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Public Input Coordinator  
Ministry of Natural Resources  
Fish and Wildlife Policy Branch  
300 Water Street, 2<sup>nd</sup> Floor, South Tower  
Peterborough, ON  
K9J 3C7  
By Email: NaturalHeritage@Ontario.ca

**Re: ERO-025-1146: Natural Resources Regulatory and Permit Reform Initiative:  
Updates to natural heritage technical guidance for renewable energy projects**

Dear Public Input Coordinator:

The Ontario Rivers Alliance (ORA) is a province-wide, not-for-profit grassroots organization committed to protecting, conserving, and restoring Ontario's riverine ecosystems. ORA advances science-based advocacy to strengthen policies and legislation affecting Ontario rivers, ensuring development is environmentally sustainable, socially responsible, and aligned with the public interest. ORA works with watershed partners and Indigenous communities to protect freshwater resilience for present and future generations.

**1. It Must First Be Said:**

ORA recognizes the Ministry of Natural Resources' (MNR) professional expertise and the important role that staff play in protecting Ontario's natural heritage and freshwater systems. ORA's concerns are not directed at the professional public servants tasked with implementing these changes, but at the policy direction now being imposed through the Natural Resources Regulatory and Permit Reform Initiative. When MNR is enabled to apply independent science, precaution, and professional judgment, it is a significant asset to Ontario. When the Ministry is directed to prioritize political and procurement-driven outcomes—particularly through streamlining, reduced oversight, and reliance on proponent-controlled studies—the result is a dangerous disconnect between public service responsibility and public interest protection.

The predictable outcome is higher ecological risk, reduced transparency, and increased long-term liability for communities—because the Province will be weakening the very safeguards designed to prevent irreversible harm before it occurs.

**2. This Posting Cannot be Assessed in Isolation:**

ORA raised serious concerns regarding four related Environmental Registry postings due on 22 December 2025, which collectively weaken Crown oversight, expand reliance on proponent-retained qualified professionals, narrow public and Indigenous consultation, and accelerate access to Crown land and river corridors. ORA submits that ERO-025-1146 must be assessed as part of that integrated deregulatory package advanced through multiple Environmental Registry



postings, including the proposal to amend the Renewable Energy Approval framework (ERO-025-1367) to replace Ministry review with the proponent attestation. The ERO-025-1146 proposal explicitly aligns the Guide updates with those regulatory changes. In other words, this is not merely “technical housekeeping.” It is a structural shift in environmental governance: Ontario proposes to replace independent Crown verification with proponent-paid assurances.<sup>1</sup> The Ministry must not treat these postings as standalone technical updates, as their combined effect is to predetermine development outcomes while obscuring cumulative ecological and climate risk.

ORA notes that ERO-025-1146 is framed as an update to technical guidance for **REA-regulated renewable energy projects under the Environmental Protection Act** (e.g., wind, solar, biogas/anaerobic digestion and thermal) and does not explicitly purport to regulate waterpower approvals. However, ORA submits that this posting is still profoundly relevant to freshwater protection because it establishes a precedent-setting governance template: reliance on proponent-retained “qualified persons,” simplified protocols, reduced monitoring expectations, and weakened independent verification. Once normalized in the REA context, this professional-reliance model may predictably be advanced across Ontario’s broader permissions reform agenda affecting Crown lands, wetlands, and river corridors. Ontario must not use “technical guidance updates” to embed a self-certification approvals pipeline that will later be applied to higher-risk project classes with long-lived impacts on Ontario’s freshwater ecosystems.

The Department of Fisheries and Oceans’ (DFO) cumulative effects literature is unequivocal: project-by-project review cannot manage cumulative ecological harm when multiple stressors and developments interact across watersheds and time.<sup>1</sup>

This policy package is designed to accelerate approvals by narrowing oversight, weakening verification, and reducing monitoring—precisely the conditions that guarantee cumulative impacts and long-term ecological liability.

### **3. Summary of the proposed changes and ORA’s Concern:**

The Ministry proposes to amend the Natural Heritage Assessment Guide (Guide) for Renewable Energy Projects by, among other changes: defining qualifications for those deemed “qualified” to prepare assessments and reports; simplifying Appendix C wetland functions assessment for certain wetlands (including northern wetlands), where a full wetland evaluation is not required; amending criteria for evaluating significance of wetlands and woodlands; incorporating bird and bat guidelines into the Guide and rescinding standalone guideline documents; and most alarmingly adopting a simplified bird/bat protocol with no monitoring requirements where proponents claim avoidance and mitigation.

