

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

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Mr. Troy Anthony
Crown Forests and Lands Policy Branch
Ministry of Natural Resources and Forestry
70 Foster Drive, Suite 400
Sault Ste. Marie, Ontario
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Dear Troy:

Subject: ERO # 019-1020 Proposed changes to the Crown Forest Sustainability Act, 1994.

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We have reviewed the proposal to amend the Crown Forest Sustainability Act (CFSA) in regards to species at risk (SAR) and offer the following comments for consideration. As the proposal does not include specific wording changes, it is difficult to provide meaningful feedback. However, if the intent is to use wording similar to what is currently found in the Engendered Species Act (ESA) Regulation 242/08 (which expires July 1, 2020), then the OFAH is generally supportive.

In 2018, the MNRF extended the expiration of the forest operation's exception under ESA Regulation 242/08 from July 1, 2018 to July 1, 2020. When this decision was made, the MNRF also proposed to create an independent panel whose purpose would be to provide advice to the government on how to consider SAR in Crown forest management. Was this panel assembled, and if so, what were the outcomes? Will they be tasked with developing the wording around this currently proposed change to the CFSA?

The OFAH has previously called for harmonization between the ESA and the pieces of legislation that deal with on the ground management to provide for more flexibility to improve outcomes for SAR. Ontario's forest industry is an excellent example of a regulated activity with the potential to benefit SAR beyond the traditional applications of the ESA. The CFSA and the policies that come from it comprehensively govern forest operations in Ontario with a strong focus on biodiversity, ecosystem function, and benefitting fish and wildlife. The forest management system already includes extensive species inventories, planning, implementation, monitoring, compliance, and auditing processes. Forest management plans under the CFSA already consider SAR, making it an ideal tool to implement the intentions of the ESA in a more robust way.

Use of the forest management planning process would work in combination with landscape level approaches to SAR management as a whole. Ontario's current species-specific approach to SAR conservation is ineffective and costly. Looking at a landscape approach, especially one that is implemented through an established process like forest management planning, is a more efficient way to manage SAR. Harmonization between the CFSA and the ESA also facilitates other aspects of SAR conservation such as offsetting and safe harbour agreements. Both of these tools could be easily implemented through existing forest operations.

With this proposed shift of forestry related SAR exemptions from the ESA to the CFSA it is essential that opportunities for public consultation are maintained or improved. Forest management plans and annual work schedules already include consultation requirements that could allow for individuals to be more involved with forestry related SAR management. Specifically, annual work schedules should include a section outlining any work being done that could impact SAR. In addition to this, the annual work schedules should be more publicly accessible. For example, annual work schedules should be posted on the Environmental Registry, in addition to them being sent digitally or by mail to individuals who wish to receive notices, in the same way that forest management plans are. This would provide a more encompassing way to access, review, and provide feedback to all forest planning documents.

Moving forward, the government should consider how to expand this idea of harmonization between the ESA and other pieces of legislations that are better placed to create positive outcomes for SAR. For example, when the greatest threat to a species at risk is an invasive species, no amount of protection will conserve that SAR; rather, the Invasive Species Act could be implemented to control the invasive species. Additionally, it has been our experience that restoration work for game species works better outside the constraints of the ESA. Both the Atlantic Salmon restoration program and the reintroduction of wild turkey would have been greatly hampered by unnecessary red tape if they had to operate under the ESA.

In addition to the planned legislation changes in the proposal, there will need to be updates and improvements to the existing forest policies that outline how forest operators mitigate impacts to SAR. We also suggest that MECP and MNRF work together to develop guides that integrate SAR recovery plans with forestry practices to improve on the ground species conservation.

Thank you for considering these comments.

Yours in Conservation,



Lauren Tonelli
Resource Management Specialist

LT/jb

cc: OFAH Board of Directors
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