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Chair
Councillor Paul Ansie
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Chief Operating Officer
Robin D. Hale

Ministry of Environment,
Conservation and Parks

To Whom It Concerns:

Re: Toronto Zoo Response to the ESA Review

The conservation of Canadian Species At Risk is a critical focus of the Toronto Zoo. The Ontario Endangered Species Act (ESA) has thus been instrumental in guiding and supporting our local activities to help species in need. While we agree that in its current form the ESA is not sufficiently protecting species from harm, the MECP's Discussion Paper focuses on areas that are not likely to improve protections for imperiled species.

Area of Focus 1:

It is not clear what is meant by "landscape approaches". The current act already stipulates that recovery and management plans can be prepared using an ecosystem approach. How is a landscape approach intended to differ? To what is "landscape" intended to refer? Our concern is that the phrasing of the first area of focus is simply too vague to solicit the relevant feedback required to guide any associated revisions that may be under consideration. Please clarify if landscape approaches are aimed to replace species-specific approaches.

The only challenge to species protection that is clearly articulated in this area of focus is that two Species At Risk could theoretically face conflict if requiring opposing actions but, in our experience, this situation has been rarely encountered. The second challenge presented in this section implies that a solution is being sought to permit potentially harmful activities at a broad scale, which is alarming. Greater clarity on this area of focus is needed.

Area of Focus 2:

We do not agree with the suggestion to lengthen the timeline to listing species strictly to improve the notification process of newly listed species. It would be more effective to focus on communication strategies, such as developing a targeted communication structure that identifies the critical audience and creates appropriate notification channels to ensure that affected members of the public are informed of changes in a timely fashion. Additionally, approaches (e.g. public awareness campaigns) could be considered that would highlight the species that are under consideration for listing, since cases of 'emergency listing' are rare. This would provide the public with greater foresight into upcoming changes.

The automatic species protection is an invaluable element of the 2007 Act and removal of this approach would weaken species protection, threatening the persistence of imperiled wildlife in our province. The current ESA stresses the importance of timely action and cautions against delaying the implementation of protective measures. Lengthening transition periods will leave Ontario species at risk.

Area of Focus 3:

We question whether it is actually time or rather resources (e.g. funds to support research) that are the limiting factors impeding development of Government Response Statements. We suggest that providing additional resources to support research and community engagement activities would be more effective in supporting the preparation of these statements.

While species recovery efforts tend to require long-term commitments, based on our experience, we do not feel that a five-year time period is too short to require a progress review. While additional data is likely to be available over longer timeframes, waiting too long to perform a progress review could result in wasted resources in cases where implemented actions are not demonstrating effectiveness. We recommend no changes to timelines.

Habitat regulations offer an important avenue for protecting areas to support the future growth and security of populations of species at risk. Eliminating these in select cases is likely to decrease future recovery prospects.

Area of Focus 4:

There is inherent danger in creating an opportunity to pay into a conservation fund in lieu of activity-based requirements, as this does not necessarily pose equal benefits to Species At Risk. For example, while funds are badly needed for basic and exploratory research on at risk species, these activities do not offset the harm caused by habitat loss. It is essential that activity-based requirements are limited to those with demonstrated effectiveness. Replacing these with a financial option increases the threat to Species At Risk and makes the endangerment of our native wildlife simply a cost of doing business.

Permit requirements outlined in the ESA are comprehensive in nature to ensure that the effects on Species At Risk are carefully reviewed from multiple points of consideration, including not simply survival but also the recovery of species. Simplifying these requirements is likely to lessen positive outcomes and protections for species.

Sincerely,



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