

2024.IE10.4 Endangered Species Habitat Replacement on Public Lands Jan 9 2024 Infrastructure and Environment Committee Lenka Holubec

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VIA Email: Email: iec@toronto.ca

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RE: 2024.IE10.4 Endangered Species Habitat Replacement on Public Lands Jan 9 2024 Infrastructure and Environment Committee Lenka Holubec

Dear members of the Infrastructure & Environment Committee,

Thank you for this opportunity to comment on **2024.IE10.4 Endangered Species Habitat Replacement on Public Lands**

Recommendations

This is to fully support Councillor's Dianne Saxe recommendation **that City Council direct the General Manager of Parks, Forestry and Recreation, in consultation with other departments or the Toronto Region Conservation Authority, as appropriate, to require, whenever City property is used to create replacement habitat for the purposes of [the Endangered Species Act, 2007](#), at least two high quality replacement habitats for each existing habitat destroyed.**

In Ontario, there are now *over 240 plants and animal species* that are at-risk of extinction or of disappearing from the province, a number which is growing every year [O. Reg. 230/08: SPECIES AT RISK IN ONTARIO LIST](#)

Recently, *7 more species* was added to this list [Amendments to Ontario Regulation 230/08 \(Species at Risk in Ontario List\) in response to COSSARO's 2021 Annual Report](#). American Bumble Bee (*Bombus pensylvanicus*) was classified as special concern. Barn Swallow (*Hirundo rustica*) was re-classified from threatened to special concern.

[Office of the Auditor General of Ontario, Protecting and Recovering Species at Risk, November 2021](#)

- *Species at risk are the plants, mammals, birds, fish, and other organisms that are in danger of extinction and being lost forever*
- *Species loss directly affects how the natural world works, and impacts the many ways in which humans rely on nature and the services it provides*
- *Our audit found that the Environment Ministry is failing in its mandate to protect species at risk. Its actions have not been sufficient to improve the state of these species and their habitats.*
- *A 2019 study published in the Canadian Field-Naturalist found that building shed-like structures may not be effective for mitigating the loss of barn swallow nesting habitat*

Across Toronto, the species at risk protection applies to species listed as **Endangered**, e.g. American Chestnut, Butternut, Redside Dace, Jefferson Salamander, Wood Turtle, Piping Plover; **Threatened**, e.g. Blanding's Turtle, Bank Swallow, Chimney Swift, Least Bittern and **the Species of Concern** such as Goldenseal, Monarch, Barn Swallow, Snapping Turtle, Wood Thrush, Canada Warbler [O. Reg. 230/08: SPECIES AT RISK IN ONTARIO LIST](#)

Although, the city has adopted progressive environmental policies into the Official Plan - [OPA 262 Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas](#) (approved by the Province in May 2016) and developed Strategies, such as [WILD, CONNECTED AND DIVERSE: A BIODIVERSITY STRATEGY FOR TORONTO](#) and [T O R O N T O R A V I N E S T R A T E G Y](#), the city does not have jurisdiction to **compel** the provincial government to properly protect endangered species. Regulating use of the city's own public lands to strengthen protection along [the Endangered Species Act, 2007](#), and related environmental policies is under circumstances a necessary step to reverse biodiversity decline.

*“Effective species at risk legislation, when properly implemented and enforced, serves as **the last line of defence** for species at risk. These plants and animals may disappear forever if nothing is done to improve their imperilled state. Ideally, other government measures also exist to effectively conserve biodiversity and to prevent species from becoming at-risk in the first place.”* [The Last Line Of Defense - A Review of Ontario's New Protections for Species at Risk](#) Feb 2009, Gord Miller Environmental Commissioner of Ontario.

Sincerely,

Lenka Holubec, member [ProtectNatureTO](#)

Background

[the Endangered Species Act, 2007](#)

Preamble

“Biological diversity is among the great treasures of our planet. It has ecological, social, economic, cultural and intrinsic value. Biological diversity makes many essential contributions to human life, including foods, clothing and medicines, and is an important part of sustainable social and economic development.

Unfortunately, throughout the world, species of animals, plants and other organisms are being lost forever at an alarming rate. The loss of these species is most often due to human activities, especially activities that damage the habitats of these species. Global action is required.

The United Nations Convention on Biological Diversity takes note of **the precautionary principle**, which, as described in the Convention, states that, where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat.

In Ontario, our native species are a vital component of our precious natural heritage. The people of Ontario wish to do their part in protecting species that are at risk, with appropriate regard to social, economic and cultural considerations. The present generation of Ontarians should protect species at risk for future”

In the news:

[Please don't go, bird: meet the new kids on Ontario's endangered species list](#) The Narwhal Analysis, April 2023

Ontario has added seven animals to its list of species at risk

The new additions were recommended by an expert panel in 2021 and locked in by the provincial government [earlier this year](#), part of an annual update to the endangered species list. They include one bird and six other small species that are a little less conspicuous: two bumble bees, a moth, a cricket, a snail and a mussel. Elsewhere on the list, three species had their status changed in response to [cuts the Ontario government made](#) to species at risk rules in 2019.

The barn swallow, too, has been reclassified due to the 2019 changes. The steely-blue and cinnamon-orange songbird known for its forked tail and fancy aerial maneuvers used to be listed as threatened, which meant the species and its habitat were protected. Now it's a species of special concern, which means the government has to [prepare a recovery plan](#) for it within five years but isn't otherwise obligated to protect it.

Barn swallows nest at Ontario Place, a site on the Toronto waterfront where the Ford government is [controversially seeking](#) to allow construction of a large luxury spa.

[Monarch butterflies are now on Canada's endangered species list, December 22, 2023](#)

Monarch butterflies, known for their distinct orange and black wing markings, have been added to the endangered list, under Canada's Species at Risk Act (SARA)

This is an up-listing from their previous status of special concern.

“It underscores the pressures that we're seeing here in Canada in terms of habitat loss, climate change, lack of milkweed that the monarchs are facing,” Nature Conservancy of Canada spokesperson Andrew Holland told Global News.