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LEGAL ANALYSIS OF SCHEDULE 5 OF ONTARIO BILL 108 "MORE HOMES, MORE CHOICES ACT, 2019"

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ABSTRACT: *Schedule 5 of Ontario's Bill 108 proposes to amend the Endangered Species Act, 2007. If enacted, these amendments will result in the delay of new at-risk species being classified and listed on the Species at Risk in Ontario List, the removal of requirements to consult with experts, and impediments to the public transparency of plans and agreements regarding at-risk species. In addition, Schedule 5 introduces new mechanisms for authorizing exemptions to the Act's core prohibitions of killing and harming threatened and endangered species, and their habitats. This analysis[1] reviews Schedule 5 and identifies various adverse legal consequences if this Schedule is enacted. In order to safeguard species at risk, the author concludes that Schedule 5 of Bill 108 should be immediately abandoned or withdrawn by the Ontario government.*

PART I - INTRODUCTION

On May 2, 2019, the Ontario government introduced Bill 108 (the proposed *More Homes, More Choice Act, 2019*) for First Reading.[2] If enacted, Bill 108 amends various provincial statutes, including the *Endangered Species Act, 2007* ("*ESA*").[3]

The changes to the *ESA* proposed in Schedule 5 of Bill 108 introduce processes which will delay the classification of species not currently listed on the Species At Risk in Ontario ("SARO") List (O Reg 230/08) and delay their automatic protection upon being listed; broaden Ministerial decision-making powers absent a requirement to seek expert advice; and, limit the public accessibility and transparency of agreements made under the *Act*.[4]

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[1] This analysis provides general legal information about Schedule 5 of Bill 108, and should not be construed or relied upon as legal advice.
[2] Bill 108, *An Act to amend various statutes with respect to housing, other development and various other matters*, 1st Sess, 42nd Parl, Ontario, 2019, Schedule 5, online: : https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-108 **[Schedule 5]**
[3] The *Endangered Species Act, 2007*, SO 2007, c 6 **[*ESA*]**
[4] *See* Environmental Registry of Ontario, "10th Year Review of Ontario's Endangered Species Act: Proposed Changes," online: https://ero.ontario.ca/notice/013-5033 **[Notice]**

Schedule 5 also proposes to establish a new Agency to oversee a Conservation Fund and introduce a new form of agreement, known as a Landscape Agreement, which will allow otherwise prohibited activities to occur within a defined geographic area.

The purpose of this analysis by CELA is to examine the adverse legal consequences and its implications for at-risk species in Ontario. CELA's more detailed analysis of the Bill will be provided to the Ontario government during the public comment period on the proposed legislation.[5]

For the reasons outlined below, CELA concludes that Schedule 5 of Bill 108 is inconsistent with the core purposes and values of the *ESA*, which was intended to prioritize the protection and recovery of at-risk species.

Accordingly, CELA strongly recommends that Schedule 5 be immediately abandoned or withdrawn by the Ontario government.

PART II – REVIEWING THE PURPOSES OF AND NEED FOR THE *ESA*

In order to understand the nature, scope and significance of Schedule 5 of Bill 108, it is instructive to briefly review the historical and legislative context of the *ESA.*

(a) Revising ESA law in Ontario – Addressing a Biodiversity Tragedy

The coming into force of Ontario's current *ESA* law represented a significant improvement over the Province's original *Endangered Species Act*, enacted in 1971. The new *ESA* mandated a science-based approach to listing species protected under the law, required timely preparation of recovery strategies, and automatically protected the habitat of endangered and threatened species. It also offered flexibility to landowners and development proponents by allowing them to apply for permits for activities that might harm an at-risk species or its habitat under certain conditions, while raising the standard of protection from simply doing less harm to actually benefiting species.

However, since coming into force in 2008, various exemptions through regulation were granted to various activities, including development, infrastructure, pit and quarry and hydro projects. The forestry industry has been granted multiple exemptions from the rules against harm to species and their habitats. In 2013, sweeping regulatory exemptions were introduced that further weakened the implementation of the *Act*. In particular, permit-to-rule provisions were included for many activities that are impacting species at risk (including energy transmission, oil and gas pipelines, mineral exploration and mine development) and a further time-limited exemption for forestry was added.

