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Application for Review
Algonquin Forestry Authority Act
Section 61, *Environmental Bill of Rights*

[Submitted to ECO October 26, 2005]
[Forwarded to MOE November 3, 2005]

On behalf of our clients, CPAWS Wildlands League, we are submitting this Application for Review to the Ministry of Natural Resources (MNR) and the Ministry of the Environment (MOE). The two Ontario residents representing CPAWS Wildlands League in this Application for Review are Evan Ferarri, Director, Parks and Protected Areas and Janet Sumner, Executive Director.

CPAWS Wildlands League requests that the MNR and MOE recommend that the Lieutenant Governor in Council amend Ontario Regulation 73/94 under the *Environmental Bill of Rights, 1993* to prescribe the *Algonquin Forestry Authority Act, R.S.O. 1990*, as amended, within subsections 3(1) and 9(1) of Ontario Regulation 73/94. Specifically, CPAWS Wildlands League requests that the *Algonquin Forestry Act* be prescribed under the *Environmental Bill of Rights* for the purposes of: proposals for regulations (under section 16, *Environmental Bill of Rights*), proposals for instruments (under sections 19 to 26 of the *Environmental Bill of Rights*), applications for review (under Part IV of the *Environmental Bill of Rights*), applications for investigation (under Part V of the *Environmental Bill of Rights, 1993*) and protection from employer reprisals (paragraphs 4, 5 and 6 of subsection 105 (3) of the *Environmental Bill of Rights*).

CPAWS Wildlands League requests that this review should be undertaken because the *Algonquin Forestry Authority Act* grants the legislative authority to permit and regulate commercial forestry operations in Algonquin Provincial Park.

There is abundant scientific evidence regarding the environmental impacts of forestry operations, particularly with respect to logging impact on protected areas. As evidence of the environmental significance of the *Algonquin Forestry Authority Act* please see the attached:

Forest Management Plan Summary, for the Algonquin Park Forest Management Unit, Southern Region, Algonquin Forestry Authority, for the 20-year period from April 1, 2005 to March 31, 2025
(www.algonquinforestry.on.ca/pdf/FMP%20Summary.pdf)

In addition, the Statements of Environmental Values for the MOE and the MNR indicate that the Ministries' decisions will be consistent with the Ecosystem Approach (per the MOE's Statement of Environmental Values) and the protection

30 St. Patrick Street
Suite 900
Toronto, ON
Canada M5T 3A3

Phone:
416.368.7533

Fax:
416.363.2746

E-mail:
sldfon@sierralegal.org

Website:
www.sierralegal.org

of Significant Natural Heritage Features and Landscapes (per the MNR's Statement of Environmental Values). Particularly, the MNR states that “Priority is given to identifying and protecting, through appropriate means, provincially significant features and landscapes.”

Finally, the *Algonquin Forestry Authority Act* does not require periodic review of the impact of logging on the ecosystem integrity within the Park.

Therefore, the *Algonquin Forestry Authority Act* is an environmentally significant statute and it is in the public interest that it be prescribed under the *Environmental Bill of Rights, 1993* for the purposes outlined above. Furthermore, the Ontario government has recognized that statutes governing forestry are environmentally significant as the *Crown Forest Sustainability Act, 1994*, is prescribed within subsections 3(1) and 9(1) of Ontario Regulation 73/94.

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While there have been recent amendments to Ontario Regulation 73/94, none of these amendments contemplated prescribing the *Algonquin Forestry Authority Act*. Once the decision has been made to conduct this review, we believe that public consultation should occur in forthwith and timely manner on the Environmental Registry with respect to this amendment of Ontario Regulation 73/94.

Sincerely,

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[Original signed October 26, 2005]

Per Anastasia M. Lintner, PhD, LLB
Project Lawyer
alintner@sierralegal.org

Cc: Evan Ferrari, CPAWS Wildlands League