

Grand River Conservation Authority

Report number: GM-12-22-103

Date: December 16, 2022

To: Members of the Grand River Conservation Authority

Subject: ERO No. 019-6161- Conserving Ontario's Natural Heritage

Recommendation:

THAT Report Number GM-12-22-103 – ERO No. 019-6161- Conserving Ontario's Natural Heritage be approved and submitted to the Environmental Registry of Ontario.

Summary:

On October 25, 2022 the Ministry of Natural Resources and Forestry (MNRF) posted a proposal on the Environmental Registry of Ontario (ERO) titled 'Conserving Ontario's Natural Heritage'. This proposal is seeking feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat.

The Grand River Conservation Authority (GRCA) supports and will continue to uphold policies and guidelines that protect, restore or enhance natural heritage systems and biodiversity *in situ*, using a watershed or subwatershed approach to planning.

The GRCA supports the development of a provincial offsetting policy that is based on principles of conservation biology, landscape ecology, and watershed science.

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The Grand River Conservation Authority (GRCA) supports and will continue to uphold policies and guidelines that protect, restore or enhance natural heritage systems and biodiversity *in situ*, using a watershed or subwatershed approach to planning. Over the past few decades, the GRCA has developed two main guiding principles that have been incorporated into GRCA's Wetland Policy. These principles are: (1) that wetland loss will be avoided and (2) that wetlands will be managed on a watershed and subwatershed basis. The current GRCA consolidated policies for the administration of *Ontario Regulation 150/06* outline that wetland loss may be permitted under certain circumstances only. The GRCA does not currently have a policy that explicitly mandates offsetting or compensatory mitigation. Although there is growing recognition that biodiversity offsetting and compensatory mitigation are part of the conservation toolbox when used appropriately.

The GRCA supports the development of a provincial offsetting policy that is based on principles of conservation biology, landscape ecology, and watershed science.

Comments:

1. There is concern that a new provincial offsetting policy would place a greater burden on local conservation authorities and local municipalities, which might not have the

technical or staff resources to implement offsetting projects within their jurisdiction. It is acknowledged that the concepts of biodiversity offsetting and compensatory mitigation have been widely considered by the province and others.

Many conservation authorities have developed or are in the process of developing offsetting policies and guidelines to facilitate the review and implementation compensatory mitigation projects within their jurisdictions. However, offsetting and compensatory mitigation are used under very limited and special circumstances only.

It is unclear if or how a provincial offsetting policy would supersede or complement the offsetting policies that have been developed by conservation authorities and how this would impact the existing land use planning and permitting process. The roles and responsibilities of the province, local conservation authorities, municipalities, and developers need to be clear.

2. Although offsetting may be supported and is technically practicable in limited circumstances, it is unclear that offsetting will be feasible from a logistical standpoint. Identifying suitable land and willing landowners has proven to be a challenge within the Grand River watershed. There are likely to be similar logistical constraints in many areas of the province owing to a lack of willing landowners and/or limited staff resources, which would preclude the effective implementation and governance of offsetting projects in Ontario.
3. Wetland offsetting will require a much different approach than other types of offsetting focused on forests or grasslands. There will be a need for a more standardized approach to wetland restoration and creation to help maximize biodiversity conservation outcomes in the province. It is further suggested that a more standardized permitting process for wetlands, clear objectives and performance standards for individual wetland restoration and creation projects, and long-term monitoring are likely needed to administer an effective wetland conservation program in Ontario.
4. Similar to our comments on the Proposed Changes to Ontario's Wetland Evaluation System (ERO 019-6160), the GRCA supports the establishment of new or updated wetland policies and technical guidelines that are based on the best available science and that would facilitate the implementation and success of wetland offsetting projects in the province.
5. Ecological restoration and creation are both necessary to achieve net gains in ecosystem area, structure, and/or function when circumstances dictate. By contrast, habitat enhancement and preservation often involve trade-offs and/or would merely protect features and functions that already exist on the landscape.
6. Habitat banking, in addition to permittee responsible and fee-in-lieu offsetting options, are already part of the conservation toolbox in many jurisdictions and should be considered and implemented where appropriate.

The GRCA recognizes that ecological offsetting can be an important and effective tool in helping to maintain ecological functions and biodiversity in the face of rapid urbanization and land use change. For a provincial offsetting program to be effective it must be directed by a strong protective policy framework that clearly and specifically outlines when offsetting can, and cannot, be contemplated.

Financial Implications:

N/A

Other Department Considerations:

The Land Management division was consulted in the preparation of these comments.

Submitted by:

Samantha Lawson

Chief Administrative Officer