(b) Findings and Recommendations of the Endangered Species Act Review Advisory Panel

Recognizing that Ontario's *ESA* and associated programs had not accomplished the goals of recovering extirpated, endangered, threatened and species of special concern, Ontario sought to put in place a new law

[5] *Notice, supra* note 4

which was reflective of 'best practices' and enabled on-the-ground-effectiveness. As part of this commitment, Ontario's Minister of Natural Resources established the Endangered Species Act Review Advisory Panel in April 2006.

In 2006, the Advisory Panel released their report which made a number of recommendations aimed at ESA 'best practices,' including:[6]

- Ensuring the expert and independent status of Committee on the Status of Species at Risk in Ontario (COSSARO) and its members

- Prohibiting killing, harassing, capturing, taking, possessing, collecting, buying, selling, trading a listed endangered, threatened or extirpated species, or attempts to do so

- Prohibiting damage, destruction, interference with the habitat of such species, or attempts to do so

- Streamlining provisions for Ministry-issued agreements and instruments for activities whose purpose was to assist species

- Clear constraints on the use of agreements and instruments, such that they could only be used when there was an overall benefit to the species

- Prescribed timelines to ensure the timely preparation and implementation of recovery action plans and their currency

(c) Purposes and Provisions of the ESA

The overall purposes of the *ESA* are to identify and protect at-risk species and their habitat and promote stewardship activities that assist in their recovery.[7]

"Habitat" is defined as the area in which the species directly or indirectly depends, for life and its processes, including reproduction, rearing, hibernation, migration and feeding.[8]

At-risk species are classified into the categories of extinct, extirpated, endangered, threatened and of special concern and defined as follows[9]:

> A species shall be classified as an extinct species if it no longer lives anywhere in the world.
>
> A species shall be classified as an extirpated species if it lives somewhere in the world, lived at one time in the wild in Ontario, but no longer lives in the wild in Ontario.

[6] Endangered Species Act Review Advisory Panel, "Report of the Endangered Species Act Review Advisory Panel: Recommendations for Ontario's New Endangered Species Act" (2006) **[Advisory Panel Report]**
[7] *ESA*, s 1
[8] *Ibid*, s 2(1)
[9] *Ibid*, s 5

> A species shall be classified as an endangered species if it lives in the wild in Ontario but is facing imminent extinction or extirpation.
>
> A species shall be classified as a threatened species if it lives in the wild in Ontario, is not endangered, but is likely to become endangered if steps are not taken to address factors threatening to lead to its extinction or extirpation.
>
> A species shall be classified as a special concern species if it lives in the wild in Ontario, is not endangered or threatened, but may become threatened or endangered because of a combination of biological characteristics and identified threats (emphasis added).

The *Act* seeks to achieve its purposes by prohibiting the killing, harming and harassing of a species listed on the SARO List, and preventing acts which damage or destroy their habitat.[10] It also requires the preparation of recovery strategies for all endangered and threatened species within one year of species being listed as endangered, or two for those listed as threatened.[11] Within nine months of the recovery strategy being prepared, the Minister is obligated to publish its response and accompanying actions it intends to undertake.[12] Within five years of this statement, the Minister is required to conduct a review of the progress towards the protection and recovery of the species.[13]

Despite the *Act's* instruments aimed at accomplishing the protection and recovery of endangered and threatened species, a regulation of the *ESA* has exempted numerous species- and sector-specific activities from its scope,[14] including:

- Hunting and trapping of the Algonquin wolf
- Hunting of the Northern bobwhite
- Killing or harming the eastern meadowlark or bobolink caused by farming
- Forestry operations on Crown land
- Early exploration mining activities
- Aggregate operations, pits and quarries
- Work undertaken to meet safety standards (i.e. brushing of transmission line corridors)

[10] *Ibid*, ss 9 - 10
[11] *Ibid*, s 11(4)
[12] *Ibid*, s 11(8)
[13] *Ibid*, s 11(11)
[14] O Reg 242/08: General under *Endangered Species Act, 2007*, SO 2007 c 6

CELA notes that the Environment Commission of Ontario's special report to the Legislative Assembly reviewing the effectiveness of the *ESA* found that collectively, exempting major activities known to negatively impacts species at risk and their habitat removed "key safeguards" that formed the "backbone of the *ESA*".[15]

