

May 16, 2025

The Honourable Todd McCarthy  
Minister of the Environment, Conservation and Parks  
5th Floor, 777 Bay Street  
Toronto ON M7A 2J3

**Re: [ERO 025-0380](#) - Proposed interim changes to the Endangered Species Act, 2007 and a proposal for the Species Conservation Act, 2025**

Dear Minister McCarthy,

On behalf of the over 100 undersigned organizations, we write to urge your government not to proceed with plans to scrap the *Endangered Species Act, 2007* (ESA) and replace it with the far weaker *Species Conservation Act*. After years of neglect and [incremental cuts](#), endangered species in Ontario urgently need more protections, not less.

### **Ontario Context**

Nationally, Ontario is now an outlier when it comes to preserving nature and biodiversity. After Canada successfully hosted a historic “Deal for Nature” ([The Kunming-Montreal Agreement](#)) in 2022, many provinces stepped up to the plate by committing to new protections, investing in conservation and partnering with Indigenous Peoples. In contrast, Ontario has been [a laggard](#), dragging its heels [on new protected areas](#) and enacting “pay-to-slay” provisions for species at risk to benefit industry. These proposed changes to the ESA represent the latest in a series of measures to eliminate meaningful biodiversity protections in the province.

### **Egregious Provisions in ERO 025-0380**

While this list is far from exhaustive, a number of the proposed measures are notable for their weakening of endangered species protections and potential implications for the rights of Indigenous Peoples. These include:

- i. Redefining “habitat” to just immediate dwellings like dens, nesting sites, or the critical root zone, will remove protections from large areas of habitat upon which species depend for their survival;
- ii. The discretionary listing of species removes an essential independent and science-based assessment process;
- iii. Offloading responsibility for migratory birds and aquatic species to the federal government negates the essential collaboration between both levels of

- government and combined with the weakened definition of habitat in the provincial proposal limits protection for species that are only listed provincially;
- iv. Allowing developers or industry to simply register and then operate without clear conditions or binding requirements removes the province's ability to ensure sustainable operations and avoid adverse impact on endangered species;
  - v. Eliminating recovery strategies makes it nearly impossible to assess, mitigate and avoid harms to species; and
  - vi. The text and preamble of the *Species Conservation Act* creates an impression that it is purely performative and is not intended to prevent the ongoing decline of endangered species in practice.

## Recommendations

Indigenous Peoples' right to free, prior and informed consent (FPIC) is not mentioned anywhere in this proposal. FPIC must be the bedrock of any decisions, policies or legislation impacting the territories of Indigenous Peoples.

We urge you to halt this proposal and instead strengthen the ESA so that species can flourish, communities can benefit from conservation and Indigenous rights are respected. Many provinces across the country are showing how this can be done. That does not mean stopping all development. It means building strong local economies that are in harmony with nature, not in conflict.

In conclusion we urge your government to remember that healthy habitats sustain all Ontarians, not just endangered species. Bulldozing their protections is only going to unleash more problems for future generations.

Sincerely,

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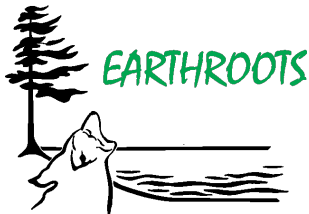
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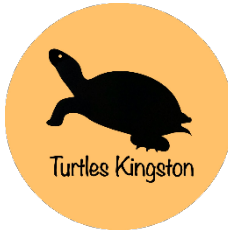
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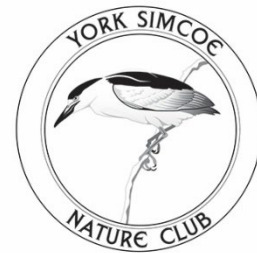
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