



# Protecting and Recovering Species at Risk 2020/21 Audit

## Why We Did This Audit

- Species at risk are the plants, mammals, birds, fish and other organisms that are in danger of extinction and being lost forever.
- The *Endangered Species Act, 2007* (Act) directs the province to protect and promote the recovery of species at risk.
- At the time of our audit, 243 species are regulated under the *Endangered Species Act, 2007*, including spotted turtle, golden eagle, monarch butterfly and drooping trillium.

## Why It Matters

- Experts and world leaders are calling for urgent action to address the global loss of nature. The worldwide rate at which species are going extinct is tens to hundreds of times higher than over the past 10 million years.
- Biodiversity loss is a top-five risk by likelihood and impact to economies over the next decade. The loss of biodiversity and ecosystem services could have multi-trillion dollar impacts on the global economy. The World Economic Forum ranks biodiversity loss as one of the top five risks for the planet over the next decade.
- In Ontario, 2,752 species are now considered vulnerable, rare or rapidly declining as of 2021.

## What we found

### Species Assessment and Classification Delayed and Now Inconsistent with Other Provinces

- No new species at risk were regulated in 2019 and 2020 because the Environment Ministry was slow to appoint new members to the independent scientific committee that classifies species and as a result, the committee lacked quorum to function. The current process for appointments is not transparent.
- Some species at risk may not be protected in the future as a 2019 omnibus bill changed the classification criteria used by the independent scientific committee. The classification criteria are now inconsistent with other provinces across Canada.

### RECOMMENDATIONS 1-3

### Species at Risk Recovery Planning Delayed and Weak

- Recovery strategies are delayed for 17 endangered or threatened species, including the Algonquin wolf.
- The province's planned actions for species are generally insufficient to improve their status.
- Reviews of progress do not evaluate the effectiveness of actions taken and are done only once per species.

### RECOMMENDATIONS 4-6

### Development Always Approved Despite Harm to Species at Risk

- Permit applications to harm species at risk are always approved.
- Some permits for conservation work were delayed, while some permits for development were fast-tracked.
- Most approvals to harm species at risk and their habitats are conditional exemptions, which are issued automatically by the Environment Ministry and are not tailored for specific circumstances. 96% of approvals in 2020 were conditional exemptions.

- Approvals are not assessed for how they cumulatively impact species at risk and their habitats. For example, Blanding’s turtles have been impacted by 1,403 approvals between 2007 and 2020.

#### RECOMMENDATIONS 7-13

##### Weak Enforcement

- The Environment Ministry has laid only two charges for harming species at risk since 2019. In contrast, the Natural Resources Ministry laid an average of 19 charges annually when it was responsible for the Act.
- The Environment Ministry does not conduct inspections to ensure compliance of approval holders.

#### RECOMMENDATION 14

##### Species at Risk Stewardship Program Funding Decrease

- Funding for the Species at Risk Stewardship Program has decreased despite an increased number of species at risk.
- Funding was delayed for successful Stewardship Program applicants that were willing to undertake conservation work.

#### RECOMMENDATIONS 15-17

##### Plans and Performance Measures Lacking, and Forestry is Exempt

- The Environment Ministry does not have a long-term strategic plan to improve the status of species at risk.
- No performance measures exist to evaluate whether successful outcomes are being achieved for species at risk.
- Forest operations on Crown lands were exempted from the Act in 2020 despite the Environment Ministry’s determination that forestry rules could cause significant adverse effects to 12 species, including boreal caribou.
- Two-thirds of the members on the Environment Minister’s advisory committee work for industry associations or companies, and half of these are registered lobbyists.
- A 2019 Ontario Public Service employee engagement survey conducted by the Environment Ministry found that 76% of the Species at Risk Branch staff believed that the Ministry was not on the right track in its planning for the future.

#### RECOMMENDATIONS 18-21

## Conclusions

- 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.
- The Environment Ministry’s systems and processes for approvals facilitate and enable harm to species at risk and their habitats. Moreover, the government exempted forestry operations on Crown lands from the Act and its protection requirements for species and their habitats.
- In the absence of substantive actions, the number of species at risk in Ontario will continue to grow. The condition of species and their habitats will continue to decline.
- In its responses to our audit recommendations, the Environment Ministry confirmed its lack of commitment to improve transparency and its programs and processes to protect species at risk.