

By email



Federation of Ontario Cottagers' Associations

November 26, 2018

The Right Honourable Doug Ford (doug.ford@pc.ola.org)
Premier's Office
Room 281, Legislative Building,
Queen's Park
Toronto, ON M7A 1A1

cc. Andrea Horwath, Leader of the Official Opposition (ahorwarth-qp@ndp.on.ca)
John Fraser, Leader of the Liberal Party of Ontario (jfraser.mpp.co@liberal.ola.org)
Mike Schreiner, Leader of the Green Party of Ontario (mschreiner@ola.org)

Re: Environmental Commissioner of Ontario: Bill 57

Dear Premier Ford:

We are writing to oppose your government's proposal to eliminate the office of Environmental Commissioner of Ontario (ECO).

FOCA is the Federation of Ontario Cottagers' Associations, the voice of Ontario's 250,000 waterfront families. Our members are passionate about the long-term health of this province's waters and natural environment, and we expect government to uphold the public trust to effectively manage these resources for the benefit of all Ontarians, today and for the future.

On November 15, 2018, the Ontario Government introduced Bill 57, including sudden plans to eliminate the office of the ECO, and purporting to transfer some of the ECO's roles to the Auditor General, and the Ministry of the Environment, Parks and Conservation.

This move would defeat the entire purpose of an independent, non-partisan officer in the important role of environmental oversight. The ECO is the people's environmental watchdog, appointed by the Ontario Legislature—not the government in power—specifically to attempt to shield the ECO from undue political interference.

The ECO's role supports public participation through the Environmental Registry, as well as government accountability for decisions that affect our environment. The ECO's office reviews and reports on government progress on daunting environmental issues such as invasive species, water protection, pesticide management, and climate change.

For 25 years, these rights—and the ECO's powers, duties and functions—have been enshrined in the Environmental Bill of Rights (EBR).

We reference the conclusions of our knowledgeable colleagues at the Canadian Environmental Law Association (CELA), who provided a detailed analysis of Schedule 15 of Bill 57, related to the ECO. As stated in that analysis:

In our view, there is no persuasive legal, jurisdictional or environmental rationale for abolishing the ECO or otherwise amending the EBR in the manner proposed by Bill 57. Moreover, despite the Finance Minister's comments during First Reading of Bill 57, CELA concludes that eliminating the ECO and amending the EBR will reduce—not restore—public trust, transparency and accountability in the environmental context.

CELA's full analysis is available for review, here:

<https://www.cela.ca/publications/Why-the-ECO-matters-legal-analysis-bill-57>.

On behalf of our members across Ontario, FOCA calls on our government to reverse the call to end the office of the Environmental Commission of Ontario.

Sincerely,



Terry Rees
Executive Director



Marlin Horst
President, Board of Directors

on behalf of the Federation of Ontario Cottagers' Associations, Inc.
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