

December 5, 2025

**The Honourable Doug Ford**

Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Ford,

We, the undersigned organizations dedicated to the protection of animals, the environment, and public health, write to follow up on the Auditor General's December 2, 2025 *Performance Audit on the Operation of the Environmental Bill of Rights* (EBR).<sup>1</sup> The audit once again confirms the Ontario government is systematically denying the public the information necessary to understand, assess, and meaningfully participate in decisions that put animals, ecosystems, and human health at risk.

This is not a technical failure. It is a direct erosion of the legal rights the EBR was enacted to protect.

This lack of transparency blocks the public from properly assessing risks to wildlife, ecosystems, air and water quality, and community health. The consequences are far-reaching and severe: weakened wildlife protections, degraded natural habitats, increased exposure of communities to pollution and disease, and heightened public health risks through environmental contamination and the spread of zoonotic disease.

The Auditor General confirmed that this is not an isolated failure. One-fifth of proposal notices reviewed failed to explain the expected environmental impacts of proposed decisions.<sup>2</sup> This mirrors the 2024 EBR audit, which found that 18 percent of proposal notices omitted critical information necessary for the public to fully understand environmental implications.<sup>3</sup>

Even more troubling, in response to Recommendation 5, which called on the Ministry of the Environment, Conservation and Parks to add mandatory fields requiring ministries to explicitly describe anticipated environmental impacts, the Ministry refused.<sup>4</sup> This decision preserves a system that allows environmentally significant proposals to proceed without disclosure of foreseeable harm to animals, ecosystems, or human health. This is not an oversight; it is a deliberate choice to maintain opacity.

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<sup>1</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa\\_OEBR\\_en25.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa_OEBR_en25.pdf).

<sup>2</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa\\_OEBR\\_en25.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa_OEBR_en25.pdf).

<sup>3</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa\\_EBR\\_en24.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa_EBR_en24.pdf).

<sup>4</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa\\_OEBR\\_en25.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa_OEBR_en25.pdf).

Unfortunately, these findings reflect a troubling and consistent pattern, with serious consequences for animals, ecosystems, and human health. Recent examples include:

- Key information required for meaningful public input on proposed regulations under the new *Species Conservation Act, 2025* was not made publicly available, and the government has proposed to exempt permits and orders issued under the Act from the public participation and transparency requirements of Part II of the EBR altogether.<sup>5</sup> These measures severely impair the ability of scientists, Indigenous communities, conservationists, and the public to assess risks to species at risk, habitat connectivity, and the ecosystem services essential to climate resilience and public well-being.
- Regulatory changes concerning restraining snares were proposed without releasing the cited research findings, prompting The Fur-Bearers to appeal to the Information and Privacy Commissioner.<sup>6</sup> Without access to this evidence, the public and experts could not assess the potential impacts on wildlife welfare or broader ecosystem balance.
- Key air emissions data for an Environmental Compliance Approval for Hubbert's Processing and Sales Inc., a meat processing facility in Brampton, was not disclosed.<sup>7</sup> This omission prevented meaningful assessment of risks to air quality, neighbouring communities, and local wildlife exposed to industrial pollutants.
- Multiple changes to trapping regulations were proposed "to reduce regulatory burden" for licensed trappers and fur dealers, yet no supporting evidence was provided to justify expanding killing methods, loosening reporting requirements, or allowing trapping during closed seasons.<sup>8</sup>

These decisions directly increase animal suffering, accelerate species declines, destabilize ecosystems, and heighten the risk of zoonotic disease spillover associated with disrupted wildlife populations.

Members of the public should never be forced to file access-to-information requests or contact industry representatives to obtain documents cited in ERO postings. If evidence is relied upon to justify environmentally significant decisions, it must be proactively disclosed, free of charge and in accessible formats, at the time of posting.

Equally alarming, the Auditor General confirmed the government's escalating practice of passing legislation before EBR consultations are complete.<sup>9</sup> Bill 17, the *Protect Ontario by Building Faster and Smarter Act, 2025*, was enacted before EBR consultation concluded, despite stripping

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<sup>5</sup> See: [https://www.aeladvocacy.ca/files/ugd/c883e8\\_1e267987a3c8406d82a7d30cfd9a397.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_1e267987a3c8406d82a7d30cfd9a397.pdf); See also: <https://naturesdefence.ca/wp-content/uploads/2025/10/Briefing-Note-Protect-Biodiversity-and-Environmental-Rights.pdf>; <https://naturesdefence.ca/wp-content/uploads/2025/10/Letter-from-LAND-October-14-2025-Request-for-Information-Disclosure.pdf>

<sup>6</sup> See: [https://www.aeladvocacy.ca/files/ugd/c883e8\\_eb88e3f50d7b4086ab725344c63fdaa0.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_eb88e3f50d7b4086ab725344c63fdaa0.pdf); <https://thefurbearers.com/blog/ontario-changes-trapping-regulations-denies-access-to-trap-research/>

