

Protecting Escarpment Rural Land (PERL)

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**Bill 23 Re. Proposed Changes to Ontario Wetlands Evaluation System (OWES)**

**ERO number 019-6160**

MNRF - PD - Resources Planning and Development Policy Branch

300 Water Street, 2nd Floor, South tower
Peterborough, ON
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Canada

Dear Ministers Steve Clark (MMAH) and Graydon Smith (MNRF),

Protecting Escarpment Rural Land (PERL) is a volunteer, non-profit, community-based organization based in Burlington and incorporated in 2005. We are dedicated to the protection and enhancement of the Niagara Escarpment, a UNESCO World Biosphere Reserve that is internationally recognized for its remarkable landscapes and biological diversity. We have primarily focused on land-use issues on Mount Nemo in North Burlington, and have intimate knowledge of the Provincially Significant Grindstone Creek Headwater wetland complex located there. Our work supports the Niagara Escarpment as a continuous natural corridor across Southern Ontario.

PERL is writing to state our opposition to Bill 23, More Homes Built Faster Act, and associated policy proposals that would weaken environmental protections and undermine public involvement in land use decision-making. Bill 23 threatens to lessen our hard-fought democratic rights, and diminish our ecological and economic health. Most importantly, as affordable housing advocates across the province have been saying for weeks, this legislation would not, on the whole, improve access to affordable housing. In fact it would likely make truly affordable housing less accessible. It would also greatly exacerbate the biodiversity and climate change crises for Ontarians.

We are frankly appalled that the proposed changes to the **Ontario Wetlands Evaluation System (OWES)** would declassify wetland complexes and open them up to destruction. The declassification of wetlands, wetland complexes, and associated woodlands, would lead to the destruction of vital ecosystems and Species-at-Risk habitats. It is a dereliction of government’s stewardship obligations to lessen existing protections for Species-At-Risk. Lowering existing scores for Endangered Species is the epitome of irresponsibility. DO NOT WEAKEN THE OWES WETLANDS ASSESSMENT PROCESS.

Wetlands are a necessary for our existence. They are the workhorses of our environment. They clean and filter pollutants from our drinking water. They control flooding. Wetlands capture essential soil moisture and recharge groundwater that feed innumerable stream and creeks. They sequester carbon dioxide from our atmosphere and sustain the fungal networks needed to break down organic matter. Nature provides these vital services, and more, for free. Moreover wetlands are home to precious rare and endangered plants and animals.

Our agricultural crops and flowering plant species require pollinators to produce seeds, fruits and vegetables. Without pollinating insects our food crop yields will decrease, threatening our food supply at a time when a global food crisis is imminent. Wetlands, woodlands and grasslands provide habitats for these essential pollinators.

As the government’s own biologists know, many wetlands in Ontario, big and small, are grouped together in complexes. These complexes are necessary for the wildlife that live there, as the entire complex makes up their habitat. The wetlands work together as an integrated ecosystem. Biodiversity and genetic mixing ensure long-term health of all species. Isolated habitats do not survive.

The “Natural Heritage Systems” approach was taken to help sustain the interconnected and interdependent biomes vital to healthy ecosystems, and life itself. Nature evolved and works as a balanced system. It has thrived for millions of years and it works. Ontario Bill 23 would revert back to an individual, fractured, features-based view of the natural world. This bill would set back 40+ years of scientific progress. The result would be the increased destruction of the very systems that sustain life.

The proposed legislative changes would disregard established science and no longer allow wetlands to be grouped together, instead would treat each wetland as its own entity. Smaller wetlands, even those containing Species-At -Risk would most likely not meet the newly proposed criteria to be Provincially Significant, or even “wetlands”, and would be open for destruction. Once our wetland systems are removed, they are gone forever. Despite what the OSSGA (Ontario Sand Stone and Gravel Association) or others private development interests may claim about “designing habitat”, we know of no long term successful examples of artificially created wetland systems that replicate the form and function of those that occur naturally.

As mentioned, the Ontario Wetlands Evaluation System is a science-based approach to measure and assess wetlands, their associated streams and woodlands. The total biological composition of these ecosystems must be calculated in the OWES scoring. A total watershed landscape lens must be applied. Personal and political objectives have no place in ecological assessment.

Bill 23 proposes to allow wetlands to be destroyed with so-called “offset” compensations.

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| The program to offset development pressures on wetlands that is being considered would require a net positive impact on wetlands. The language appears to contemplate that wetlands can be developed if a net positive impact is demonstrated. However, there is no mechanism to determine the ecological value of an existing wetland and its artificial construct, to arrive at a valid “net positive impact”. The notion of biological offsets is not based on science. It represents an arrogance of industry and their consultants. |

Wetlands are complicated ecosystems that develop over long time periods. Experts within Ontario’s Conservation Authorities and the Ministry of Natural Resources and Forestry have shown proven success protecting species habitats and recovering Species At Risk. They have worked to limit invasive species, re-introduced native species, installed flood, landslide and erosion infrastructure, etc. These Agencies perform crucial roles in ensuring the long-term sustainability of our ecosystems. They must be allowed to continue their work, even when their work is not always “popular” with citizens and developers. The greater long term ecological good must prevail over short-term shortsighted selfishness.

The Ontario government is using the housing crisis as an excuse to bulldoze our important lands and democratic rights. This is egregious. The fact that there are over 80,000 acres of planned, approved, zoned lands ready for development, but have been put on hold by developers, is scandalous. As Ontario’s Housing Affordability Task Force explained in its 2022 report, we do not need to sacrifice environmental protection to address the housing crisis. That’s because “a shortage of land isn’t the cause of the problem.” (p.10) There is a vast supply of land already open for development within existing municipal settlement boundaries.

Developers must be required to build needed housing and employment facilities on already approved lands. Land banking by development and aggregate interests is not in the public interest. It actually prevents housing from being built, and results in higher housing costs.

The proposed omnibus Bill 23 and its associated policies and legislative changes are an extreme threat to our environment, our democratic society, and our economy.

In the face of unprecedented and accelerating biodiversity loss and the ever-worsening climate crisis, it is vital that your government do its utmost to protect the farmland, wetlands, forests, rivers, groundwater, and other natural areas that sustain us and all other living beings.

Bill 23 should be shelved, or substantively amended.

We urge you to:

1. Withdraw all amendments likely to weaken the protection of Ontario’s natural heritage systems; and
2. Retain and uphold the role of the public, MNRF bioogists, Conservation Authorities, and municipalities in environmental planning and decision-making.

Yours truly,

Roger Goulet and Sarah Harmer

Directors

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