

ONTARIO FEDERATION OF ANGLERS & HUNTERS



Ontario Conservation Centre

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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 "Development of a Project Evaluation Policy under the Provincial Parks and Conservation Reserves Act" and offer the following comments for consideration.

Intent

The OFAH appreciates the need for regulatory modernization to reduce duplication and unnecessary processing time. However, much of the Project Evaluation Policy (PEP) goes beyond the scope of simple redundancies, with implications that may be detrimental to the ecological systems that Ontario's parks and conservation reserves are intended to protect.

Decision making

Despite being framed as an efficient replacement for previous evaluation criteria, the PEP is significantly less thorough in its application and decision-making requirements than both the EAA and the Ministry's original replacement policy, the 2020 Environmental Impact Assessment Policy. The PEP names very few circumstances where evaluations would be explicitly required, includes an extensive list of evaluation exemptions, and leaves the final decision on most items outside of this list up to the discretion of the minister. We are concerned that such an approach will produce results that are inconsistent with current scientific knowledge or conservation priorities.

In fact, proposed regulations under the PEP explicitly allow the Ministry to "...amend the management plan in order to implement the proposed project." in circumstances where "...the Ministry is contemplating a project that is not consistent with the management plan..." Considering the number of proposed exemptions using "identified under the management plan" as a qualifier, this policy would allow almost any structural development project to proceed without necessitating an environmental evaluation or assessing alternatives. This is not an acceptable approach to management, especially in the context of a provincial park or conservation reserve whose first priority is purported to be maintenance and restoration of ecological integrity.

Exemptions

The PEP exemptions list, which excuses certain activities from any evaluation requirements, is extensive and includes many activities previously deemed impactful enough to warrant evaluation. In fact, many of the projects/items the Ministry previously deemed "major" or otherwise warranting evaluation (in their original 2020 proposal) have now been recategorized as "minor" exemptions.

The following exemptions are cause for concern:

Exemption	Concern
<p>Water and Shoreline Management</p> <ul style="list-style-type: none"> • Dredge below high-water mark to maintain navigation or remove contaminated sediments. 	<ul style="list-style-type: none"> • This is a high impact activity.
<p>Beaches</p> <ul style="list-style-type: none"> • Expand existing beach in a development zone. 	<ul style="list-style-type: none"> • In the Ministry's 2020 proposed Environmental Impact Assessment Policy, this item required category screening. What justification is there for removing this stipulation? • High impact activity with potential to affect vulnerable and even endangered shorebird populations (e.g. Piping Plovers, <i>Charadrius melodus melodus</i>).
<p>Buildings or Other Structures</p> <ul style="list-style-type: none"> • Develop a building or complex of buildings, with a footprint greater than 300 square metres but less than 500 square metres, that was identified in the management plan. • Develop a structure, that is not a building, with a footprint greater than 300 square metre but less than 500 square metres, and its height greater than 10 metres but less than 15 metres, that was identified in the management plan. 	<ul style="list-style-type: none"> • In the Ministry's 2020 proposed Environmental Impact Assessment Policy, the construction of buildings or structures greater than 400 square metres required category screening and at least a streamlined project evaluation. What justification is there for removing these stipulations? • The creation of entirely new structures, regardless of their inclusion in a management plan, has the potential to significantly impact habitat and should be evaluated. This may not always warrant a class EA assessment, but it is not appropriate to make this an exception to any and all evaluation.
<p>Buildings or Other Structures</p> <ul style="list-style-type: none"> • Relocate, decommission, or demolish existing buildings or other structures if project is identified in the management plan 	<ul style="list-style-type: none"> • Old structures can be prime habitat for endangered species (e.g. several bat species and chimney swifts) and should therefore be evaluated to ensure that the activity does not contravene provincial or federal species at risk legislation. • Relocation implies clearing and establishing a structure in an entirely new area and should, therefore, be treated as a new construction project.
<p>Campgrounds and Campsites</p> <ul style="list-style-type: none"> • Expand or reconfigure existing campground in an already disturbed area within a development or access zone. 	<ul style="list-style-type: none"> • In the Ministry's 2020 proposed Environmental Impact Assessment Policy, this required category screening. What justification is there for automatically exempting these activities?
<p>Campgrounds and Campsites</p> <ul style="list-style-type: none"> • Develop new campground, with 25 campsites or less, in an already disturbed area within a development or access zone. • Develop new campground, with greater than 25 campsites, as identified in the management plan. • Develop new interior campsites, including pit privies, fire pits and tent pads, in an already disturbed area. • Develop new interior campsites, including pit privies, fire pits and tent pads, in an undisturbed area if project is identified in the management plan. 	<ul style="list-style-type: none"> • In the Ministry's 2020 proposed Environmental Impact Assessment Policy, development of any new campsite required category screening and at least a streamlined project evaluation. What justification is there for removing these stipulations? • The creation of new campsites has the potential to cause significant habitat destruction, in addition to having driving increased human pressure on the local ecology. As such, the creation of any new campsites should require evaluation.

<p>Roads, Water Crossings or Parking Areas</p> <ul style="list-style-type: none"> • Develop new parking area, for 25 vehicles or less: <ul style="list-style-type: none"> ○ in an already disturbed area in a development or access zone, or ○ to implement another minor project (e.g., campground). • Develop new parking area, for greater than 25 vehicles, if identified in the management plan 	<ul style="list-style-type: none"> • In the Ministry's 2020 proposed Environmental Impact Assessment Policy, the creation of any new parking area required categorization screening and the creation of site-specific policy. What justification is there for removing these stipulations? • The creation of parking areas can be extremely damaging to the surrounding ecology and must not be treated as an assumed addition to other projects. These impacts, which include habitat destruction, increased and contaminated runoff, human-wildlife conflict, and more, warrant specific environmental impacts assessments/evaluations.
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With a growing province, the OFAH appreciates that overzealous policy can sometimes hinder necessary change. However, the drive to improve, progress and, indeed, profit, must never take precedence over the health of Ontario's natural resources, and nowhere is this more true than in our provincial parks and conservation reserves. Despite a stated prioritization of ecological integrity, the new Project Evaluation Policy would result in a marked reduction in environmental protection and accountability within these spaces, replacing more than 85 pages of thorough assessment criteria (the EAA), with a mere 15 pages. The natural systems in our parks and conservation reserves are irreplaceable and deserve a far more nuanced and conservative approach to management than is being proposed here.

As always, the OFAH is willing to work alongside the provincial government to find solutions that optimize both efficiency and conservation. We appreciate the opportunity to provide comment on this matter.

Yours in Conservation,



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MR/jb

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