In addition to these exemptions, the *ESA* also includes an authorization process that allows the Minister to issue a permit to a person, allowing them to engage in activities otherwise prohibited in the *Act* (ie. killing or harming threatened or endangered species or damaging, destroying their habitat). In granting these permits, the Minster is required to consider a number of environmental and socio-economic factors and if needed, include conditions with the permit in order to mitigate adverse affects.[16] Crucially, if an authorized activity is not going to aid in the protection or recovery of a species at risk, the permit requires either an overall benefit to the species[17] or Cabinet approval.[18]

Unlike the enumerated exemptions in the *ESA* regulation, subsequent to granting authorizations, the Minister retains the power to revoke or amend their terms should they be of the opinion that a revocation or amendment is necessary to prevent jeopardizing the survival or recovery of the species specified in the permit. This option does not exist for instruments issued under section 18 of the *Act* or the activities covered by O Reg 242/08, listed above.

PART III - ANALYSIS OF SCHEDULE 5, BILL 108

(a) Schedule 5's Proposed Amendments to the ESA

When Bill 108 was first introduced, the Ontario government repeated its desire for a plan that will "reduce red tape."[19] This framing was also evidenced in the language used in the province's 10th Year Review of Ontario's Endangered Species Act: Discussion Paper (herein, "Discussion Paper") and the Environmental Registry Notice (dated April 18, 2019) proposing legislative changes to the *Act*.[20]

While the Discussion Paper emphasized upholding the *ESA's* intent of protecting and enabling the recovery of species at risk in Ontario, the Environmental Registry Notice and the proposed amendments noted in Schedule 5 of Bill 108 will result in undermining the *Act's* fundamental purposes – namely, the protection and recovery of species at risk.

Schedule 5 makes the following proposed amendments to the *Act*:

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[15] Environmental Commissioner of Ontario, "Laying Siege to the Last Line of Defence: A Review of Ontario's Weakened Protections for Species at Risk," (2013), online: http://docs.assets.eco.on.ca/reports/special-reports/2013/2013-Laying-Siege-to-ESA.pdf, 6
[16] *ESA*, s 17
[17] *Ibid*, s 17(1)(c)
[18] *Ibid*, s 17(1)(d)
[19] *See* https://www.ola.org/en/legislative-business/house-documents/parliament-42/session-1/2019-05-02/hansard#para1032
[20] *Notice*, *supra* note 4**;** Ministry of Environment, Conservation and Parks, 10th Year Review of Ontario's Endangered Species Act: Discussion Paper (2019), online: https://prod-environmental-registry.s3.amazonaws.com/2019-01/ESA-10thYrReviewDiscussionPaper.pdf **[Discussion Paper]**

- Introduces processes which will delay the classification of species not currently listed on the SARO List and their automatic protection (see Section B)

- Broadens Ministerial decision-making powers absent a requirement to seek expert advice (see Section C)

- Limits the public accessibility and transparency of agreements made under the *Act* (see Section D)

- Introduces new provisions regarding Landscape Agreements (see Section E) and conservation funding (see Sections F and G)

- Introduces the potential for new regulations under the *Act* (see Section H) and amends the classes of persons able to enforce the *Act* (see Section G)

(b) Delaying the Classification of Species and Barring Automatic Protections

The Committee on the Status of Species at Risk in Ontario (COSSARO) oversees the classification of species at risk in Ontario. Currently, the *Act* requires COSSARO's listing of species be based on the "best available scientific information."[21] However, Schedule 5 broadens the criteria informing the designation of at-risk species, now requiring COSSARO's review to include the species' status across its "biologically relevant geographic range" - which may be within or external to Ontario.[22]

Schedule 5 also extends the time between the Minister's receipt of a COSSARO report classifying or reclassifying a species, and the species' listing on the SARO List. Currently, listing is to occur within three months[23] while Schedule 5 proposes a new timeframe of 12 months.[24] And, for species that are not currently on the SARO List, the Minister is given a new power of triggering a reconsideration of classification and sending the matter back to COSSARO for a second review. At a date 'no later than that specified' by the Minister (but not expressly set out in Schedule 5), the second report must be completed by COSSARO and sent back to the Minister.[25] Following a decision to list a new species, the Minister has an additional new power, allowing them to temporarily suspend the species' listing, thereby exempting it from the protections of killing, harming and destroying habitat provided in sections 9 and 10 of the *ESA.*[26]

This means that for species not currently listed, upon the issuance of COSSARO's report to the Minister recommending their listing, the Minister can send it back for reconsideration. There is no specified timeline and thus hypothetically, months or years could pass without a second report being provided to the Minister.

