

November 22, 2022

Public Input Coordinator
MNR – PD – Resources Planning and Development Policy Branch
300 Water Street, 2nd Floor, South Tower
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RE: ERO Posting 019-6160 Proposed Updates to the Ontario Wetland Evaluation System

To Whom It May Concern,

Thank you for the opportunity to comment on the above-mentioned Environmental Registry of Ontario (ERO) posting and the supporting document Proposed Updates to the Ontario Wetland Evaluation System, dated October 25, 2022, prepared by the Ministry of Natural Resources and Forestry's (MNR) Resources Planning and Policy Branch.

"Science is the pursuit of knowledge and understanding of the natural and social world following a systematic methodology based on evidence."¹ In its never-ending pursuit of knowledge, science builds on known truths to delve deeper into the known and unknown.

The Ontario Wetland Evaluation System (OWES) is a science-based "evaluation system ... designed to identify and measure recognized values of wetlands."² Consequently, based on the previously defined science, the OWES should evolve as new knowledge is acquired, adding to its existing knowledge base.

The difficulty with the proposed amendments is the loss of current knowledge, not the promised advantages.

- OWES requires each evaluated wetland to have a wetland evaluation file containing all of the information gathered and created during its evaluation.³ "Information gathered through the application of this evaluation system can provide the basis for considering management options and alternatives."⁴ The proposed changes eliminate the requirement for a wetland evaluation file while providing nothing in its place.⁵ Where will this information be stored for easy access, and will existing files be kept?
- Convenient references, such as lists of agencies, organizations, programs, and initiatives that may provide helpful natural or general wetlands information, have been replaced with a generic, bland list. Also missing are helpful hints for researchers heading

¹ Britain's Science Council

<https://publications.parliament.uk/pa/cm200910/cmselect/cmsctech/memo/homeopathy/ucm4202.htm>

² Ontario Wetland Evaluation System, Southern Manual 3rd Edition, Version 3.3 2014 Queen's Printer for Ontario p.2

³ Ontario Wetland Evaluation System, Southern Manual 3rd Edition, Version 3.3 2014 Queen's Printer for Ontario pp.2, 8

⁴ Ontario Wetland Evaluation System, Southern Manual 3rd Edition, Version 3.3 2014 Queen's Printer for Ontario p.2

⁵ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, pp. 5, 6, 9, 10, 37, 40, 49.

out into the field, such as what to bring (e.g., aerial photos, GIS mapping). The proposed changes appear to be hindering rather than helping the evaluator.

- The proposed changes ambiguously define the role of the "decision maker." The modifications do not elaborate or provide advice on this new role. Apart from municipalities, as an example, we have no idea who the government intends to appoint to this position. We are also not told what specific challenges made recognizing a decision maker's role difficult before the changes. More importantly, when comparing the current and proposed OWES, prominent decision makers (e.g., District MNR staff) are removed from the evaluation process.⁶ Their removal is a concern given their local knowledge and ability to evaluate in a local context.
- Considering the MNR's removal as the approval authority for OWES evaluations, who is their proposed replacement? Who will oversee assessing a wetland evaluator's professional qualifications and competency?
- What challenges made it difficult to recognize wetland evaluators' professional opinions under the current system?⁷ Furthermore, who ensures that qualified professionals perform evaluations following OWES protocols? The changes are not obvious.
- For transparency, it would be helpful to know who the practitioners who raised concerns were and their recommendations for improvements. One must wonder who is pushing for an overhaul of the OWES - practitioners or landowners?
- What is the reasoning behind the removal of sections 4.1.2.1 Reproductive Habitat for Endangered or Threatened Species and 4.1.2.2 Migration, Feeding, or Hibernation Habitat for Endangered or Threatened Species and their scoring?⁸ The scoring was weighted to protect a habitat that appears to be under threat from these changes. Perhaps these changes have been identified as the means to release several wetlands for development by removing a previous impediment.
- Another concern is the proposed new manual's omission of Locally Important Wetlands.⁹ Removing these wetlands reduces their value as a valuable regenerative resource for local groundwater needs. The proposed changes put these wetlands up for review. If they are not designated as Provincially Significant Wetlands (PSWs), there is no way to identify or protect them, leaving them vulnerable to development.
- Because wetland complexes have been removed entirely from OWES, each wetland unit must now qualify as significant on its own.¹⁰ This approach has only one goal: to fragment wetland complexes impeding development. Is this the underlying reason for triggering wetland re-evaluations, in which case these changes are motivated by profit rather than science?

⁶ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, pp. 3,4,6

⁷ ERO 019-6160 Proposed Updates to the Ontario Wetland Evaluation System

⁸ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, pp. 51 – 52.

⁹ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, p.63

¹⁰ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, pp. pp, 7, 8, 9,15, 16, 25, 26, 27, 28, 32, 33, 36, 38, 39, 40, 61, 62

- Given the following remark in the current OWES manual, why is there such a sudden interest in re-evaluating wetlands? What are the specific reasons for re-evaluating wetlands? The new section titled Wetland Re-evaluations and Mapping Updates offers no insights.¹¹

"The relative scores assigned to the subcomponents, attributes and sub-attributes were developed over a decade. The 1984 edition of the Evaluation System was applied to about 2,000 wetlands across southern Ontario, during which time a great deal of experience was gained. Hence, the judgement of dozens of people about the relative importance of the recognized values is the basis for the credibility of the assigned scores."¹²

- Who will be in charge of maintaining the wetland classification mapping inventory? The proposed changes are ambiguous. Conservation Authorities have kept wetlands data inventories for many years and are well-suited to take on this role.

Recommendations

- Establish a filing system like the current wetland evaluation file system, describing the information that must be included and identifying the official body in charge of its upkeep and maintenance. Better yet, maintain the current wetland evaluation system.
- Consider restoring, perhaps by including useful lists of sources and tips to assist evaluators in evaluating and re-evaluating wetlands in the appendices.
- If MNRF is removed as the decision maker, clearly identify who will take over this responsibility to assess the integrity and thoroughness of an OWES evaluation. To ensure consistency of OWES evaluations, Conservation Authorities should ideally be given this responsibility.
- Identify the specific challenges of being a wetlands evaluator and the body in charge of ensuring their professionalism.
- Provide a list of organizations and businesses that sought and proposed changes to the current OWES system.
- Sections 4.1.2.1 Reproductive Habitat for Endangered or Threatened Species and 4.1.2.2 Migration Feeding, or Hibernation Habitat for Endangered or Threatened Species, as well as their scoring, should be restored in the new manual unless there is a legitimate scientific reason not to do so
- Rather than removing complex and locally significant wetlands, collaborate with conservation experts (e.g., conservation authorities) to review and amend the OWES criteria using a scientific approach.
- Collaborate with conservation experts to create a scientific criterion that justifies re-evaluating existing wetlands.
- Charge Conservation Authorities with maintaining OWES mapping of evaluated wetlands

¹¹ Proposed Updates to the Ontario Wetland Evaluation System 2022-10-25, pp. 7-8

¹² Ontario Wetland Evaluation System, Southern Manual 3rd Edition, Version 3.3 2014 Queen's Printer for Ontario
p.6

Several challenges are associated with the proposed "updates" to OWES. Besides the threatened loss of current knowledge, some roles and responsibilities and information storage are ambiguous. The surgical nature of specific text removals suggests a calculated strategy to remove barriers defending a wetland's Provincially Significant Wetland status or Locally Important Wetlands status from re-evaluation.

The passage of this Bill is premature as more consultation with wetlands experts is required to perfect the science and methods to ensure appropriate stewardship of the public's wetlands.

Yours truly.