

ERO 025-0908 & 0909 **Developing guidance on section 16 activities under the Species Conservation Act, 2025** Nov 10/25 timeline
Proposed legislative and regulatory amendments to enable the Species Conservation Act, 2025;

Climate Action Newmarket Aurora ERO SUBMISSION for ERO 025-0908
Submission on the Developing guidance on section 16 activities under the Species Conservation Act, 2025

Climate Action Newmarket-Aurora is deeply concerned that the the Developing guidance on section 16 activities in tandem with the new Species Conservation Act (SCA), as outlined under 'Bill 5' risk weakening the safeguards that have long protected Ontario's most vulnerable species and habitats, despite the intent to modernize and streamline Ontario's approach to species protection and conservation.

While efficiency in permitting is valuable, it must not come at the expense of ecological integrity, transparency, or public trust. Under the SCA, many activities that could harm species or their habitats may proceed through self-registration or broad exemptions, with limited or no public oversight under the *Environmental Bill of Rights*¹. This marks a significant shift from the former "protect first" approach of the *Endangered Species Act (ESA)*² toward a "balance with development" model that prioritizes speed and flexibility over science-based assessment.

Notable Outcomes:

- 64 "special concern" species will lose all protection;
- 42 aquatic or migratory species are being removed from provincial oversight on the assumption that federal laws will suffice; and
- Reliance on industry-developed "conservation plans" reduces accountability and weakens independent review.

These changes risk fragmenting Ontario's biodiversity protection framework at a time when ecosystems are already under pressure from climate change, habitat loss, and pollution. Climate resilience depends on healthy ecosystems; wetlands, forests, and grasslands that store carbon, buffer floods, and cool communities. Weakening species protection undermines Ontario's ability to meet both biodiversity and climate commitments, including the goals of the *Canadian Net-Zero Emissions Accountability Act*³ and *Canada's 2030 Biodiversity Strategy*⁴.

Conservation and economic development can coexist within a sounder context.

We respectfully urge the Ministry to:

1. Maintain clear, science-based criteria for permits rather than self-registration;

2. Ensure that all “special concern” species continue to benefit from precautionary habitat protection;
3. Integrate biodiversity conservation into Ontario’s climate adaptation and resilience planning;
4. Retain public notice and comment rights under the *Environmental Bill of Rights* for all high-risk or high-impact activities and
5. Commit to an independent review of the SCA’s effectiveness before it fully replaces the *Endangered Species Act*.

Ontario’s species and ecosystems are our natural climate allies, the foundation of resilience, clean water, and economic stability. Protecting them protects all Ontarians. Climate Action Newmarket Aurora opposes the regulation and legislation as it is currently written.

Sources

1. *Environmental Bill of Rights, 1993*, S.O. 1993, c. 28. [Link: <https://www.ontario.ca/laws/statute/93e28>]
2. *Endangered Species Act, 2007*, S.O. 2007, c. 6. [Link: <https://www.ontario.ca/laws/statute/07e06>]
3. *Canadian Net-Zero Emissions Accountability Act*, S.C. 2021, c. 22. [Link: <https://laws-lois.justice.gc.ca/eng/acts/C-19.3/>]
4. Government of Canada, *Canada’s 2030 Biodiversity Strategy: Nature Positive by 2030*, 2022. [Link: <https://www.canada.ca/en/environment-climate-change/services/biodiversity/strategy.html>]