



PROTECTING GREENBELT WETLANDS

How Effective is Policy?

SUMMARY

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February 2012

A collaborative research project to measure the extent to which wetlands are protected by government policies and identify opportunities to improve wetland conservation across Ontario's Greenbelt.

Encompassing the already protected Niagara Escarpment and Oak Ridges Moraine, the Greenbelt was designed to include a natural heritage system of about 219,000 hectares where the first priority would be to protect, restore and reconnect ecological and hydrological features such as wetlands and woodlands. Now, almost seven years after the passing of the *Greenbelt Act, 2005*, and in the midst of a review of the 2005 Provincial Policy Statement, it is important to examine whether wetland-related policies across the Greenbelt are indeed achieving their intended conservation objectives.

ABOUT THE GREENBELT

Ontario's Greenbelt Plan was created in 2005 to protect sensitive environmental lands and farmlands. It embodies a bold systems-based approach that aims to restore and reconnect natural features, and to maintain their benefits for humans and other life. Some of Canada's fastest growing urban areas are in and around Ontario's Greenbelt. By the year 2031, it is estimated there will be four million more people in the Greater Toronto Area (compared to 2005), bringing the population to 11 million.



In his 2007 Annual Report, the **Environmental Commissioner of Ontario** stated that “unprecedented growth” is putting “great pressure” on natural features such as wetlands, and that the province has also “invested significant energy” to develop plans and policies to balance this growth with the need to protect ecosystem function.

HAVE WE ACHIEVED THE RIGHT BALANCE?

As of 2002, nearly three-quarters of southern Ontario’s original wetlands have been lost since European settlement, suggesting that we have not.

PROJECT SUMMARY AND FINDINGS

Protecting Greenbelt Wetlands examines the strengths and weaknesses of the three provincial land-use plans in effect across the Greenbelt—the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan—and their intersection with other laws and policies that affect wetland protection.

The research included: an analysis of the legal and policy framework, a planners survey, nine case studies and an analysis of the impact of water takings. It also considered issues related to policy implementation.

Protecting Greenbelt Wetlands presents clear evidence that land-use policy in effect across the Greenbelt is protecting wetlands from most forms of development. There is more legal protection for wetlands here than most other parts of Ontario due to a higher legal standard applying to land use decisions and a broader category of wetlands being protected from direct impacts. Where municipalities are adequately resourced, they are able to plan for natural heritage systems, ensuring more comprehensive protection of water features generally and wetlands specifically. The study also revealed that threats to wetlands posed by infrastructure development, aggregate extraction, some existing land uses, peat extraction and water takings, still continue.

Other challenges and opportunities for improvement in wetland-related policies were also identified, including:

- the lack of on-the-ground monitoring of the impacts of development,
- under-resourced municipalities,
- inconsistencies and ambiguities among laws and policies, and
- the need for outreach, education and stewardship strategies to build greater landowner appreciation and support for wetland conservation.

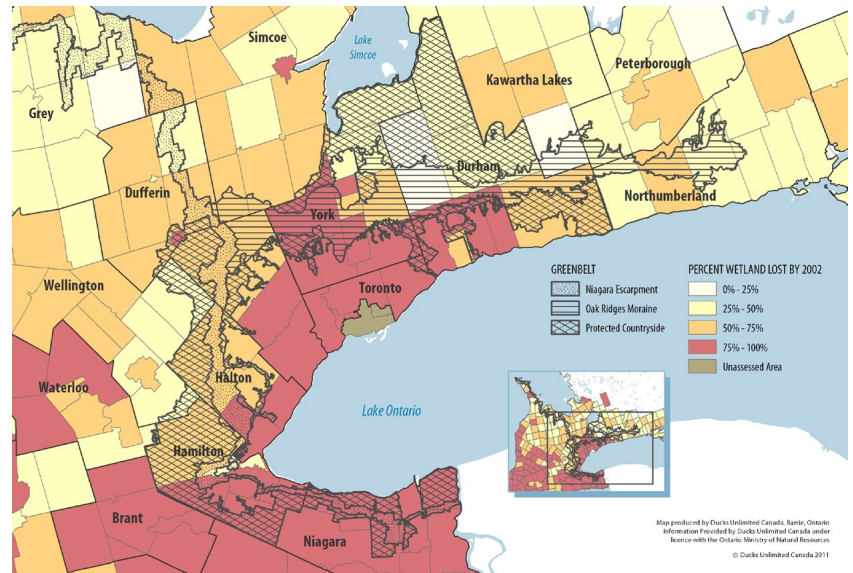
While not perfect, the three provincial land use plans have significantly increased the level of protection for wetlands across the Greenbelt. However, these plans are implemented alongside an array of other provincial policies that govern activities which affect wetlands including infrastructure development and aggregate extraction. Overall, this set of policies has gaps that are enabling continued wetland impacts and loss.