<sup>7</sup> See: [https://www.aeladvocacy.ca/files/ugd/c883e8\\_1c4475d98e774da5b5316af53c1e5dae.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_1c4475d98e774da5b5316af53c1e5dae.pdf)

<sup>8</sup> See: [https://www.aeladvocacy.ca/files/ugd/c883e8\\_772d299e0f0f4098869591a1613da20b.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_772d299e0f0f4098869591a1613da20b.pdf)

<sup>9</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa\\_OEBR\\_en25.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa_OEBR_en25.pdf).

municipalities of authority to adopt green development standards and bird-safe building bylaws. More recently, Bill 56, the *Building a More Competitive Economy Act, 2025*, was passed before consultations closed on changes enabling the *Species Conservation Act, 2025*.<sup>10</sup> In both cases, consultations remained technically open after decisions had already been finalized, creating the false impression that public input could still influence outcomes. This practice undermines the integrity of the EBR and reduces public consultation to a procedural formality rather than a democratic safeguard.

The Auditor General further identified a concerning pattern of expanding EBR exemptions that allow ministries to bypass public consultation altogether, including the recent proposal to exempt species-at-risk permits from EBR consultation.<sup>11</sup> This would effectively eliminate the public's right to participate in decisions that could have significant impacts on species at risk and their habitats, increasing the risk of politically expedient and ecologically disastrous decisions.<sup>12</sup>

To restore transparency, accountability, and public confidence, we urge your government to take the following actions without delay:

1. **Uphold the EBR** by ensuring that Ontarians are fully informed of proposals and able to meaningfully participate in them. This requires that all scientific and technical studies, reports, environmental assessments, and other supporting materials cited or relied upon in an ERO posting be made publicly available at the time of posting, in a readily accessible, free, and clearly linked format.
2. **Mandate plain-language summaries of key evidence on ERO postings** to ensure that non-specialist audiences, including affected communities, can meaningfully understand and engage with proposed environmental decisions.
3. **Establish a formal mechanism** for individuals and organizations to challenge ERO postings that provide insufficient information or otherwise undermine meaningful public consultation, including the ability to seek judicial review when a ministry decision is likely to cause significant environmental harm and fails to provide the evidence, data, or rationale necessary for informed public input.
4. **Reinstate an independent Environmental Commissioner** with strengthened powers to investigate environmental decision-making, ensure compliance with the EBR, and hold decision-makers accountable.

Ontario's environmental decision-making must be grounded in the transparency, accountability, and public access guaranteed by the EBR. The continued omission of critical information from

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<sup>10</sup> [https://www.aeladvocacy.ca/files/ugd/c883e8\\_1e267987a3c8406d82a7d30cfd9a397.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_1e267987a3c8406d82a7d30cfd9a397.pdf).

<sup>11</sup> [https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa\\_OEBR\\_en25.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en25/pa_OEBR_en25.pdf).

<sup>12</sup> See: [https://www.aeladvocacy.ca/files/ugd/c883e8\\_1e267987a3c8406d82a7d30cfd9a397.pdf](https://www.aeladvocacy.ca/files/ugd/c883e8_1e267987a3c8406d82a7d30cfd9a397.pdf); See also: <https://naturesdefence.ca/wp-content/uploads/2025/10/Briefing-Note-Protect-Biodiversity-and-Environmental-Rights.pdf>; <https://naturesdefence.ca/wp-content/uploads/2025/10/Letter-from-LAND-October-14-2025-Request-for-Information-Disclosure.pdf>.

public postings undermines these core foundations and places animals, ecosystems, and public health at risk.

We urge your government to act immediately to uphold the legal intent of the EBR, uphold good governance, and restore transparency, accountability, and evidence-based environmental decision-making in Ontario.

On behalf of the undersigned,

Krystal-Anne Roussel  
*Co-Director and Counsel*  
**Animal Environmental  
Legal Advocacy**



Lia Laskaris  
*CEO*  
**Animal Alliance of Canada**



Camille Labchuk  
*Executive Director*  
**Animal Justice**



Bronwyn Roe  
*Program Director - Healthy  
Communities*  
**Ecojustice**



Michael Measure  
*Executive Director*  
**FLAP Canada**



Kerrie Blaise  
*Founder and Lawyer*  
**Legal Advocates for  
Nature's Defence**



Kathryn Bakos  
*Chair*  
**Ontario Biodiversity  
Council**



Michael Howie  
*Director of Communications*  
**The Fur-Bearers**



CC. Tyler Schulz, Assistant Auditor General, Commissioner of the Environment  
Honourable Todd J. McCarthy, Minister of the Environment, Conservation and Parks