



Ontario Federation of Agriculture

Ontario AgriCentre

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November 11, 2016

Ms. Terese McIntosh
Biodiversity and Wetlands Program and Policy Advisor
Ministry of Natural Resources and Forestry
Natural Resources Conservation Branch
300 Water Street
Peterborough, ON
K9J 8M5

Dear Ms. McIntosh;

RE: EBR Registry Number 012-7675 A Wetland Conservation Strategy for Ontario 2016-2030

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 36,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

The proposed A Wetland Conservation Strategy is ambitious; "by 2025 Ontario's significant wetlands are identified and conserved" and "by 2030, the net loss of wetlands is halted in areas where wetland loss has been greatest". Meeting these two goals will require the Ontario government in general, and the Ministry of Natural Resources and Forestry specifically, to commit significant resources to this endeavour.

Unfortunately, the environmental and ecological goods and services that agricultural areas provide all of us beyond safe, affordable food, fibre and fuel are again overlooked. These services, in alphabetical order, include;

- aesthetic and recreational space,
- air quality (carbon sequestration, climate regulation, oxygen production),
- biodiversity,
- nutrient cycling,
- pollination services,
- soil erosion control, and
- water cycling (flood mitigation, groundwater recharge, purification, retention)

This continued failure to acknowledge the broad range of environmental and ecological goods and services provided by actively farmed agricultural lands is unacceptable. OFA strongly urges the Ministry of Natural Resources and Forestry to include in its Wetland Conservation Strategy for Ontario 2016-2030 language outlining the full range of environmental and ecological goods and services provided by actively farmed agricultural lands.

OFA also reiterates its longstanding concerns over Ontario's shrinking agricultural land base. Despite Ontario's vast land area, less than 5% (5.1M hectares or 12.6M acres) is capable of supporting agricultural production. In contrast, the Hudson Bay lowlands, a vast wetland complex abutting Hudson and James Bays, cover about 25% of Ontario's land area. Based on data from the 2006 and 2011 censuses, Ontario lost almost 260,000 hectares (636,000 acres) over that 5 year period. That amounts to 350 acres; equivalent to 173 CFL football fields of agricultural land lost each and every day.

The draft Strategy document (page 6) states "*upstream land use practices also have an impact, particularly through run-off from agricultural lands and impervious surfaces.*" Firstly, OFA objects to the reference to run-off from agricultural lands and impervious surfaces. Does the Ministry of Natural Resources and Forestry believe that no other activities on the landscape cause runoff? Soil is a valuable resource; too valuable for farmers to lose it to erosion. Farmers rely on their soil for the success of their farm operations, and they undertake a range of actions to retain soil on their fields, no-till cropping, grassed buffers, windbreaks and cover crops are but a few of the actions farmers take to keep soil on their farms. In the context of sediment loading, the document omits urban development activities that remove top soil and leave the land bare as the development process proceeds. We view this omission as unacceptable.

In our 2015 submission on the Co-ordinated Review, we cited a message the Middlesex Federation of Agriculture posted on a billboard a number of years ago. It is still relevant today;

Humans, despite all of their accomplishments, owe their entire existence to six inches of topsoil and the fact that it rains.

The draft Strategy document notes, "currently, wetlands are managed through a variety of policies that include over 20 different pieces of legislation administered and/or implemented by five provincial Ministries, two federal departments, a provincial agency (the Niagara Escarpment Commission), 36 Conservation Authorities and 444 municipalities." It would be difficult to envision a more complex, disjointed resource management mechanism. OFA strongly recommends that before this Wetland Conservation Strategy is finalized and implemented, that the current administration mechanism for wetlands be substantially simplified and streamlined.

