

AEL Advocacy Action Brief

Speak Out to Stop Bill 5 – Proposed Legislation to Repeal the Endangered Species Act, 2007 and Create Special Economic Zones

 **Deadline: May 17, 2025**

This document is for your information. Please don't share it publicly.

OVERVIEW

On April 17, 2025, the Ontario Ministry of the Environment, Conservation and Parks (“MECP”) introduced [Bill 5](#), the *Protect Ontario by Unleashing Our Economy Act, 2025*.

- **Schedule 2** of the Bill proposes immediate amendments that would gut the *Endangered Species Act, 2007* (“ESA”).
- **Schedule 10** would later repeal the ESA entirely and replace it with a significantly weaker *Species Conservation Act, 2025* (“SCA”).
- **Schedule 9** would create “Special Economic Zones” where developers and resource companies would be exempt from provincial and/or municipal laws and regulations.

This proposal represents the most dramatic rollback of species protections Ontario has ever seen.

SUMMARY OF PROPOSED CHANGES

Phase 1: Immediate Changes to the ESA

If Bill 5 is approved, the following changes would take effect right away:

- **Shift in Purpose:** The ESA’s purpose would be redefined to include “social and economic considerations,” placing economic growth on equal footing with species protection.

- **Weakened Habitat Protection:** A revised, narrower definition of "habitat" would come into effect, and the prohibition against "harassment" of species would be removed—potentially allowing more intrusive human activity near or around listed species.
- **Discretionary Species Listing:** The government would gain **broad discretion** to determine whether a species is listed on the Species at Risk in Ontario (SARO) List—undermining the current science-led listing process.
- **Loss of Mandatory Recovery Planning:** The requirement to develop recovery strategies for listed species would be eliminated, replaced with a more "flexible" (and non-mandatory) approach.
- **Wind-Down of Compensation Mechanism:** The **Species at Risk Conservation Fund** would be shut down, removing an option for developers to fund conservation efforts.

Phase 2: Full Repeal and Replacement with the Species Conservation Act, 2025

Once the enabling regulations are ready and the SCA is proclaimed into force, the following will apply:

- **Continued Government Discretion:** The government would have broad authority over which species receive legal protection and how they are managed.
- **Diluted Legal Protections:** The new "Protected Species in Ontario List" would replace the Species at Risk in Ontario List. While the Committee on the Status of Species at Risk in Ontario (an independent, expert body) would continue to assess species and recommend listing, the government would ultimately decide what gets listed and protected.
- **Permit-Free Impacts:** Impacts to federally protected **migratory birds and aquatic species** would no longer require provincial permits or registration—despite the fact that many of these animals are not adequately protected at the federal level..

- **Expanded Registry System:** A new online registration system would streamline the process for development activities, raising concerns about reduced scrutiny or oversight of harmful activities.
- **Reduced Accountability Mechanisms:** The **Species Conservation Action Agency** and **Advisory Committee** are not carried over into the new framework—removing key elements of independent oversight.
- **New Compliance Tools:** A revised enforcement regime includes new compliance orders, but lacks detail on how robust or enforceable they will be in practice.
- **Symbolic Prohibition:** The SCA introduces a general prohibition against actions that would drive a species to local extinction—but how this will be enforced remains unclear.

In addition to the above changes to species at risk protections, **Schedule 9** of the Bill would allow for **the creation of Special Economic Zones where “trusted proponents” of “vetted projects” could be exempted from a wide range of legal obligations**, including environmental legislation, municipal by-laws, and planning rules. These exemptions are based on vague criteria with no meaningful standards or public accountability.

These changes signal a **dangerous shift away from science-based, enforceable species protections** in favour of short-term economic development. The ESA has been a crucial safeguard for Ontario’s most vulnerable wildlife and ecosystems. Repealing it would:

- Undermine decades of progress in species recovery
- Prioritize political discretion over science and evidence
- Create legal loopholes that benefit industry at the expense of nature
- Erode public participation and transparency in environmental decision-making

 **We Need Your Voice!** 

Public comments are one of the most direct ways Ontarians can challenge harmful environmental changes. Under Ontario’s *Environmental Bill of*



Rights, you have the right to participate in environmental decision-making and demand accountability.

The consultation period **closes at 11:59 PM on May 17, 2025**. We urge you to **submit a comment through the Environmental Registry of Ontario ([ERO #025-0380](#) and [ERO #025-0391](#))** and demand that the government scrap Schedules 2, 9, and 10 of Bill 5.

KEY CONCERNS & TALKING POINTS

👉 **Choose the points that resonate with you and put them in your own words for maximum impact!**

For Schedules 2 and 10 ([ERO #025-0380](#)):

- 1 **Economic growth shouldn't come at the cost of animal life.** The new law prioritizes “sustainable economic growth” over the protection and recovery of species.
- 2 **We deserve transparency.** Removing recovery strategy requirements and oversight bodies limits transparency and accountability.
- 3 **Decisions about species protection should be made by scientists and experts—not politicians.** Shifting control over listings to government officials opens the door to politicization.
- 4 **Habitat protection is critical to species survival.** Weakening the definition of “habitat” and eliminating harassment protections will accelerate biodiversity loss.
- 5 **Wildlife has intrinsic value.** Endangered species deserve protection not only for what they provide to humans, but because they have a right to exist and flourish.
- 6 **Ontario should lead on conservation, not regress.** This bill ignores urgent calls from scientists, Indigenous leaders, and the public to strengthen—not weaken—our approach to species protection.



For Schedule 9 ([ERO #025-0391](#)):


- 1 **Blanket exemptions are dangerous.** SEZs allow powerful industries to sidestep environmental laws without public input.
- 2 **Wildlife and ecosystems are at risk.** Development in critical habitats—including factory farms and mega-highways—will fragment ecosystems and harm animals.
- 3 **No accountability.** The Act offers no clear criteria, no public participation, and shields government and industry from legal consequences.


ACTIONS


There are two special actions we're asking you to take:

 **Submit a comment** by **May 17, 2025**.

- [ERO #025-0380](#) (Schedules 2 & 10 – Species protections)
- [ERO #025-0391](#) (Schedule 9 – Special Economic Zones)

 **Read our full comments** on Schedules 2 and 10 [here](#), and our analysis of Schedule 9 [here](#).

 **Write to your local MPP**, urging them to oppose Bill 5. You can use our [form letter](#) or send a personalized message.

 **Share this call to action** with your network—the more public pressure we build, the harder it will be for the government to ignore.


SOCIAL MEDIA TEMPLATE


[Instagram Post](#)


[Instagram Story](#)



Sample Caption:

 **BREAKING:** Ontario is moving to repeal the Endangered Species Act—putting over 240 at-risk species in jeopardy. We can't let this go unchallenged.

 Learn what's at stake and how to take action in @aeladvocacy's new Action Brief [<https://perma.cc/Z3M9-GV76>].

 Submit your comment by **May 17** to help stop Schedules 2, 9, and 10 of Bill 5.

#StopBill5