Yet, *“the risk profiles of flood mitigation infrastructure, as well as storm water management systems, are considered to be ‘high’ under current climate conditions and remains high in the future. This risk may be higher if development occurs in high-risk areas or where water is infiltrated or stored, like wetlands.”* Additionally, *“Wetlands provide natural flood and erosion control, among other benefits to water quality and habitat. Ontario is home to approximately 25% of Canada’s wetlands, with over 35 million hectares. The majority of Ontario wetlands are located in northern regions (Northeast, Northwest, Far North) (Government of Ontario, 2021e).”*<sup>2</sup>



The Province frames these changes as streamlining and certainty for business. ORA considers these changes the opposite: they introduce systemic bias, reduced transparency, reduced accountability, and increased ecological risk, while also placing Ontario’s government—and ultimately the public—on the hook for the long-term consequences of regulatory negligence.

#### **4. “Qualified Person”—A Structural Conflict of Interest—Not Environmental Protection:**

This proposal explicitly shifts the system from independent oversight to a “qualified person” model, in which studies are completed by consultants retained and paid by the proponent. ORA’s opposition is grounded in direct experience from Ontario’s first Green Energy rush. ORA repeatedly witnessed proponent-retained consultants acting not as independent evaluators, but as agents of project advancement—where professional loyalty follows the client and payment. In numerous cases, it was MNR staff who served as the saving grace: identifying gaps, demanding additional studies, and forcing proponents back toward compliance with science-based requirements. Even with MNR’s best efforts, many proponents consistently prioritized timelines and profitability over ecological integrity and public accountability. This proposal, combined with ERO-025-1367, would institutionalize the very model ORA has already seen fail in practice by replacing independent Crown verification with proponent-paid attestation.

A qualified person model can play a role only when paired with robust Ministry audit capacity, strong penalties, transparent disclosure, and independent verification. This proposal moves in the opposite direction.

#### **5. Removing Monitoring is Scientifically Indefensible and Defeats Accountability:**

The proposal states that consolidating bird/bat guidance into the Guide will result in a simplified protocol with no monitoring requirements for proponents who claim avoidance and mitigation. ORA considers this unacceptable. Monitoring is not an administrative inconvenience—it is how government and the public determine whether impact predictions were accurate, mitigation was effective, and adaptive management is required to prevent harm.

Without monitoring, this becomes a paper-only compliance system where impacts are assumed away. This approach is incompatible with credible environmental assessment practice and undermines Ontario’s ability to detect and correct harm before it becomes permanent. In the context of migratory birds, bats, and species at risk, this is not streamlining—it is deregulation.

#### **6. “Simplifying” Northern Wetland Evaluation is Reckless under Climate Change:**

The proposal states that Appendix C wetland characteristics and ecological functions assessment would be “updated and simplified” for certain wetlands, including northern wetlands, where a full evaluation is not required. This change directly contradicts climate reality. Wetlands are critical hydrological infrastructure that support flood attenuation, drought resilience, filtration, baseflow maintenance, fish and wildlife habitat, and carbon storage.<sup>3</sup>

Environment and Climate Change Canada (ECCC) explicitly emphasized the importance of freshwater systems and the need for science-based understanding to inform policy and resilience.<sup>2</sup> Simplifying wetland evaluation is a deliberate choice to become less informed precisely when climate destabilization demands more rigorous information and precaution.



