

February 18, 2020

Jennie Weller
Environmental Assessment and Permissions Branch
135 St Clair Avenue West, 1st floor
Toronto, ON M4V 1P5

Subject: ERO# 019-0961 Proposed amendments to General Regulation 334 under the Environmental Assessment Act to remove Regulatory Duplication of Forest Management requirements in Ontario

Dear Ms. Weller,

On behalf of the Resource-Based Tourism Industry, Nature and Outdoor Tourism Ontario (NOTO) has serious concerns with the proposal to exempt forestry activities from Declaration Order MNR-75 under the Environmental Assessment Act.

The Resource-Based Tourism Industry provides significant economic contributions to the Province of Ontario. The importance of the tourism industry to the Ontario economy cannot be overlooked. In order to support and maintain the values needed to sustain the Resource-Based Tourism Industry, shared crown land use and planning, natural aesthetics, wildlife and their requisite habitats, lakes, water quality and fishery protections are required. This can only be achieved through Regional land use planning that engages the three largest industries in the north; Forestry Tourism and Mining. There is room on the land base for all of our industries when measures are in place to ensure and nurture cooperation and respect.

Here are some of the concerns that we have with this particular proposal:

Declaration Order MNR-75 outlines the environmental assessment procedures that must be followed while planning forestry activity on Crown Land. Although many items in Declaration Order MNR-75 are covered by the Crown Forest Sustainability Act, others such as public consultation, specifications for protections in areas of concern, as well as planning conditions and guidelines to be included in the Forest Manuals are not.

Reduction of Public Consultation Activities

This Declaration Order ensures that all potential environmental effects, and the aboriginal and public inputs are considered before forestry operations begin. Currently, MNRF hosts information sessions, posts forestry notices on the ERO, in newspapers, online via social media, and they also mail and e-mail notices to those who request to be on the mailing lists.

According to this proposal, MNRF wants to move to social media and e-mail notices for future public consultations and eliminate the need for information centres and other notices such as newsprint, etc. From our understanding, MNRF also wants to stop posting these notices on the ERO.

We are concerned with this shift to electronic communication only as many tourism operators who may be impacted by forest operations may not receive these notices when comment periods arise, or at all if they are in remote locations where internet services are limited or not available at all. Those that are in these remote settings are most likely to be impacted in some way by forestry activities and in our experience, have much to lose if they are unable to participate in the forest management planning process from its inception. We understand that it is

difficult to get people to physically attend information centres based on the size of the catchment areas in the North alone but reducing the means of consultation to social media and email only may not be the answer either.

We have had a large change in ownership of tourism businesses since the last round of FMPs. For those new owners who have not been through the process before, we see a need for assistance to guide them through the process. Without the Information Centres how will they get the support they need? Will they still be offered the opportunity to meet with MNRF and forestry companies to get their questions answered?

Recommendation: In addition to using social media and email, we strongly recommend these notices continue to be posted on the ERO so that the tourism industry and organizations like ours may have ample opportunity to share the information and comment as the opportunities arise.

Reduction of Opportunities to Protect Tourism Values including Endangered Species

Declaration Order MNR-75 also set several planning conditions and guidelines which were included in the Forest Manuals, including additional protections and prescriptions for Areas of Concern. While we understand that Enhanced Management Areas and Moose Enhancement Areas, Designated Tourism Lakes etc. are identified and protected via CLUPA, we are concerned that exempting forestry from the Environmental Assessment Act will lead to less protections for endangered species, species at risk, and for the fisheries in regions where forestry activities occur.

The Forest Sector Strategy did not provide any information as to what type of protections we will see for areas of concern. Without Declaration Order MNR-75, what mechanisms will now be in place to ensure their sustainability? Several operators are already struggling to ensure that proper buffer zones are in place around Designated Tourism Lakes. Several operators are also struggling to maintain the level of remoteness surrounding their businesses as a result of forestry activity (specifically clear cuts) and the lack of enforcement on forestry access roads.

As an industry that promotes wilderness experiences to guests from all over the world, ensuring that healthy habitats for endangered species, moose, bear, deer, other game and small furbearing animals are maintained is of utmost importance. With the exemption of environmental assessments for forestry activities, how will endangered and non-endangered species be managed for and protected through forestry planning?

