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Submission to the ERO
From the [Lennox & Addington Stewardship Council](#)



Schedule 10 of Bill 5 would repeal Ontario's *Endangered Species Act* - ending most meaningful protections for endangered, threatened and special concern species and their habitat. While new legislation, the *Species Conservation Act*, is being presented as a replacement, it would not provide meaningful protection. The vast and sweeping proposed changes will move Ontario away from a science-based approach to protecting species at risk to one that relies on industry and developers' voluntary and discretionary approaches. Significant amendments that will politicize the protection of species at risk include:

- The removal of the mandatory listing of species at risk for the minister to list species identified by an independent committee of experts (the Committee on the Status of Species at Risk Ontario or COSSARO).
- Narrowing the definition of habitat so that the definition excludes a species' habitat for feeding or migration. This will lead to the fragmentation of critical habitat for species at risk, thereby accelerating their disappearance. The bill also suggests that the premier's cabinet can further limit the definition of habitat by regulation (i.e. without having to vote on it in the legislature).
- Removing the requirement for the government to develop a recovery strategy, management plans, response statements or a species' review of progress. By no longer tracking species at risk and removing the requirement for recovery strategies, the Ontario government is effectively removing the onus to ensure conservation programs and initiatives result in species' recovery.
- Removing the prohibition on the harassment of species thereby removing the prohibition on disturbing a species in a way that could disrupt a species' behaviour or life processes.
- Introducing a new approach that relies entirely on a voluntary registry, which will be used at the discretion of industry, as there does not appear to be provisions authorizing mandatory criteria for registration, nor mitigation measures to minimize the harm caused to the species at risk.
- Permitting also becomes completely discretionary—at the behest and whim of the Minister of Environment, Conservation and Parks.

How Will This Affect Ontarians?

- By removing the focus on the species' recovery strategies and programming, the Ontario government is rejecting scientifically sound and globally agreed international protection approaches and targets for biodiversity conservation.
- By no longer tracking species at risk and removing the requirement for recovery strategies, the Ontario government is effectively removing the onus to ensure conservation programs and initiatives result in species' recovery.

- Currently, industry must receive permits to undertake activities that will kill or harm species at risk, whereas in the future they simply have to register their intent to kill or harm species.
- Bill 5 represents a sweeping and unprecedented gutting of the *Endangered Species Act*. By eliminating the act and substituting toothless legislation that relies on voluntary and discretionary measures by major extractive industries and developers, Ontario will accelerate the extirpation and extinction of key species at risk.

Respectfully Submitted,

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Lennox & Addington Stewardship Council