

Community Development Department
The City of Cambridge
50 Dickson Street, 3rd Floor
P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 623-1340 ext. 4826
E-mail: PadgettK@Cambridge.ca

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Ministry of the Environment, Conservation and Parks
Species Conservation Policy Branch
300 Water Street, Floor 5N
Peterborough ON K9J 3C7
Attention: Public Input Coordinator

**Re: 10th Year Review of Ontario's Endangered Species Act: Discussion Paper
ERO Number 013-4043**

To whom it may concern,

The City of Cambridge planning staff is providing this submission in response to the consultation document posted for comment by the Ontario Ministry of the Environment, Conservation and Parks titled "10th Year Review of Ontario's Endangered Species Act: Discussion Paper."

City staff is supportive of protecting and recovering the province's species at risk. The 10 year review is an opportunity to further Ontario's commitment to protecting species at risk and their habitat.

Our comments are:

"Area of Focus 2 – Listing Process and Protections for Species at Risk" identifies "ministerial discretion on whether to apply, remove or temporarily delay protections for threatened or endangered species, or its habitat." Currently, an independent committee of experts called the Committee on the Status of Species at Risk in Ontario

(COSSARO) assesses species and classifies them appropriately on the Species at Risk in Ontario List. The Endangered Species Act provides automatic species and habitat protection for species listed as endangered or threatened. To allow ministerial discretion to remove these protections for threatened or endangered species is counterproductive to the expert opinion provided by COSSARO, which takes into account the best available scientific information, including community knowledge and aboriginal traditional knowledge. Applying, removing or temporarily delaying protections for threatened and endangered species should remain science-based, not discretion-based. There is already flexibility in place through habitat regulations and permitting on a case-by-case basis such that ministerial discretion should not be required.

“Area of Focus 4 – Authorization Process” identifies developing a conservation fund in lieu of activity-based requirements for species at risk to reduce burdens and delays in the process. Currently, when activities that harm a species at risk or their habitat are undertaken, an on-the-ground direct benefit to the species that is being negatively impacted, ideally in the same watershed, is the requirement. Recommendations for these requirements are often identified through subwatershed studies and/or environmental impact statements prepared in support of the project and the developer/proponent is responsible for providing the ‘end product’ (e.g., restored or created habitat) regardless of the cost. It is unclear how a conservation fund would be administered, who would administer it, if enough money would be secured from the proponent/developer, or how such a fund could ensure that on-the-ground direct benefit to the species being negatively impacted would be achieved within the same subwatershed if it was administered across a large geographic area. If this fund is pursued, clear requirements would need to be developed.

Thank you for the opportunity to comment.

Yours truly,



Elaine Brunn Shaw
City Planner



Kathy Padgett
Senior Planner – Environment