ONTARIO SOCIETY OF PROFESSIONAL ENGINEERS

October 30, 2025

Species Conservation Guidance Team
Ministry of the Environment, Conservation and Parks (MECP)

Reference: Proposed guidance under the Species Conservation Act, 2025 (SCA) following Bill 5 – ERO #025-0380
Subject: OSPE submission on guidance for protected species and habitats under the SCA

On behalf of the Ontario Society of Professional Engineers (OSPE), thank you for the opportunity to comment on proposed guidance to support implementation of the **Species Conservation Act, 2025 (SCA)**. Our members plan, design, deliver, and maintain the infrastructure and industrial projects the province needs, while safeguarding people and the environment.

We recognize the province's intent, through **Bill 5 (Protect Ontario by Unleashing our Economy Act, 2025)**, to accelerate approvals and keep Ontario competitive. In our earlier input on Bill 5, OSPE supported **streamlined, predictable approvals** on the condition that **environmental outcomes are maintained or improved**, decisions remain **science-based and transparent**, and responsibilities are **clear and workable** for proponents and regulators alike. We reiterate those principles here.

OSPE supports guidance that provides **clarity, consistency, and certainty**; so proponents can determine early whether registration or permitting is required, what evidence is needed, and how to design projects that **avoid, minimize, and offset** impacts. The guidance must:

- Embed **science-based, field-tested methods** for species detection and **habitat delineation**, with **clear quality expectations** for data and documentation.
- Prioritize **avoidance and minimization** first and require **no-net-loss (preferably net-gain) of biodiversity** where impacts remain, with **measurable, auditable** outcomes.

- Enable **predictable timelines** and **fit-for-risk pathways** (registration for low-risk, permit for higher-risk), while preserving **public protection** and species recovery objectives.
- Provide **role clarity and accountability** for proponents, Qualified Professionals/engineers, and the Crown, including how professional sign-off interacts with compliance and enforcement.
- Respect **Indigenous rights and data sovereignty**, and incorporate Indigenous knowledge and partnership in both guidance and implementation.
- Require **transparent, open data** (with appropriate protections) to reduce duplication and improve cumulative-effects management.

Key recommendations for the guidance

1) Guidance on key concepts: make them operational

Define "adverse impact," "core habitat," "critical function," "cumulative effects," and "net-gain" in **operational terms** tied to methods a practitioner can apply. Provide **decision trees/flowcharts** that link these definitions to the correct pathway (excepted, registrable, permit) and the **evidence package** expected at each step. Include **worked examples** (linear infrastructure, water crossings, site redevelopment, aggregate, renewable energy, municipal works).

2) Guiding principles & considerations: proportional, science-based, and auditable

State the **mitigation hierarchy** explicitly (avoid → minimize → restore → offset), with criteria for when moving to the next step is justified. Tie evidence standards to **risk tiers** (e.g., species status, habitat sensitivity, scale, duration). Require **documented alternatives analysis** for higher-risk cases. Build in **post-construction monitoring**, **adaptive management triggers**, and **contingency actions** with clear performance metrics.

3) Species & habitat information: authoritative, accessible, and living

Create a **single, authoritative data portal** integrating public sources (NHIC, conservation authorities, municipalities, federal datasets) plus a **secure channel** for Indigenous/community-held knowledge. Provide **confidence ratings** and update cadences for each dataset. Allow proponents to use **model-assisted screens** (with published error bounds) to focus field work, not replace it. Publish **template protocols** for seasons, effort, and detection methods by taxon.

4) Habitat delineation methods: standardized, map-ready, and GIS-first

Issue **standardized GIS schemas** and **minimum mapping standards** (scales, buffers, attributes) so delineations are reproducible and portable across projects. Where uncertainty is high, allow **adaptive buffers** with **evidence-based reduction** conditions. Provide **species-group field manuals** (see below) with photos, indicators, and decision keys to reduce practitioner variance.

5) Professional roles and accountability

Clarify the interface between **professional sign-off** (engineer or other Qualified Professional) and the Ministry's decision. Define **minimum qualifications**, use of **standard checklists**, and **retention** of field notes, models, and monitoring data. Where public safety or complex multi-disciplinary design is implicated, require **competent professional oversight** with a clear line of accountability.

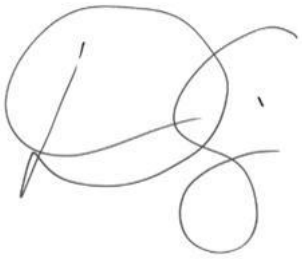
6) Indigenous partnership and data sovereignty

Commit to **early engagement**, co-development of habitat guidance where species are culturally significant, and protocols that respect **Indigenous Data Sovereignty** (governance, consent, and control over data use and sharing). Enable **co-monitoring** and community-led restoration where appropriate.

Conclusion

OSPE supports the province's goal of predictable, timely approvals that enable economic growth. That goal is best served by **clear, science-based, digital-first guidance** that protects species at risk, provides certainty to proponents, respects Indigenous rights and knowledge, and yields **measurable ecological outcomes**.

Sincerely,



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