

Standing Committee on Finance and Economic Affairs 99 Wellesley Street West
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Attn: Amarjot Sandhu, MPP, Chair: amarjot.sandhu@pc.ola.org Julia Douglas, Clerk:
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CC: Hon. Rod Phillips, Minister of Finance: rod.phillipsco@pc.ola.org Hon. Doug Ford,
Premier of Ontario: comm-financeaffairs@ola.org

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

As a concerned private citizen I respectfully ask that:

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and consequential amendments) and Schedule 8 (proposed changes to the Crown Forest Sustainability Act, 1994) both be withdrawn in their entirety from Bill 229.

I was dismayed to learn from the Canadian Environmental Law Association's submission to your committee that The Auditor General found: "In April 2020, the Environment Ministry used a regulation to suspend the operation of the public consultation requirements of the Environmental Bill of Rights Act to allow the government to act quickly to address issues arising from the COVID-19 emergency. The regulation exempted all proposals from the EBR Act public consultation requirements, even if they were not related to COVID-19. As a result of this broad exemption, members of the public lost their right to seek leave to appeal ministries' decisions on 197 environmentally significant permits and approvals that were proposed during the ten week exemption period—permits and approvals that, for example, would allow industrial facilities to discharge pollutants to the air and water in Ontario communities—and that were unrelated to COVID-19." Office of the Auditor General of Ontario, Annual Report, *Operation of the Environmental Bill of Rights (2020)*, Chapter 1, November 2020. See

<https://www.auditor.on.ca/en/content/annualreports/arbyyear/ar2020.html>.

It seems that you are using the same mechanism in this bill to reduce public consultations and to reduce or obliterate effective environmental protection to forests, wildlife species, ecological watershed management and to ignore the involvement of indigenous communities.

I ask that you remove Schedule 6, proposed changes to the *Conservation Authorities Act* and consequential amendments entirely from Bill 229. Narrowing the duties of conservation authorities members and narrowing the objects and powers of

conservation authorities themselves are counter to the watershed approach needed to build climate resilient communities for the future.

Building climate resilience is crucially important for Ontario, especially now. Yet much of the detail, particularly in relation to setting out the scope of programs and services, any standards and requirements, and other important matters, are left to the development of future regulations and provide no guarantee of environmental and human safety.

I also oppose the entirety of Schedule 8 and ask for its withdrawal from Bill 229. I understand that The *Crown Forest Sustainability Act, 1994* (CFSA) applies to approximately two thirds of Ontario's land base, which is home to numerous species at risk and their habitat. Because of the Act's application to the majority of Ontario, the rollbacks proposed in Schedule 8 are significant and objectionable to the public interest. If enacted, Schedule 8 will oust the protection for endangered species, contained in the *Endangered Species Act, 2007* and not replicated in the CFSA, from most of the Ontario landscape. I and many other groups oppose this action.

Read in conjunction with the province's commitment to double logging in public forests⁰ and permanently exempt forestry from environmental assessment,¹ Schedule 8 unravels what few legal mechanisms remained that prioritize conservation and protect natural areas in response to the biodiversity crisis.

As noted in the Auditor General's 2020 Annual Report, biodiversity loss has been ranked as a top-five risk—by likelihood and impact—to economies over the next decade. And this should be where governments put their priorities.

I strongly recommend that Schedule 6 (proposed changes to the Conservation Authorities Act and consequential amendments) and Schedule 8 (proposed changes to the Crown Forest Sustainability Act, 1994) be withdrawn in their entirety from Bill 229.

Sincerely,

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⁰ Ontario has committed "to unleash the full potential of this important industry," see online; <https://www.ontario.ca/page/ontarios-forest-sector-strategy>

¹ See ERO decision notice "Proposed amendments to General Regulation 334 under the Environmental Assessment Act to remove Regulatory Duplication of Forest Management requirements in Ontario" (June

30, 2020), <https://ero.ontario.ca/notice/019-0961>; see also CELA's blog, "Exemption of forestry from the Environmental Assessment Act sets a bad precedent," (13 July 2020) online: <https://cela.ca/exemption-of-forestry-from-the-environmental-assessment-act-sets-a-bad-precedent>