[21] *ESA*, s 5(3)
[22] Schedule 5, proposed subsection 5(4)
[23] *ESA*, s 7(4)
[24] Schedule 5, proposed subsection 7(4)
[25] *Ibid*, proposed subsection 8(3)
[26] *Ibid*, proposed section 8.1

Upon receipt of the second report, the Minister then has 12 months to file an amendment to the SARO List regulation to reflect the addition of the new species.

In addition to this revised listing process, two additional mechanisms are proposed which would halt the automatic protections which would normally apply to a listed species. As proposed in section 8.1, the Minister may pause protection for species who have not previously been listed for a period of up to three years.[27] The proposed section 8.2 further provides that persons who have been granted authorizations to undertake actions which would otherwise be contrary to the purposes of the *Act* prior to the listing of new species, are not required to abide by the *Act's* prohibitions for a period of one year, following the listing of the species.[28]

Schedule 5 also adds an exemption to the current *ESA* requirement that within 9 months of a recovery strategy or management plan being prepared, the Minister must publish a statement of actions it intends to take in response.[29] Schedule 5 introduces section 12.1 which provides the Minister the ability to exceed the 9 months should they state (1) that they need additional time and (2) provide a estimated completion date.[30] Neither factor has prescribed time limits.

Also, while the *ESA* currently specifies that within 5 years of government's response to a recovery strategy, it must review the progress towards the protection and recovery of the species,[31] Schedule 5 adds a workaround to the 5 year rule, providing an alternative timeframe of a "time specified in the government response statement."[32] As drafted, Schedule 5 does not clearly indicate to what extent this timeframe may exceed the default 5 year review period.

In our view, when read together, these amendments will prevent or significantly delay the addition of new species to the SARO List. Because of the numerous ways in which the Minister can pause automatic protections or send back a species' classification to COSSARO for review (without a deadline for its reconsideration), the proposed amendments will effectively bar new species from being added to the SARO List.

Any changes to the *ESA* which lengthen the timeline for species assessment and listing should not be permitted for the express reason that it may cause further declines to their population, and threaten their survival or recovery. Furthermore, without set timelines (i.e. within three months or one year), Schedule 5 legalizes delay and allows varying standards to be adopted, on a decision-making basis that is not transparent.

When the *ESA* was passed in 2007, there were 182 species on SARO List - six of which were already extinct.[33] The list has since grown to encompass nearly 250 extirpated, endangered, threatened and special

[27] *Ibid*, proposed subsection 8.1(5)(b)
[28] *Ibid*, proposed section 8.2
[29] *ESA*, s 11(8), 12(5)
[30] Schedule 5, proposed subsection 12.1(4)
[31] *ESA*, s 11(11)
[32] Schedule 5, proposed subsection 12.2(2)a)
[33] Advisory Panel Report, *supra* note 6, 1

concern species. Therefore, a Bill which introduces provisions which effectively bars new species being added to the SARO List is incongruous with the reality that an increasing number of species face threats to their survival and require the protections provided by the *ESA.*

(c) Lessening Reliance on Expertise and Enhancing Ministerial Discretion

In numerous instances, Schedule 5 increases Ministerial discretion. For instance, formerly the Minister could require the reconsideration of a species listed as at-risk should there be credible scientific evidence that the classification "is not appropriate."[34] Now, the Minister may trigger the reconsideration of a listed species in instances where the classification "may not be appropriate."[35]

As discussed in Section E below, the Minister is also able to enter into agreements with persons, to allow for otherwise prohibited activities, so long as the survival or recovery of a threatened or endangered species is not jeopardized.[36] There is no requirement that prior to entering into such an agreement that the Minister consult with an expert.

Similarly, Schedule 5 proposes to amend the *Act* requiring the Minister to consider whether a proposed regulation is likely to jeopardize the survival of a listed species. Currently, the *ESA* requires the Minister to seek "consultation with a person who is considered by the Minister to be an expert on the possible effects of the proposed regulation."[37] Removing the requirement for the Minister to consult with an expert in the field undermines the credibility and rigour of their decision. Schedule 5's reliance on the standard that an activity 'not jeopardize the survival or recovery of species at risk' is also a lower standard than ensuring the activity has an 'overall benefit' to species at risk.

