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**Standing Committee
on the Interior**

Protect Ontario by Unleashing
our Economy Act, 2025

1st Session
44th Parliament
Monday 26 May 2025

**Comité permanent
des affaires intérieures**

Loi de 2025 pour protéger
l'Ontario en libérant
son économie

1^{re} session
44^e législature
Lundi 26 mai 2025

Chair: Aris Babikian
Clerk: Tanzima Khan

Président : Aris Babikian
Greffière : Tanzima Khan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE
ON THE INTERIORCOMITÉ PERMANENT
DES AFFAIRES INTÉRIEURES

Monday 26 May 2025

Lundi 26 mai 2025

*The committee met at 0901 in committee room 1.*PROTECT ONTARIO BY UNLEASHING
OUR ECONOMY ACT, 2025
LOI DE 2025 POUR PROTÉGER L'ONTARIO
EN LIBÉRANT SON ÉCONOMIE

Consideration of the following bill:

Bill 5, An Act to enact the Special Economic Zones Act, 2025, to amend the Endangered Species Act, 2007 and to replace it with the Species Conservation Act, 2025, and to amend various Acts and revoke various regulations in relation to development and to procurement / Projet de loi 5, Loi édictant la Loi de 2025 sur les zones économiques spéciales, modifiant la Loi de 2007 sur les espèces en voie de disparition et la remplaçant par la Loi de 2025 sur la conservation des espèces, puis modifiant diverses lois et abrogeant divers règlements en ce qui concerne le développement et l'approvisionnement.

The Chair (Mr. Aris Babikian): Good morning, everyone. I call this meeting of the Standing Committee on the Interior to order.

We are meeting to begin public hearings on Bill 5, An Act to enact the Special Economic Zones Act, 2025, to amend the Endangered Species Act, 2007 and to replace it with the Species Conservation Act, 2025, and to amend various Acts and revoke various regulations in relation to development and to procurement.

The Clerk of the Committee has distributed today's meeting documents with you virtually via SharePoint.

To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair.

Mr. Mamakwa has indicated that he may be speaking in Oji-Cree during the hearings. There will be simultaneous interpretation to English and French. Members may use the earpiece at their seats to tune in to the English or French channels for interpretation. For any audience members, there are portable listening devices that will also allow you to tune in to the English or French interpretation. Kindly remember to return the device before you leave the hearings today.

Are there any questions before we begin? MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch, Chair. Good morning, committee members. I'm seeking agreement for Mushkegowuk Council to have two presenters this morning.

The Chair (Mr. Aris Babikian): MPP Mamakwa is seeking unanimous consent to add additional witnesses to the hearing today.

Is there consent?

MPP Jamie West: Just to clarify: It's two speakers for the same presentation.

The Chair (Mr. Aris Babikian): Okay—two speakers from the same Indigenous group.

Is there consent? I see there is consent, so yes, you are welcome to add a second person.

Any other questions? MPP West.

MPP Jamie West: I don't know if this is time for it, Chair, but I have a motion.

The Chair (Mr. Aris Babikian): You have a motion? Okay, go ahead and table it.

MPP Jamie West: Thank you, Chair.

I move that the committee meet for an additional day of public hearings on Bill 5, An Act to enact the Special Economic Zones Act, 2025, to amend the Endangered Species Act, 2007 and to replace it with the Species Conservation Act, 2025, and to amend various Acts and revoke various regulations in relation to development and to procurement, on the following date: Friday, May 30, 2025;

That the hearings take place in Thunder Bay, Ontario; and

That the Clerk of the Committee be authorized to immediately post notices regarding the hearings on the Ontario parliamentary channel and on the Legislative Assembly's website; and

That the deadline for requests to appear for hearings in Thunder Bay be 2 p.m., Tuesday, May 27, 2025; and

That witnesses shall be scheduled and permitted to participate in person or remotely in the same manner as agreed to in the committee's previous scheduling motion on Bill 5; and

That the Clerk of the Committee shall provide a list of all interested presenters to each member of the subcommittee on committee business and their designate as soon as possible following the deadline for requests to appear; and

That if all requests to appear cannot be accommodated, each member of the subcommittee or their designate may provide the Clerk of the Committee with a prioritized list

of presenters to be scheduled, chosen from the list of all interested presenters for those respective hearings by 2:00 p.m. on Wednesday, May 28, 2025; and

That the deadline for written submissions be changed from 6:00 p.m. on Monday, May 26, 2025, to 6:00 p.m. on Friday, May 30, 2025; and

That legislative research provide the committee members with a summary of oral presentations and written submissions as soon as possible following the written submission deadline; and

That the deadline for filing amendments to the bill be changed from 7:00 p.m. on Monday, May 26, 2025, to 2:00 p.m. on Monday, June 2, 2025; and

That the committee's meeting for clause-by-clause consideration of Bill 5 be changed from Wednesday, May 28, 2025, to Tuesday, June 3, 2025, from 9:00 a.m. until 10:15 a.m.; and from 1:00 p.m. until 6:00 p.m.; and from 7:00 p.m. until midnight; and

That the subcommittee on committee business be authorized to revise hearing dates, deadlines and clause-by-clause considerations of the bill if necessary.

The Chair (Mr. Aris Babikian): MPP West moved the motion. Are there any comments? Any questions? MPP West.

MPP Jamie West: Chair, just to motivate, two things: One, on Thursday, I'm sure my colleagues will remember, Chief Archie Wabasse for Wunnumin Lake First Nation was here, and one of the things he said to us was, "This law, Bill 5, I've never heard about it. My people don't know about it. If you want a really true, meaningful consultation, come to my community and tell us what this law is all about."

This bill talks about the Ring of Fire as one of the first special economic zones. Most of the mines in Ontario are in northern Ontario. We're having all of our hearings in Toronto. We saw on Thursday the cost and the time it took for people to come from northern Ontario to speak with us. I think that we deserve meaningful consultation on this bill. The bill wasn't drafted in consultation with treaty rightsholders and First Nations people and northern people, and so I think that going to Thunder Bay—which, for some people, they might even consider it northern Ontario, for those farther north—makes sense.

As well, a colleague of mine had pointed out that under the Environmental Bill of Rights, people have the right to comment on a proposal, but also have a right for their comments to be considered by the government prior to a decision. I think that it would make sense for us to extend the time on this, which allows more people to comment. It's been a very busy file. It would allow more people to comment and come forward so that we can make proper decisions about this bill as a whole.

The Chair (Mr. Aris Babikian): Thank you, MPP West. Any further comments? MPP Mamakwa.

Mr. Sol Mamakwa: Last week, I presented the same motion with different dates and, of course, this was voted down by the government members of the committee, especially with the ministers sitting at the head table. I think what we heard last week, last Thursday, the first day

of hearings—you can hear clearly the opposition of this bill, how it tramples on the rights of the people that live on these homelands. This is wrong. This is not right, and I think we know that if we keep on doing this without the proper work, without the proper duty to consult, this bill will not work. You cannot use the tariffs as an excuse to access our homelands.

I hope, again, we support this motion. Meegwetch.

The Chair (Mr. Aris Babikian): MPP Bourgouin.

Mr. Guy Bourgouin: I just want to echo the comments from my colleagues, but if there's one bill that we've been gaining a lot of feedback on, it's Bill 5. Our emails are flooded. I'm sure all of your emails are flooded on Bill 5. To not pass this motion—which is the minimum. Actually, this thing should go right—should have been brought throughout Ontario, not just northern Ontario. But we try to do this so at least northern Ontario, Thunder Bay—so people can go and speak on this bill. You heard, last week, the opposition.

0910

So I ask the government committee members to vote in favour of this. Show that at least you're trying to listen to what's happening. My colleague MPP Mamakwa said that if you're not consulting properly and this bill goes through, it's not going to go well. Chiefs have called me. Grand chiefs have called me. He's sitting right there; we spoke. And you'll hear him this morning speak on this.

Do the right thing: consult, take the time. This is a controversial bill. It needs to be travelled.

The Chair (Mr. Aris Babikian): Any further comments? MPP Hsu.

Mr. Ted Hsu: This bill does affect all of Ontario. It grants broad powers to ministers. It allows the government to avoid certain statutes and regulations.

People have travelled from far and wide in the province to come to talk to us about the bill. We haven't even considered going to southwestern Ontario, where a lot of people are upset about the bill. We have had people travel from southwestern Ontario, from Walpole Island First Nation, which is probably a good five-hour bus ride to get to Queen's Park—which they did a couple of weeks ago. I think it's very appropriate that we travel to northern Ontario to make it easier for people to tell their Legislature what they think of this bill and to discuss the details of the bill.

This committee travelled in the previous Parliament for Bill 71. It travelled to northern Ontario to hear witnesses, in the last Parliament, for a mining bill which is of much less consequence to the whole of the province than this present bill, which is about more than mining, certainly. It seems strange, Chair, that this committee was willing to travel to Timmins to hear testimony about Bill 71 in the previous Parliament, and yet MPP Mamakwa's motion to go hear testimony in Thunder Bay was voted down last time this committee met. I just think, from that point of view of being consistent, this bill, which is much more consequential, deserves a hearing across the province. We should at least go to northern Ontario. I think we should probably also go to southwestern Ontario.

