Attachment 10: TRCA Submission on ERO_019-5053

April 19, 2022

BY E-MAIL ONLY (Recovery.planning@ontario.ca)

Species at Risk Branch – Species at Risk Recovery Section
Ministry of the Environment Conservation and Parks (MECP)
30 Water Street
North Tower, 5th floor
Peterborough, ON K9J 3C7

Re: Requesting additional scientific information, traditional ecological knowledge and community knowledge to be considered in preparing recovery strategies for four species at risk (ERO #019-5053)

Thank you for the opportunity to comment on this Environmental Registry (ERO) posting. Toronto and Region Conservation Authority (TRCA) has an ongoing interest in protecting wildlife species and their habitat given our roles as described below.

TRCA conducts itself in accordance with the objects, powers, roles, and responsibilities set out for conservation authorities (CA) under the *Conservation Authorities Act* (CA Act) and the Ministry of Natural Resources and Forestry's Procedural Manual chapter on CA policies and procedures for plan review and permitting activities. TRCA is:

- A public body under the *Planning Act* and *Environmental Assessment Act*;
- An agency delegated the responsibility to represent the provincial interest on natural hazards under Section 3.1 of the Provincial Policy Statement (PPS);
- A regulatory authority under Section 28 of the CA Act;
- A service provider to municipal partners and other public agencies;
- A Source Protection Authority under the *Clean Water Act*;
- A resource management agency; and
- A major landowner in the Greater Toronto Area.

In these roles, and as stated in MECP's "A Made-In-Ontario Environment Plan," CAs work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, to conserve natural resources. Where endangered species are affected by development, provincial staff undertake concurrent review of planning proposal in accordance with the *Endangered Species Act* (ESA). TRCA supports our provincial and municipal partners in avoiding, mitigating, and compensating to protect and restore wildlife habitat in the planning and environmental assessment processes, and through our permitting process under the CA Act.

Government Proposal
We understand that under the ESA, the government must ensure that a recovery strategy is prepared for each species that is listed as endangered and threatened. A recovery strategy provides science-based advice on what

is required to achieve a recovery of a species and can include knowledge from the public, stakeholders, indigenous communities, and organizations. Once recovery strategies are finalized, the MECP develops a government response statement for each species recovery strategy.

The MECP is requesting input on draft recovery strategies for the following species at risk (SAR):

- Black Ash (*Fraxinus nigra*)
- Cerulean Warbler (*Setophaga cerulea*)
- Gillman's Goldenrod (*Solidago gillmanii*)
- Red-headed Woodpecker (*Melanerpes erythrocephalus*)

General Comments

Of the four subject SAR, only two extend within TRCA's jurisdiction - Black Ash and Red-headed Woodpecker. Of these, TRCA staff have more experience with Black Ash and have focused our comments accordingly.

We find the Draft Recovery Strategy for Black Ash to be comprehensive and well-written. This Strategy's analysis of threats to recovery, the identification of knowledge gaps, recommended recovery goals, protection and recovery objectives, recommended approaches to recovery, and the area for consideration in developing a habitat regulation captures the primary challenges and opportunities for protecting and recovering Black Ash in Ontario. Our detailed comments to select sections of this Strategy are identified in the table below.

Section – Black Ash Recovery Strategy	Page	TRCA Detailed Comments
1.7 Knowledge gaps	21	Detailed Occurrence Information - Quantitative assessment of Black Ash population (density/age structure) surrounding basket making Indigenous communities vs. populations without Indigenous influence could be critical for identifying in-situ priority for Black Ash recovery sites and management of those sites.
1.7 Knowledge gaps	21	Emerald Ash Borer (EAB) - TRCA has observed some of these parasitic biological control agents within our jurisdiction. We suggest including a link (or more information) on how individuals can report these. There is no mention in the Priorities Section of a repository for this information (besides iNaturalist) or any indication that something will be created in the future.
1.8 Recovery actions completed or underway	27	Biological control of Emerald Ash Borer - There is no mention here of native biological controls (e.g., parasitic wasps). At least one native species *(Atanycolus cappaerti*) has been found to have utilized EAB larvae as a host. We suggest noting this under this section.
2.3 Recommended approaches to recovery	31	Approach to recovery 1.5 - This approach recommends, "rapid permit approval or exemptions for conservation efforts, including seed collection." A focus here should be on identifying exemptions for wetland habitat restoration, enhancement, and recreation to facilitate and support conservation efforts. Clear