A new provision in Schedule 5 also allows the Minister to establish codes of practice, standards or guidelines regarding any listed species.[38] Schedule 5 permits the Minister or Cabinet to incorporate by reference any of these documents into regulation.[39] While this would trigger the enforcement mechanisms of the *Act*, whereby "any provision of the regulations" falls within its scope, it is not clear to what extent otherwise unenforceable guidance documents will be incorporated by reference into the *Act*.

In our view, these proposed amendments will increase the discretionary decision-making power of the Minister absent a prerequisite of seeking expert advice. Read together, these provisions increase the ambiguity of the Schedule 5's terms. While Schedule 5 envisions incorporating guidance documents by reference into the regulations, the extent to which this will occur is unknown, thereby limiting their enforceability.

[34] *ESA*, s 8(2)
[35] Schedule 5, proposed subsection 6(1)
[36] *Ibid*, proposed subsection 16.1(3)(i)
[37] *ESA*, s 57(1).
[38] Schedule 5, proposed section 48.1
[39] *Ibid*, proposed section 58

(d) Limiting Transparency and Public Accessibility

In a number of instances, Schedule 5 substitutes the requirement that publications be posted on the "environmental registry established under the *Environmental Bill of Rights, 1993,"* with "a website maintained by the Government of Ontario.[40]

In our view, this diminishes the public's right to know. Ensuring the public's right to know increases the transparency and accountability of decision-makers and by requiring the disclosure of information, increases its accessibility. The Environmental Registry is a well-established portal for achieving this purpose. Creating a patchwork of websites where notices and information may be posted in related to at-risk species does not increase their public accessibility.

The principles of natural justice require that every person have adequate notice before a decision is made which may negatively affect them. This requires good faith efforts by the government to make the notice accessible. The *Environmental Bill of Rights, 1993* already provides this framework and absent any rationale while it has failed in this regard, substitutes to the Environmental Registry should not be permitted.

(e) New to the Act - Landscape Agreements

As was first posed in the *ESA*'s 10th year review Discussion Paper, the province has sought to advance a landscape approach rather than a species-specific approach to improving outcomes for species at risk. In this regard, Schedule 5 introduces a new form of authorization, termed "landscape agreements", thereby exempting activities which would otherwise be prohibited under the *Act*.

As detailed in the proposed section 16.1 of Schedule 5, a landscape agreement may be entered in to, to permit otherwise prohibited activities within a certain geographic area. The agreement requires that actions be in included in its terms which will assist in the protection of 'one or more' listed species within the landscape's defined range.

This new form of exemption to the *Act's* prohibitions also introduces two new definitions,[41] as follows:

> "benefiting species" means species that are listed on the Species at Risk in Ontario List as endangered, threatened or special concern species and that are specified in a landscape agreement as species in respect of which beneficial actions will be executed to assist in their protection or recovery
>
> "impacted species" means species that are listed on the Species at Risk in Ontario List as endangered or threatened species and that are specified in a landscape agreement as species in respect of which authorized activities may be carried out despite being otherwise prohibited in respect of the species under section 9 or 10.

[40] *Ibid*, proposed subsections 12(4), 12.1(2)
[41] *Ibid*, proposed subsection 16(10)

Accordingly, the Minister may only enter into a landscape agreement should it be of benefit to one or more impacted species. The test the Minister must meet in deciding whether or not to enter into a landscape agreement is whether the survival or recovery of an impacted species under the agreement is jeopardized. The provision is silent as to whether all impacted species within the geographic scope of the agreement will be considered. Schedule 5 contemplates this will be set out in regulation.[42] The provision is also silent on the basis upon which the Minister will gauge the "jeopardy" of the species.

(f) Amendments to Authorizations

The controversial authorizations enabled in sections 17 and 18 of the *ESA* which allow the Minister to issue to a permit or instrument to a person, allowing them to engage in otherwise prohibited activities, remains in the text of Schedule 5.