The Discussion Document proposed that A Wetland Conservation Strategy for Ontario be based on seven guiding principles;

1. Wetlands should be regarded as integral components of their watersheds, as part of a system of natural heritage and hydrologic features and areas, and as part of the larger landscape.
2. Wetlands and the ecological functions they perform provide important benefits (ecological, economic, cultural, spiritual and social) that are vital to the health and well-being of all Ontarians. Efforts to sustain these benefits should be a priority.
3. Wetlands should be conserved based on three hierarchical priorities:
 - Protection – retain existing wetlands
 - Mitigation – minimize further damage to wetlands, and
 - Restoration – improve wetland function on the landscape.
4. Wetlands should be conserved based on a precautionary approach, and using the best available science, information and traditional knowledge.

5. Protection of provincially significant wetlands is a priority, but conservation of all wetlands is encouraged.
6. Wetlands should be conserved in a manner that recognizes, and is informed by, the rights and interests of the indigenous communities.
7. Wetlands should be conserved in strong partnership with other levels of government, private landowners, indigenous communities, non-government organizations and other stakeholders involved in wetland conservation.

OFA generally supports the seven guiding principles. We recognize the environmental and ecological benefits provided by Ontario's wetlands. As earlier noted, Ontario's finite and diminishing agricultural lands, covering less than 5% of Ontario's overall land area in 2011, also provide Ontario with a suite of environmental and ecological services or benefits which are unacknowledged in the draft strategy document.

We do, however, oppose reliance on the precautionary principle (principle #4). We view its use as an overreaction and justification for unduly excessive policies. While the OFA agrees with the principle of precaution, we do not agree with the Precautionary Principle, as drawn from the Bergen Ministerial Declaration on Sustainable Development (1990) which included the following statement:

“Where there are threats of serious or irreversible damage, a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.”

This statement within the definition of the Precautionary Principle causes OFA considerable concern because of the reference to full scientific certainty. In so far as the word ‘science’ is defined as knowledge and knowledge is constantly evolving it is not at all helpful to even reference something as unachievable as ‘full scientific certainty’.

It would be inappropriate to speak of the proposed Wetland Conservation Strategy as being science-based, on one hand, and then incorporate into it a “principle” that questions any science-based decision because the science lacks full certainty.

Our major concern is that the Precautionary Principle will be used to dismiss any remedies that are proposed through a risk management process. Given the Precautionary Principle definition, it is entirely conceivable that an opponent to any manner of land use could claim that the site-specific risk management plan associated with the land use lacks scientific certainty, and therefore the land use or activity should be prohibited. OFA recommends that references to the precautionary principle be dropped.

Principle number 7 speaks to a commitment to partnerships. OFA welcomes this commitment.

The draft strategy proposes four Strategic Directions; Awareness, Knowledge, Partnership and Policy. We welcome the indicated hierarchy; first, Awareness, followed by Knowledge and Partnership, with Policy coming last. OFA applauds the Ministry of Natural Resources and Forestry for adjusting the order of its priorities. We see this hierarchy as the appropriate one to utilize for A Wetland Conservation Strategy for Ontario 2016-2030.

Awareness (page 24-25):

From our perspective, too many in government, Conservation Authorities, environmental organizations and the general public confuse wetlands (one word) describing the four types; swamps, marshes, bogs and fens with *wet land* (two words) describing lands that are simply slow to dry up after heavy rains or a quick spring melt. The two terms are not interchangeable. OFA recognizes, acknowledges and appreciates the role of wetlands in the overall hydrologic cycle, and their role in flood attenuation, groundwater recharge, carbon sequestration and climate mitigation. *Wet land* is different; temporarily wet due to heavy rains or a quick spring melt; best described as temporarily wet crop lands. *Wet land* will not become a wetland.

As well, *wet land* is often mistaken in air photos taken in the Spring for a wetland, and without on-the-ground verification can become designated in an Official Plan as a wetland. Upland forests, man-made ditches, drains and irrigation ponds have somehow also been “identified” as wetlands! Once designated in an Official Plan, it is very hard for an individual to have the designation reversed, even when it is erroneous. This underscores our request for a no-cost appeal process for property owners who believe the wetland designation assigned to their property has been erroneous.

