



December 18, 2025

Public Input Coordinator
MNR-CFLPB- Forest Planning Policy Section
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Re: [025-1134](#) – Improving Forest Legislation, Regulations, Processes and Forest Management Policy

On behalf of Ontario Nature, thank you for the opportunity to provide comments on this proposal and the discussion paper. Ontario Nature represents 9,500 members, 130,000 supporters and 153 member groups from across Ontario who share our mission of protecting wild species and wild spaces.

Ontario Nature is interested in this proposal due to its scope and implications for the conservation of biodiversity and upholding Indigenous rights and opportunities.

General Comments

There is no mention of upholding Indigenous rights as a goal of this proposal, but is mentioned as “where applicable”. The regulatory impact’s social consequences speak to maintaining Indigenous “engagement”, but this is no longer the standard required to uphold Indigenous rights – rather, it is consultation, accommodation, and consent. Providing opportunities for engagement or input are not sufficient to meet public expectations or regulatory requirements (e.g. *Environmental Bill of Rights*).

Harvest Approvals (including Scaling Manual)

We do not support removal of the MNR’s harvest approval function. Given other changes that facilitate non-forestry activities to increase cumulative impacts on the forest, it is imperative that ministerial oversight remain. This will be necessary to respect Indigenous rights, assess the sustainability of the forest, and manage dynamic and shifting economic and trade factors.

Forest Resource Processing Facilities Licences

Licensees should continue to pay licence fees with revenue sharing with regional Indigenous communities. Compliance and auditing measures for permit-to-rule approaches should require regular and detailed attestations of compliance. This recognizes the province’s fiduciary responsibilities to care for and sustainably manage Ontario’s “Crown” forests and uphold Indigenous rights and good relationships.



Scaler's Licences (renewal and fees)

These Licences and renewals should continue to pay licence fees with revenue sharing with regional Indigenous communities. As above, this would help uphold the province's responsibilities for sustainability and Indigenous rights.

Trees Reserved to the Crown on Private Land

We are concerned that releasing trees reserved to the Crown on private land may result in more legal private harvesting of reserved trees species, including iconic white pines, species at risk, culturally significant species, and older trees with significant ecological value. With appropriate conditions/reserved rights, such statutory releases could enable stronger conservation measures for reserved trees on private lands, such as integrated stewardship with other unreserved vegetation, and specific provisions to incorporate released trees into existing conservation easement agreements for conserved privatized lands.

Personal Use Harvesting Authorizations

The proposal would expand existing rules in Ontario Regulation 167/95. The proposed activities seem reasonable, so long as there are clear limits to such non-Indigenous harvesting. Indigenous harvesting on these lands should be exempt from requiring authorizations.

Forest Manuals

The Forest Management Planning Manual (FMPM) is proposed to be revised "to enable opportunities to prepare a single forest management plan for multiple units ... over a longer timeframe".

FMPs for multiple FMUs may streamline forestry planning and administration, but it will increase the scope of information and geography that Indigenous rights-holders and non-Indigenous organizations will need to process and address. In regulations and practice, there should remain separate information and consultation opportunities and materials within each FMU to ensure relevant information can be evaluated.

The FMPM should also include directions on how to incorporate certification requirements in a FMP. Indeed, certification is a way to add value and improve domestic and international marketing of Ontario forest products and support Canadian companies and jobs.

One option is to specifically acknowledge Forest Stewardship Canada's (FSC) and other certification approaches and the application of conservation measures in FMPs through guidance in the FMPM. This could include requiring description of such areas more publicly and fully (rather than lumped in as "Other", non-managed lands) in the FMP. The FMPM or other guidance could also outline a process whereby, once identified in an FMP, conservation-focused areas then are also advanced to the MNR District for processing and approval, or designation, under the *Public Lands Act*. This would involve an amendment to the FMPM during this proposed review. Such revisions

to the FMPM could then address forest planning requirements and processes for forestry certifications and areas for longer-term conservation recognition (such as FSC's Designated Conservation Lands).

Further, neither the FMPM nor the associated Forest Information Manual discusses in detail Areas of Natural and Scientific Interest (ANSIs), Enhanced Management Areas (EMAs), or Provincially Significant Wetlands (PSWs), although large wetland complexes and significant old-growth stands are referenced. Some 460,000 ha of Old Growth Forest, No-Cut Area, Significant Ecological Community, Significant Valley, Significant Woodland, Wetland were identified as Significant Ecological Areas (SEAs) in the Ontario's Living Legacy process. They remain in MNR's Natural Resources Values Information System (NRVIS), but again without recognition in these Manuals, other guides, CLUPA, and without clear legal status. These types of features are part of certification bodies representation and gap analyses and should be included in FMPs. Specific policy, guidance, and application are currently lacking in the manuals for these types of identified areas and thus should be enhanced so that these areas will be appropriately recognized in specific FMPs.

Permit to Remove

For trees removed from "Crown" lands for non-forestry activities, the Permit to Remove process should:

- Provide notice and, where requested by Indigenous nations or communities, require consultation with Indigenous communities that have unceded, treaty, and/or traditional territories in the area of the activity, including in applying a permit-by-rule approach;
- Include geographic information reported to a comprehensive mapping application, as proposed in the Permit Reform Initiative ERO posting;
- Set parameters that limit impacts on the ecology and species in the area, such as: minimizing the area to be used and cleared, use and storage of materials and equipment to eliminate on- and off-site impacts, application of advanced technologies to avoid or minimize impacts (e.g. directional drilling, road access routing);
- If permit-by-rule approaches are used for certain activities, ensure: retention of specific site reviews for higher risk activities, assessment of proximate uses and potential conflicts and measures to resolve them, geographical reporting, regular compliance reporting, assessment of cumulative effects, and periodic on-site and cumulative auditing; and,
- Other permit-by-rule requirements to include are: use of or assignment of removed wood (with site and cumulative thresholds for offering and transporting to nearby communities, mills or other local users); and reporting of fees through a mapping tool.



Compliance and Enforcement

While compliance and enforcement measures are directed here towards forestry and the *Crown Forest Sustainability Act*, they should include measures in policy and implementation to enhance the recognition and exercise of Indigenous rights. Further, compliance and enforcement measures should not have disproportionate or unintended consequences for Indigenous governance, uses, individuals, organizations, and communities, or on Indigenous assertion and defence of their rights and lands.

Consider compliance and enforcement measures to reduce damaging activities, such as unauthorized access to logging roads, ATV off-road use, garbage and fires, etc. There are some measures in place, but these could be enhanced to ensure more effective protection of “public” lands.

Forest Resource Licences

Forest Resource Licence applications should include consultation with Indigenous communities, measures to avoid or minimize ecological and cultural impacts (including Indigenous culturally significant species and areas), and information on the geographies, ecological and cultural features of the area and surroundings of interest, and cumulative impacts of all activities in the area.

We request that the comments in this submission be incorporated into the relevant forestry processes and policies.

Regards,

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Ontario Nature