Recommendation: Develop and communicate a clear and uniform process to protect habitats for all species to be incorporated into the forest management planning process.

Issue Resolution

For tourism operators, in the current system, if issue resolution with MNRF and the forestry companies fail, the declaration order allows them to request an Environmental Assessment bump-up through the Director of the Ministry of Environment, Conservation and Parks (formerly MOECC). Without Declaration Order MNR-75, operators will no longer be able to request an Individual Environmental Assessment to try to find a solution where all parties are satisfied. Since EA Bump-up requests will no longer be available, it will be critical that a stronger issue resolution system is in place when conflicts are unable to be resolved in the forest planning process.

Our organization, through working with its members has participated in a number of issue resolution meetings and have noted some definite inconsistencies. A more uniform and guided approach to gathering data and evidence to best inform this process is needed.

Recommendation: Review current issue resolution protocols to create a more uniform and guided approach.

Strengthen and Support Resource Stewardship Agreements

These proposed changes will significantly reduce the opportunities for engagement with tourism operators. New owners in the industry need to have those one-on-one discussions with forestry companies and MNRF. The RSA process can help to fill this void. Currently, support for the development of Resource Stewardship Agreements is



inconsistent from forest to forest. More support from MNRF for the RSAs is necessary to ensure the interests and values of the tourism industry are acknowledged in the FMP. These business to business agreements will nurture cooperation and respect.

Recommendation: MNRF should strengthen and support Resource Stewardship Agreements consistently across all forests. MNRF should support the review and updating of the current RSA Tool kit in collaboration with NOTO, and the Ministry of Heritage, Sport, Tourism and Culture Industries.

Additional Comments

While the Forest Sector Strategy identifies the resource-based tourism industry as nothing but a stakeholder, it is important to note that Tourism is one of the three largest industries in Northern Ontario. The Northern economy depends on the tourism, forestry and mining industries to remain strong as these industries are what founded the north and support the northern economy. There are approximately 1100 resource-based tourism businesses and over 9,000 associated jobs. Deep in the heart of these forests lie our lodges, resorts, and remote outpost camps that attract over 1 million visitors annually from all over the world who come to relax, fish, hunt and explore our Northern wilderness. These visitors spend over \$1 billion in Northern Ontario annually. It is important to note that 90% of these revenues remain in the region and are new dollars generated annually on a sustained basis.

Understanding the significant contributions that resource-based tourism makes annually to our northern communities and our Province, we must ensure that our forests, lakes and land base are managed properly to allow this industry to continue to exist and grow for the benefit of all in Ontario.

In the early stages of the new FMP processes over the last several months we have seen MNRF shy away from supporting existing land use planning designations, we have seen forestry companies pushing forward with plans that include no protections for existing remote tourism businesses, we have seen plans that do not include road use plans for the public. All of this is of great concern not only to the tourism industry but to other remote recreational users on the land base.

We have deep concern that some of these changes in this and other forestry related proposals are moving land use planning away from MNRF and into the Forest Management Planning process. This approach does not provide adequate oversight nor equitable representation. Our industry provides fishing, hunting, and other outdoor recreational activities. Resident recreational users wish to have those same experiences as well. The oversight of such important and critical Provincial resources should not be governed or leaning towards a singular focus when multiple industries all have concerns, ties and dependence on those resources. Having land use planning revolve around the needs and impacts of one industry does not benefit all users of Ontario's natural resources equitably.

There is room for both forestry and tourism industries on the land base. We understand the lessening of burdens, in fact we (tourism industry) can relate, but we need processes in place to resolve the impacts of forestry on the tourism industry. By exempting forestry from complying with the Environmental Assessment Act and eliminating Declaration Order MNR-75, we need the issue resolution process to be made stronger to ensure all industries' and stakeholders' concerns are listened to and treated equally and amicably. We also need to ensure there will be proper protections in place for various species and their habitats. We encourage a review of the proposed consultation changes and a continuation of ERO postings for forestry notices to ensure that the tourism industry and stakeholder groups have the opportunity to contribute and voice their concerns with forest management plans.

Sincerely,

Laurie Marcil
Executive Director
Nature and Outdoor Tourism Ontario