Title searches do not reveal the presence of a wetland or other natural heritage feature on a property. As the presence of these features on a property, along with their buffers and adjacent areas can limit the use of the property for the full range of agricultural uses, OFA recommends that the presence of wetlands and other natural heritage features be added to land titles so that potential buyers are fully aware before closing that the property has a designated wetland or other natural heritage feature on it. We further recommend that for future designations of wetlands and other natural heritage features, the property owner impacted by the designation receive advance notice in writing that a natural heritage designation is proposed for their property. Accompanying this notification should be a detailed description of what type of designation is proposed, what its limits are and how the landowner can appeal the proposed designation.

One of the suggested actions states, “develop and improve public online access to wetlands inventory and mapping data and results of research on functions, status and trends”. OFA has concerns that this could lead to increased incidents of trespass on farm properties as well-meaning individuals seek out these sites. OFA prefers that this information not be publicly available. Any public database of wetlands must include clear, unequivocal language that many wetlands, particularly those in Southern and Central Ontario, are located on privately-owned lands, and that permission to access any privately-owned lands comes from the owner of these lands, whose decision on access is final.

Another suggested action states “analyze and describe practical opportunities for industry to undertake wetland conservation projects, including development and communication of best management practices”. Where does agriculture fit into this action? The majority of lands across Southern Ontario are privately owned farms. Farmers have been encouraged to address barnyard runoff, milk house wash water or tile drainage outlets through created wetlands. How will these created wetlands be treated? Any Wetland Conservation Strategy must clearly and unequivocally exempt these created wetlands. To do otherwise will serve to deter farmers from adopting future environmentally responsible actions.

Knowledge (page 26-27):

“Support research into the efficacy of terrestrial and riparian buffers in maintaining wetland conditions”.

OFA welcomes the commitment to research on buffer efficacy. Key research elements should include the appropriate buffer width and plant species for different applications. Some natural self-sustaining vegetation consisting of native plant species can serve as host for a range of blights, rusts and mildews that negatively affect adjacent crops. These plantings can also shelter animals, birds and insects that prey on crops. OFA strongly recommends that buffer research include elements focusing on the appropriate buffer width as well as the appropriate plant species for different applications.

“Establish a framework for determining province-wide priority areas for conservation and restoration that considers the broader landscape context (e.g. habitat connectivity, watershed context, adjacent lands, natural heritage systems, water resource systems, protected areas networks, areas of resource development need to sustain quality of life for Ontarians).”

Wetland conservation is a key priority, but this discussion paper is not alone in overlooking Ontario’s declining agricultural land base. Currently, less than 5% of Ontario’s land area is capable of supporting agricultural production. Land conservation initiatives, while laudable, cannot continue to view agricultural lands as the source of land to address conservation goals. OFA opposes the conversion of agricultural lands for conservation ends.

OFA believes that the Ministry of Natural Resources and Forestry has omitted a commitment to on-the-ground verification of wetlands. Initial identification of wetlands is often through air photos. On-the-ground verification would focus firstly on confirming that the identified feature truly is a wetland and secondly on where the feature’s actual boundaries are. While not widespread, there are, nevertheless, too many instances where wetlands have been incorrectly identified and then designated. Once a wetland designation has been applied, it is very difficult and costly to remove, or even modify. Temporarily wet areas in fields that are only present immediately after a rapid snow melt or exceptionally heavy rain, wet spots due to broken tile drains or man-made ponds bordered by bull rushes and cattails are not wetlands. All have been misidentified as wetlands. Including the simple step of on-the-ground verification would avoid erroneous designations.

OFA recommends that the province commit to improved wetland mapping, including the development of a no-cost appeal process for landowners who firmly believe that the feature identified on their farm as a wetland is, in reality, not a bona fide wetland. OFA further recommends that landowners be directly notified that a wetland has been identified on their property. Such notification must come before the feature has been designated as a wetland in the Official Plan.

Simplified wetland evaluation materials, to help landowners better understand what wetlands are, how they are evaluated, the different types and the roles of wetlands in the overall hydrologic cycle would be a beneficial public education tool.

