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**Brief for the Standing Committee on Environment and Sustainable Development
regarding Bill C-40, An Act respecting the Rouge National Urban Park**

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Organizations: Ontario Nature and Environmental Defence

RECOMMENDED AMENDMENTS TO BILL C-40

Bill C-40, An Act respecting the Rouge National Urban Park, is intended to provide many benefits to Canadians through the creation of a new national park in the Rouge Valley. Among these, as noted in the Preamble, Parliament wishes “to protect natural ecosystems and maintain native wildlife in the Rouge Valley,” an area that “contains some of the last remnants of the Carolinian forest in Canada, significant geological features and a combination of diverse habitats linking Lake Ontario to the Oak Ridges Moraine.”

Ontario Nature and Environmental Defence support the creation of Rouge National Urban Park. The park has great potential to conserve biodiversity, while protecting areas for healthy local food production and connecting urban dwellers in the most heavily populated region of Canada to the national park system. However, if Rouge National Urban Park is to realize this potential, we believe that Bill C-40 must be amended to clearly prioritize ecological integrity and require the protection of natural ecosystems and wildlife. We respectfully recommend the following amendments.

1. Require that ecological integrity be the first priority of the Minister in park management (section 6)

Bill C-40 affords significantly weaker protection to the natural environment than either the Canada National Parks Act or Ontario’s Provincial Parks and Conservation Reserves Act, 2006. In both of these statutes ecological integrity must be the first priority of the Minister in making management decisions about the park. In stark contrast, Bill C-40 omits any mention of ecological integrity, a concept that is integral to the very purpose of the other two laws. Nor does it require the park to be managed to protect wildlife and natural ecosystems. Rather it leaves this critical element of park management up to the discretion of the Minister: the Minister need only take protection “into consideration” in managing the park:

6. The Minister must, in the management of the Park, take into consideration the protection of its natural ecosystems and cultural landscapes and the maintenance of its native wildlife and of the health of those ecosystems.

In the heavily populated Greater Toronto Area, where development pressures are intense and growing, such discretion leaves the park vulnerable and its future uncertain. We recommend that section 6 be amended to require and ensure that the protection of the natural environment is prioritized in park management.

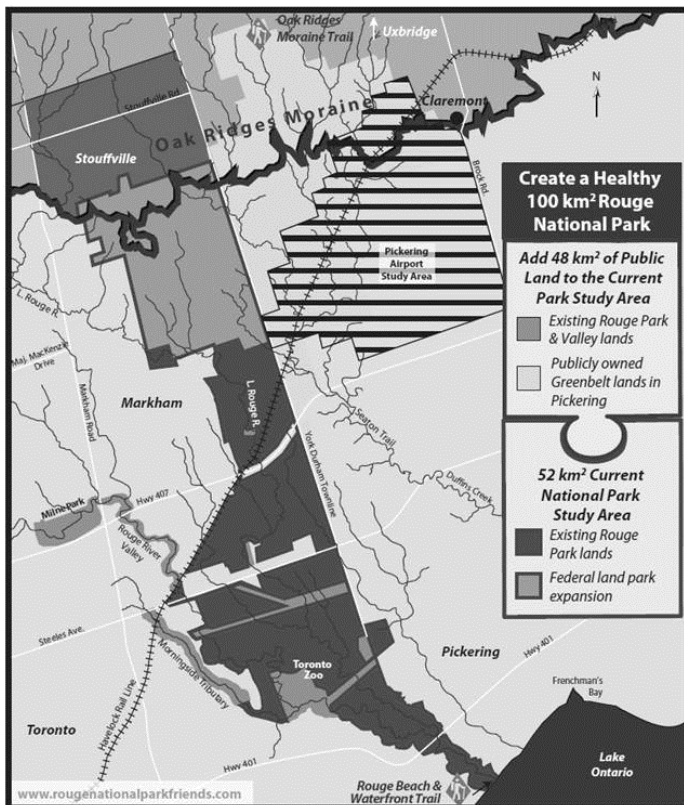
2. Revise the Schedule to include in the park approximately 48 square kilometres of publicly owned lands under federal jurisdiction.