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		exemption regulations are recommended that support the efforts of conservation organizations and landowners.
2.3 Recommended approaches to recovery	36	Approach to recovery 2.2 - The impacts of habitat loss and fragmentation are poorly understood and have not been quantified. Significant development pressure exists in areas that support Black Ash, specifically in Southern Ontario and across the Greater Toronto Area. The impacts of fragmentation of Ecological Land Classification (ELC) ecosite types that support Black Ash should be a focus of research and monitoring to better understand the impact on the species, and to further inform protection efforts and the area that should be considered in developing a habitat regulation. To this end, Recovery Objective 4.3 should better articulate the need to understand the impacts of habitat loss and fragmentation of ELC ecosite types, and the relative priority should be critical or necessary with a timeline of short-term rather than long-term.
2.3 Recommended approaches to recovery	40	Approach to recovery 3.4 - Engaging Indigenous communities to gather and share traditional ecological knowledge of Black Ash to support protection and recovery goals is assigned the lowest relative priority (Beneficial). We suggest upgrading this relative priority given the cultural importance of Black Ash to Indigenous communities and the desire of these communities to preserve their heritage and be part of solutions.
2.4 Area for consideration in developing a habitat regulation	46	The area recommended for consideration in developing a habitat regulation is appropriate to protect Black Ash and the ecological communities that support it. Understanding the impacts of fragmentation of ELC communities on Black Ash is critical to further informing a recommended habitat regulation, as dispersal and movement across ELC communities may be a critical factor in supporting species protection and recovery, particularly in areas where pressures on and impacts to wetlands and their hydrologic functions are significant.
2.4 Area for consideration in developing a habitat regulation	46	The draft Recovery Strategy outlines that management of Black Ash in Ontario may consider a Regional approach. This approach is supported to ensure that areas that are severely affected by Emerald Ash Borer and areas seeing the greatest decline of Black Ash are the focus of species and habitat protection and recovery. To this end, the recommended area for consideration in developing a habitat regulation could be further refined to take a Regional approach. This will ensure that areas seeing the greatest declines in Black Ash are the focus of habitat regulation. Suitable protection may already be afforded to Black Ash in areas where Black Ash populations are relatively secure in Ontario and threats to the species are minimal, e.g., the provincial protection afforded to Provincially Significant

Section – Black Ash Recovery Strategy	Page	TRCA Detailed Comments
		Wetlands in the PPS and provincial plans, as well as through municipal Official Plans that offer additional protection to wetlands and woodlands, particularly those that support species at risk.
2.4 Area for consideration in developing a habitat regulation	46	Second paragraph - This paragraph indicates that the ELC ecosite type boundary may exclude dry or upland areas with more than two metres depth to the water table. Considering the ranging fluctuations of groundwater and successional areas that may still support Black Ash, it should be clearly recommended here that the individual Black Ash trees remain protected, regardless of the ELC ecosite type within which they are found. Exemption regulations may be necessary to address individual trees outside of ELC ecosite types that typically support Black Ash.

Thank you once again for the opportunity to provide comments on this proposal. Should you have any questions, require clarification on any of the above, or wish to meet to discuss our remarks, please contact the undersigned at 416.661.6600, ext. 5281 or at laurie.nelson@trca.ca.

Sincerely,

< Original signed by>

Laurie Nelson, MCIP, RPP
Director, Policy Planning

BY E-MAIL

cc:
TRCA: John Mackenzie, Chief Executive Officer
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