Partnership (page 28-29):

“Further develop conservation partnerships with the agricultural community, indigenous communities, private landowners and industry to promote wetland values, encourage conservation, implement best management practices and identify restoration opportunities”.

It is not clear what is envisioned here. Farmers understand the value of wetlands, and the key role they play. What is missing from this statement is recognition of the environmental goods and services also provided by actively farmed agricultural lands. Furthermore, farmers have demonstrated their environmental commitment through active participation in the Environmental

Farm Plan, and through the adoption of a broad range of best management practices geared toward environmental benefits over and above agronomic benefits.

Also missing from the above statement is action on invasive species that threaten wetlands, such as phragmites. The recent EBR posting on the regulation of invasive species under the Ontario Invasive Species Act, 2015 is a good first step. The Invasive Species Act, 2015 provides for the use of physical, mechanical, chemical or biological means to eradicate listed invasive species. OFA supports these statutory provisions for invasive species control. Once the proposed regulation is finalized, we trust that the Ministry of Natural Resources and Forestry will aggressively pursue the eradication of invasive species that threaten wetlands.

“Work with partners to develop and implement regional and landscape level wetland conservation strategies to guide local governments, stakeholders, indigenous communities and interest groups”.

Firstly, any proposed regional and landscape level wetland conservation actions need to respect and not restrict the agricultural activities occurring on adjacent lands. Ontario’s current wetland policy framework describes “adjacent lands” and those lands within 120 metres (400 ft.) of a wetland. While not intended as a “no go” zone, too many view it in that light. The area around a wetland where land-based activities may negatively impact the wetland is totally dependent on topography. OFA requests that A Wetland Conservation Strategy for Ontario clarify that any adjacent land policies do not automatically and arbitrarily limit uses within that area, but that any limits on uses be based on actual impacts, and exempts primary agricultural production activities; growing crops and raising livestock.

Secondly, is this a role for Ontario’s Conservation Authorities? If so, how are those portions of Ontario without a Conservation Authority affected, and how will these strategies be implemented on a consistent basis given the recognized fiscal discrepancies across Ontario’s thirty-six Conservation Authorities?

Policy (page 30-31):

The Discussion Paper proposes to “integrate a clear and consistent definition of wetlands across policy”. OFA has long advocated for the adoption of a single, consistently-applied definition for wetlands. The current multiplicity of definitions only serves to foster confusion, not only for property owners who have a wetland on their property, but also for those responsible for delivering wetland programs or implementing wetland policies. OFA welcomes the proposal that Ontario adopt a clear and consistent definition of wetlands across policy. What is not abundantly clear from this statement is which wetland definition would be applied? In the absence of clear direction, OFA strongly recommends that the 2014 Provincial Policy Statement definition for wetlands be that single consistent definition of wetlands across all government policy and programs.

“Support the development of policy tools to improve the conservation of all wetlands”.

The 2014 Provincial Policy Statement (PPS) already mandates the identification and protection of wetlands as one of several natural heritage features. The 2014 PPS also prohibits development and site alteration in significant coastal wetlands as well as in Provincially Significant Wetlands across Central and Southern Ontario. What other policy tools does the Ministry of Natural Resources and Forestry believe are necessary to achieve wetland conservation? OFA requests that the Ministry of Natural Resources and Forestry clearly identify the policy development tools it views as necessary.

“Develop policy approaches and tools to prevent the net loss of wetlands in Ontario, focusing on areas where wetland loss has been greatest”.

We also believe that the 2014 PPS already speaks to this. Natural heritage features must be protected. Natural heritage systems across Central and Southern Ontario must be identified. Development and site alteration are prohibited in significant coastal wetlands as well as in Provincially Significant Wetlands across Central and Southern Ontario. OFA views these as sufficient policy tools, if applied, to achieve “no net loss” of wetlands. Perhaps what is lacking is a provincial commitment to implementing these policies as written.

