



Greenspace Alliance of Canada's Capital
Alliance pour les espaces verts de la capitale du Canada

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To: Rebecca Zeran, Program Advisor
Ministry of Natural Resources and Forestry, Policy Division
Natural Resources Conservation Policy Branch, Natural Heritage Section
300 Water Street, Peterborough Ontario K9J 8M5

by email: ConservingWetlands@ontario.ca

Re: Wetland Conservation in Ontario - Discussion Paper (EBR #012-4464)

Dear Ms. Zeran,

Since 1997, the Greenspace Alliance has worked with community organizations and individuals to preserve and enhance natural areas in the National Capital area, including public and private green spaces, wetlands and waterways. We believe that urban greenness is essential for a community's quality of life, contributing to our personal, social, economic, cultural and spiritual well-being. It also connects us with the natural and cultural history of our region.

We are pleased to respond to the Discussion Paper's questions as follows.

1. *Do you think there are current challenges related to wetland conservation in Ontario? If so, what are the challenges?*

To protect wetlands from road construction, housing developments, pesticide run-offs, invasive species, climate change etc. the biggest challenge is the education of municipal apparatus (administrative and elected), developers and the general public within a legislative framework.

2. *Three priority areas of focus for wetland conservation in Ontario are proposed: strengthen policy, encourage partnership and improve knowledge. What do you think of these three focus areas? Do you have other ideas for additional focus areas?*

Strengthen policy: The priorities are the right focus areas but strengthening policy does not go far enough; legislation is needed as in Alberta and Quebec, for example, where all wetlands are protected. The onus is then on developers and others to protect the wetlands. It is not up to the government to declare a wetland significant, then protect it or not. For one, it is too long a process and two, it does not protect smaller wetlands that also have a role to play in the ecosystem.

Nowhere in this document is it mentioned that municipalities have a crucial role to play. Final decisions are left to municipalities who fear tax revenues and possible OMB challenges and therefore do not see

conservation and protection in a favourable light. Changing the tax structure to increase incentives for wetland protection and other important habitat, increased purchasing incentives and long term leasing through enhanced conservation easement processes should all be part of strengthened legislation.

Encourage partnerships: Many Universities have ongoing studies which touch on many parameters discussed in this paper. Carleton University for one has been using Mer Bleue in the Ottawa region as a ground study for climate change, pesticide runoffs, etc.

Public Foundations such as Ducks Unlimited and Nature Conservancy of Canada can also play a role in protecting wetlands on private land. They have saved many to date.

There is a need to work with the forestry, mining, pipeline builders etc. to protect areas in Northern Ontario (the Far North and the Near North). First Nations are also an essential partner, especially in the North.

Knowledge: Education programs must include public awareness to provide a basis for protection, for example by avoiding inadvertent misuse and uninformed NIMBY reactions.

Education programs must include developers who need to be more aware of wetlands, the benefits they provide to society and awareness of the need to modify their developments in order to incorporate wetlands into their proposals.

Municipalities also have a very important role to play in protecting wetlands from development and should include in their Official Plans the identification and protection of all wetlands. Knowledge should be an essential basis of the municipality's Official Plan process.

Governments and agencies need improved knowledge of how to protect and/or rehabilitate wetlands. Research is at the base of all knowledge, therefore should be funded.

3. *Considering the three priority areas of focus, what are some actions and activities that government, organizations, and individuals could take to improve wetland conservation in Ontario? What partnerships should the Ontario government explore to stop wetland loss?*

+ There has to be more public education concerning the role of wetlands; Conservation authorities as well as other environmental groups serve this purpose well. Creation of more land trusts on a watershed basis with an enhanced mandate given to Conservation Authorities to preserve wetlands.

+ Municipalities also have a role to play therefore have to be educated as to the role wetlands play and their planning plays in conserving them. If wetlands are protected by legislation then land use planning must reflect this, including the OMB process. A tax policy change, acknowledging that the loss of revenue now will lead to cost savings and societal and environmental benefits in the future, is also needed with this legislation.