RECOMMENDATIONS

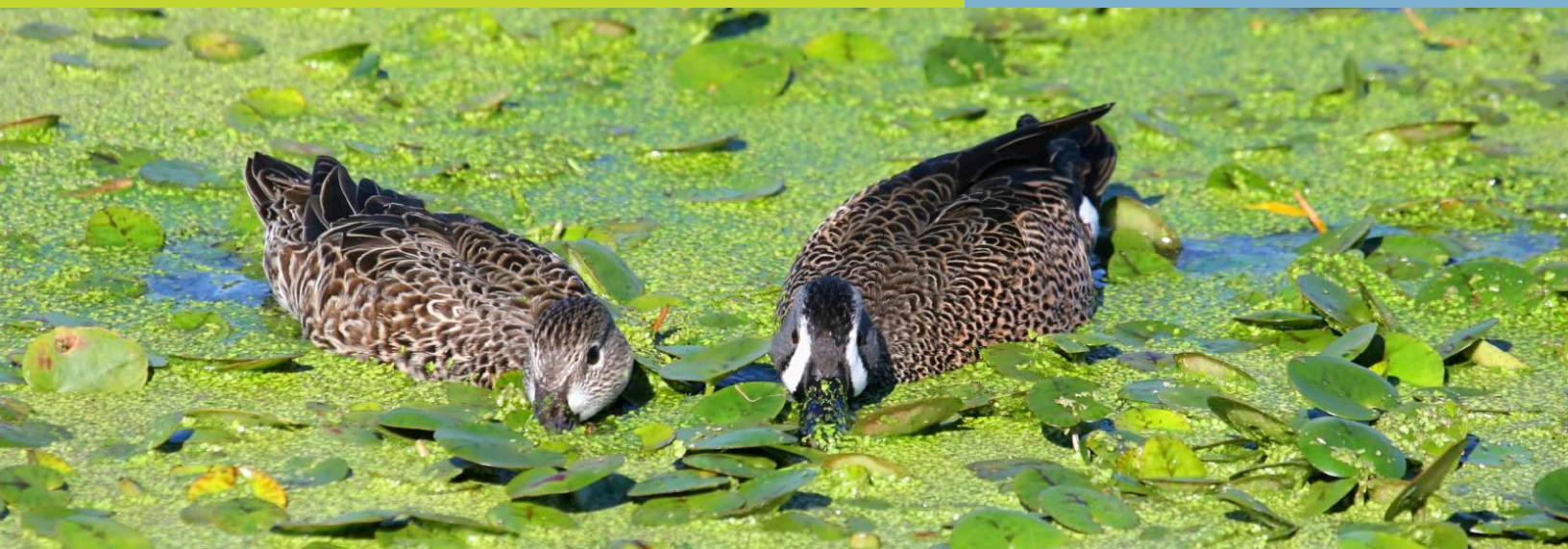
Based on the project findings, Protecting Greenbelt Wetlands identifies the following actions that are needed to build upon the government's efforts to improve wetland conservation across the Greenbelt.