Ontario's own Provincial Climate Change Impact Assessment (2023) confirms that wetlands and stormwater systems are high-risk climate infrastructure, and that climate-driven hydrological disruption will intensify sharply in coming decades. The report warns that "changes in Ontario's climate are expected to continue at unprecedented rates... and it will pose indirect threats to things like water availability and water quality." It further projects dramatic increases in extreme heat days—up to ~35 days annually in northern Ontario and ~55–60 days annually in southern Ontario by the 2080s—conditions that will directly destabilize stream temperature regimes, wetland retention, seasonal flows, and aquatic species survival.<sup>4</sup>

The OCCIA further confirms that climate change "poses risks to water sources, which affect supply and quality," and that hot and dry conditions will disrupt water flow regulation services, leading to "wetland drying and loss," altered ecosystem function, and long-term ecological disruption. Most critically, the OCCIA identifies Ontario's Central and northern regions as facing the highest risk levels by end of century, with much of that risk driven by climate impacts on northern wetlands. It emphasizes that Ontario's Far North contains ecosystems of global significance, "*peatlands as natural carbon stores*"—and that climate threats combined with development pressures create risks that may be "*extensive*" and "*irreversible*."<sup>3</sup>

If Ontario proceeds with a simplified wetland evaluation, it should, at a minimum, require precautionary classification for any wetland disturbance in northern watersheds; mandatory independent field verification; and a watershed-scale cumulative effects assessment.

These findings make it indefensible for Ontario to reduce wetland assessment rigour—particularly in northern wetlands and peatlands—precisely where climate-driven risk is projected to be highest and impacts most irreversible.

## **7. A Cumulative Effects Assessment—Not “Streamlining” & Proponent Attestation:**

DFO's cumulative effects review emphasizes that its framework must consider interacting stressors across time and space, not just isolated project footprints.<sup>5</sup> Yet this proposal is designed to speed development by reducing the time and burden of studies. ORA submits that accelerating approvals while weakening verification is a recipe for cumulative harm.

Ontario rivers are already under stress from flow alteration and fragmentation, invasive species, warming water temperatures, degraded water quality, wetland loss, and legacy industrial impacts. This posting increases risk by lowering the standard of evidence and reducing the detection mechanisms that would otherwise identify unanticipated harm.

These harms are not short-term. Renewable energy facilities are long-lived infrastructure, and any assessment failure becomes a multi-decade ecological and public-interest failure.

## **8. Indigenous Participation Funding Treated as an Enabler for Accelerated Approvals:**

ORA is concerned that this posting occurs within a broader federal–provincial development agenda framed around making Canada an "energy superpower," including through accelerated critical minerals and enabling infrastructure. Recent federal announcements on strengthening Indigenous participation in critical minerals development illustrate the broader policy context in which Indigenous engagement funding risks being used to facilitate accelerated development pathways.<sup>6</sup>



While participation funding can be beneficial, ORA is concerned that such mechanisms can function as pressure valves to speed project acceptance under compressed timelines and information asymmetries. Indigenous rights and consent should not be treated as a procurement requirement or managed through short-term funding programs; they require transparent, independent information and decision-making conditions that support free, prior, and informed engagement.

ORA emphasizes that Indigenous communities deserve adequate funding to engage; however, funding must not be used as a substitute for independent information, meaningful timelines, or rights-based consent.

## **9. Precedent-setting Deregulation Will Spill Beyond REA Projects:**

Although this posting relates to the Natural Heritage Assessment Guide for REA-regulated renewable energy projects (e.g., wind, solar, biogas and thermal), ORA submits that the governance model it establishes—reliance on proponent-retained “qualified persons,” simplified protocols, reduced monitoring expectations, and a narrowing of independent oversight—will spill over into other high-impact development streams affecting Crown lands, wetlands, and freshwater systems. Ontario must not normalize a self-certification approvals pipeline in any sector, particularly at a time when climate risk and cumulative ecological stressors demand stronger—not weaker—independent verification.

## **10. ORA Recommendations:**

1. Reject the substitution of independent Crown verification with proponent-retained qualified persons. Retain Ministry confirmation/review as a mandatory safeguard for Natural Heritage Assessments and Bird/Bat Environmental Effects Monitoring Plans (EEMPs), consistent with the related REA regulatory changes proposed under ERO-025-1367.
2. Prohibit “no monitoring” pathways. Monitoring must remain mandatory for bird and bat impacts for all applicable renewable energy projects, including where proponents claim avoidance/mitigation.
3. Require independent verification and auditing. Establish mandatory random audits, field verification, and third-party review of studies prepared by qualified persons.
4. Create a legally enforceable standard for “qualified persons.” Qualifications must be embedded in regulation (not merely guidance “as amended from time to time”), and must include ethical conflict-of-interest provisions and penalties for misrepresentation.
5. Prohibit simplified wetland evaluation in northern Ontario. Where climate vulnerability and limited baseline data exist, the standard must be strengthened—not simplified.
6. Require watershed-scale cumulative effects assessment for any renewable energy project affecting hydrology, wetlands, or habitat connectivity, consistent with DFO cumulative effects science.
7. Require open disclosure of all natural heritage studies (including raw field data, methodologies, maps, and qualifications of study authors) to enable public scrutiny and Indigenous review.
8. Mandate enforceable adaptive management. Require monitoring-backed triggers for operational changes, including shutdown conditions, mitigation retrofits, and restoration requirements.



