July 4, 2008

His Worship Fred Eisenberger
City of Hamilton
City Centre, 77 James Street North
Suite 250
Hamilton ON L8R 2K3

Dear Mayor Eisenberger:

As you may be aware, on June 30, 2008, Ontario’s new Endangered Species Act, 2007 (ESA, 2007) came into force. We are proud of the new Act, which protects three times as many species at risk than were protected under previous legislation. The new ESA 2007 makes Ontario a North American leader in the protection of species and their habitats.

It allows us to take a more flexible approach that will do a better job of protecting species, while addressing community and economic concerns.

The ESA 2007 automatically protects endangered and threatened species and prohibits damage or destruction to their habitat, unless authorized through a permit or other instrument issued under the Act. The habitat protection provisions of the Act are similar to those provided to threatened and endangered species under the Provincial Policy Statement. Therefore, impacts on municipal planning related to the ESA 2007 are expected to be minimal. In addition, natural heritage features and areas, including the significant habitat of endangered and threatened species, will continue to be protected under the Provincial Policy Statement of the Planning Act as they have been in the past.

Under the new Act, habitat protection will continue for the 42 species of plants and animals that were listed as endangered under the previous legislation. Habitat protection for the remaining species listed as threatened and endangered will be phased in over the next five years. The habitat for any new threatened and endangered species that are added to the list after June 30, 2008, will be protected immediately.

We have also developed regulatory provisions and policies under the new Act to ease the transition from the old Act to the new one. Training will be scheduled to help municipalities understand in detail how the Act will likely affect municipal planning. In the coming months, you will receive letters from local district offices about the species at risk in their jurisdictions. You will also learn about our plans to notify landowners and land managers who have endangered species on their properties.
For further information please contact your local MNR office or Karen Bellamy, Section Manager, Species at Risk, at (705) 755-1727.

I look forward to working closely with you throughout the implementation of this legislation. Together, we can prevent further losses to species at risk, and help recover species and their habitats in Ontario.

Sincerely,

Donna Cansfield
Minister of Natural Resources

c:  The Honourable Jim Watson, Minister of Municipal Affairs and Housing
    Karen Bellamy, Section Manager, Species at Risk