

November 11, 2025

Species at Risk Branch
Ministry of the Environment, Conservation and Parks
40 St. Clair Ave West
Toronto, ON M4V 1M2

Re: ERO 025-0908 – Guidance on Section 16 Activities under the Species Conservation Act, 2025

On behalf of the Federation of Ontario Cottagers' Associations (FOCA), directly representing the voice of 50,000 families and hundreds of community associations across rural and waterfront Ontario, we are pleased to provide comments on the proposed guidance under Section 16 of the *Species Conservation Act, 2025* (SCA).

FOCA's vision is to sustain and enhance the cottage experience for generations. Our mandate is to protect natural ecosystems, which directly sustain local economies, water quality, and quality of life. Our constituents represent a powerful economic force, owning over \$75 billion in real estate and spending \$8 billion annually on goods and services beyond their properties.

1. Components of the Proposed Guidance of Greatest Value

FOCA's assessment: in its current form, the guidance provides little value to our constituency. The proposed guidance prioritizes economic development over environmental protection, relying heavily on discretionary powers that could permit activities detrimental to species and habitats. This approach threatens the long-term health of ecosystems critical to Ontario's waterfront and rural communities.

Recommended improvements:

- Include **mandatory habitat protections for all species at risk**, with clear definitions of critical habitat and standardized impact thresholds.
- Limit discretionary exemptions that allow Section 16 activities to proceed without thorough review.
- Require **evidence-based assessment of all Section 16 activities** to ensure no adverse effects on species or habitats.
- Integrate **cumulative impact assessment requirements** for activities in sensitive ecosystems, including lakes, rivers, wetlands, and shorelines.

2. Species Groups that Would Most Benefit from Detailed Habitat Guidance

FOCA's position: all species listed under the provincial Species at Risk list should receive detailed habitat protection.

Recommended improvements:

- Maintain the **existing provincial Species at Risk list**; do not reduce or modify the list. Federal listings are delayed and incomplete, excluding species supported by local scientific evidence.
- Provide guidance on **habitat connectivity, migration corridors, and ecosystem integrity**, to protect multiple species simultaneously.
- Priority groups for specific guidance should include freshwater fish, amphibians, pollinators, and species dependent on wetland and shoreline habitats.

3. Recommendations for Regulations and Registration

FOCA emphasizes that the regulations and registration process under Section 16 must ensure accountability, transparency, and enforceable protections.

Recommended improvements:

- **Regulations should clearly define which activities are registerable versus permit-based**, reducing ambiguity that could be exploited for environmentally harmful projects.
- Establish a **mandatory review period** for registration applications to allow meaningful public and Indigenous consultation.
- Include **requirements for mitigation, monitoring, and reporting** as conditions of registration. Registrants should demonstrate that avoidance, minimization, and compensation measures will be implemented effectively.
- Introduce **enforceable penalties for non-compliance**, including post-activity audits of Section 16 activities.
- Require **integration of Indigenous knowledge and local scientific data** in assessing potential impacts and setting registration conditions.
- Provide **transparent public access to all registration decisions and supporting documentation**, including rationale for exemptions or discretionary approvals.

4. Additional Advice or Feedback on Guidance

FOCA urges that guidance explicitly balance environmental protection with economic development. Ontario's long-term economy depends upon healthy ecosystems.

Recommended improvements:

- Reduce reliance on discretionary powers for listing species and granting exemptions.
- Ensure a **science-based and transparent approach** for listing, recovery, and habitat protection.
- Require **clear accountability mechanisms** to track recovery progress and ensure protection measures are enforced.

Summary

FOCA strongly recommends that Section 16 guidance and regulations:

1. Maintain the full provincial Species at Risk list with enforceable habitat protections.
2. Limit discretionary powers and require evidence-based review of all Section 16 activities.
3. Include cumulative impact assessments and explicit mitigation measures for registerable and permit-based activities.
4. Ensure the registration process incorporates public consultation, Indigenous knowledge, and scientific evidence.
5. Provide transparency, accountability, and enforceable oversight for all Section 16 activities.

Protecting Ontario's natural environment ensures sustainable communities, a robust economy, and healthy ecosystems for future generations. FOCA looks forward to seeing these principles reflected in the final guidance and regulations.

Sincerely,



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FOCA is the Federation of Ontario Cottagers' Associations, the only go-to provincial advocacy organization committed to sustaining and enhancing the Ontario cottage experience. We work collaboratively to identify and address key issues by providing credible expertise, environmental stewardship, targeted programs and services, and a robust network of strategic partners.

Since 1963, FOCA has united Ontario's waterfront community. We are a non-profit membership organization representing over 550 lake, road, cottage, camp, and rural waterfront associations—together, 250,000 families and voters who steward 15,000 km of shoreline and 50 hectares of privately owned waterfront land from Kenora to Kingston, Lake Erie to north of Temagami. Our [2022 Economic Impact Study](#) confirmed that every 100 waterfront properties generate 63 jobs in Ontario, with 54 of those jobs in the community itself.

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