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February 18th, 2020

Jennie Weller
Environmental Assessment and Permissions Branch
135 St Clair Avenue West
1st floor
Toronto, ON
M4V1P5
Canada

RE: ERO Number 019-0961: Proposed amendments to General Regulation 334 under the Environmental Assessment Act to remove Regulatory Duplication of Forest Management requirements in Ontario.

Dear Ms. Weller,

Timiskaming Forest Alliance Inc. (TFAI) and its shareholder companies (forest industry and First Nation shareholders) would like to thank you for opportunity to comment on ERO Registry Number 019-0961: Proposed amendments to General Regulation 334 under the Environmental Assessment Act to remove Regulatory Duplication of Forest Management requirements in Ontario.

TFAI has been responsible for the successful forest management of approximately 1 million hectares in Northeastern Ontario for over 25 years. This submission represents TFAI's 25 years of experience and knowledge managing and conserving this renewal resource across a large landscape.

TFAI's expectation is that all Ministry of Natural Resources and Forestry (MNRF) policy initiatives currently being developed under the umbrella of a Provincial Forestry Strategy should align with these principles:

1. Reduce red tape and administrative burden to the forest sector;
2. Make Ontario a more competitive jurisdiction through reduced costs (e.g. delivered wood costs, etc.);
3. Support current operations by providing consistent, reliable, and affordable access to wood fibre;
4. Explore opportunities for increasing the sustainable use of Ontario's Crown forests to support growth in the forest sector;
5. Ensure consistent implementation of existing government policy between all levels within the MNRF; Policy Division, Forest Industry Division and Regional Operations Division.

Overall TFAI is supportive to remove some aspects of the regulatory duplication of forest management requirements in Ontario. TFAI is supportive to:

1. Remove further duplication by establishing an industry-only Forest Sector Strategy Advisory Committee as the replacement for the Provincial Forest Policy Committee (PFPC), and
2. Re-evaluate the membership and role of the Provincial Forest Technical Committee (PFTC).

Although we agree that after 26 years of implementation through adaptive management, the CFSA, regulated manuals, and forest management guidance have been continuously refined to a point where the many requirements of MNR-75 are duplicative and redundant, TFAI cannot agree to removing the declaration order MNR-75 until such time that MNRF and Ministry of Environment, Conservation and Parks (MECP) confirm the legal instrument will provide for proponents whom oppose or challenge the approval of an FMP and which instrument(s) will provide concurrence for operations to continue while under any litigation or judicial review. To this end, we recommend that:

- MECP provide certainty to the industry on the legal instruments for proceeding with operations while under a judicial review or legal action in the absence an Individual Environmental Assessment through this proposal.

Similar to the above concerns, before proceeding with the removal of the declaration order MNR-75, TFAI wishes to understand and confirm which legal instrument, in the absence of the declaration order, will ensure that MNRF maintain responsibility for inventory, information and management systems, and a growth and yield program. We recommend that:

- Before removing the declaration order MNR-75 MNRF and MECP must provide an explanation of the legal instrument that will ensure the MNRF maintains responsibility for inventory, information and management systems, and a growth and yield program.

Finally, TFAI does not believe that sustainable forest license (SFL) holders and managers should be held responsible for negotiations with Aboriginal Peoples; this authority ultimately rests with the Crown. Ontario, as the Crown, has a legal obligation to consult with Aboriginal Peoples. Through MNRF's review of forest management manuals and guidance and the MECP review of the Environmental Assessment Act, there is an inherent risk of additional responsibility being transferred to SFL managers. This has the potential to add significant costs, potential complications, and future delays to the forest sector. This would be inconsistent with the goals Ontario is working to achieve through a Forest Sector Strategy and commitment to red-tape reduction. TFAI strongly believes that the responsibilities for consulting should be maintained in legislation.

- MECP and MNRF must ensure no further consultation or negotiation requirements will be transferred to industry and that the responsibility for consulting should be maintained in legislation.

I look forward to working with your government to improve the effectiveness of species at risk policy and ensure a balanced approach between a healthy environment and economy. These changes have the potential to significantly reduce administrative burden, costs, and business uncertainty while ensuring a continued commitment to the highest standards of sustainable forest management.

I would be happy to meet with you at your earliest convenience to discuss the best path forward to ensuring positive outcomes for species at risk while keeping people in Northeastern Ontario working.

Sincerely,

TIMISKAMING FOREST ALLIANCE INC.



Yves Vivier, R.P.F.
General Manager of TFAI

cc

Minister John Yakabuski, Ministry of Natural Resources and Forestry
Minister Jeff Yurek, Ministry of Environment, Conservation and Parks
Jamie Lim, President & CEO, Ontario Forest Industries Association
TFAI Board of Directors