

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

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Ms. Cindy Batista
Special Project Officer
Environmental Assessment Branch
135 St. Clair Avenue West
Toronto, Ontario
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Dear Cindy:

Subject: ERO # 019-1804 Proposed exemption to the Environmental Assessment Act and a new policy under the Provincial Parks and Conservation Reserves Act for projects in provincial parks and conservation reserves

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 proposed exemption to the *Environmental Assessment Act* (EAA) and a new policy under the *Provincial Parks and Conservation Reserves Act* (PPCRA) for projects in provincial parks and conservation reserves and offer the following comments for consideration.

The OFAH understands the desire to improve the way that environmental assessments are integrated into the planning process for provincial parks and conservation reserves. The PPCRA already governs land use and planning for provincial parks and conservation reserves and, as such, is well placed to outline how and when environmental assessments are required. Additionally, the proposed Environmental Impact Assessment Policy (hereafter 'the Policy') is similar to the current Class EA in terms of application and how projects are classified. The list of projects in the Policy that are either pre-assigned as "low risk" or designated as requiring screening into a higher risk category are almost identical to the current Class EA. This process will allow MECP staff to quickly identify projects that can move ahead without additional screening or consideration. This process should not change under a move from the Class EA to the proposed Policy.

Classification of Projects

We are concerned that the wording related to extremely high-risk projects has the potential to cause issues. In the Class EA, they are referred to as "Beyond Scope" and are not dealt with through the Class EA. If a project is deemed "Beyond Scope" it must either be revised to lower its potential risk or be reviewed to determine applicable EAA requirements. Under the proposed Environmental Impact Assessment Policy, those projects are referred to as Class D and will "generally not be implemented" as per the Policy. The requirement for a Class D project is to reconsider it, with the goal of determining if there are amendments that could be implemented to lower it to a Class C. There is no guidance in this new process for what happens if that project cannot be downgraded to a Class C, while the Class EA outlines a process for elevating high-risk projects through the EAA to potentially trigger an environmental assessment. Will the MECP have a similar process to elevate Class D projects through the EAA or will those projects simply not move forward? Clarity on the process for Class D projects is essential, as the OFAH would not support the implementation of Class D projects without a robust assessment.

While we recognize and acknowledge the benefit of removing red-tape for low-risk projects, we also recognize the potential for cumulative effects to go undetected and unaddressed. The OFAH suggests that a system be included in the Policy that reviews the number of projects being approved in an area to prevent many low impact projects from accumulating into large-scale environmental impacts. Has the MECP looked at the potential for cumulative effects of many projects on the environmental function of a park or conservation reserve? In situations where an area is subjected to frequent Class A projects, an impact assessment would never need to be completed under the Policy. While a single Class A project may not have significant environmental impacts, several projects in a short time period might.

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Public Consultation

The OFAH wants to ensure that the public consultation process is improved moving forward. The proposed Policy contains very similar consultation requirements as the current Class EA; however, the Policy provides less guidance on the information required to be provided in the notice of commencement. The Class EA outlines exactly what must be included in the notice of commencement and the OFAH would like to see this carried forward into the proposed Policy. The OFAH is supportive of increasing options for distributing notices of commencement, particularly through online sources. We would like to see a consistent approach being used moving forward where there is one location where consultation documents are always posted, regardless of other methods implemented, to allow people access to all current notices. The OFAH and many other environmental organizations have provincial scopes, as such, it is critical to have the opportunity to review all projects that may impact any provincial park or conservation reserve.

Following the Policy

The proposal does not describe how the PPCRA will be amended to legislate the use of the Environmental Impact Assessment Policy. Currently the EAA legislates the use of the Class EA for provincial parks and conservation reserves; presumably, the new policy would have to be mandated through the PPCRA using similar wording. The OFAH is concerned about the transition from a Class EA to a policy. There are numerous examples of internal government policies not being fully implemented and we want to ensure that this will not happen. Additionally, any changes to this policy moving forward would need to be consulted on through the Environmental Registry of Ontario to prevent any of the existing protections from being removed or weakened. Another essential part of this policy will be auditing and monitoring its use to confirm that all provincial parks and conservation reserves are adequately following its prescriptions and intent. How will the MECP ensure that managers are following the policy if there is no additional review of projects by MECP staff?

Conclusion

While the OFAH acknowledges the need to streamline internal processes to improve the planning process for provincial parks and conservation reserves, we would like to see greater certainty that these changes will not result in reduced environmental protection. Many hunters and anglers rely on opportunities in provincial parks and conservation reserves; they want to ensure that those areas remain quality habitat for Ontario's fish and wildlife populations. The shift from a Class EA to a policy under the PPCRA has the potential to weaken the environmental assessment process if not implemented with transparency and oversight.

Thank you for considering our comments and concerns.

Yours in Conservation,



Lauren Tonelli
Resource Management Specialist

LT/jb

cc: OFAH Board of Directors
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