



The Ontario Headwaters Institute

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Ministry of Natural Resources and Forestry
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Re: Intent to Repeal the Far North Act, 2010 -- ERO 013-4734

The Ontario Headwaters Institute, a charity working to protect headwaters, watersheds, and natural heritage, offers the following comments on the Province's intent to repeal the Far North Act.

Overall, we are concerned that the intent to repeal the Far North Act signals that the Province may be abandoning the need for a vision for the North that would address responsible development, environmental safeguards, and fulsome engagement with local communities.

Such perspectives can be found in international documents, national documents, provincial commitments on a range of issues, and in the seminal work *The Need for a Regional Strategic Environmental Assessment in the Ring of Fire* co-authored by Ecojustice and the Wildlife Conservation Society (WCS) Canada.

With respect to Provincial initiatives, we note Ontario's commitment to the precautionary principle, to maintain biodiversity, and to protect clean air, water, and soil as described in the draft environmental plan.

In contrast, and while we have no love of unnecessary bureaucracy and are in favour of sustainable and/or responsible development, we find that the proposed repeal may significantly reduce environmental and planning safeguards as "red tape", contrary to the goals of the draft environmental plan, while falsely suggesting, without any evidence, that various un-named environmental and planning safeguards might be hampering development.

Secondly, while we are aware that some First Nations support the repeal, we note that others do not, and that there are particular concerns about both a lack of engagement with First Nations and a lack of progress on developing Regional Framework Agreements.

As result of our concerns, please note that we support the vision and five recommendations in the April 12, 2019 submission from WCS Canada on the intent to repeal that the government, as follow:

1. Commit to a comprehensive and public review of the successes and failures of the Far North Act. After considering the lessons learned from this review, work directly with First Nations to develop a nation-to-nation, government-to-government planning process that: a) Recognizes First Nations jurisdiction; b) an adequately deal with the cumulative effects of multiple region-opening developments at the regional and local level, while safeguarding biodiversity, carbon stores and other ecosystem services; and, c) Commits to providing communities with financial support for planning and monitoring;

2. Review the Matawa Regional Framework Agreement process, and create a renewed regional approach that addresses jurisdiction and enables participation by all affected First Nations in the development and conservation of the far north in Ontario;
3. If the Far North Act is repealed, First Nations and Ontario must come together to co-develop a decision-making framework that addresses First Nations jurisdiction and Inherent Aboriginal and Treaty Rights in the far north. If the Public Lands Act is reformed, it will need to be in careful consideration of the unique needs and conditions of planning in the far north specifically, along with Aboriginal and Treaty Rights;
4. Remove the time constraint to allow interested communities to continue their community-based land use plans and commit support and resources for them to do so; and,
5. Ensure that dedicated protected areas that have been designated under the Far North Act through community land-use planning retain joint jurisdiction for management (e.g., co-management) by Ontario and interested First Nations. This would include resources for the management of such areas, including monitoring.

While the Far North is a large area, offers economic potential, and may seem immune to severe systematic degradation, we simply cannot continue despoiling one more watershed or one more ring of fire at a time, in a world facing a sixth mass extinction.

In contrast to the false choice of eliminating red tape or being open for business, the government would do well to proudly pursue the values of clean air, water, and soil as described in its draft environmental plan in any further development.

We therefore urge you, regardless of any repeal or not, to work on a broader, more sustainable, conserver vision for the Far North, as you should indeed for all areas of Ontario.

Sincerely,

Andrew McCammon

Executive Director