9. Strengthen protections for significant woodlands and wetlands. Ensure the amended criteria do not lower thresholds or create loopholes through altered definitions or narrowed evaluation boundaries.
10. Require climate alignment. Any guide changes must explicitly align with Ontario's climate-risk assessment reality and freshwater resilience needs, informed by federal freshwater science synthesis.
11. Do not use economic "certainty for business" as a basis to weaken protections, and disclose who benefits financially. The regulatory impact narrative must explicitly include long-term costs of ecological degradation, climate risk, and cumulative effects.
12. Require rights-based Indigenous engagement. Indigenous communities must have access to full independent information, sufficient time, and meaningful decision-making conditions—not procurement-linked pressure or short-term "review grants."
13. Treat this posting as part of the broader reform package. Ontario must conduct a consolidated review of the package effects, including cumulative effects and climate-risk implications of ERO-025-1146, together with the connected EROs that remove Ministry review functions and accelerate approvals.

### In Closing:

ORA submits that ERO-025-1146 is not a benign technical update. In combination with the broader REA streamlining reforms, it represents a deliberate shift away from independent Crown oversight and toward a proponent-controlled approvals pipeline. Ontario cannot claim environmental protection while simultaneously eliminating monitoring, weakening wetland evaluation, and replacing MNR review with consultant attestation. If the Province proceeds, the foreseeable result will be cumulative ecological damage, heightened public safety and climate risk, and long-term public liability.

ORA urges the Ministry to halt this reckless approach and restore independent verification as the minimum standard for protecting Ontario's freshwater ecosystems and the public interest.

This regulatory proposal is a dangerous and costly step backward in Ontario's environmental governance and climate resilience planning.

Respectfully,

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<sup>1</sup> Cathryn Murray, Lucie Hannah, and Andrea Locke, *A Review of Cumulative Effects Research and Assessment in Fisheries and Oceans Canada, Canadian Technical Report of Fisheries and Aquatic Sciences 3357 (Fisheries and Oceans Canada, 2020)*. Online: <https://waves-vagues.dfo-mpo.gc.ca/Library/40851576.pdf>

<sup>2</sup> *Ontario Provincial Climate Change Impact Assessment, Technical Report, January 2023*. Online: <https://www.ontario.ca/files/2023-11/mecp-ontario-provincial-climate-change-impact-assessment-en-2023-11-21.pdf>



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<sup>3</sup> Environment and Climate Change Canada, *Synthesis of Freshwater Science in Canada* (ECCC, Government of Canada). <https://www.canada.ca/en/environment-climate-change/services/water-overview/protecting-freshwater/national-freshwater-science-agenda/synthesis-freshwater-science-overview/synthesis.html>

<sup>4</sup> Ontario Provincial Climate Change Impact Assessment, *Technical Report, January 2023*. Online: <https://www.ontario.ca/files/2023-11/mecp-ontario-provincial-climate-change-impact-assessment-en-2023-11-21.pdf>

<sup>5</sup> Cathryn Murray, Lucie Hannah, and Andrea Locke, *A Review of Cumulative Effects Research and Assessment in Fisheries and Oceans Canada, Canadian Technical Report of Fisheries and Aquatic Sciences 3357* (Fisheries and Oceans Canada, 2020). Online: <https://waves-vagues.dfo-mpo.gc.ca/Library/40851576.pdf>

<sup>6</sup> Natural Resources Canada, “Backgrounder: Strengthening Indigenous participation in critical minerals development” (January 2026). <https://www.canada.ca/en/natural-resources-canada/news/2026/01/backgrounder-strengthening-indigenous-participation-in-critical-minerals-development.html>