



Policy Recommended by: OFT Land Committee **Effective:** April 24, 2019

Approved by OFT Executive Committee: April 10, 2019 **Replaces:** Not Applicable

Approved by OFT Board of Directors: April 24, 2019 **Next Review:** April 2022

Managing Violations on Easement Properties

Policy Statement

The Ontario Farmland Trust (OFT) is accountable for monitoring and maintaining the provisions as laid out in each easement agreement. To do so, OFT staff and Board members will complete annual site visits to each easement property. In the event that an easement property violation is detected by OFT or its agents, the following procedure will be undertaken.

Procedure

1. A meeting will be scheduled with the landowners and the OFT Executive Director, as well as any relevant easement partners or local area stakeholders, to review the violation(s) and necessary remediation(s) with the landowner.
2. The Executive Director will document the violation and plan for remediation in writing.
3. The easement landowner will be provided with a copy of OFT's *Managing Violations on Easement Properties Policy and Procedure*, outlining roles for the parties and the costs for resolving any violation(s) that occur on easement properties.
4. Remediation action is taken promptly in accord with the requirements noted below.

Roles, Requirements, Responsibilities, and Costs

The landowner is responsible for the remediation of any violation(s) occurring on the easement property, as have been identified by the OFT, including all of the restoration costs.

In the event that the landowner is unable to perform any necessary remediation or restoration, OFT will take action to resolve the violation(s) and invoice the landowner for all costs involved in remediation or restoration, as well as OFT's time to manage the action.

OFT is responsible for documenting the violation on the easement property, including photo documentation and filing reports (including with Environment and Climate Change Canada in the case of an Eco-Gift). OFT will invoice the easement landowners with a fee up to \$1,000 for time and materials to document violation(s); this fee is in addition to any remediation and restoration costs incurred.