Section 17 of the *ESA* has been amended to include the proviso that a person in receipt of an authorization may be required to pay a conservation change to the Conservation Fund (as detailed in Section G below) as a condition of a permit.[43] It has also been amended such that proponents seeking permits under section 17(2)(c) and (d) need only take steps to minimize adverse effects on the affected species in general. Proponents are no longer required to take steps to minimize adverse effects on *individual* members of species.

(g) New to the Act - The Conservation Fund

Section 20.1 of Schedule 5 establishes the Species at Risk Conservation Fund (the "Conservation Fund"), with the purpose of providing funding for activities that are reasonably likely to protect or advance species recovery. The Conservation Fund does not apply to all listed species, rather only those the Minister designates by regulation as "conservation fund species."[44] The text is otherwise silent on the criteria the Minister will apply in designating species as conversation fund species and upon what basis their classification as such may change. The Minister may also establish guidelines that set out eligible activities and species to receive funding.[45]

Monies into the fund will primarily arise as a result of:

- Landscape agreements
- Permits authorizing acts otherwise contrary to the prohibitions of the *Act*
- Agreements with Aboriginal persons

The Conservation Fund is to be used to abate or reverse population declines; increase the viability or resilience of a species; increase a species' distribution within their range; or, increase of reproductively-capable individuals.[46] However, as 'conservation fund species' are not yet listed (and instead, to be set out

[42] *Ibid*, proposed subsection 56(1)(c)(iii)
[43] *Ibid*, proposed subsections 17(5)(d.1); 18(2)(d)
[44] *Ibid*, proposed sections 108; 20.1(2)
[45] *Ibid*, proposed subsection 20.8(2)
[46] *Ibid*, proposed section 20.7

in regulation), it is presently unknown to what extent the Fund will assist in alleviating threats to species and their recovery.

Schedule 5 also seeks to make the Agency overseeing the fund immune from liability noting "no proceeding shall be commenced against the Crown in respect of any act or omission of the Agency."[47]

(h) Amendments to ESA Regulations

Schedule 5 introduces new regulation making powers pertaining to the submission of documents from proponents seeking authorizations,[48] landscape agreements[49] and the Conservation Fund.[50] As previously indicated, much of the detail pertaining to these new provisions will be set out in regulation. Therefore, the legal effect of the *Act's* new provisions depends almost entirely on future regulations.

Currently under the *ESA*, proponents are not required to submit their mitigation plans. Schedule 5 amends this process allowing that regulations to be made requiring proponents to submit any documents, data, reports by electronic means to the Minister.[51] However, there is no accompanying provision requiring that these mitigation plans and data be made publicly available.

In our view, proponents should be required to automatically submit mitigation plans so that they are publicly available in order to further the public's right to know, and facilitate the public's oversight of proponent activities.

Schedule 5 also proposes new regulation making powers for the "criteria for entering into a landscape agreement," the designation of "conservation fund species," and the manner in which the amount of "species conservation charges" and the timing for such payments will be made.[52]

(g) Enforcement

Schedule 5 amends the enforcement officers under the *Act*, removing conservation officers and park wardens and only listing any persons or classes of persons as enforcement officers for the purposes of the *Act*.[53] The Bill expands the scope of enforcement to include "any provision of the regulations" as an offence under the *Act*.[54]

Again, due to the sweeping exemptions permitted by the *Act*, and activities which are yet to seek exemptions through Schedule 5's various authorization processes, enforcement will be of extremely limited value to protecting species at risk and their habitat from harm.

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[47] *Ibid*, proposed subsection 20.18(1)
[48] *Ibid*, proposed subsections 108; 55(1)(g)
[49] *Ibid*, proposed subsections 108; 56(1)(c)
[50] *Ibid*, proposed sections 20.1 – 20.18
[51] *Ibid*, proposed subsection 55(1)(g)
[52] *Ibid*, proposed subsections 56(1)
[53] *Ibid*, proposed section 21
[54] *Ibid*, proposed subsection 36(1)5

PART IV – CONCLUSIONS

For the foregoing reasons, CELA concludes that Schedule 5 of Bill 108 represents an unjustified rollback of species protection and recovery actions.

In our view, these amendments will result in the status quo of habitat loss and degradation being upheld. Protecting the environment and Ontario's biodiversity requires directing and encouraging economic growth towards less damaging practices. Without timely and meaningful protection and restoration actions through provincial endangered species law, these species will be lost.

May 8, 2019.