

Submission objecting to Bill 229 Schedules 6 and 8

We would like to see the Ontario Government reject Schedules 6 and 8 from their Omnibus Budget Legislation 229. Using an omnibus budget bill to make changes to environmental laws is undemocratic sidestepping of the public's right of consultation under the Environmental Bill Of Rights.

Our concerns are as follows:

Schedule 6

Non- politicians are to be removed from the Boards of Conservation Authorities and Board members are required to advocate for the narrow views of their home municipality rather than the best interest of the Authority whose main focus is the management of the watershed. Watershed boundaries do not necessarily align with a municipal boundary.

Removal of knowledgeable non-politicians from boards may mean that Indigenous people with their specific knowledge and perspectives may not be represented in the membership of conservation authorities.

Municipal politicians are not necessarily well informed on watershed management and members of the public who have specific expertise in this area will be excluded.

A Conservation Authority (CA) will no longer have a right to independently appeal in the public interest or to issue stop work orders where environmental damaging work is occurring. The provincial interests will be only defended through Ministry of Municipal Affairs and Housing which does not include planning viewed through an integrated watershed lens.

The proposed legislation will allow developers to by-pass a CA to get permits directly from the provincial government in order to develop in wetlands, floodplains and forests,. This bypasses a Conservation Authority's science-based permitting process and makes permitting political which does not serve to protect significant habitats important in drinking water safely and in flood control.

The proposed legislation allows the Minister to over-rule the decisions of Conservation Authorities, undermining their ability to make non-political, technical decisions based on science.

The proposed legislation, Bill 229, Schedule 6, endangers the natural habitats and water resources within the jurisdiction of a CA, putting in jeopardy its ability to manage the impacts of flooding and other natural hazards and to ensure safe drinking water. In turn the health and wellbeing of citizens is also jeopardized. For these reasons, as stated above, we call on the provincial government to withdraw Schedule 6 from the Bill 229 Budget Bill.

Schedule 8

The proposed legislation, Schedule 8 increases the risk of biodiversity loss which has been ranked as one of the top-five risks to economies over the next decade, according to the Auditor General's Annual Report, 2020.

Forestry operations will be exempted from the consideration of species-at-risk protection and recovery as currently mandated by the Endangered Species Act, 2007. The Minister would no longer have the ability to issue stop work orders when there is imminent danger to an at-risk species. Therefore, there remains no mechanism to protect vulnerable species and habitats.

For this reason, Schedule 8 of the Budget Bill 229 should be removed.