

**LOOK BEHIND THE CURTAIN**

**ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE**

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**MEMO TO:** Ontario Municipal Councils

**FROM:** R.A. Fowler  
OPERA Secretary

**DATE:** May 21, 2013

**NO. OF PAGES:** One (1)

**RE:** Endangered Species Information Bulletin

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Composed in 2005-06 by a cartel of five professional lobbyists (Sierra Club, Ontario Nature, David Suzuki Foundation, Canadian Wilderness Society and Environmental Defense) Ontario's current Endangered Species Act (ESA 2007) was presented and legislated as a Ministry of Natural Resources invention a year later. Since that time the identification, location, defined habitat and enforced protection of a growing list of allegedly endangered plants, animals, fish, birds and bugs have occupied a good deal of provincial government time and attention, not to mention millions of dollars in undisclosed costs, cozy consultant contracts and ballooning bureaucracy.

ESA 2007 core objectives are commendable and widely supported. Unfortunately, their implementation and enforcement reveal disturbing concerns for affected municipalities and their constituents. Some examples:

- (1) The Act encourages voluntary participation of all stakeholders but denies right of appeal and/or compensation when penalties for non-compliance, however innocent or accidental, are levied by provincial authorities.
- (2) The need for public consultation of species administration, while often acknowledged, is routinely diluted in a profusion of Internet pages offering convoluted data permanently hidden from citizens without a computer.
- (3) The Act provides for severe punishment, both monetary and judicial, on conviction for non-compliance of species/habitat protection but scope and extent of these measures are seldom published in detail.
- (4) ESA 2007 implementation/enforcement is assigned to Ontario's 36 Conservation Authorities whose escalating municipal levies presumably include policing costs of species protection thus adding to local taxpayer expense.
- (5) Endangered species/habitat identification is left to the Committee on the Status of Species at Risk in Ontario (COSSARO), a provincial tribunal where oral municipal/citizen participation is explicitly denied.
- (6) ESA 2007 transforms affected citizens into unpaid custodians of resident and migrant wildlife and, in the process, reduces allowable use, mortgage worth and market value of their property by regulation.

Thanks to heavy provincial reliance on Internet communication, undoubted benefits as well as unintended consequences of wildlife legislation (i.e. hay harvesting restrictions are claimed essential for bird habitat protection) are not well understood by Ontario taxpayers. Hence OPERA has long advocated municipal distribution of a Species Fact Sheet as follows:

- MNR annually prints required quantities of synopsis of designated species at risk for each area in Ontario.
  - This Fact Sheet to provide brief, up-dated commentary re: species/habitat identification and protection.
  - ESA 2007 enforcement by Conservation Authorities and non-compliance penalties to be fully explained.
  - Species Fact Sheet enclosed with annual municipal property tax assessment and covering municipal note.
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**This Information Bulletin, a voluntary public service initiative of the Ontario Property & Environmental Rights Alliance, has been forwarded to over 450 municipalities across Ontario.**

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*"Seeking government transparency and accountability"*