

Campaign Lake Simcoe

Cheers and Jeers for the Draft Lake Simcoe Protection Plan

Top 5 Cheers

1. The cold water fishery given chance to recover

The water quality targets are excellent, especially for phosphorus, and basically meet the recommendations set by the Lake Simcoe Scientific Advisory Committee. We expect more detail through the phosphorus reduction strategy, within a year.

2. Local plans based on watersheds, not political boundaries

The province is using a watershed approach to planning, aiming for subwatershed (local, stream-based) evaluations for priority subwatersheds within 5 years of the Plan coming into effect. If accompanied by good maps, this could be the most effective way to plan for ecological recovery, and hopefully it will help get people get involved in their local areas.

3. Natural shorelines recovery given new life

A new policy that limits building and sets buffers in shoreline areas between 30 – 120 metres is a significant step forward. But without a map showing the “natural shoreline areas” the “built-up areas” and “settlement areas”, where different policies apply, it is hard to predict the effectiveness of this policy.

4. Lake Simcoe habitat protected

Wetlands and woodlands, called “natural cover” in this Plan are meant to increase to 40% of the watershed area. We wonder how we are going to get there, and the Plan does not offer many suggestions.

5. New oversight to ensure more political accountability

The new governance committees will have citizen representation and will be responsible for advising the Minister of the Environment on necessary changes to the Plan based on their monitoring and coordination activities. Having the Minister at the helm will keep us ship shape!

Top 5 Jeers

1. Developers given yacht sized loop-hole despite public outcry

Transition regulations, the so-called “grandfathering” of projects already in the planning system, appear to exempt certain projects (likely large ones) from the environmental standards of the Act and Plan. Ontario has rarely if ever exempted developers of unapproved and un-built projects from new environmental regulations.

Recommendations:

- *All pending environmental approvals must adhere to the Lake Simcoe Protection Plan.*
- *Enforcement responsibilities and new resources must be defined in the final Plan.*

2. “Settlement areas” will be expanded or created

If settlement areas developed through the Places to Grow Growth Plan are included in the definition of *existing settlement areas*, then the impervious (paved) surface area will increase markedly on the west side of the watershed. The watershed has reached or exceeded the critical ecological threshold for impervious surfaces.

Recommendations:

- *Set an impermeable surface target of 10% - 15% of the watershed area.*
- *Significant new development should be restricted to existing urban areas.*
- *Any “settlement area” expansions must be directed away from the lake, follow the Places to Grow density targets, minimize sprawl, and follow all of the Plan’s environmental regulations.*

3. “Resorts” and “Marinas” fly under the radar

Settlements disguised as “resort developments” are slipping through loopholes in the Provincial Policy Statement and *Places to Grow*. This “yacht sized loophole” has not been closed by the Lake Simcoe Protection Plan. The risk is that resorts can adhere to a murky set of rules because the term “resort” is not closely defined. Large scale development in shoreline and near-shore areas is simply bad for this stressed lake. A Plan to protect a lake that mentions “marinas” once in passing and can’t even estimate the number of boats on the congested lake is clearly deficient. Cottage country all over Ontario should take note; these omissions threaten quiet waterways, wildlife, ways of life, and traditions, everywhere.

Recommendations:

- *Ensure that resort developments are considered as urban development under the Places to Grow Act.*
- *Define and prohibit new large resort developments in shoreline or adjacent areas until watershed targets are achieved.*

- *The Provincial government needs to ban “inland” marinas immediately, province wide.*
- *Recreational businesses such as marinas should be obliged to seek environmental certifications. (Policy # 7.15)*

4. “Enforcement” is conspicuously absent

A critical failing in the management of the Lake Simcoe Watershed is that existing environmental regulations are not consistently enforced. The word “enforcement” does not even appear in the Plan despite being a major focus of concern for public interest groups commenting on the Plan. For example, to reach the 40% “high quality natural cover” target, tree-cutting bylaws must be mandatory, and enforced.

Recommendations:

- *Oversight of achieving natural cover target should be the responsibility of the Lake Simcoe Coordination Committee, and part of the yearly monitoring reporting process.*
- *Policy # 6.43 should be changed to, “Within two years of the date the Plan comes into effect, the MNR in collaboration with First Nations and Métis communities, will identify and map areas of high quality natural cover that are 25 hectares or greater, **for permanent protection.**”*
- *If tree cutting bylaws are a component of reaching the 40% natural cover target, this should be a designated policy if possible, to be completed in one year. (Policy # 6.41)*
- *“40% high quality natural cover” must be achieved in each subwatershed.*
- *Set up a facility to train Environmental Officers, and provide for a substantial increase in on-the-ground enforcement.*

5. Mineral aggregate industry gets “Free Pass”, again!

Aggregate producers get the same free pass they did under Greenbelt legislation and are, “encouraged to adopt best management practices to reduce water quality impairment.” Wetlands that are not “provincially significant” get no protection in existing settlement areas or in mineral aggregate operations. Mineral Aggregate operations are one of few new permitted activities in key natural heritage and hydrologic features, as long as the operators “replace any habitat that would be lost” and maintain the links between it and other natural heritage features. This flies in the face of Scientific Advisory Committee’s recommendation that there be “zero tolerance” for future removal of wetlands and natural areas.

Recommendations:

- *Encourage at a minimum a new approach with Ontario’s aggregate industry, following the Environment Commissioner of Ontario’s recommendations and proposed Green Gravel Standard.*
- *No new mineral aggregate operations in Natural Heritage Features.*

- *No new mineral aggregate operations permitted until the study to identify atmospheric sources of phosphorus is complete. (Policy # 4.17)*

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