years, Elmer Buchanan former Minister of Agriculture in 1992-95, and Jim Bradley, Minister of Environment.

PALS of course applauds and recognizes the value of the Greenbelt in protecting prime agricultural lands, and the Friends of the Greenbelt efforts to promote farming and food production within it. Nevertheless, without a “permanent” fruit land base, an urban shadow will continue to create uncertainty for the future of fruit farming and farmers, as Niagara faces ongoing and relentless pressures from urban uses on, and infrastructure around and through the fruit lands. It is very worrisome also, that in the current Regional Niagara Greenbelt Review discussions, some municipalities and planners are promoting “flexibility”, and urban expansions in Towns such as Grimsby, and some farmers have renewed their 1980’s push for farm severances.

As a result, PALS has accelerated our efforts to gain your Government’s support for the permanent protection of these the most climatically favored lands in Canada, through the use of the same kind of legislative and restrictive covenant/easement protections that this Government has put in place for the farmlands in the Pickering Land Reserve, the Harris Government placed on the Oak Ridge Moraine lands, and the 1992-95 NDP Government placed on Niagara fruit lands.

In order to present our case for a renewed fruit land program PALS has had the help of two planners with a combined 60+ years of planning experience; a farm leader who fears any further loss of an already hugely reduced tender fruit land base, and two PALS representatives who have worked for over 37 years to protect the best lands in Canada.

All of us were deeply involved in the development of the 1994/5 Tender Fruit Land Program, which had the support of over 60% of Niagara’s tender fruit farmers, and had it not been cancelled by Mike Harris in 1995, 2 urban boundaries under extreme urban stress would have been sealed “in perpetuity” with just the first 7 restrictive covenants to be paid for and placed on the land.
Should you agree to meet with us, we will present an up-to-date and compelling case for permanent fruit land preservation, including not only the illustrious history of fruit growing in Niagara since 1792, but our most recent research. The latter includes documentation of the great economic and land preservation success Michigan State has had over the past 20 years with its investments in easements on farms in the Old Mission Peninsula fruit belt, and the growing stresses on BC’s historic Agricultural Reserve which lacks the benefits of permanent restrictive covenants/easements on the land.

We thank you for your attention to our request for a meeting at your convenience and an opportunity to present our view that a Government investment in a renewed fruit land program over the next 10 to 20 years would not only protect the unique fruit land base for this special and threatened industry—which provides many jobs and a very significant stimulus to the Niagara/Ontario economy— but would also ensure the preservation of Niagara fruit lands for many future generations of Ontarians.

Should you wish further materials, as listed below, let me know and I can either e-mail them, send by regular mail, or, should we meet in person, bring them along.

Sincerely,

Gracia Janes
PALS Secretary/Treasurer - Box 1090 St. Catharines, Ontario L2R 7A3
Gracia.janes@bellnet.ca 905 468 2841
c.c. The Hon. Jeff Leal and the Hon Jim Bradley (by email)

**Background:**

PALS’ Niagara Fruitland Preservation Our team includes:

- Arnie Lepp, President, Niagara Orchards and Vineyards, a major fruit distribution company and member of the 1992-95 Tender Fruit Land Program Task Force;
- Gary Davidson, former Director of Planning in Huron County and Parliamentary Assistant of then Minister of Agriculture, Elmer Buchanan who helped guide the Tender Fruit Land Program;
- Corwin Cambray, former Director of Planning, Regional Municipality of Niagara;
- John Bacher (PhD), PALS Researcher
- Gracia Janes, one of two PALS representatives on the Tender Fruitland Program Task Inter Ministerial/Regional/Farmer/PALS Committee and as a member of the Program Allocations Committee.

**HELP!** Due to a computer crash, and change to a new system, I have lost all e-mail contacts. So if you would like to remain (or be added to) our mail list for agricultural articles and PALS notices, please either e-mail me at gracia.janes@bellnet.ca, or send your e-mail address to PALS Box 1090 St. Catharines ON L2R 7A3.

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