



Forest Gene Conservation Association (FGCA)

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Ministry of the Environment, Conservation and Parks
Species at Risk Branch
135 St. Clair Avenue West, 1st Floor
Toronto, ON M4V 1P5

RE: ERO #025-0380 – Proposed Changes to the Endangered Species Act

To Whom It May Concern,

The Forest Gene Conservation Association (FGCA) appreciates the opportunity to provide comment on ERO #025-0380 regarding the proposed changes to Ontario's Endangered Species Act (ESA). As a not-for-profit organization with 28 years of experience and success in species recovery, particularly with high-profile tree species at risk (SAR) such as Butternut and Black Ash, we feel compelled to express both our concerns and our recommendations.

1. The Value of Tree Species at Risk to Ontario

Ontario holds some of the richest biodiversity in Canada. Species like Butternut, Black Ash and American Chestnut are emblematic of our forests and are being monitored closely by communities, scientists, Indigenous partners, and conservation professionals. Removing protections or redefining habitat in oversimplified terms (e.g., reducing it to only the root zone) disregards established ecological science. Tree SAR requires more than intact root zones—they need access to neighboring populations for gene flow and viable reproduction.

2. On Efficiency and Project Timelines

While we support streamlining permit processes, prioritizing speed at the cost of science risks irreversible ecological damage. The FGCA routinely provides information to support on-the-ground (Overall Benefit (OB)) activities within one business day. We respond rapidly, operate cost-efficiently, and **deliver results** aligned with provincial and federal recovery goals. Efficiency and effectiveness can go hand in hand when working with the FGCA and our partners.

A "registration first" model that permits habitat disturbance without advanced notification or scientific vetting will compromise our critical gene conservation work, especially where potentially tolerant, resistant or lingering individuals (post insect infestation) are concerned. This undermines the potential for long-term species recovery, particularly for tree SAR.

3. Economic and Employment Contributions

FGCA supports 15 direct full-time and part-time positions and sustains an additional 15 through contracts and partnerships. These are skilled, environmentally-focused roles supporting local economies and Ontario's green infrastructure. The proposed changes put these jobs and their specialized skill sets and the ecological outcomes they support for current and future SAR- at risk.

4. Voluntary Initiatives and the Role of Government

"Voluntary initiatives" cannot replace robust, science-driven conservation. Restoration is the *final phase* of a recovery process, not its foundation. Effective conservation requires maintaining and augmenting species in their natural habitats, informed by evidence and enforced by law.

Removing requirements for recovery strategies, response statements, and review processes reduces accountability and action. These tools are essential for transparent governance and public trust. It also ensures those delivering on conservation are delivering on effective conservation.

5. Species Conservation Action Agency (SCAA) Wind-down

FGCA is deeply concerned by the proposed wind-down of the SCAA. We submitted a funding proposal in April 2025 to support effective conservation for butternut over three years, funding that was long expected. We urge the Ministry to provide a full accounting of the administrative costs spent on establishing this agency and clarity on the unspent funds. These funds should be redirected **immediately** to qualified conservation organizations like the FGCA that have experienced financial strain while continuing to support SAR, due to the delay of fund dispersal.

The Ministry must expedite the spending of Conservation Funds to our organization to implement critical provincial conservation efforts. We cannot afford any more delays, including the slow development of a program. Mobilizing the funding acquired to date must be prioritized.

6. Recommendations for Improvement

To enhance the logistical and cost effectiveness, fairness, and scientific integrity, we recommend:

- Ensuring that **registration processes** do not prevent ex-situ conservation and gene banking of tolerant individuals.

- If critical **habitat for tree SAR** will no longer be protected, it is imperative that DNA be collected through ex-situ gene conservation activities to conserve and improve the genetic diversity of the species where habitat does exist. This is the case if there will no longer be adjacent trees, pollinator access, and breeding areas for gene flow to resume. Just protecting root zones is not enough.
- Those responsible for **enforcement** for tree species at risk should have significant training in tree biology (e.g. Registered Professional Forester or Certified Arborist) and be required to maintain competence on forest genetics.

To ensure logistical and cost effectiveness, under the Species Conservation Program, the FGCA recommends:

- Establishing a **vetting process** to ensure funding goes to organizations with demonstrated success and credibility in species conservation and recovery, which are long-term challenges.
- Maintaining the requirement for preparation and implementation of recovery strategies and progress reviews to monitor conservation effectiveness.
- Reducing long **funding turnaround times**- which delay and undermine recovery capacity and increase costs. Waiting 3-6 months for funding approval will impact delivery timelines.
- Retaining and establishing **advisory committees** consisting of credible organizations like the FGCA to ensure technical expertise informs decision-making.
- Develop a funding program that takes a holistic approach for long-term and strategic funding instead of a solely project by project approach, this will lead to greater external investment, cost and operational efficiencies.


Closing Comments

The Forest Gene Conservation Association remains firmly opposed to the proposed changes to the Endangered Species Act as outlined in ERO #025-0380. We believe that these changes, if implemented as proposed, will significantly weaken protections for Ontario's species at risk, particularly tree species, by prioritizing administrative expediency over ecological science, recovery planning, and long-term resilience.

That said, our longstanding and successful track record of collaboration with the Province, especially on the conservation and recovery of tree species at risk, demonstrates our commitment to solutions that are both scientifically grounded, economically efficient and operationally practical. **We are ready and willing to inform, guide, and deliver on tree and plant species conservation and recovery efforts.**

FGCA stands ready to work with the Ministry of the Environment, Conservation and Parks to ensure that Ontario's forest genetic resources are not only protected, but restored in a way that supports biodiversity, climate resilience, and community engagement. We urge the Ministry to reconsider its approach, re-engage with the scientific and conservation communities, and invest in those with the demonstrated experience to aid in conservation efforts and deliver results.

Respectfully,



Kerry McLaven

Chief Executive Officer

Forest Gene Conservation Association (www.fgca.net)



The graphic features a dark teal background on the left with the FGCA logo and mission statement. On the right, there are three overlapping images: a close-up of green walnuts, a group of people in a field, and a forest scene. A yellow triangle is also present in the upper right corner of the image area.

FOREST
Gene Conservation
ASSOCIATION

MISSION: TO ENSURE THAT GENETIC DIVERSITY IS MAINTAINED AS THE FOUNDATION OF A RESILIENT FORESTED LANDSCAPE IN ONTARIO

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