“Review and improve the method by which provincially significant wetlands are identified”.

Reviewing and improving the methodology by which wetlands are identified is necessary. Both wetland evaluation manuals are far too complex and far too lengthy (Southern Manual 287 pages; Northern Manual 277 pages) to serve either laypersons or private landowners in understanding how wetlands are assessed and evaluated in Ontario. In **both** manuals, the definition of a wetland is incomplete. The second paragraph found in the 2014 PPS definition, *“periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered wetlands for the purposes of this definition”* is omitted. This omission is unacceptable. OFA demands that the full 2014 PPS “wetlands” definition be incorporated into any revisions of the two Ontario Wetland Evaluation System manuals.

Secondly, we have the Ministry’s acknowledgement in its 2015 wetlands discussion paper that 43% of wetlands in the Mixedwood Plains ecozone have not been evaluated. We cannot envision proceeding on any wetland conservation strategy without first completing the assessment and evaluation of all wetlands in the Mixedwood Plains ecozone.

“Promote and expand opportunities to enhance wetland conservation and restoration through the Drainage Act.”

OFA supports this. For too long, the Drainage Act has been wrongly blamed for wetland losses. The Drainage Act enables farmers to obtain an outlet for water collected in field tile drains. Tile drains remove excess water from the root zone of cropland, not wetlands, to improve crop yields. The Ministry of Agriculture, Food and Rural Affairs restructured its grant programs under the Drainage Act in 2005. Among the key policies of the restructured grant programs (Agricultural Drainage Infrastructure Program) were;

- a) compliance with applicable law (1.0), and
- b) grants will not be paid on the construction or improvement of drainage systems that drain through or from “significant wetlands” as defined in the PPS (2.3.d).

There are numerous examples of wetland conservation and restoration activities that can be achieved through judicious application of the Drainage Act. OFA recommends that the Ministry of Natural Resources and Forestry should, in concert with the Ministry of Agriculture, Food and Rural Affairs’, communicate these opportunities to its stakeholders and to environmental non-government organizations.

“Develop and ensure that adequate policy guidance is available on incorporating wetland protection strategies in local planning (e.g. natural heritage system planning)”.

As noted previously, OFA firmly believes that the 2014 PPS already speaks to this. If there is a gap, it lies in provincial oversight of municipal conformity with the policies in the PPS.

“Develop best management practices for activities in proximity to wetlands (e.g. establish limits for surface and groundwater withdrawals, draining or infilling of vulnerable wetlands in order to enhance the resiliency of these wetlands to change)”.

As noted, OFA firmly believes between 2014 PPS and the Drainage Act, there are sufficient policies to address threats to wetlands. Any gap is, in our perspective, in municipal compliance with PPS policies on wetlands, as set out in section 2.1 of the 2014 PPS. The Ministry of Natural Resources and Forestry needs to work with The Ministry of Municipal Affairs on achieving municipal conformity with section 2.1, particularly in dealing with municipalities that enable or allow draining or infilling of wetlands for urban development or settlement expansions.

“Integrate wetland restoration and planning efforts with other watershed planning efforts”.

In our earlier comments, we stated that in the proposed mitigation/compensation hierarchy (avoid, minimize, mitigate, compensate), we support the first three elements (avoid, minimize, mitigate) but we oppose compensation. We recognize it is viewed as a last resort. Compensation for wetland loss will take productive agricultural out of production to satisfy the compensation component. Proponents of compensation for wetland losses, “green” aggregates or endangered species habitat fail to recognize where the requisite land comes from to provide this compensation. Furthermore, there is no assurance that these created wetlands are capable of providing anything close to the wetland function of the lost wetland. Also unaddressed are wetlands created by farmers as a solution for treating barnyard runoff, milkhouse wash water or as outlets for tile drains. Creation of these features may have unintended consequences. Do policies pertaining to adjacent lands apply? How will these wetlands be treated if endangered species occupy them? These questions, and no doubt others, must be addressed. The OFA recommends that wetlands created on farms, to treat barnyard runoff, milk house wash water or for tile drain outlets, be fully exempt from wetland conservation policies.

