January 23, 2007

Ms. Debbie Ramsay
Manager, Species at Risk Legislative Review
Room 5540, Whitney Block
99 Wellesley Street West
Toronto, ON
M7A 1W3

RE: EBR Registry Number AB06E6001 – A Review of Ontario's Species at Risk Legislation

Dear Ms. Ramsay,

The Ontario Cattlemen's Association (OCA) is a grassroots organization that provides leadership to and represents over 21,000 beef producers in Ontario. OCA promotes Ontario beef cattle production through policy planning, government lobbying, industry development programs, research, and communications along with the promotion and advertisement of beef. OCA also provides services to it's members in domestic and export market development and market reporting. OCA is also a member of the Canadian Cattlemen's Association, the national association representing the interests of Canada's 90,000 beef producers.

OCA recognizes that the current Endangered Species Act in Ontario is out of date, inflexible and needs to complement the federal Species at Risk Act. We are pleased that the government is updating the Act to reflect modern practices with a focus on stewardship and incentive programs. However, it must be made clear that OCA supports the protection of endangered species in Ontario provided that the beef industry is not disadvantaged. It is our belief that since all of society benefits from the protection of endangered species and their habitat, no one sector of society should bear the costs. These stewardship and incentive programs require government commitment of funding.

OCA would also like to see a firm commitment from government that farmers will be fully compensated for the loss of use of any of their property, should the presence of an endangered species on their farm lead to restrictions on how they may utilize their land. Compensation for loss of use must be inherent in any new legislation, and continue for as long as any restrictions are in effect.

In regards to species assessment, we urge that COSSARO be comprised not only of members with relevant scientific expertise and community or Aboriginal traditional knowledge, but also farmers. Since a vast amount of privately-owned land is owned and operated by farmers, and farmers are the original environmental stewards, we urge that COSSARO includes farmers as members for their expertise and knowledge.

Additionally, because COSSARO is an appointed, unaccountable body OCA urges that the final authority for listing or delisting a species should rest with the Minister of

Natural Resources, not COSSARO.

OCA supports the prohibition of killing, harming, etc. a listed species. However, it is imperative that “willful” be retained in reference to these prohibitions. The retention of willful requires the Crown to demonstrate that the accused person’s actions were intentional and knowing, rather than placing the burden of proof on the accused.

Finally, OCA feels the current $50,000 fine, or up to two years in jail, or both, is an adequate deterrent. While stronger penalties may be needed for corporations or repeat offenders, the current penalties, if applied, are sufficient to act as a deterrent for individuals.

Thank you for this opportunity to comment and I welcome the chance to provide more input in the future.

Yours truly,

Ian McKillop
President