



**Re: Proposed Updates to Ontario's Wetland Evaluation System  
ERO 019-6160**

Gravel Watch Ontario (GWO) is a province-wide coalition of citizen groups and individuals that act in the interests of residents and communities to protect the health, safety, quality of life of Ontarians and the natural environment in matters that relate to aggregate resources. The following is our response to ERO 019-6160 which was posted on the Environmental Registry October 25, 2022.

Omnibus Bill 23 and the accompanying policy changes are lengthy and complex. The timing for comment and response to the 10 pieces of legislation and 19 policy documents is not adequate to provide considered, constructive feedback or to identify its implications. The Ontario Wetland Evaluation Systems (OWES) is a science-based system complete with standard criteria and proven scientific methodologies that define, identify and assess both the functions and values of Ontario's wetlands. This ERO removes entire sections of the manual that are essential to fully inform the decision making process. This policy proposal may have long-term impacts and irreversible consequence to the health of the natural environment. Following are key points related to the extent that OWES is being revised, i.e. in terms of data types and required information; data sources; essential structural elements of an evaluation system; accountability and responsibility.

**1. Data Types and Required Information**

- Disregards essential alignment and consistency with the Provincial Policy Statement (PPS)
- Omits the need to describe other land uses in the surrounding area that are required to place the evaluation within its context
- Deletes the need to identify:
  - the significance of a wetland to a locality in terms of:
    - ground water discharge, hydrology, social value, along with indigenous use and cultural heritage which have implications regarding Aboriginal & Treaty Rights
- Deletes the various lists pertaining to biodiversity details in terms of:
  - consistent tracking of species, local species' list, plant lists from regional municipalities, and depiction of regular winter habitats that are required by the PPS

**2. Data Sources**

- deletes MNRF's list of 21 credible sources for biological and general wetland information such as: agencies, organizations, programs and initiatives
- removes information that advises stakeholders that MNRF houses extensive data and studies regarding wetlands and that they are a prime source of information

regarding the economic importance of wetlands related to recreational activities as well as harvesting and hunting areas which has implications for Aboriginal and Treaty Rights

### **3. Essential Structural Elements of an Evaluation System**

- removing wetland complexes disregards their significance and inter-related functions
- omitting clear specifications, identification of responsibilities, criteria and the types of resources required
- deleting standard scientific methodologies and the technology used to collect relevant data such as GIS to confirm wetland boundaries
- deleting reference to locally important wetlands

### **4. Accountability**

The ERO has the potential to reduce public confidence and trust, due to:

- the deletion of standard criteria which determines a wetland's significance leaving it vague and open to interpretation
- the removal of government's management & administrative role by:
  - eliminating the MNRF biologist as the final arbitrator for approval of PSW's without clarifying who will be the decision maker and/or the authority to determine significance
  - rescinding the MNRF's authority to approve significant wetlands that are based on an independent OWES evaluation
  - lack of clarity regarding who will be setting standards of significance
  - omitting the use of government GIS data layers identified by MNRF staff
  - omitting the requirement that MNRF be consulted regarding national, provincial, and regional levels of wetland importance
- removing the wetland plant list as being the only authoritative source to support wetland boundaries without disclosing who the authority would be
- deleting the critical information needed by developers to make informed decisions, such as:
  - evidence of breeding sites
  - the need to justify the significance of waterfowl stopover areas
  - tracking of reproductive species
  - altering with the scoring system related to the evidence of endangered species

### **5. Responsibility**

The proposed changes to OWES eliminate government oversight and their function as a central agency to co-ordinate the process, ensure quality standards, and share results by:

- limiting the role of MNRF to be the designer of the system only while deleting its management and implementation responsibilities
- evaluations deemed being complete based solely when the evaluation is received by the decision maker

- lack of a clear process for evaluation, identification of who the experts will be, who the evaluators will be, where their authority comes from and to whom they are accountable
- eliminating access to MNRF as contact for guidance, advice and questions about process, data requirements or quality standards
- eliminating the requirement for MNRF to maintain wetland files
- divesting liability through the lack of identification of who is ultimately responsible or who pays the costs
- extending municipalities' role without the accompanying financial or human resources
- prohibiting municipalities from entering MOUs with Conservation Authorities for their independent expertise

## **CONCLUSION**

The proposed changes are a reset button that eliminates decades of environmental safe guards that were established in recognition of the limits to growth and the fact that environmental thresholds can and do collapse. OWES is the only means in Ontario for determining provincial significance of wetlands and wetland complexes. It is imperative that the content, structure and approach of the evaluation system remain comprehensive in scope, scientifically rigorous and demonstrates responsible governance of these vulnerable lands. Ontario's Wetland Evaluation System reflects the best available science that incorporates widely accepted methodologies and an inventory that has taken years to assemble through public funds and participation which should be built upon rather than streamlined. As noted in the State of Ontario's Natural Resources (SONR) Report 2021, MNDMNRF, we have already lost more than two thirds of the wetlands originally found in southern Ontario.