



May 18, 2019

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

RE: ProtectNatureTO's Submission - 10th Year Review of Ontario's Endangered Species Act: Proposed changes - ERO #013-5033

Dear Sir/Madam,

On behalf of ProtectNatureTO, a coalition of over 20 nature- and stewardship-based groups advocating for the protection of wildlife and improvement of natural areas across the City of Toronto, we offer our comments and recommendations below on the review of **10th Year Review of Ontario's Endangered Species Act: Proposed changes**

As the world receives an urgent global assessment report from the United Nations on the imminent collapse of the natural world, Ontario is abandoning endangered species. Buried in Bill 108, More Homes More Choice Act, are 20 pages of amendments to the Endangered Species Act.

Ontario is moving to gut the law and rollback protections to expedite housing, forestry, and other commercial and industrial developments at the expense of our ecosystem and all of us.

The public was already consulted on this. And 98% of people wanted wildlife protections to be kept or strengthened.

We strongly oppose the changes that are being considered. They will not improve outcomes for species at risk. On the contrary, they would make it easier for industry and developers to destroy the habitats of our most vulnerable plants and animals.

Some of the proposed changes include:

- Pausing or limiting species protections for habitats and for individual animals/plants at the whim of the Minister, without required consultation with species experts;
- Changing the Environmental Bill of Rights to keep the public from being notified or consulted with when those protections are removed;
- Allowing the Minister to demand that scientists re-classify species and downgrade their status if they are not at risk outside of Ontario;

- Loosening mandated reporting timelines for recovery planning and monitoring;
- Making it easier for industry to gain permits or exemptions to destroy habitat and species;
- Allowing industry to pay to destroy habitat or species rather than be legally obligated to ensure an overall benefit for the species elsewhere.

This is the Endangered Species Act, not the Endangered Business Act. The priority must be on protecting and recovering species at risk.

There are already sufficient tools for authorizing harmful activities. No new tools are needed. Challenges should be addressed through improved implementation.

Proponents of harmful activities should NOT be allowed to simply pay into a fund rather than providing on-the-ground reparation for damage done. This easy way out reduces accountability and facilitates harm to species at risk and their habitats. Retain the current requirements to provide an on-the-ground, overall benefit to species harmed.

Do not remove the requirement to obtain Cabinet approval or to consult with an independent expert regarding sec. 17(2)d permits. These are intended to be available only for projects that “result in a significant social or economic benefit to Ontario” and that will not “jeopardize the survival or recovery of the species in Ontario.” These are appropriate requirements and ensure that such permits are issued only an exceptional basis.

Do not remove the requirement for the Minister to seek an independent opinion on regulations that might jeopardize the survival of a species in Ontario. That would only make it easier for harmful activities to proceed, without proper scrutiny.

The ESA (sec. 18) provides a means to harmonize its requirements with other legislative or regulatory frameworks, based on the standard of providing an overall benefit to species negatively impacted. Unless this standard is maintained, species will continue to decline.

Improving outcomes for species at risk requires enforcement, not weakening, of the law. It also requires investment in stewardship, not writing off species at risk and their habitats as red tape.

We are urging you to take action to reverse the loss of our natural world beginning with saving the Endangered Species Act. Remove Schedule 5 from Bill 108.

Sincerely,

On behalf of ProtectNatureTO