As noted in the Preamble, the Rouge Valley connects Lake Ontario with the Oak Ridges Moraine. The lands described in the Schedule, however, will not protect this important ecological corridor. There is a wall of urban development around Stouffville that effectively cuts off the Oak Ridges Moraine from Lake Ontario.

The Schedule excludes about 48 square kilometres of publicly-owned lands that are currently available immediately adjacent to the proposed park (figure 1). These lands are currently under federal jurisdiction. By including these adjacent lands in the park the ecological corridor between Lake Ontario and the Oak Ridges Moraine would be secured (once Provincial lands are transferred), and the park would almost double in size, making it far more likely that biodiversity and ecosystem services will be conserved.¹

From a science perspective, size and landscape connectivity are vital considerations in designing protected areas. Therefore we strongly recommend that these adjacent federal lands be included in the Schedule.

Figure 1 (source: Friends of the Rouge Watershed)



¹ Note that if the 48 square kilometres of land are included in the park, there would still be 22 square kilometres available for the Pickering Airport Study Area, which is about one and a half times the size of the Toronto Pearson International Airport lands.

3. Strengthen the management plan requirements by explicitly including details about ecological objectives, indicators, monitoring and reporting. (section 9)

Section 9 of Bill C-40 sets out details about what must be included in a park management plan, but it lacks in particulars regarding ecological elements to be included:

9. (1) Within five years after the establishment of the Park, the Minister must prepare a management plan that sets out a long-term vision for the Park and provides for management objectives and performance evaluation. The Minister must cause the management plan to be tabled in each House of Parliament.

We recommend that section 9 (1) be amended to require that the management plan include ecological integrity objectives and indicators, provisions for ecological monitoring and reporting, and performance evaluation. With respect to evaluation, we also recommend that a state of the park report be tabled in the House of Parliament every five years.

4. Add provisions to ensure that potential adverse ecological impacts are duly considered when decisions are made regarding infrastructure installation or maintenance. (sections 12 and 16)

Section 12 sets out the powers of the park superintendent regarding the clearing of land for infrastructure installation or maintenance, and section 16 sets out the right to dispose of lands within the park for the purpose of installing or maintaining infrastructure. Such activities have the potential to adversely impact wildlife, ecosystems and ecological integrity. To ensure that these issues are adequately considered and addressed we propose that each of these sections be revised to include requirements to consider reasonable alternatives, and to minimize and where possible avoid environmental impacts.

Please note that we support the 200 hectare limit for transfers, as currently stated in the bill.

5. Strengthen the purpose section. (section 4)

We recommend amending the purpose section of the bill so that it 1) explicitly includes the restoration of natural heritage, and 2) avoids the vague and undefined term “diverse landscapes.” We believe that Rouge National Urban Park offers an exceptional opportunity to protect and celebrate nature and our agricultural heritage. Both nature and farming are specifically mentioned in section 4, and “diverse landscapes” simply detracts from this clarity of purpose.

SUMMARY OF RECOMMENDED AMENDMENTS

1. Require that ecological integrity be the first priority of the Minister in park management. (section 6)

2. Revise the Schedule to include in the park approximately 48 square kilometres of publicly owned lands under federal jurisdiction.

3. Strengthen the management plan requirements by explicitly including details about ecological objectives, indicators, monitoring and reporting. (section 9)
4. Add provisions to ensure that potential adverse ecological impacts are duly considered when decisions are made regarding infrastructure installation or maintenance. (sections 12 and 16)
5. Strengthen the purpose section to explicitly include the restoration of natural heritage and to avoid vague language. (section 4)

ABOUT THE ORGANIZATIONS

Ontario Nature is a charitable conservation organization that works to protect wild species and wild spaces through conservation, education and public engagement. We represent over 30,000 members and supporters and over 150 member groups across the province. Since its inception in 1931 as the Federation of Ontario Naturalists, Ontario Nature has been the voice for nature throughout the province, protecting and restoring natural habitats, while connecting thousands of individuals and communities with nature.

Environmental Defence is Canada's most effective environmental action organization. We challenge, and inspire change in government, business and people to ensure a greener, healthier and prosperous life for all. (www.environmentaldefence.ca)