



ONTARIO
RIVERS
ALLIANCE

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Standing Committee on Finance and Economic Affairs
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park
Toronto, ON M7A 1A2

By email to: Amarjot Sandhu, MPP, Chair: amarjot.sandhu@pc.ola.org
Julia Douglas, Clerk: comm-financeaffairs@ola.org

Re: Bill 229, Protect, Support and Recovery from COVID-19 Act (Budget Measures), 2020

Dear Sir and Madame:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve, and restore riverine ecosystems.

The ORA recommends:

Schedule 6 (proposed changes to the Conservation Authorities Act and consequential amendments) and Schedule 8 (proposed changes to the Crown Forest Sustainability Act, 1994) both be withdrawn in their entirety from Bill 299.

The ORA has reviewed Schedules 6 and 8 of omnibus budget Bill 229 and is very concerned that there has been no public consultation on the proposed changes. Schedule 6 proposes fundamental changes to the *Conservation Authorities Act* (CAA) and Schedule 8 proposes a permanent exemption for authorized logging operations from prohibitions against killing species at risk and destroying their habitats. All the while, under the guise of a COVID-19 Emergency, the province claims that no public consultation is required under *Ontario's Environmental Bill of Rights, 1993* (EBR) because the proposed amendments form part of a budget bill.

Bill 229 is just the most recent in a long list of omnibus bills containing devastating amendments, exemptions and streamlining of key environmental policy and legislation designed to protect our environment and communities and provide the public and stakeholders with meaningful input. These government actions have created a deep erosion of public trust and confidence. It is unacceptable that it would mislead its citizens and bypass the norms by taking advantage of a world-wide health emergency to aggressively push their destructive agenda through.



Schedule 6: Proposed amendments to the *Conservation Authorities Act*

The ORA is opposed to the proposed amendments in Schedule 6 that would limit the ability of Conservation Authorities to make independent decisions based on the best interests of the safety and protection of the environment and communities, and recommends it be withdrawn from Bill 229.

These are regressive amendments at a time when this government should be focusing on sustainable development and strengthening climate resilience for communities. CAs use an integrated watershed management approach to ensure that any proposed development would not compromise individuals and/or communities and place them at risk from flooding. The CAs' work in Source water protection and flood mitigation/prevention is crucial to the well-being of all communities.

While the purpose of the CAA is to “*provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario*”, if this proposed amendment is passed, the scope and powers of conservation authorities would be limited to such an extent that no meaningful integrated watershed management would be possible.

The “watershed approach” and “conservation authority model” have proven to be extremely successful when Ontario’s own Special Advisor on Flooding reported that “*The development of the modern floodplain policy in Ontario, the watershed approach, the conservation authority model, and the flood standards have been extremely effective at reducing flood risks, especially in new greenfield development areas.*”¹

How can this government ignore its own Special Advisor’s Report and undermine the ability of Conservation Authorities to effectively make decisions based on how changes to the landscapes would impact on watershed ecosystems and communities? Protection from loss of life and property should be the top priority of this government – not unfettered development.

The ORA recommends Schedule 6 be withdrawn from Bill 229.

Schedule 8: Proposed changes to the *Crown Forest Sustainability Act, 1994*

The ORA is opposed to the entirety of Schedule 8 and recommends it be withdrawn from Bill 229.

The *Crown Forest Sustainability Act, 1994* (CFSA) applies to two thirds of Ontario’s land base, which is home to numerous species at risk and their habitat. It is exactly this fact that makes the amendments proposed in Schedule 8 so unacceptable.

The *Endangered Species Act, 1994* (ESA) was created to protect and improve recovery outcomes for species at risk, and if the government was actually serious about ensuring their recovery, it would not have proposed these amendments to the CFSA.

¹ *Executive Summary, Ontario’s Special Advisor on Flooding Report to Government, An Independent Review of the 2019 Flood Events in Ontario.*



The CFSA, with all its manuals and forest management guides, fails to emphasize species recovery. It was not designed to fulfill the mandate of the ESA, which provides a much stronger level of protection for species and their habitats as well as a greater level of certainty for the forestry sector.

This proposed amendment would:

- Exempt all Crown forestry operations from mandatory consideration of species at risk protection and recovery mandated under the ESA; and
- Remove the ability of the Minister to issue orders in circumstances where there is imminent danger to an at-risk species.

Read in conjunction with the province's commitment to double logging in public forests and permanently exempt forestry from the environmental assessment process, Schedule 8 removes the few legal mechanisms that prioritize conservation and protect natural areas in response to a biodiversity crisis. Biodiversity loss has been ranked as a top-five risk to economies over the next decade. However, instead of advancing methods to protect our biodiversity, the Ontario government is eliminating any chance of recovery of species at risk. This is unacceptable.

The ORA recommends Schedule 8 be withdrawn from Bill 229.

Respectfully,

Linda Heron
Chair, Ontario Rivers Alliance
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