

Submission to Environmental Registry of Ontario – ERO Number 025-0380

Re: Opposition to Bill 5 – Protect Ontario by Unleashing our Economy Act, 2025

Date: May 15, 2025

1. Loss of Protection for Endangered Species and Ecosystems

Bill 5 repeals the Endangered Species Act, 2007 and replaces it with the Species Conservation Act, 2025, which significantly weakens protections for Ontario's most vulnerable species. The new legislation:

- Makes species listing discretionary, allowing Cabinet to ignore scientific recommendations from COSSARO, (Committee on the Status of Species at Risk in Ontario)
- Removes automatic habitat protections and recovery strategies.
- Shifts the purpose of species protection to accommodate economic growth rather than ecological integrity.

These changes will directly threaten biodiversity across Ontario—including in rural and agricultural areas where farmland and natural ecosystems intersect.

2. Threats to Farmland and the Ecosystem Services It Provides

Preserving farmland is not only essential for food security and rural livelihoods, but also for maintaining the ecological functions of soil, water, and biodiversity. Bill 5 undermines farmland protection by:

- Prioritizing rapid development, mining, and infrastructure in "Special Economic Zones," which could override municipal zoning bylaws, including those designed to protect prime agricultural lands.
- Removing environmental assessment requirements for certain large-scale projects, increasing the risk of land degradation, water contamination, and habitat fragmentation near or on farmland.
- Narrowing the definition of "habitat" and reducing oversight, putting farmland-adjacent ecosystems—such as hedgerows, wetlands, and riparian zones—at risk.

Ontario's farmland plays a critical role in water filtration, carbon sequestration, and species habitat. Weakening protections disconnects farming from the essential ecosystems it supports and relies on.

3. Risks to Water Resources and Aquifers

Bill 5 facilitates the fast-tracking of projects near sensitive areas without requiring proper environmental assessments. This is of great concern in regions like Ramara Township, where agricultural lands lie atop highly vulnerable aquifers. Without proper protections, the risk of nutrient runoff, groundwater contamination, and altered hydrology increases—compromising drinking water and the health of Lake Simcoe and surrounding tributaries.

4. Violation of Indigenous Rights

Bill 5 offers no guarantees for free, prior, and informed consent (FPIC) from Indigenous communities, as outlined in the United Nations Declaration on the Rights of Indigenous Peoples. By concentrating decision-making authority in Cabinet and enabling broad regulatory exemptions under the Special Economic Zones Act, the legislation undermines Indigenous jurisdiction, cultural heritage, and treaty obligations.

Further, amendments to the Ontario Heritage Act weaken archaeological protections, allowing development to proceed without adequate investigation of sacred or culturally significant sites.

Conclusion and Request

I urge the Government of Ontario to repeal Bill 5 in its entirety and commit to:

- Upholding science-based protections for endangered species and their habitats.
- Protecting farmland as a vital ecological and economic resource.
- Safeguarding our water systems through robust, transparent environmental assessment.
- Respecting Indigenous rights to free, prior, and informed consent in all land-use decisions.

The future of Ontario's environmental health, food systems, and democratic planning processes depend on rejecting this regressive legislation.

Addendum: Supporting Public Concerns and Expanded Context

Public concern regarding Bill 5 is widespread and well-founded. Numerous organizations, environmental experts, and Indigenous leaders have raised alarms about the irreversible damage this legislation could cause to Ontario's ecosystems, species at risk, water systems, and Indigenous sovereignty.

As Water Watchers and others have noted, the claim that Bill 5 is an economic defense mechanism is misleading. This bill borrows tactics seen in anti-environmental governance, removing oversight under the pretense of economic necessity. Habitat protections have been gutted to only cover nests, dens, and critical root zones, ignoring the broader ecological context animals and plants need to survive — such as migratory paths, riparian corridors, and runoff-fed nutrient systems.

The Species Conservation Act allows for self-registration of potentially harmful activities, replacing prior permitting and public accountability. This opens the door to unchecked degradation of essential habitats.

Special Economic Zones established under Bill 5 threaten not only local governance but also Indigenous sovereignty. Indigenous Nations, particularly those in northern Ontario near the Ring of Fire, face decisions made without consultation or consent. This directly violates Canada's obligations under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Multiple endangered species — including the Cerulean Warbler, Monarch Butterfly, and Loggerhead Shrike — already face existential threats from habitat loss. Removing protections now will accelerate biodiversity collapse and contradict Ontario's obligations under the Kunming-Montreal Global Biodiversity Framework.

Environmental Defense, Ontario Nature, and the David Suzuki Foundation have each emphasized that healthy ecosystems are not a barrier to economic development. Instead, they are its foundation. We echo their call: Ontario must cancel Bill 5, restore the Endangered Species Act, and commit to environmentally responsible development that upholds democratic, ecological, and treaty rights.

In conclusion, the Government must listen to its citizens, scientists, Indigenous leaders, and conservationists and reject this bill. Short-term economic gains cannot outweigh the long-term health of our water, land, biodiversity, and social justice commitments.