“Explore improvements to incentive programs to encourage wetland conservation on private land”.

The Ministry of Natural Resources and Forestry fails to recognize that the Conservation Land Tax Incentive Program (CLTIP) has little appeal for farmers as they already receive a reduced property tax rate on their land and outbuildings. If the Ministry of Natural Resources and Forestry truly wants to improve its current incentive programs, it will actively consult with agricultural groups to explore incentives targeted specifically towards wetland conservation on farms.

“Integrate the economic value and the value of the ecosystem services provided by wetlands into decision-making”.

This ignores the ecosystem services provided by other natural heritage features, and definitely ignores the range of ecosystem services provided by agricultural lands.

Priority Actions (pages 36-42):

The Ministry’s 2015 discussion paper (page 11) noted that “over 460,000 hectares (43%) of wetlands in the Mixedwood Plains ecozone (Southern Ontario) have not been evaluated”. This statement presents a sad picture of the lack of government commitment to wetlands. Ontario cannot protect wetlands it has yet to assess, evaluate and designate. Before embarking on other aspects of this wetland strategy, OFA believes that the Ontario government must first undertake to evaluate the 43% of wetlands in the Mixedwood Plains ecozone that have not been evaluated.

Updating & refining provincial wetland mapping:

The Ministry of Natural Resources and Forestry must go beyond air photo interpretation and satellite imagery. These are good first steps in wetland identification but must always be followed up with on-the-ground verification that what we think we saw is a wetland, not simply wet land, and if it is a wetland, where its boundaries are.

Strategically enhance wetland mapping in areas both in and adjacent to high growth zones and in areas where wetland mapping is currently limited:

OFA believes focusing on areas in and adjacent to high growth is a sensible approach, as losses will most likely to occur in high growth areas, particularly where wetlands have not yet been not identified, evaluated and designated. Since 43% of wetlands in the Mixedwood Plains ecozone have not been evaluated, OFA believes that the Ministry of Natural Resources and Forestry should first focus its wetland mapping efforts in this region.

Standardizing wetland mapping techniques to improve consistency:

Standardized mapping is an absolute necessity. Just as we have been supportive of a single, uniformly-applied definition of wetlands, so too does OFA support standardized mapping.

Conducting accuracy assessments for wetland mapping from various sources:

We have previously noted our concerns with the accuracy of some wetland mapping, leading to inaccurate designations. On-the-ground verification must be a key stage in the wetland identification/assessment/designation process. Incumbent in this process are criteria that ensure that features that **are not** wetlands, for example created wetlands to treat agricultural runoff, irrigation ponds or even broken field tile drains, are not incorrectly identified, assessed and finally designated as wetlands. Data from different sources must meet established equivalency criteria. Guaranteeing that only bona fide wetlands are so identified will demonstrate a commitment to accuracy which will improve landowner buy-in.

Identification of the types of wetlands and wetland functions that can or cannot be compensated for.

OFA has been skeptical that fully functioning wetlands can be created where none previously existed. Unless wetland function can be recreated (groundwater recharge, flood attenuation, etc.), OFA opposes compensation for wetland losses as a component of A Wetland Conservation Strategy for Ontario.

Understanding and establishing equivalence or greater in compensation, in particular, replacement of both quantity (size) and quality (function) of the wetland:

As noted, OFA opposes A Wetland Conservation Strategy for Ontario that includes a compensation component. We oppose compensation not because we do not see the ecological and environmental value of wetlands but because we see the continued loss of Ontario's finite and shrinking supply of agricultural land as a more serious challenge. Whenever society looks to compensate for a lost natural heritage feature, or to expand an urban settlement area, the one type of land that is taken is agricultural land. Ontario's prime agricultural land should be reserved solely to produce food, fibre and fuel, not only for Ontarians, but also for other Canadians as well as residents of other nations. Ontario has some of the globe's most productive agricultural land. We are blessed with a moderate climate and ample rainfall. OFA is categorically opposed to any form of non-agricultural use of our prime agricultural land.

