



August 19, 2023

Honourable Minister David Piccini
Ministry of Environment, Conservation, and Parks
5th Floor, 777 Bay St.
Toronto, ON M5B 2H7
minister.mecp@ontario.ca

Dear Minister Piccini,

Re: [ERO #019-7356](#) - Proposed Project Evaluation Policy

We are writing to express our strong opposition to the Ministry of Environment, Conservation and Parks' (MECP) proposed *Project Evaluation Policy* as currently written. We recommend instead that MECP approve and apply the previously proposed *Environmental Impact Assessment Policy* (ERO [#019-1804](#)). The currently proposed policy has the potential to negate almost 20 years of work by the government to be accountable to Ontarians and to ensure that ecological integrity is maintained and restored within provincial parks and conservation reserves.

As you know, MECP (and previously the Ministry of Natural Resources and Forestry - MNRF) has used *A Class Environmental Assessment for Provincial Parks and Conservation Reserves* (Class EA-PPCR) since 2004 to meet its requirements under the *Environmental Assessment Act* (EAA) and to ensure that negative environmental impacts (including ecological, social, and cultural impacts) from projects carried out within provincially protected areas are minimized or mitigated.

We acknowledge that the Class EA-PPCR required updates to incorporate lessons learned from its use and to reduce inefficiencies. We also acknowledge that streamlining processes is a priority for your government, as explained in ERO [#019-1804](#). However, the current proposed policy will reduce the ability of the government to

uphold both the ecological integrity and consultation opportunity requirements of the *Provincial Parks and Conservation Reserves Act* (PPCRA) and will lead to less efficiency overall, for the reasons outlined below.

1. Consolidation of decision-making authority at the Ministerial level

The most concerning aspect of the proposed policy is section 4.1. It is unusual for a policy that purports to provide an efficient process for evaluating projects to state that a project will be evaluated if the Minister determines that evaluation is necessary, and then proceed to provide minimal information on an evaluation process. This approach represents an unacceptable shift of decision-making authority away from the non-partisan segment of the government to the political level. The template that is provided lacks detail or clear criteria, unlike the previous processes that were in place under the Class EA-PPCR, or the updated processes in the previously proposed *Environmental Impact Assessment Policy* (ERO [#019-1804](#)). Furthermore, involving the Minister in decision-making at the operational level is not a move towards efficiency or streamlining of process – it is the opposite in fact. Previous processes allowed for more efficiency by delegating authority appropriately to directors or managers.

2. Lack of policy direction for ecological integrity

Since the proclamation of the PPCRA in 2006, MNRF and now MECP has lacked associated policy direction to support the implementation of the ecological integrity requirements of the act. The Class EA-PPCR essentially served the role of operationalizing the ecological integrity mandate. We note that efforts have been made to formally address the lack of ecological integrity direction over the past two decades, most recently through a discussion paper posted in 2017 and closed with no decision in 2020 ([ERO #013-1671](#)). Without other policy direction to support ecological integrity in protected areas the currently proposed policy is insufficient to ensure that the purpose, objectives and principles of the PPCRA are upheld.

3. Inconsistencies in list of minor projects

The list of minor projects that do not require evaluation in Appendix 1 is a distinct departure from previous practice established through the Class EA-PPCR, as well as from the previously proposed *Environmental Impact Assessment Policy*. We are very concerned to see projects that are likely to have high environmental, social, and cultural impacts, like major new infrastructure (roads, water crossings, campgrounds) and dredging and filling below the high water mark, on this list. Projects like hyperabundant species management require the processes afforded through project evaluation to ensure that they proceed in a way that maximizes their success while responding to the concerns of the public and stakeholders. We also note that environmentally beneficial projects, such as the application of best management practices for invasive species management using approved herbicides are missing from the list, yet spraying native vegetation appears on the list. The classification of

projects that was presented in the previously proposed *Environmental Impact Assessment Policy* is more consistent and appropriate.

4. Over-reliance on management planning

The proposed policy relies on the management planning process as the mechanism for project-level decision-making, evaluation, and public involvement and consultation, which is inappropriate. Management direction for provincial parks and conservation reserves is intended to be long-term, high-level policy direction for the overall management of the area over a 20 year horizon. When done well, management direction takes several years to develop and is therefore not responsive to current conditions or stakeholders. Management direction for many protected areas is more than 20 years old, or nonexistent. Management direction cannot be used as a proxy for proper project-specific evaluation.

5. Lack of clarity for implementation

Finally, the current policy proposal contains multiple gaps throughout that make it unclear how it will actually be implemented. In contrast, the previously proposed *Environmental Impact Assessment Policy* (ERO [#019-1804](#)) was clear and unambiguous throughout in its language. Examples of areas where the current proposed policy is difficult to interpret include:

- Section 3.2 Application of this policy – It's unclear whether the policy applies to third parties who are proposing projects within protected areas not on behalf of the Minister (e.g., holders of an authorization within a provincial park or conservation reserve, such as a tourist outfitter or hunt camp). It's also unclear whether the sections that follow apply to all projects in protected areas, those listed in Appendix 1, and/or those that the Minister determines require evaluation.
- Section 4.2 Consultation – There is no information on what consultation will entail other than the development of a mailing list.
- Section 4.4 Request for Reconsideration – Given that a huge variety of projects are listed in Appendix 1 as being minor projects that don't require evaluation, and that the Minister will make decisions about whether projects not on the list will require evaluation, there is little opportunity for the public or for Indigenous communities to be aware of proposed projects, thus nullifying this section.

The policy requires much more clarity on these and other aspects of implementation, as set out in the previously proposed *Environmental Impact Assessment Policy*.

Concluding remarks

If MECP proceeds with the proposed *Project Evaluation Policy* as written, Ontarians can anticipate that projects with the potential to impact ecological integrity as well as

cultural, social, and recreational values will proceed with little planning or ability for the public and other stakeholders to be involved in providing feedback.

Ontario's protected areas play a critical role in sustaining healthy communities, enhancing climate change resilience and conserving biodiversity. We urge you not to proceed with the proposed *Project Evaluation Policy*. Instead, we recommend that you approve and apply the previously proposed *Environmental Impact Assessment Policy*.

Yours sincerely,

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