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Species at Risk Branch  
Ministry of the Environment, Conservation and Parks  
40 St. Clair Ave West  
Toronto, ON  
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November 7, 2025

**RE: ERO# 025-0909 Proposed legislative and regulatory amendments to enable the Species Conservation Act, 2025**

On behalf of WWF-Canada, we offer the following comments on the proposed legislative and regulatory amendments to enable the *Species Conservation Act, 2025* (SCA), put forward in Schedule 2 of Bill 5: the *Protect Ontario by Unleashing our Economy Act, 2025*.

Although passed into law, WWF-Canada maintains that Bill 5 threatens Ontario's biodiversity by significantly weakening protections for species at risk and increasing pressures on ecologically sensitive areas. The repeal of the *Endangered Species Act, 2007* (ESA) and its replacement with the SCA shifts the focus from science-based conservation to discretionary, development-oriented decision-making. WWF-Canada's primary concerns about the Government of Ontario's hurried shift from the ESA to SCA can be reviewed in our response to ERO#025-0380. This proposal to enable the SCA does not address the concerns that were raised in our ERO#025-0380 submission.

In addition to those concerns, we offer the following additional points regarding the proposed legislative and regulatory amendments:

- 1. Removing provincial protections:** The SCA de-lists a total of 106 species at risk at a time when wildlife populations across the country are in decline. This includes 64 species currently listed as special concern, as well as 42 migratory birds and aquatic species.

**Recommendation:** We recommend that the 64 species currently listed as special concern continue to be listed in the regulation to allow for transparency, clarity, and ongoing monitoring and oversight over these populations. Although special concern species don't currently receive protections under the ESA, they are still listed under the Species at Risk in Ontario List for transparency and to highlight species or populations which are sensitive to environmental changes, or those that are not yet fully secure after once being threatened or endangered. Additionally, early intervention through conservation action can help prevent special concern species from being further threatened to where recovery may be more onerous or expensive.

We also recommend that the province confirms the federal protections offered to the 42 migratory species through the Species at Risk Act are in place through federal recovery strategies and defined critical habitat. The rationale provided for the change to the 42 migratory species protections is "to remove duplications for species that are already

receiving federal protections.” However, there is no additional information provided to confirm that the federal government will be providing equivalent protections to the ESA.

Our Living Planet Report Canada (2025) recommends that “all provinces and territories have standalone species-at-risk legislation and related implementation and enforcement resources and funding.” This helps to ensure the local-level oversight that is necessary for wildlife conservation.

- 2. Recovery Strategies:** The new SCA will remove a regulatory requirement and fixed timeline for the province to provide a recovery strategy for listed species and instead leaves it to government to create guidance as desired. The new SCA may rely instead on federal planning documents, recovery strategies or other relevant docs in an ad hoc manner, with no requirement to complete recovery planning in a timely manner.

**Recommendation:** We recommend that this timeline and regulatory requirement be reinstated. Without provincial recovery strategies and planning documents, it is impossible to assess and mitigate local threats to species. This is particularly important where local threats or disturbances may differ from those detailed in federal documents, which are not likely to be sufficient at the provincial level to address local threats and specific life history needs of specific populations. Further, without clear legislative requirements for recovery strategies to be produced, species protections and associated recovery planning is likely to fall through the cracks.

- 3. Register First, Assess Later:** The proposed exception regulation suggests that activities, including early mineral exploration, will not be required to register with the Ministry nor receive a permit before beginning work across the province.

**Recommendation:** We recommend that the “Register First, Assess Later” clause be removed. Exempting these industrial activities from having to register with the Ministry and from needing to receive a permit or approval before work begins makes it more difficult to properly assess the risks they face and implement effective mitigations to protect habitat, wildlife, and species at risk across the province. This allows developers to begin work that impacts species at risk and their habitats by simply self-registering their projects, without environmental assessments, government permits, or public consultation until it’s too late.

- 4. Scientific Criteria:** Listing decisions under the SCA have shifted from one focused on protecting species at risk based on the best available science and knowledge to one that involves social and economic considerations, including sustainable economic growth in conservation decisions.

**Recommendation:** We recommend reinstating listing for species-at-risk based on the scientific and Indigenous knowledge provided through COSSARO. Instead of empowering politicians to disregard species listings and their associated protections at their discretion.

- 5. Transparency:** Ontario's *Environmental Bill of Rights* enables the public to participate in environmental decision-making and promotes transparency, accountability, and public participation in decisions that have potential environmental impacts.

**Recommendation:** Instead of rolling back public participation in the legislative process, we urge the government to strengthen the rights enshrined in the ERB and ensure government actions move forward with complete transparency. The protection of species and habitat is a priority concern of Ontarians, which makes the proposal to remove "all permits and orders issued under the SCA" from the Environmental Bill of Rights, Section II a direct attack on public transparency, Indigenous rights, and the principles of open government.

- 6. Increased Investment in Species Recovery:** The new Species Conservation Program will have at most \$20 million per year allocated for conservation activities to support species at risk, which we know is far less than what is needed to protect and recover species at risk in Ontario.

**Recommendation:** Recent research led by WWF-Canada and the University of British Columbia found that an investment of \$113 million per year over the next 27 years is needed to ensure survival of 100 out of 133 (75%) species in the Lake-Simcoe Rideau Ecoregion of Ontario alone. This demonstrates that the \$20 million annual investment is not sufficient resourcing to address nature's needs.

The Living Planet Report Canada, released by WWF-Canada in 2025, shows that the size of wildlife populations in Canada has fallen by an average of 10 per cent from 1970 to 2022, while populations of at-risk species of global importance have declined by an average 42 per cent since 1970.

Weakening species and habitat protections will not reverse this trend. Nature is an essential pillar of a healthy, functioning economy and community, and we rely on nature for the health and well-being of all Ontarians. The habitats these species rely on also benefit humans, sequestering carbon, filtering our air and water, growing food, and providing places for tourism and recreation. These varied benefits show how Ontario would be better suited to achieve the aim of the SCA by improving the protection of species and habitats and investing in effective conservation actions rather than weakening the protections afforded species and habitats under this Bill.

On behalf of WWF-Canada, we urge you to reconsider and replace this legislative agenda with one that strengthens species and habitat protections. Thank you for your attention to this matter.

Sincerely,



James Snider  
Vice President, Science Knowledge and Innovation  
WWF-Canada