+ A change in the tax policy to increase incentives to donate money or land for wetland conservation (purchase or otherwise) or to donate money or land for sale to finance the purchase of a wetland elsewhere would also encourage private donations from landowners.

4. *What do you think about Ontario's current wetland policy framework? Can it be improved? Can it be made more effective? If so, how?*

The framework is good but must be incorporated into legislation where all wetlands are protected at the start. This modifies the philosophy and mindset of people and obliges those who do not have any intentions of protecting wetlands to do so. It puts the mitigation process within a framework of protection and not simply as a solution to appease protests. The Drainage Act, the Transportation Act and the Planning Act should be revised to be more respectful of wetlands.

Action to manage/remove invasive species from significant and other wetlands and adjacent lands should also be included in this legislation.

5. *Should targets be considered to help achieve wetland conservation in Ontario? If so, what form should these targets take?*

Targets can be set by ecological region (bioregions) and for specific reasons, e.g. flood control, habitat of a species at risk, erosion, climate change, etc. but are not set to decide whether a wetland is significant or not. The basic premise has to be that all wetlands are protected by law. Targets can insure protection of some form or come into play when mitigation is proposed.

No Net Loss for the first decade and then Net Gain for the next decade should be part of an action plan which includes evaluating activities and results every five years.

6. *The Ontario government is considering approaches to achieve no net loss of wetlands.*
- a. What do you think of the establishment of a mitigation/compensation hierarchy to achieve no net loss? Are there other approaches?*
 - b. What tools (e.g., policy) could be used to implement approaches to achieve no net loss?*
 - c. What might the role of government, partners, private landowners and others be if no net loss approaches are implemented?*
 - d. Should no net loss approaches be applied uniformly across Ontario? Or, only where the risk of wetland loss is greatest?*

Again, no net loss should start with the premise that all wetlands are protected and should be applied everywhere. When projects are looked at from this perspective there will be much less loss and much more working to include wetlands rather than have the attitude: this is the project and the wetland will be destroyed and compensated for etc.

No net loss should also be applied in accordance with regional targets. It is a box of tools which includes restoration or creation of another wetland area, which can be used once it is decided that for the greater good a wetland must be destroyed partially or totally.

Tools:

+ Change the tax structure – one option would be to discharge taxes on provincially significant wetlands, or else set them at a very low rate (lower than they are now).

+ Work with federal landowners to encourage them to acquire wetlands that are adjacent to existing

federal properties.

+ The public might play a greater stewardship role.

+ Purchase, Conservation Easements, Land Trusts.

+ Encourage the public to assist in rehabilitation efforts – consider a change to tax legislation to provide a benefit for volunteer hours donated to rehabilitation hours (done in some US States).

7. *Do you have any additional suggestions for improving wetland conservation?*

Clearly legislation protecting wetlands must be adopted and land use planning must conform to this legislation.

As part of the tool box of this legislation:

+ Provide clear and enforceable means of including this legislation into Official Plans

+ Provide clear enforceable guidance to the OMB and Committees of Adjustment.

+ Provide funding for municipalities to create artificial wetlands, especially in urban areas. Encourage municipalities to open up storm water management ponds to the public; do the same with old sewage treatment ponds; use them as educational tools.

+ Give greater authority (and resources) to Conservation Authorities for wetland management, conservation, rehabilitation; this would further their role in watershed management.

+ Provide incentives for municipalities and private landowners to limit destruction of wetlands; this is important since Municipalities control most of Ontario's lands in the south and the majority of these lands are in private ownership. Working with organizations that have a long experience with private landowners (Ducks Unlimited, Nature Conservancy of Canada etc.) is essential to conserving wetlands.

+ Ensure that research and the promotion of the value of wetlands, big or small, include coastal wetlands surrounding the Great lakes but the Hudson and James Bay regions also are in need of protection.

+ Provide greater public information on the threat that invasive species have on wetland structure and function. Tie these public education campaigns to endangered species etc. Now that the Invasive Species Act has passed third reading, use it as a tool to manage invasive species in wetlands and adjacent areas.

Thank you for the opportunity to comment. We look forward to learning about the next steps in this review process.

Erwin Dreessen

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Co-chair