

November 25, 2019

André Martin
Compliance, Planning and Spills Action Centre
135 St. Clair Ave. West, 8th Floor
Toronto, ON M4V 1P5

Dear Mr. Martin:

Re: Proposed legislative amendments to the *Nutrient Management Act, 2002*.

Regarding the proposed amendments to Section 40 of the Nutrient Management Act, Egg Farmers of Ontario (EFO) support and understand the need for appropriate compliance and enforcement tools. We would encourage the province to take into account the current compliance and enforcement tools before implementing the use of Administrative Monetary Penalties (AMP's) under the Nutrient Management Act.

Re: proposed Section 40 (2) expanding the authority to issue Administrative Monetary Penalties to the Director and Provincial Officers.: The overlap that may exist should provincial officers have the authority to issue AMP's will not benefit farmers or the Province. EFO would request an amendment to be consistent with the current Section 40 (1).

EFO does not currently understand how the amendments to Section 40 of the NMA are beneficial to the Province or fair and reasonable to farmers. AMP's should not apply to Compliance Category 1 situations as defined in the Informed Judgment Matrix i.e. farmers following OMAFRA's best management practices with a good compliance history with no previous related violations.

EFO believes clear operational guidelines should be determined including the option of negotiating solutions before an AMP is issued. In the case where an AMP is issued, the amount should be proportional to the direct risk to the environment.

Regards,



Scott Graham, Chair
Egg Farmers of Ontario