But it just doesn't make sense if we don't extend the dates by a modest amount—one day—to extend the deadline for amendments. This bill could use a lot of amendments, I think. Even the mining companies like Glencore that we heard from last week have suggested that there may be some amendments needed in this bill so that we don't accidentally discourage investment in infrastructure in Ontario.

So I think it makes a lot of sense, Chair, that we all vote in favour of this motion to hold hearings in Thunder Bay.

The Chair (Mr. Aris Babikian): Any further comments? MPP West.

MPP Jamie West: I promise my colleagues I'll be brief. I want to remind my colleagues that last Thursday we heard from the Timmins Chamber of Commerce, the Sudbury Chamber of Commerce, Côté Gold mine and the Ontario Mining Association. Now, all of those associations, in summary, not to put words in their mouth, talked about being supportive of schedule 5—that's the one process for paperwork—but wouldn't commit to supporting any other part of the bill.

All of them had said, at least in my notes, that they were worried about the negative impacts the other aspects of this bill would have on mining's ability to be successful in the future and the relationships that would potentially be damaged with First Nations and treaty right holders.

I think it makes sense to hear more from people. I've been in situations and leadership positions in the past where we think, as a group, that we made a really good decision, but we haven't spoken with people being affected, and I think we're in the situation again today.

I believe this bill was tabled in order to help mining become more successful, but I truly believe, from conversations I've had in this room and conversations I've had one on one as the shadow minister for energy and mines, that this bill is going to set mining back a good 20 years. If anything, at a time when we need to be competitive, especially with the United States, but with foreign actors around the world, in a global economy, when it comes to critical minerals, or just any minerals—as the saying goes, "If you can't grow it, you have to mine it." If we're passing legislation that is going to negatively impact mining, and it looks like a strong possibility here today, I urge my colleagues that we should be listening to more voices to ensure that we get this bill right.

The Chair (Mr. Aris Babikian): Thank you, MPP West. Any further comments? Seeing none—

MPP Jamie West: Recorded vote, please

The Chair (Mr. Aris Babikian): I'm going to put the question. A recorded vote was requested.

Ayes

Hsu, Mamakwa, West.

Nays

Cuzzetto, Dowie, Gallagher Murphy, Chris Scott, Vickers.

The Chair (Mr. Aris Babikian): The vote is lost, and the motion is lost also.

I'm going to move on to our next phase of the hearing, and that is the first panel.

CHIEFS OF ONTARIO

MUSHKEGOWUK COUNCIL

CONSERVATION ONTARIO

The Chair (Mr. Aris Babikian): We have three organizations: Chiefs of Ontario, Mushkegowuk Council and Conservation Ontario. I'm going to ask each witness or presenter to state their name and which organization they represent.

We'll start with the Chiefs of Ontario. You have seven minutes for your presentation.

Regional Chief Abram Benedict: Good morning. *Remarks in Kanien'kéha.*

My name is Abram Benedict, and I represent the Chiefs of Ontario. I'm currently elected as the Ontario regional chief, and I'm here on behalf of the Chiefs of Ontario, which represents 133 First Nations as they assert their sovereignty, jurisdiction and expression of nationhood across this great province and Turtle Island.

Our work—my work—is based on resolutions put forward by the chiefs in assembly and that are adopted by consensus after our chiefs have had long deliberations about the important issues that affect our nations across this region. My job is to bring those positions forward to committee, to government, to proponents, to all Canadians, to Ontarians.

First Nations do not oppose development. We appreciate that Ontario must remain competitive in the jurisdiction in order to successfully navigate the global economies which we are in. However, First Nations cannot support development done in this way. The wrong way is a path that does not respect the rights of First Nations as stewards of lands and resources; the wrong way would be to dismiss the priorities of First Nations as responsible decision-makers who weigh the opportunities against cost of the development; the wrong way ignores obligations that First Nation governments have to their citizens now and in the future.

Rapidly gutting legislation behind permitting and regulatory regimes without deliberation or collaboration with First Nations would create unmanageable risk to our relationship and to the future of development in this province, and I do think that it's important that First Nations people are heard in every corner of this region.

0920

There are precedents that warn us against what is happening here in Ontario. A little over a decade ago, the government of Canada put forward an omnibus bill, weakening environmental protections to speed up developments. The outcome was Idle No More, a national protest movement, and the removal of social licences from resource projects. Development stalled and investment

became risky, and the government proceeded in the wrong direction. We should learn from those lessons.

There are many risks in this legislation that you are considering, but I wish to put forward four areas specifically. The first is heritage burials, with respect to the changes proposed to the treatment of archaeological sites and sacred cultural items. Ontario and First Nations have been working together on collaborative processes that protect our heritage and grave sites—sites that have been there for decades—that are important to our people. Finding archaeological and burial sites and repatriating sacred items are examples of great work that we have done together with Ontario.

These stories have made national and international headlines. We continue to incite the passion among citizens. There's a broad consensus that protecting and honouring First Nations cultural heritage is critical for reconciliation and respectful coexistence. We have seen many examples across this province where we have worked together.

Bill 5 would change the Ontario Heritage Act, specifically in a way that affects how archaeological assessments are triggered, how known sites are protected, and when a wide variety project would be able to be part of an exemption from assessment. While we're aware that blanket exemptions do not extend to parts of archaeological regulations that protect ancestral under the Funeral, Burial and Cremation Services Act, it remains unforeseen as to how areas that are designated as special zones will fit into these.

The mere existence of these provisions means social licences can rapidly disappear from projects. It puts Ontario at odds with international norms, and that will chill investment. Ontario is creating a very risky relationship to First Nations legal and grassroots actions.

The second risk is related to the changes to the Mining Act in schedule 5. There is ongoing legal action from First Nations related to the Mining Act as it currently stands. Further changes that allow the minister greater discretion in decision-making authority could bring up even more greater risk of litigation. As it stands, Bill 5 makes no mention of how First Nations will be consulted in the mining process or to what extent. If First Nations are frozen out of decision-making, it is reasonable to expect that they will oppose more mining development, resulting in longer project development, and the timelines will become tied up in court processes.

The third risk relates to environmental legislative changes in schedule 2. Changes related to species at risk and environmental assessment will affect First Nations' inherent responsibilities as stewards to the land. Our people have a sacred obligation to all living creatures in this world. These changes to the environmental legislation will impact that. Almost every major court case on First Nations rights includes establishing the duty to consult. It stems from a question related to the stewardship responsibility and relationship with fish, wildlife and the land. Ontario risks going backwards on well-established protocols, which will damage our current relationship, and

risk significant new legal challenges related to development.

Lastly, there is an insurmountable risk associated with schedule 9 of the bill that proposes the creation of a special economic zones act. As drafted, this act has no details or restrictions; gives Ontario the power to establish lawless zones wherever they see fit for economic gain; and allows Ontario to be the gatekeeper of what regulations will apply in these zones, if any at all.

This schedule allows for project proponents to be exempt from policies, zones and entire laws, therefore precluding the duty to consult. Creating one of these zones will likely result in a trusted proponent or design project being exempt from any laws or regulations that could be protected by Aboriginal title or treaty right. Therefore, the decision to grant such exemptions could take away from the protection of this inherent right.

I ask Ontario to reconsider its approach to Bill 5. A few days of committee hearings will not be sufficient to get the right balance. Right now, Ontario risks proceeding in the wrong way. We ask that we take time together to go the right way, based on respect for First Nation communities and their rights.

I ask to remove or delay the schedule I have referenced, so that we can work together in a way that reflects the interests and aspirations of Ontario and First Nations, and that honours our government-to-government relationship. Niá:wen. Meegwetch.

The Chair (Mr. Aris Babikian): Thank you. Now I call upon the Mushkegowuk Council to make their presentation. Please state your name and you have seven minutes.

Grand Chief Leo Friday: *Remarks in Omushkego Cree.*

Mr. Lawrence Martin: I will translate from there; Omushkego language is different from Oji-Cree. What the Grand Chief is saying is that he represents seven First Nations in northeastern Ontario and that the traditional territory covers a third of Ontario and includes the muskeg of northern Ontario known to us as the Breathing Lands, which is the second-largest carbon sink in the world. He was elected by the people to speak for them, and he carries their voices with him here today.

He says, "I must state clearly before the Ontario Legislature that our ancestors never agreed to give up our lands or authority over our lands. When the Omushkegowuk, my people, entered into Treaty 9 over 100 years ago, the treaty commissioners made solemn promises that our livelihoods would never be interfered with, and that we would be allowed to hunt and fish throughout our territory without restriction. My people agreed to the treaty only after hearing these promises. This is the true spirit and intent of Treaty 9; we have never ceded our lands.

"However, over 100 years, Ontario and Canada have ignored their treaty promises. Now, Ontario is forcing strategic economic zones onto our treaty lands without any oversight and no respect for the Omushkegowuk, my people, who have lived here on these lands since time immemorial.

0930

“Ontario is forcing resource development projects throughout Mushkegowuk territory without our consent. Bill 5 threatens our lands, water and future. It violates our inherent Aboriginal treaty rights. It brings dishonour to the crown.

“We understand the government faces economic challenges and trade pressures from the United States. But let me be clear: Rushing ahead without First Nations at the table will not work. That path does not create prosperity; it breeds conflict. By pushing forward with Bill 5, the Ontario government is guaranteeing a long and very unnecessary fight with First Nations.

“Today, we stand firm and demand that Bill 5 be abandoned. Instead of pushing this harmful bill forward, the government must focus on building a co-developed framework—one that guides how we work together on land use and resource development in our territories.

“We are Treaty 9 signatories, not stakeholders.”

The Chair (Mr. Aris Babikian): One minute.

Mr. Lawrence Martin: “Our ancestors did not give away our lands to be taken by governments. This was never our understanding. Ontario does not hold full control here. It cannot take up our lands again.

“We must put into action the true intentions of our treaty. Our communities have the right to benefit in the resources and the management of our lands. We are sovereign nations. We are not opposed to development, but development must include us, protect our lands and truly benefit our people. When you involve us in creating laws and policies, they will be stronger and fairer, and there will be certainty for all. But if you keep excluding us, there will only be more resistance.

“We will not stand by while wealth is taken from our lands and our communities continue to lack basic services that most Canadians have.

“We have seen this before: Victor mine in Attawapiskat. The province and corporations took the benefits”—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

Now we move to Conservation Ontario. Please state your name.

Ms. Angela Coleman: My name is Angela Coleman and I’m the chief administrative officer of Conservation Ontario. Conservation Ontario is the member service organization for Ontario’s 36 conservation authorities located across the province on a watershed basis.

I deeply respect and acknowledge the submissions of my co-presenters on this panel. I am honoured to share this space with you and recognize the significance of your comments as rights holders, while my comments are from a more narrow stakeholder perspective.

Conservation authorities work directly with the province, member municipalities, partners and communities to protect people and property from natural hazards, such as flooding, erosion and landslides. We maintain flood and erosion control infrastructure; maintain sensitive lands and conservation areas for public benefit; protect municipal drinking water sources; and offer watershed enhancement,

protection and restoration projects, including agricultural and business stewardship projects, wetland projects, grassland and tree planting projects, and land securement.

Opportunity to review conservation authority individual submissions: Many conservation authorities have made individual submissions to the bill. Members, if you review these submissions, you will gain perspectives from individual conservation authorities. Many provide more detailed comments than my time permits today, so I do invite you to review those.

The government proposal: This bill, Bill 5, the Protect Ontario by Unleashing our Economy Act, proposes to amend existing and enact new legislation, including special economic zones. Upon proclamation, the Special Economic Zones Act will provide regulation-making authorities to the Lieutenant Governor in Council and applicable minister to make criteria for and to designate of these three things: special economic zones, trusted proponents and designated projects. Once established, designated projects undertaken by trusted proponents in special economic zones may receive exemptions or modifications to specified legislative or regulatory permitting, approvals or other similar requirements. The proposed legislation may apply in any area of Ontario and to any provincial act, regulation or instrument, including municipal bylaws.

Conservation Ontario reviewed and received many comments and concerns on the proposed legislation; however, today, with limited time, I will focus comments directly on our specific legislative frameworks under the Conservation Authorities Act and Clean Water Act.

General comments:

(1) Protecting public health and safety supports economic prosperity. Providing strong protections for people and property from risks related to natural hazards and existing and future sources of municipal drinking water is essential to support economic development and safe and prosperous communities. Conservation Ontario recommends that natural hazard-permitting requirements under the Conservation Authorities Act and policies set out under the Clean Water Act continue to apply in any designated special economic zones. The continued application of these regulations and policies helps balance risks and further supports safety and public health.

(2) Support for improved processes: Conservation Ontario and Ontario’s 36 conservation authorities share the government’s commitment to identify process improvements and provide timely approvals to support priorities. We are committed to supporting a strong provincial economy, safe housing and critical infrastructure development and to safeguarding sources of municipal drinking water. We do believe that efficient permitting can be achieved while maintaining these very important and shared priorities.

Recommendations:

(1) Natural hazards protection. Ontario’s natural hazard regulatory framework protects housing, critical infrastructure and the public from natural hazard impacts, including flooding and erosion. The success of Ontario’s natural hazard framework and the conservation authority model is

recognized for minimizing flood hazards to housing compared to other provinces across Canada, even though the province of Ontario has the most housing starts of all provinces in Canada. This results in considerably lower insurable losses over time. This coordinated hazard- and risk-based framework is supported by Ontario's Special Advisor on Flooding in their report, *An Independent Review of the 2019 Floods in Ontario*.

(2) Municipal drinking water protection: Conservation authorities support protecting sources of municipal drinking water as source protection authorities under the Clean Water Act. Protecting drinking water sources from Ontario's lakes, rivers, streams and underground aquifers is critical to economic prosperity. All source protection plans are approved by the Minister of the Environment, Conservation and Parks.

Maintaining these high protections established under the Clean Water Act ensures strong legislative and regulatory protections apply to safeguarding drinking water quality and quantity. Ontario's multi-barrier approach to ensuring safe drinking water is strongly supported by Justice O'Connor in the 2002 Report of the Walkerton Inquiry.

(3) Applying protection provisions in special economic zones: Given the risk to public health and safety from natural hazards and extreme weather events, we recommend the permitting requirements and source protection plans under the Clean Water Act apply in any potential future special economic zones.

(4) Technical expertise and experience: Conservation authority staff bring decades of specialized expertise in balancing development pressures while finding local solutions to complex matters. Both Conservation Ontario and Ontario's 36 conservation authorities welcome opportunities to ensure that provincial development priorities are planned and implemented safely, supporting long-term economic prosperity and a healthy environment.

The Chair (Mr. Aris Babikian): One minute.

Ms. Angela Coleman: Thank you for the opportunity to review and provide comments on the Special Economic Zones Act. I am pleased to respond to any questions you may have at this time.

The Chair (Mr. Aris Babikian): Thank you, all of you, for sharing your point of view with us. Now we will start two rounds of questioning. It is six and a half minutes for each of the government side, the official opposition and the third party.

The first round of questioning will start with the government side. MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Thank you, Chair. Through you, I'd first like to thank everybody for coming out today. It's greatly appreciated. Your comments here today have been heard. Thank you.

My question is to Conservation Ontario, to Angela Coleman. Thank you for being here, Angela. I noted in your deputation you spoke about the support for improved processes. You noted that you share the government's commitment to identify process improvements, which is good—we always need process improvements—but as

well, that efficient permitting can be achieved while maintaining important shared priorities.

0940

That being the case, my question to you is: Taking into consideration all your members with Conservation Ontario—and I'm sure they had the same type of concerns, probably, and complaints that we commonly hear in government, which is permitting and approval processes in Ontario can be slow, they can be expensive, they can be complicated. So while Bill 5 is not directly proposing changes to conservation authorities, on a general note, would you agree that a streamlined and predictable regulatory environment—one where everyone clearly understands the rules they need to follow—this is the goal that we should generally aspire to. Do you agree or disagree with that statement?

Ms. Angela Coleman: Thank you, PA Gallagher Murphy for the question.

Having worked in this field for 25 years, I know that permitting is a process that is one where we're always trying to find additional streamlining and efficiency opportunities.

Having said that, I've seen a variety of different submissions over time, so I do think, yes, it's important to assure that the process is clear and has expectations and guidelines, but that process also must ensure that the correct safeguards, checks and balances are in place. To do that, we must ensure that we are doing consultation throughout. Decisions are not being made without consultation, with those that are actively involved in the permitting process, because to come in and assume that we can easily do this without consultation will result in a process that, again, may have unintended consequences, as we've heard from members today. We want predictability—consultation and making sure we're all on the same page is a very important part of that predictability.

M^{me} Dawn Gallagher Murphy: Thank you, Angela.

The Chair (Mr. Aris Babikian): MPP Dowie.

Mr. Andrew Dowie: I want to welcome all presenters today.

My question would be for Chief Benedict. In my past career, I was tasked with actually undertaking consultation for environmental assessments, and I always wanted to do my best, hopefully. I know I've emailed, sent print letters, followed up by phone to obtain comments, and I guess I was just unsuccessful in some cases—not all cases, but some cases—in my approach. So I was hoping to understand from your perspective and throughout Ontario how consultation with First Nations—how does it work today with respect to land development and mineral development, and from your perspective as First Nations, and also, how does the current system fall down? How is it lacking in its approach today?

Regional Chief Abram Benedict: Thank you for your question, MPP.

I want to make it clear: I represent the Chiefs of Ontario and we're not a consulting agent for First Nations. Consultation, which is an obligation in honour of the crown, is between the crown—the government—and First

Nation communities. There are 133 First Nations that are in our region of Ontario, so that consultation must occur with them.

The consultation itself is when the government takes a decision that will adversely impact the rights of First Nations people—either the known rights or implied rights. So that's why it's important that the consultation occur with the rights holders on the ground and the community leadership. As I know that the committee has heard previously and as well as the other speakers, that consultation for every community is different. I know the committee here today has heard motions before asking for it to extend time because First Nations want to be heard on this issue so that they can describe to you what consultation means to them individually.

Being in my role as the Ontario regional chief, but previously as the Grand Chief of Akwesasne, consultation comes in many different forms. The consultation as you have described can be an email from a proponent to the leadership saying, "We're going to be doing this activity, if you have any comments," or proponents can come to a First Nation community and talk about a project and talk about the development and the opportunities that come out of it and that consultation can occur there. I think that it's important that, when we talk about consultation, that the government understands that every community, who are the rights holders will determine how consultation is done and at what level.

The Chair (Mr. Aris Babikian): One minute.

Regional Chief Abram Benedict: I would argue that depending on the impact to the community as whole, the leadership will then decide what that consultation looks like and how robust that is.

Mr. Andrew Dowie: Thank you.

The Chair (Mr. Aris Babikian): MPP Vickers.

MPP Paul Vickers: Thank you to all the presenters here today. My question is for Ms. Coleman with Conservation Ontario. Ontario's economy is under increasing pressure from global competitors who are cutting red tape and attracting investment. What role can Ontario's 36 conservation authorities play in helping modernize the permitting and approval process while still taking the steps necessary to protect our natural environment?

Ms. Angela Coleman: Thank you—

The Chair (Mr. Aris Babikian): Unfortunately, the time is up for the government side.

We will move to the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch to the presenters, Chiefs of Ontario, Mushkegowuk Council and also Conservation Ontario. The government member asked—he likes to do his best on things, but on this process, this is not your best. It is perhaps your worst when we talk about the work in consultation.

Also, when I listen to the regional chief, the mention of Idle No More is a clear warning to the government what to expect if you do not pull this bill back or at the minimum just keep schedule 5 as a stand-alone and do the rest of the work on others with the proper process.

On the presentation, the Mushkegowuk Council and its member nations said they were not consulted in the drafting of Bill 5. This also say of Minister Rickford's assertion that consultation is not required until legislation is tabled is legally flawed and very disrespectful.

Last week, I asked government members, ministers, about treaties. Ontario has a constitutional role to represent the crown in their areas of jurisdiction, and we know they are a direct signatory to one treaty, which is Treaty 9. Regional Chief and Grand Chief, what is your understanding of treaties with First Nations and Ontario, and what potential impact will Bill 5 hold for the treaties? Meegwetch.

Grand Chief Leo Friday: Meegwetch.

Remarks in Omushkego Cree.

0950

Mr. Sol Mamakwa: Meegwetch. You have got one minute, I think.

Regional Chief Abram Benedict: For the question, MPP, the treaties are agreements—I cannot express any more than the Grand Chief has put it, but they are agreements between the settlers and First Nations. I can tell you that, speaking with many treaty holders, we know that the government—it's an agreement. But I can tell you that the First Nations have never walked away from their obligation of a treaty. The only person that has walked away from obligation of their treaty is governments that have done that, which is very disheartening. When we talk about honour, we talk about the obligations and honour of the crown. The First Nations have continued to honour their side of the treaty, which was the agreement to use of the lands, the resources, but also as the Grand Chief has talked about, in exchange for something, and that was to support and also to ensure that livelihoods of First Nations were not interrupted—

The Chair (Mr. Aris Babikian): The time is up.

We move to the third party's questions. MPP Hsu?

Mr. Ted Hsu: Let me first of all say thank you to Grand Chief Friday and Chief Benedict for coming all the way to Queen's Park today, and Ms. Coleman as well.

Let me start with two questions. The first one would be for Grand Chief Friday. You said that this government's bill, Bill 5, will bring conflict and will bring a fight that we don't need, nobody needs. How many years, how much will Bill 5 set back the relationship between Ontario and First Nations? How many years would it set back the relationship?

My question for Chief Benedict: You spoke about schedule 7 and the fact that there would be an exemption from archaeological assessments in special economic zones, which would put social licence at risk. I was wondering if you could give an example of what could go wrong to cause a loss of social licence and what the consequences of losing social license would be? If I could start off with those two questions.

Grand Chief Leo Friday: Meegwetch.

Remarks in Omushkego Cree.

Regional Chief Abram Benedict: Meegwetch, Grand Chief. Meegwetch for the question in relation to the social licences. I believe that it's around process. It's around

process. First Nation communities, you have to understand, have been subject to colonization, governments who have made commitments that have not lived up to commitments, government who have said that they'll bring prosperity and trampled over First Nation rights in doing that. And so when we look at social licences—you can sign the agreements, you can bring forward projects that bring transmission lines, create roads to communities and bring jobs and prosperity, but the second that the Ontario Heritage Act or that our community burial grounds, our sacred grounds and traditional medicines are trampled over in the name of development, that project is now going to have—the social licence will be revoked. Communities will not sacrifice the sacred burial grounds of our people, will not sacrifice the lands that are pristine, that have the waters, that have the medicines that have kept our people well for decades, in the name of prosperity. And so when I talk about the social licences, this is process, process, process. First Nations—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up. That concludes our first round of questioning.

We will move to the second round, and we will start with the government side. MPP Vickers, the floor is yours.

MPP Paul Vickers: Just like Thursday, maybe it's the choices of my previous career, but I am struggling to hear the translator. It's as loud as I can get it to go. It's just very quiet, and, again, maybe my hearing isn't the best. Maybe everybody else is fine. But if we could ask the translator to maybe speak up a little bit better, I'd appreciate it.

My question is to Angela again: I'll quickly go over it. Ontario's economy is under increasing pressure from global competitors who are cutting red tape to attract investment. What role can Ontario's 36 conservation authorities play in helping to modernize permitting and approval processes while still taking the steps necessary to protect the natural environment?

1000

Ms. Angela Coleman: Thank you, MPP Vickers, for the question.

I heard a good quote, and it was something like, "The most affordable housing is housing you don't have to rebuild." So I appreciate the recognition that the permitting that we're doing is not simply red tape but that it provides those important things, such as housing that won't experience flooding as well as ensuring safe drinking water.

As the business leader that works with the conservation authorities, I do view the permitting process as one that we do have to see as a service. Part of the work in terms of dealing with the challenges that are before us is making sure that we do all of the things possible to ensure that we're doing things as quickly as possible.

I think right now, we're undertaking an analysis of all of our permitting process at Conservation Ontario. We're supporting our members with a business analysis, or a lean analysis, to assure that any unnecessary steps and unnecessary requests in the permitting process are streamlined.

We're also using new technology and tools that I think are some of the most leading-edge and cutting-edge in the business. I think why that's so important is those tools that we're using are not only streamlining processes, but they're also doing environmental protection and project siting in a way that's truly innovative; captures the very best in technical capacity in the province right now; and makes sure that the work that we're doing really and truly is seen as a service and a service that we're helping each of our members do better and faster, more efficiently, while respecting and getting the best results for the natural environment at the same time.

The Chair (Mr. Aris Babikian): MPP Cuzzetto.

Mr. Rudy Cuzzetto: I want to thank the presenters for being here today.

This is for Chief Benedict. Last week, our government announced a \$3.1-billion investment to support First Nation partnership in critical minerals development. Do you support the ability for First Nations to have an equal stake in these types of projects?

Regional Chief Abram Benedict: As the Ontario regional chief, I represent, support and advocate for the 133 First Nations. That decision is ultimately with those communities, whether or not they want to participate in activities such as the mining activity. The level of engagement that they want to have, as I've said earlier, is determined by the community, and what level of involvement in those developments, exploratory or what have you, is ultimately with the community. And so, these decisions are to be made by the community on the ground.

The Chair (Mr. Aris Babikian): MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Chair, through you, my question is to the Chiefs of Ontario, Abram Benedict. I wanted to talk about a bit about what the current consultation process is, specifically when it comes to mining permits. What we've proposed in Bill 5, the "one project, one process" to consolidate all approvals into one single process—that's what has been proposed.

When I look at that, currently, consulting on the same permit multiple times with individual ministries, with the First Nations—and I understand it's the same project with multiple permits that potentially benefit First Nations communities or companies. Wouldn't a consolidated process that evaluates the whole project be better? That's my question.

Regional Chief Abram Benedict: I acknowledge that there seems to be want for a process where the government doesn't have several things happening at once.

I will say that in conversations with the communities that I represent, sometimes having more conversations happening at the same time is not necessarily a bad thing, because if we're talking about permits to take water or we're talking about permits to remove trees or we're talking about permits to fill in swamplands, these are all completely different. What's going to happen is that those conversations with the community and the consultation, and the outcome over the agreements with community could definitely be different in many areas. It's not going to be the same. Having one stop—I'm not sure that's

particularly going to be helpful to community because, again, trees, water, the lands, resource extraction, these are very different activities, and for community, we'll have a different input in each and every one of them. So I don't know that having a single-source consultation is going to be in the best interest of the First Nations.

Mme Dawn Gallagher Murphy: Thank you.

The Chair (Mr. Aris Babikian): Thirty seconds.

Mme Dawn Gallagher Murphy: Thirty seconds—just to follow up then, real quick. Is there any other area where there's a consolidated review process? Is that common at all or is it always multiple?

Regional Chief Abram Benedict: Unfortunately, I don't have the answer to that. The consulting happens with the communities on the ground.

Mme Dawn Gallagher Murphy: Okay. Thank you.

The Chair (Mr. Aris Babikian): Thank you. The time is up.

We move to the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch, Chair. I believe it's very clear that there's opposition to this bill. I know last week I heard the ministers talk about adding a line or two in the preamble to the bill. That's the best they can do.

I know Bill 5 also has broad indemnification provisions, including blocking damages for government "misfeasance, bad faith or a breach of trust or fiduciary obligation." My understanding is that this bill contains sections that attempt to protect government from holding legal responsibility or liability for the potentially negative impacts of this legislation.

Regional Grand Chief, why do you think this government has included this language in the bill, and what type of challenges do you think they expect to face from First Nations in Ontario?

Regional Chief Abram Benedict: Meegwetch, MPP Mamakwa, for the question. It's deeply concerning. It's deeply concerning to have language that condemns the government for any actions that they want to do. Frankly, I don't believe that the government can walk away from their fiduciary, their honour of the crown with First Nations people, even in legislation, because regardless of what party forms government, they inherit that obligation to First Nations. They inherit the treaties that were signed with the communities. That's not something that's optional.

So for a government to think that they can instill language that absolves them from liabilities and they can walk away from their responsibilities to First Nations people, I think it's deeply wrong and what we will see is that communities will challenge that and, again, will draw processes.

I made it clear in my presentation: First Nations are not against jobs, not against prosperity, not against upholding the jurisdiction, the sovereignty of Turtle Island, the sovereignty of Canada. The First Nations have sacrificed a lot for the sovereignty of this land, and we're treaty partners with the government. It must be built upon mutual understanding and respect. And so one party puts in writing that "I can do whatever I want, and you can't hold

me accountable." That's not a mutual, respectable relationship that First Nations want to be in. Meegwetch.

Mr. Sol Mamakwa: Do you want to answer?

Interjection: Do you have another question for him?

Mr. Sol Mamakwa: No, it's okay. Do you have any comments on that?

Grand Chief Leo Friday: *Remarks in Omushkego Cree.* 1010

The Chair (Mr. Aris Babikian): One minute.

Grand Chief Leo Friday: *Remarks in Omushkego Cree.*

The Chair (Mr. Aris Babikian): Thirty seconds—okay.

Before we move to the third party, I would like to have the consent of the committee to extend a little bit the time so that we allow the third party to ask their questions, because we're allowed to go to 10:15. We will run a little bit longer, so it's up to the committee to decide if they want to continue to finish the last round of questioning or if you want to take the recess and go to the House.

Do I have consent to continue? Yes? Okay. So, to the third party's questioning: It is your turn, MPP McMahon.

Ms. Mary-Margaret McMahon: Thank you, everyone, for coming in today.

I had a question for the chiefs and the grand chief: How far did you come to get here today?

Grand Chief Leo Friday: *Remarks in Omushkego Cree.*

Regional Chief Abram Benedict: I reside in Akwesasne, which is near Cornwall, so it's four hours.

Ms. Mary-Margaret McMahon: All right. And how disrespected do you feel by this government and this process of lack of consultation for Indigenous communities and the lack of duty to consult?

Grand Chief Leo Friday: *Remarks in Omushkego Cree.*

Regional Chief Abram Benedict: Do you mind repeating the question?

Ms. Mary-Margaret McMahon: How disrespected do you feel by this government for the lack of—

Regional Chief Abram Benedict: I make it very clear that Chiefs of Ontario is not the rights holder. It's clear that Bill 5 has wide-reaching impacts to many areas that impact First Nations. By First Nations having the inherent treaty rights, and authority and jurisdiction over their lands, it only makes sense for a government that is bringing forward legislation that will impact the lands, the waters, the animals, the ways of life of First Nations people—that the government engage directly with the rights holder. That's the obligation that the government has, to engage with the rights holder, but also in process, in order to bring about the shared prosperity, in order to create the jobs, in order to stir the economy. First Nations want to part of that. They don't want to be told how it's going to happen; they want to be part of the solutions of how it's going to be happening. The process in which Bill 5 comes about is disrespectful to the First Nations people.

As we've heard, as the committee has brought forward a motion, the rights holders want to be heard. They want to sit at the table and have constructive dialogue on legislation that is going to support our common interests. Niá:wén.

Ms. Mary-Margaret McMahon: Thank you.

I'll pass my time over to my colleague.

The Chair (Mr. Aris Babikian): MPP Hsu.

Mr. Ted Hsu: I have a question about—back to Chief Benedict. You were concerned that this bill has no mention of how First Nations will be consulted. I'm a bit worried about one of the schedules of the bill, which removes an environmental assessment for a landfill in southwestern Ontario and replaces it with something called an environmental compliance approval. The government will say, "Look, it's still subject to an environmental process."

But one difference between an environmental assessment and an environmental compliance approval is that in an environmental assessment, you have to ask the people, you have to consult the people who are affected. In an environmental compliance approval, which the government touts as a scientific, environmental process, you don't have to do that.

So when it comes First Nations, this landfill, which is near Dresden, Ontario—it's located on a creek which feeds into the Sydenham River, and at the mouth of the Sydenham River is Walpole Island First Nation. If this government could remove an environmental assessment and its requirement to consult with the people who were affected—if they could do it in this case, doesn't that mean to you that they could do it in all other cases or any other cases?

Regional Chief Abram Benedict: Thank you for the question. Absolutely. As I described in my testimony, as well as my remarks, First Nations have been subject to colonial legislation since contact. The honour of the crown has been challenged over and over. The government has failed in many aspects. In order for our communities to continue to prosper, for us to coexist, to exercise the treaty, the relationship, the respect for that treaty, there needs to be constructive dialogue.

The Chair (Mr. Aris Babikian): One minute.

Regional Chief Abram Benedict: There need to be respectful conversations happening. First Nations have an inherent relationship and an obligation to the land and everything that exists around us—every creature, every being. So when it comes to environmental assessments, while some assessments might only consider one aspect, First Nations consider all aspects: the impact of the people to the water, to the air, to the birds, to the bugs—everything.

I know that harmonized environmental assessments exist, and yes, they take long, but they're for a good reason: so that we could avoid catastrophic events that we have seen time and time again. Meegwetch.

Mr. Ted Hsu: Thank you very much.

Last question, for Ms. Coleman: I find it appalling that this government will not commit to even allowing the Clean Water Act to stand in a special economic zone. It seems to me that drinking water is pretty fundamental. I don't understand why this government—

The Chair (Mr. Aris Babikian): Thank you, MPP Hsu. The time is up.

That concludes the time allotted for our first panel. Thank you very much for your time and your input.

A reminder to the audience to please leave the portable audio devices for interpretation in the room before you leave.

This committee stands in recess until 1 p.m. this afternoon, when we will resume public hearings on Bill 5.

The committee recessed from 1020 to 1300.

The Chair (Mr. Aris Babikian): Good afternoon, everyone. I call this meeting of the Standing Committee on the Interior to order. We are meeting to resume public hearings on Bill 5, An Act to enact the Special Economic Zones Act, 2025, to amend the Endangered Species Act, 2007 and to replace it with the Species Conservation Act, 2025, and to amend various Acts and revoke various regulations in relation to development and to procurement.

To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly. Please wait until you are recognized by the Chair before speaking. As always, all comments should go through the Chair.

Mr. Mamakwa has indicated that he may be speaking Oji-Cree during the hearings. There will be simultaneous interpretation to English and French. Members may use the earpiece at their seats to tune into the English or French. For any audience members, there are portable listening devices that will also allow you to tune in to the English or French interpretation. Kindly remember to return the devices before you leave the hearing today.

As a reminder, each presenter will have seven minutes for their presentation. After we have heard from all the presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee.

MINECONNECT
CANADIAN UNION OF
PUBLIC EMPLOYEES
ONTARIO SOCIETY OF
PROFESSIONAL ENGINEERS

The Chair (Mr. Aris Babikian): Now, we will start with our second panel of the day. We have MineConnect Supply and Services, Canadian Union of Public Employees and Ontario Society of Professional Engineers.

I kindly ask you, before you start speaking, to identify yourself and your title. We'll start with MineConnect supply and services. Please, go ahead, and you have seven minutes.

Ms. Marla Tremblay: Good afternoon, everyone. My name is Marla Tremblay, I'm the executive director of MineConnect. We are the association that represents supply and service companies throughout Ontario: over 300 members, representing those 1,400 supply and services companies that exist within the province that create 40,000 jobs.

I'm located in northern Ontario, so a very proud northerner. Obviously, mining is a big part of not only our economy, but our lifeblood. You would be remiss to find

someone in the north who's not connected directly to somebody who works in mining in one way, shape or form. I'm speaking from the perspective of the suppliers, not the mines, so really, this is the perspective that I'm coming at this from.

From a supplier's standpoint, we would like, obviously, to see projects move more quickly, without, of course, negating any of the need to consult—and not just consult, but work directly with our Indigenous partners. It's not about a token consultation; it's about sitting at the table and developing programming and things together with those communities. I would highly recommend doing that for anything we do within Canada.

That being said, we also understand and value the proposed reduction in bureaucracy. Mines should not take 15 years or 20 years to develop because of bureaucratic processes. Things should not sit on a staff person's or bureaucrat's desk for six months, just to go to the next one, to the next one, to the next one. This is what we are supporting from a supplier's standpoint, is streamlining that. This is really the big piece that we are supportive of, moving that process and streamlining that process. I'm not really here to speak for a couple of the other pieces of the bill, but really that's the part that we're here to focus on ourselves.

From a supplier standpoint, every time a project gets delayed, it delays everybody's process. A supplier—and we're talking about SMEs that impact a community's economy. If you think of areas like Timmins or anything around that community, when a project is delayed, that entire economy gets affected and that's a problem. We're not just talking about the actual business itself. We're talking about additional indirect hits. We're talking the hospitality community, transportation, restaurants. Everything across the board in that economy gets impacted when a project is delayed. It impedes companies from planning, from figuring out their workforce, which we know is a major challenge. It's a major challenge for mining operations but also for suppliers to find the people that they need. Not knowing and having uncertainty about when things are going to move forward creates a lot more difficulty.

Being able to have a better understanding in timelines makes a big, big difference. I know that a big part of why Bill 5 is being proposed, and a big section of that, is limiting some of that uncertainty, which will have a major effect. That uncertainty also limits the opportunity for new projects to take shape because they can't secure the capital that they need. That's also a big problem. All of this thing is trickle effect—it's a domino effect.

When we talk about our communities as well, 40,000 jobs may not seem like a lot when you're sitting in downtown Toronto, but when you're in Red Lake or you're in Long Lake or you're in Geraldton or Dryden or anywhere across any of the rural communities which make up most of Ontario's economy—and SMEs are most of Ontario's economy—it's a big deal. We're not also just talking about the economic impacts. It's the living impact. Those hockey teams, those community centres and the hospitals

depend on dollars that come from those mines and those suppliers. It's not just the projects themselves; it's the offshoot for community and building that strong sense of self and what we're proud of as Canadians.

I just wanted to put that out there that we are very supportive of a lot of the sections of this bill. There are challenges and there are issues, no question, and I really do strongly encourage anything that moves forward.

All of the folks around the table: If you're involved in any legislation or putting forth new legislation in the future, please ensure that you're doing that in collaboration with our Indigenous partners. Have them at the table as part of the process at the outset because we know that projects are more successful when we work in partnership.

The Chair (Mr. Aris Babikian): Thank you.

Now we move to the Canadian Union of Public Employees. Please identify yourself.

Mr. Venai Raniga: Good afternoon. My name is Venai Raniga and I'm a researcher with CUPE National. CUPE Ontario is the provincial division of the Canadian Union of Public Employees, and we are the largest union in both the country and the province, representing over 290,000 workers across every sector and across every community in this province.

On behalf of my union, I want to thank the committee for the opportunity to speak to Bill 5 today. This bill has managed to unleash the anger of First Nations, civil liberties advocates, environmental organizations and the labour movement as a result of the unprecedented nature of the measures it contains and the way it's speeding through the Legislature with very little scrutiny.

While I'm here today to speak primarily about schedule 9 of the bill, the enabling of special economic zones in Ontario, CUPE Ontario sees the entirety of the bill and the omnibus nature of it, as evidenced by the numerous challenges to existing laws, as an undemocratic way to effectively undo decades of hard-fought environmental, civil and labour protections and rights.

Schedule 9's provisions on special economic zones and its ability to exempt legislation—and notably modification of the application of legislation—is extremely broad. This bill would grant cabinet the extraordinary power to exempt a designated project or any corporation or individual from any provincial statute or secondary legislation, including municipal bylaws. We don't know how the current or any future government will use special economic zones, if enacted, because there are no details about the criteria a government could use to classify an area or a project as a special economic zone.

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Basic questions have not been contemplated by this bill. There are no details, no safeguards and no guardrails; only unprecedented power bestowed on a cabinet in a way that goes against the entirety of the constitutional democracy of our province. Where there are legislative definitions, they are sparse and effectively circular. "Designated projects" and "trusted proponents" are any projects or proponents the minister chooses to designate in according with the so-far-unspecified criteria that the provincial cabinet may

eventually set. The special economic zones would give cabinet very broad powers to exempt trusted proponents and designated projects from the requirement of any provincial primary or secondary legislation.

Special economic zones would inevitably create a two-tier labour system, fostering a race to the bottom in wages and working conditions. This government's rhetoric about Ontario having the strongest labour laws rings hollow when it simultaneously tables legislation granting itself *carte blanche* to override these very protections for favoured entities. The ways such power could potentially be used are unlimited. This isn't responsible governance. It's a blueprint for arbitrary power, bestowed upon cabinet in a way that is fundamentally contradicts our constitutional democracies of this province. It opens a door to political interference and cronyism.

We have to only look at the United States to see how easy it is for labour laws to be ignored by companies operating where labour laws have been weakened by hasty legislation. The most recent example of which can be found in the court filings of the US Department of Labour's lawsuit against Hyundai Motors, alleging the use of child labour in their assembly and production lines.

The international experience with special economic zones is a cautionary tales, where the promise of simplified regulation masks the grim reality of exploitation. For decades, the maquiladora program in Mexico has been criticized for fostering environments where labour rights are suppressed and wages remain low. Similarly, mainly of India's special economic zones have been plagued by allegations of corruption and have failed to deliver equitable benefits, instead enriching select corporations while bypassing crucial safeguards. Bill 5 sets up this government for a degree of political interference that we haven't seen in our democracy and that we hope to never see.

CUPE Ontario's position is that our province's existing statutes and regulations should be enhanced to ensure that the right of Indigenous nations to free, prior and informed consent and the rights of civil society, environmental protection advocates and workers' rights are safeguarded from any threat of directives imposed by a minister who is carrying the political will of the party.

We urge the government to look at what occurred with their public sector wage-suppression laws in 2019, the debacle of favouring certain greenbelt developers without a defensible process and their attempt to strip away union rights for education workers in 2022. The people of Ontario will rise to the challenge to repeal this bill if the Legislature makes the mistake of adopting it after so much careful and considered forewarning of the Pandora's box that it opens. Its not a question of when; the question is at what cost to this government.

CUPE Ontario recommends that this government withdraw Bill 5 in its entirety.

The Chair (Mr. Aris Babikian): Thank you.

Now we move to the Ontario Society of Professional Engineers. Go ahead. You have seven minutes. State your name, please.

Mr. Sandro Perruzza: My name is Sandro Perruzza. I'm the CEO of the Ontario Society of Professional Engineers, and on behalf of the Ontario Society of Professional Engineers or OSPE, we appreciate the opportunity to address Bill 5 and its implications for Ontario's infrastructure, public safety and long-term economic resilience.

Our organization represents more than 300,000 professional engineers, engineering graduates and engineering students across the province who work in every sector of Ontario's economy. As representatives of the engineering profession, the disciplined response for designing, building and maintaining the infrastructure that underpins our very economy, we bring a unique perspective on the intersection between environmental protection and sustainable infrastructure development.

Engineers understand that robust infrastructure depends fundamentally on healthy ecosystems. Wetlands prevent flooding that would otherwise damage roads, bridges and buildings. Forests stabilize slopes that support transportation networks. Natural systems provide climate regulation that protects our built environment from extreme weather events.

When we weaken environmental protections, we don't just risk species; we risk the natural infrastructure that makes human infrastructure possible and cost-effective. We're all aware that the vast majority of property insurance claims are due to severe weather events, and we need to be building sustainable infrastructure now more than ever.

Now, we support the intent of the bill to move forward projects, but we do have some critical concerns with Bill 5, including the following:

First and foremost, the erosion of scientific oversight: Bill 5 shifts species' protection decisions from independent scientific assessments to government-appointed bodies. This politicizes what should be evidence-based designs and decisions. Engineers rely on objective data and rigorous analysis to design safe infrastructure. Environmental protection requires the same scientific rigour. When political considerations override scientific evidence, we compromise both our environmental integrity and our infrastructure resilience.

Second, the facilitation of habitat disruption through payment-in-lieu schemes: While conservation funds have merit, allowing developers to simply pay money rather than directly mitigate environmental harm detaches conservation from specific ecosystems being impacted. This is like allowing a bridge builder to pay a fee instead of ensuring the bridge can safely carry the required load—the fundamental problem remains unaddressed and the risk to the public has now increased.

Third, increased infrastructure vulnerability: By weakening habitat protection, Bill 5 eliminates natural systems that provide essential services like flood control and erosion prevention. This forces expensive engineering solutions to replace what nature provides for free, increasing both capital costs and long-term maintenance burdens. Climate change is already straining our infrastructure, and we cannot afford to lose the natural systems that help us.

Perhaps most concerning from a professional engineering standpoint is that Bill 5 may actually slow development rather than accelerate it. By creating regulatory uncertainty and legal ambiguity, the bill undermines the predictable framework that engineers and responsible developers need for efficient project delivery. When approval processes become politically driven rather than science-based, projects face greater risks of delays, increase in the number of legal challenges and community opposition from both local ratepayer associations and, most importantly, from Indigenous communities, which may launch constitutional challenges.

Finally, the bill also does not address a significant cause for approval delays. The shortage of government engineers who review and sign off on these approvals, and the persistence of shoddy “stamps for hire” who work out of their basements without the required insurance and expertise—who are submitting documents that don’t meet code requirements that cause, now, these documents going back and forth for months and months—are causing extensive delays. There are loopholes in the Professional Engineers Act that allow them to continue to operate without the necessary oversights and protection of the public, and that needs to change.

Engineers plan infrastructure for decades of service life. We need stable, clear, scientifically grounded regulations to assess risk, design appropriate solutions and secure long-term investments. Bill 5’s approach induces the kind of uncertainty that increases costs and delays for everyone, including the public, who ultimately pays for both infrastructure and environmental remediation.

We urge the following recommendations for a balanced approach:

Maintain independent scientific oversight for species protections: Just as building codes rely on engineering standards developed by technical excerpts, environmental protections should be grounded in scientific assessments, not political discretion.

Require site-specific mitigation measures that address the actual ecosystems being impacted: This ensures that development proceeds responsibly while maintaining the natural systems that support infrastructure resilience.

Mandate comprehensive risk assessments led by qualified engineers and environmental scientists before approving development in ecologically sensitive areas: This protects both natural systems and the infrastructure investments we’re trying to enable.

Establish clear, predictable regulatory frameworks developed in consultation with the engineering community and the Indigenous community: Certainty enables efficiency, both in development timelines and environmental protections.

Strengthen and modernize the Professional Engineers Act in Ontario, as other provinces have done with their regulated professional acts, and increase the number of provincial engineers reviewing and granting approvals.

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Ontario’s prosperity depends on infrastructure that is both economically sustainable and environmentally sus-

tainable. These goals are not contradictory; they are complementary when approached with proper scientific rigour and long-term thinking. In fact, I can point to dozens of projects that have highlighted the ingenuity of engineers in design, including the Friday Harbour development in Innisfil.

Bill 5 in its current form creates a false choice between economic growth and environmental protection, but we need policies that recognize that healthy ecosystems as the foundation for resilient infrastructure and sustainable economic development.

We thank you for this time, and we urge you to work with our engineers in finding a solution that works for everyone.

The Chair (Mr. Aris Babikian): Thank you very much. We move to the next phase of this panel, and that is the question-and-answer portion. Government side, official opposition side and third party—each one of them has six and a half minutes.

We will start with the official opposition this round. MPP West.

MPP Jamie West: First, thanks to all the presenters, and I apologize for how quickly the time is going to go by.

I want to start by thanking Marla Tremblay for coming and talking about the importance of—basically what we’ve been hearing all day today and all day on Thursday, that schedule 5, that system of helping things be more effective and efficient, seems to be the good part of the bill. Even proponents supporting the bill don’t seem to want to talk about anything else besides that schedule.

I think it’s important as MineConnect, the sectors you represent, the things you talked about in terms of what it means for community and jobs—that my Conservative colleagues hear about how this lack of consultation and the other things they’re proposing to do may not be as effective in helping move mining jobs forward as quickly as they’re hoping under the threat of Trump’s tariffs. Can you just expand lightly on that?

Ms. Maria Tremblay: I can tell you from our perspective and my members’ perspective. Some of it’s anecdotal, because we have these conversations on a daily basis with our members. They are currently struggling, quite a few of them, because of the uncertainty with the tariffs and everything that’s going on with the US.

We have just very small examples, but it’s important to those businesses. We were at this Canadian Institute of Mining show a few weeks ago in Montreal, and many had to pull out because they’ve lost a \$100,000 contract or a \$200,000 contract, which doesn’t seem like a lot, but when you’re a small business and you have four employees, a \$200,000 contract means being able to keep someone or not. That’s part of the impact.

Being able to have more opportunity domestically with projects is incredibly important. That’s one of the reasons.

The delays don’t help because they can’t plan. They can’t have a little bit more of that certainty. Of course, we do recommend and we always work with them to look at expansion options, looking at projects around the globe

and not just putting their eggs in that basket, but it's definitely part of the equation.

MPP Jamie West: Just because of the time, Marla, my concern is that on Thursday and this morning as well, we've heard from First Nations and treaty rights holders talking about fighting this in the boardroom, fighting this in the streets, fighting this in court, having protests. Is that a signal that mining companies want to hear about in terms of securing investment and jobs moving forward, or is that something that will cause these jobs to be delayed?

Ms. Marla Tremblay: I mean, it will probably cause it to be delayed. At the same time, the mines—most of them have already great relationships with the Indigenous community. They're already negotiating things at the table directly with the First Nations—many of them, not all of them. There's definitely work to be done. So there are going to be delays. Of course there are going to be delays, but does that mean a 20-year delay or a two-year delay?

Right now you're dealing with a 20-year delay sometimes. Part of the challenge was that these conversations should have taken place during the development of the bill, not necessarily after it's been proposed.

The Chair (Mr. Aris Babikian): MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch. Thanks again to the presenters.

Marla Tremblay, just a quick question. I know that, generally, your position is supportive of Bill 5, but you still emphasize the importance of consultation with First Nations as well.

When I was looking at the written submission—you say, "The success of Bill 5 will depend in part on ensuring that faster project approvals are paired with robust Indigenous consultation and participation frameworks." I guess the question would be: Since you agree that the success of the bill depends on First Nations input, why would you or why are you continuing to show support for the bill, in the face of widespread condemnation from First Nations of the approach that Bill 5 takes and calls for the bill to be scrapped?

Ms. Marla Tremblay: We're here as a representation of the supply chain only, right? So from a supplier standpoint—and that's what I'm here representing, the suppliers—I'm here to help them grow. That's my whole mandate: to help them be sustainable. What they're telling me, which I'm sharing with the committee today, is they would like to see the process, the bureaucracy portion of the bill, move forward. I get that the bill includes many different elements—I get that—so it's kind of difficult to say I'm for or I'm against.

When it comes to the moving things quicker from a bureaucratic process, I think most people agree that that's a good thing. But at the same time, it's been very clearly stated to me on many occasions when I've been speaking with the minister's office or whatnot that the intent is not to reduce the requirement of consultation. If that's the case, then it shouldn't, to me, move forward without limiting—I think they should be increasing the requirement for consultation.

It has also been brought to my attention in discussions with some of the First Nations that part of the challenge is capacity. If government has to go 10 times to meet on all of these different permit processes—can we not sit down three times? Because it helps everyone in the discussion process. That's what we're also pushing for: "Hey, speed up that process, because it's easier."

But you have to build capacity at the First Nation level as well, so what are we doing to help that? What are we doing to look at that full picture? It's not just one thing without the other; you have to do it all.

The Chair (Mr. Aris Babikian): The time is up. Thank you.

We move to the government side. MPP Scott.

MPP Chris Scott: Thanks to all the presenters. We definitely heard all of you, and good to see you again.

My question is for Marla Tremblay. I met Marla, I think, in Sudbury at an announcement. She's a fierce and passionate advocate—

Ms. Marla Tremblay: In a mine.

MPP Chris Scott: Literally in a mine; that's right. And she straight-up let me know about a MineConnect event happening in my riding back home later that day, so I jetted home, made a point to stop in and say hi, and was surprised. Sault Ste. Marie is not a city that has any operating mines in it, but thanks to the advocacy work that you and your organization have done over the last 20 years, growing from Sudbury across the north, we've got a coalition and a growing economy in Sault Ste. Marie, supporting the sustainability and further development in the sector.

When you talked about having a mandate to help and grow those suppliers in these uncertain times, I just wanted to ask: What kind of opportunity cost is on the table between doing nothing and having the potential to grow and sustain our footprint?

Ms. Marla Tremblay: Well, like I mentioned just previously, the uncertainty causes challenges on many levels. A few jobs is a big deal in a company of 20 jobs, and 20 jobs is a big deal in a community of 20,000. That's something that I can't emphasize enough. That is our reality in northern Ontario, that small business is really the crux of any community and basically makes our world go around, literally, in northern Ontario. So being able to plan properly, being able to ensure that your team has something on Monday is very, very important.

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And we've seen a lot of growth, I mean, just ourselves: As you mentioned, it's a 20-year-old organization started just as a Sudbury-based cluster, expanded to throughout northern Ontario, now we're across Ontario, and we've seen a major pick-up in companies across the province looking to be part of the organization. And a lot of those are expanding, right? We have a number of requests from places in Mississauga who are looking to expand and have a footprint in the north, which then creates more jobs. It's all part of that effect. And a lot of companies were looking at diversifying even across sectors, so companies that have tech in ag who are contacting us to say, "Hey, does this

apply in mining?” Or we’ve seen struggles with forestry. Having those companies be able to pivot and service the mining industry and be able to adapt to the cyclical nature of the industry’s resource sector as it is is huge. That makes the difference between shutting your doors or staying open and managing challenging times.

MPP Chris Scott: Thank you very much, and thanks for all you do.

The Chair (Mr. Aris Babikian): MPP Vickers.

MPP Paul Vickers: My question is going to the CUPE representative—and I’d like to thank all of you for all your comments. It is good to hear differing comments about this subject. It certainly does help form our opinion.

So you claim to represent the largest union in Canada—you’re here for good jobs, you’re here for safe working conditions—but you come here today to speak out against this. You’re speaking against good-paying paycheques and more growth in our economy.

How do you represent a union that supports jobs when you are somewhat anti-jobs when it comes to the mining sector in northern Ontario?

