



LONG-TERM THINKING FOR TODAY'S ISSUES

April 10, 2022

Attention: Laura Blease
Senior Policy Advisor, Land Use Policy
Ontario Ministry of the Environment, Conservation and Parks
Foster Building, 10th Floor
40 St. Clair Ave. W
Toronto, ON, M4V 1M2
Via email: mecp.landpolicy@ontario.ca; laura.blease@ontario.ca;

**Re: ERO 019-5203 Implementation Pause of Excess Soil Requirements in Effect
January 1, 2022**

Dear Ministry,

The Christian Farmers Federation of Ontario (CFFO) is an Accredited Farm Organization representing the interests of over 4,000 farm families in Ontario who are called to the vocation of farming. CFFO policy promotes economically, socially, and environmentally sustainable farming, advocating that farmers receive fair return for their production and stewardship efforts.

The CFFO is opposed to the proposal to pause implementation of the Excess Soil Requirements that came into effect January 1, 2022. These regulations, including requirements for filing notice on the soil registry, documentation and tracking, sampling, soil characterization reporting and destination assessment reporting, all create traceability, transparency and greater protection, especially for those sites receiving excess soils. Considerable effort and collaboration, from both private sector stakeholders and government, has already gone into establishing these regulations and preparing for their implementation. These regulations should continue to be implemented and enforced.

Key Benefits

The CFFO sees significant value in continuing to implement the Excess Soil Requirements brought into effect as of January 1, 2022, including:

- Greater transparency, traceability and accountability.
- Fair treatment for those who have invested resources to be in compliance.
- Continued enforcement and protection against abuse.
- Reduced risk for reuse sites, especially agricultural sites, receiving excess soil as a resource.

The regulations will bring greater transparency, traceability and accountability in the whole process of managing excess soils. It is important that these aims are not compromised by allowing a window of delay in implementation.

Offering a window of delay will only benefit those who have not invested in keeping up to date and have not made efforts to come into compliance with the new regulations. It also opens a window of opportunity for abuse by those who want to avoid accountability.

Instead, keeping the regulations in place will ensure fair treatment for those who have worked hard to comply with the new regulations and who are in favour of operating under a more transparent and accountable system.

In particular, the regulations requiring soil sampling, soil characterization reporting and destination assessment reporting all offer greater detail and protection for agricultural sites receiving excess soil. These regulations are especially valuable to protect our agricultural lands from undue risk.

Recommendations for Continued Implementation

The CFFO recognizes that these changes impact myriad players involved in excess soil, including many sectors of industry, municipalities and the provincial government. Organizations are diverse in their capacities to adjust to these changes.

Resources must be available to help stakeholders adjust to the new regulations. These should include educational supports aimed at sectors that are struggling to come into compliance.

The CFFO strongly encourages education as a key component of enforcement, but when education is unsuccessful at achieving compliance, enforcement should still be implemented.

Conclusion

The CFFO recommends continued implementation of the Excess Soil Requirements brought into effect as of January 1, 2022. The CFFO sees significant benefits including greater transparency, traceability and accountability. Ongoing implementation and enforcement will ensure fair treatment for those who have invested resources to be in compliance and protection against abuse. Importantly, implementation and enforcement of these regulations protect agricultural sites receiving excess soils as a resource. The CFFO is in favour of increased education, both as a proactive measure and as a first step in enforcement efforts.

We appreciate this opportunity to provide input and thank you for your consideration of our concerns and comments.

Sincerely,



Ed Scharringa, President
Christian Farmers Federation of Ontario