1. Maintain current legal and policy protections for wetlands across the Greenbelt.
2. Amend the *Environmental Assessment Act*, *Aggregate Resources Act* and *Ontario Water Resources Act* approvals mechanisms to include a mitigation sequence that clearly ranks avoidance of wetland impacts as the top priority, minimization of impacts as the second priority and compensation as a last resort (where avoidance and minimization are not feasible or adequate).
3. Amend the legal and policy framework to provide an overarching objective to protect and restore wetlands to achieve a net gain in wetland extent and function.
4. Provide additional guidance to municipalities and Conservation Authorities. The Ministries of Municipal Affairs and Housing and Natural Resources should coordinate their efforts to (1) finalize the draft technical guidelines for existing natural features, and (2) provide additional guidance on natural heritage systems planning.
5. Enhance education and outreach to municipalities and Conservation Authorities. The Ministry of Municipal Affairs and Housing should showcase best practices in municipal policy and enable improved communications and information sharing across Greenbelt municipalities.
6. Adequately fund the Ministry of Natural Resources to provide guidance and mapping support to municipalities.
7. Amend the *Environmental Assessment Act*, *Planning Act*, *Aggregate Resources Act*, *Ontario Water Resources Act* approvals mechanisms and other relevant laws and policies to require rigorous post-construction monitoring and reporting for compliance and mitigation effectiveness.
8. Amend the three provincial land-use plans and the *Ontario Water Resources Act* approvals mechanisms to require that the impacts of water takings, under the Permit to Take Water process, be considered concurrently with land-use planning approvals.
9. Amend provincial land-use plans to require the proponent to demonstrate conformity with all applicable policies as part of the application's supporting materials.
10. Amend provincial land-use plans and related legislation to use one consistent definition of "wetlands."
11. Amend the Greenbelt Plan to clarify policies for recreational uses adjacent to wetlands. For consistency, amend provincial land-use plans to include thresholds for triggering natural heritage protection and environmental studies.
12. Provide stronger support and incentives to landowners (e.g., outreach and stewardship programs) to increase adoption of sustainable wetland management practices and allocate appropriate public resources for these supports.



According to one study, wetlands provide \$1.3 billion per year in economic value across the greenbelt for the benefits they provide. And other wetland benefits are just too valuable to put a price tag on.





Ontario's Greenbelt Plan embodies a bold vision that gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health. Protection and restoration of wetlands across the Greenbelt are crucial to achieving this vision.

THE VALUE OF WETLANDS

Greenbelt wetlands are too valuable to lose – environmentally and economically.

Wetlands provide many benefits (or services) for all of us, such as water filtration, flood control, moderating the impact of climate change, recreation opportunities and wildlife habitat. A 2011 report commissioned by the Ministry of the Environment found that for every dollar invested in protecting wetlands around the Great Lakes, we can expect an economic return of \$35. If we don't protect wetlands, the loss of their services can result in the need for higher investments of public funds to replicate these natural services, e.g., to build infrastructure like sewage treatment plants and flood control facilities.

Improving policy effectiveness is vital to protect and restore Greenbelt wetlands.

In order to sustain wetland benefits, the Province, municipalities and other organizations have key roles to play in minimizing on-going threats and making the restoration of degraded wetlands a priority. The Province needs to uphold the three provincial land-use plans across the Greenbelt. While not perfect, they have significantly increased the level of protection for wetlands. The Province needs to adequately support all municipalities and Conservation Authorities so that they can better implement a natural heritage system approach to planning, resulting in stronger wetland protection.

DOWNLOAD THE FULL REPORT at ecojustice.ca/greenbelt or from any of the co-author websites


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February 2012

Protecting Greenbelt Wetlands: How Effective is Policy was made possible through the generous support of the Friends of the Greenbelt Foundation, the Law Foundation of Ontario, the Charles Stewart Mott Foundation, the J.P. Bickell Foundation, and the ongoing support of Ducks Unlimited Canada, Earthroots, Ecojustice and Ontario Nature donors.

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