Also inherent is this theme, and seemingly overlooked, are created wetlands in the farm context to treat barnyard runoff, milkhouse wash water, etc. as well as farm ponds dug as a source of water for irrigation or livestock. They serve an agricultural-specific purpose. Even if a few bulrushes or other wetland plants become established along the edges, OFA demands that these farmer-created wetland must be 100% exempt from A Wetland Conservation Strategy for Ontario.

Determining the duration of wetland offsets:

OFA offers no comments on this point.

Development of appropriate policy mechanisms for implementation:

The Ministry's wetlands policy should be based on broad-based principles, which must include;

- science-based and readily understood evaluation criteria,
- on-the-ground verification,
- automatic and mandatory notification to the landowner that a wetland has been identified on their property,
- a no-cost appeal mechanism available to any landowner who believes the "wetland" feature on their property has been misidentified as a wetland, and
- policies that make a wetland on one's property an asset rather than a liability.

Identification of clear roles and responsibilities for implementation:

As the draft Strategy document notes, "currently, wetlands are managed through a variety of policies that include over 20 different pieces of legislation administered and/or implemented by five provincial Ministries, two federal departments, a provincial agency (the Niagara Escarpment Commission), 36 Conservation Authorities and 444 municipalities." It would be difficult to envision a more complex, disjointed resource management mechanism. OFA strongly recommends that before this Wetland Conservation Strategy is finalized and implemented, that the current administration mechanism for wetlands is substantially simplified and streamlined, setting out clear roles and responsibilities for implementation.

Lessons learned from other jurisdictions that have adopted offsetting policies and feedback from stakeholders and partners:

OFA is aware of the Nova Scotia Wetland Conservation Policy (2011). Our comments on it are based solely on our assessment of its elements. We have neither knowledge of its on-the-ground effectiveness, nor its impacts on agricultural operations, if any.

The Policy articulates a commitment to balancing "the need for wetland protection with the need for sustainable development". A key objective is "no loss in Wetlands of Special Significance and the goal of preventing net loss in area and function for other wetlands". Both are aspects OFA supports.

The Nova Scotia Wetland Conservation Policy also contains several key exemptions;

- i. wetlands created for wastewater or stormwater,
- ii. excavated ponds,
- iii. agricultural marshlands,
- iv. wetlands within agricultural drainage ditches, and
- v. wetlands that develop as the unintended consequence of urban, commercial, industrial or agricultural development.

OFA strongly recommends that the Ministry of Natural Resources and Forestry adopt these exemptions into its A Wetland Conservation Strategy for Ontario 2016-2030.

Looking at each element, “wetlands created for wastewater or stormwater” mirrors OFA’s ask that farmer-created wetlands, created for a specific farm purpose, be exempt. We’ve further recommended that farm ponds, excavated as a source of water for irrigation, livestock, or both, be exempt. Historically, wetlands in Ontario have been drained for agricultural production. Nevertheless, Ontario recognizes, and promotes the Holland Marsh as a “specialty crop area”. Ontario’s wetlands definition excludes these former wetlands “being used for agricultural purposes”. Aquatic plants can become established in drainage ditches. OFA sees the exemption of “wetlands within agricultural drainage ditches” as a realistic policy approach. Lastly, wetlands can develop “as the unintended consequence” of development. OFA also sees the exemption of these “wetlands” as a realistic policy approach.

The Ontario Federation of Agriculture welcomes the opportunity to provide its perspective on A Wetland Conservation Strategy for Ontario 2016-2030. We look forward to the incorporation of our recommendations in the Wetland Conservation Strategy for Ontario 2016-2030.

Sincerely,



Don McCabe
OFA President

DM/pj

cc: Hon. Kathryn McGarry; Minister of Natural Resources and Forestry
Hon. Jeff Leal; Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors