

Dear MPP/Honourable,

Planet Earth is a shared home for humans and millions of other species, and our fates and well-being are interdependent. Yet, as a result of unsustainable human activity, we are now in the throes of the largest mass extinction since the disappearance of the dinosaurs more than 65 million years ago. In response to this crisis of biodiversity loss, the Government of Ontario passed a new Endangered Species Act (ESA) in 2007, with support from all parties (only five dissenting votes). Deemed to be a gold standard in species at risk legislation at the time, this law is now under review.

We, the undersigned, are reaching out to all MPPs to urge you to uphold the spirit and intent of the ESA as well as its focus on demonstrable benefit to species, and to ensure that it is not weakened during the ongoing review.

We note, with deep concern, that environmental protection rollbacks – making it easier for industry and development proponents to proceed with activities that harm species at risk and their habitats – appear to be the overall focus and intent of the options put forward for consideration in the government’s discussion paper. Reassuring statements that the review is intended to “improve protections,” “improve effectiveness” and provide “stringent protections” are misleading given the changes under consideration. These include options that would undermine the very cornerstones of the law: science-based listing (including Indigenous Traditional Knowledge), mandatory habitat protection, and legislated timelines for planning and reporting. Proposals to “increase efficiencies” and “streamline approvals” consist of weakening automatic protections for species-at-risk and their habitats, simplifying requirements for industry permits and exemptions to undertake harmful activities, and extending or removing legislated timelines for planning and reporting. They have nothing to do with advancing species recovery, which in most cases requires habitat protection and restoration, and everything to do with allowing private business interests to override those of Ontario’s most vulnerable plants and animals.

While there have been challenges in administering the ESA, these are the result of poor government implementation, not the law itself. In her 2017 environmental protection report, the Environmental Commissioner of Ontario provided a detailed analysis of this implementation and concluded that the Ministry of Natural Resources and Forestry had “utterly failed to implement the law effectively” (p. 248). Inadequate notifications and unreasonable delays in processing permits, common complaints of industry, are examples of issues that should be addressed through improved implementation. No amendments to the statute are necessary.

Indeed, when the act has been applied properly, species and their habitats have been protected and development has proceeded. A good example can be found in the upgrading of Highway 69/400 corridor where a four-lane highway replaced a dangerous two-lane one. As part of the ESA permit requirements for this road, fencing and wildlife under and overpasses were constructed. The overall result is lowered risk to endangered species and drivers. Clearly, we can protect species and have sustainable economic development.

There are limits to the Earth's capacity to sustain human activity. We must recognize these limits and manage human activities with respect for all life, so that all species can thrive and none is driven towards extinction. All humans share this responsibility.

The very presence of species at risk in Ontario underlines the need to change our approaches to using and managing our lands and waters. We ask that you keep the fate of our most threatened plants and animals foremost in your thoughts during the ESA review. Their persistence and recovery are integral to the health, well-being and long-term economic prosperity of the people of Ontario.

Sincerely,

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Director of Conservation & Education
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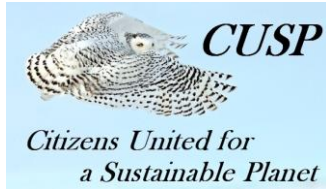
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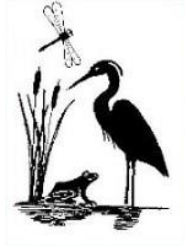
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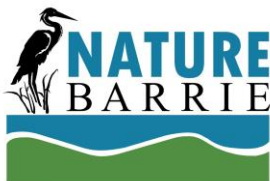
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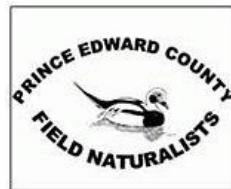
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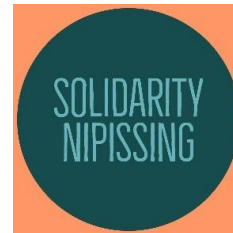
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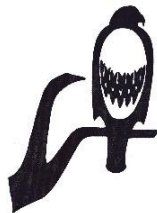
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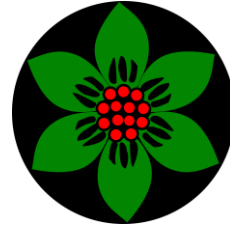
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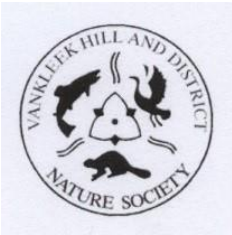
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