Mr. Venai Raniga: Sure. Let me see if I can help answer that for you. So, within Ontario, one out of every four workers works in the public sector. If you remove the federal and municipal sector, it’s just about one in five. So one in five workers in this province is employed—in some form, getting Ontario broader public sector dollars or direct dollars. That is a staggering number of people.

The budget that was just released two weeks ago: The government put out its press releases and made a big deal out of it. When you compare those numbers to what the government was spending in 2020, you factor in inflation, you factor in population growth, you factor in a little bit of aging, because now our elderly population is now moving up into the 80-year-old age bracket. If you compare it to 2020, we’re short about \$18.5 billion—\$18.5 billion is actually a lot of jobs. If you were to spend that \$18.5 billion, that would be about another 173,000 jobs created in Ontario. Surprisingly, of those jobs, that would be 73,000 public sector jobs and 103,000 private sector jobs, because when you pay someone, a public sector worker, we go and spend money in our communities. So we’re actually pro-job, despite your claim; we just believe in the public sector.

The Chair (Mr. Aris Babikian): One minute.

Mr. Venai Raniga: We believe, from a jobs perspective, in this particular bill, that creating special economic zones where it’s a free-for-all for the government—I mean, just look at your headlines today. The government is still in the midst of having secret emails and private email accounts. There’s not a lot of transparency here, so handing over this sort of power to this government is quite worrisome, from a transparency perspective.

That’s how I would respond.

MPP Paul Vickers: If I can follow up with that: You talk about all these public service jobs. We can’t just keep servicing ourselves; we actually need somebody to make widgets, and, in my mind, that’s what Bill 5 is helping us do, is to create widget-making opportunities. Whether it’s

in a mine or in a forest, we need people to actually make widgets. We just can’t service one person to service the other person. That’s the problem that we have, I think, with the idea of creating more public service people to then create more of a false economy—

The Chair (Mr. Aris Babikian): MPP Vickers, the time is up.

We move to the third party. MPP Tsao.

Mr. Jonathan Tsao: I want to thank our deputants for being here today. I appreciate you making the time for us, to have the opportunity to chat with you and to ask you questions.

I think the government side just asked a few questions of our friend here from CUPE, and I thought maybe I’d give him the chance to further elaborate, to answer the questions and to perhaps speak to the fact of the importance of CUPE, and the importance of public service workers and what they’re providing to the province. To be quite frank to the government side, I find it offensive when we talk about public service workers as part of the problem. They’re not part of the problem here. The problem is creating a two-tiered system of some who may benefit significantly and the rest who will not.

I turn the floor over to my colleague here from CUPE.

Mr. Venai Raniga: To continue on here, this idea that we need more widget makers—I don’t disagree with that. Manufacturing is an important sector but manufacturing by itself isn’t a good job. Manufacturing was a good job because it was unionized, and this government has done everything in its power to drive that down. We have the second-lowest union density in the country. If we had just the average union density compared to the rest of the provinces, there would be over half a million people who would be unionized. That would also be widget makers.

When you look at the manufacturing average wage rate, the manufacturing average wage rate in this province is less than the average wage in this province. Manufacturing isn’t inherently good. It was good because it was unionized, and you’re doing everything you can to drive that down, despite your, what, five bills of Working for Workers, which really is a whole lot of nothing.

I think this idea that you’re trying to go back to this era where we should all go into manufacturing again—I don’t begrudge manufacturing jobs. They’re really quite important. But so are public sector jobs and this government doesn’t seem to really appreciate that. The government didn’t appreciate it when it brought in Bill 124. Again, that was impacting one in five workers in this province. You’ve got to be kidding me. At a time when inflation was historic at 6.8%, you were holding wages to 1%. I actually don’t think you care about workers. That’s not how we receive the government’s actions.

To hand over this sort of carte-blanc power to this government, scandal after scandal after scandal, I think is foolish. I think your record speaks for itself. And truth be told, it’s not that I just don’t trust you; I don’t trust the next government after you. We need to have checks and balances. We’re looking across to the States and we’re seeing what absolute power does: it corrupts.

This is not the type of province that I want to live in, and this is not the type of province that CUPE wants to see. So we will stand with our allies in making sure that this bill doesn't move forward.

Mr. Jonathan Tsao: Thank you very much. I think that's a very important point you made regarding checks and balances. The point here is not that any of us are against economic development. We're not against mines being able to open and open efficiently. We just want checks and balances. We want to make sure that things are done correctly, that workers' rights are respected, that environmental rights are respected. That speaks directly to the very flaws in Bill 5.

Our deputant here from CUPE raised a very interesting point regarding special economic zones. This government has basically said, from my understanding, that Bill 5 will create special economic zones which will help to speed up economic development in this province so we can compete against the United States, compete against countries like China or India. We are just emulating what China and India are doing. These special economic zones become a Wild West where anything goes, where expertise doesn't matter. What matters is if you know the right person in the right place to get a check beside your name. That's the concern here and that's what I'm hearing right now from the deputant from CUPE.

To protect this, to stop this from happening, to stop this two-tiered system of potential winners and mostly losers, whereas this is a race to the bottom once again—as I warned the minister on Thursday—that we're currently engaging on, we need to stop this bill. It's unacceptable.

To my friend from CUPE here, I want to ask: What message does this bill send to your members about the respect to them, about respect to a public system of experts and its desire to create this two-tiered system for public service delivery in Ontario?

Mr. Venai Raniga: I think it sends a very worrisome message that this government isn't respecting public sector workers. It isn't respecting science. It isn't respecting evidence.

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The Chair (Mr. Aris Babikian): One minute.

Mr. Venai Raniga: Simply continuing on with whomever you know, whoever you're close with whoever's ticket you buy at a doe-and-stag party, that sort of corruption is only going to be amplified by this type of legislation.

We're okay with the manufacturing sector and the private sector, but to have a series of checks and balances, to respect Indigenous communities and to respect our environment is deeply important from a CUPE perspective. We think the overwhelming pushback that this government is receiving on this bill should give it pause, should give it a moment to reflect, to say, "Maybe we did the wrong thing here; maybe this is a misstep," and to look at the international evidence of the various countries that have done similar sorts of special economic zones that have just gone terribly.

In Bangladesh, they have special economic zones—

The Chair (Mr. Aris Babikian): Thank you very much. That's the time allotted for the first round of questioning. We will move to the second round. The turn is with the government side.

Interjection.

The Chair (Mr. Aris Babikian): Sorry, the official opposition—six and a half minutes.

MPP Jamie West: Venai, I want to continue. First, I want to apologize for my colleague's comments that work the public sector does isn't as valuable, and I want to say that as somebody who was a widget maker for 17 years before coming here. My background is in mining. I worked at a smelter, including four deaths at the smelter, and when I hear your comments about ensuring that labour rights are enforced and making sure that workplaces are safe and paid properly, it resonates with me as a widget maker.

It resonates with me especially because Sudbury is the home of the Day of Mourning, which was started with the support of CUPE members, who thought it was unfair that there were special services for firefighters when they were killed in the workplace but not for other workers. I want to thank you and your union for everything you've done to fight for workers' rights.

You've mentioned a couple things here already, but I wrote these down as questions. The special economic zones basically allow you to do whatever you want. The Conservative government, for example, wouldn't be under criminal investigation by the RCMP if the greenbelt scandal was a special economic zone, no matter how many secret emails we found, no matter how many envelopes we found at stag-and-doe wedding parties. This whole time, what they're telling us is, "Don't worry about the special economic zones. You need to trust us."

Keeping in mind you talked about Bill 124, which capped workers' wages at 1%, with unprecedented high interest rates, and also, overall, the collective agreement rights in order to have vacation time and move different shifts—they had to fight that and lose that in court. When you think about what's going on with Ontario Place and how sketchy that feels, with its 95-year lease where every household in Sudbury is going to pay \$400—so the 300 members of the mining community who lost their jobs just before the election was called, they're going to pay 400 bucks so that they can go to a spa in downtown Sudbury. But they don't get a coupon to get in the spa for free; they just pay for that luxury of whoever donated the highest to the party to be able to go.

The science centre, right now, with the roof that was going to collapse, but apparently, it seems to be indestructible, and Bill 28, when they attacked education workers, and the Minister of Labour and the Minister of Education got up and high-fived each other with a bill that was so unconstitutional that they had to go back in time to wipe it away as if it didn't exist at all—I could go on and on all day but I only have six minutes. Can we trust this government with any sort of power like this?

Mr. Venai Raniga: No, regretfully, we cannot. I think even in a best-case scenario, getting rid of checks and

balances is a problem. This government's reputation precedes itself in the worst way. Problem after problem, scandal after scandal tell Ontarians that this government is, unfortunately, untrustworthy.

I do want to make a point here. There seems to be this tension between public sector and private sector jobs, and it can't be divorced from the demographics of these two categories of workers. In the public sector, overwhelmingly, it's women: 60% of the OPS is women, 68% of health care workers are women, and 71% of education workers. Whereas in manufacturing, that is not the case.

There is this reminiscent sort of idea that we need to go back to a place where there was the single-income earner, a breadwinner, bringing home money, and that's often tied into this idea of this 1960s figment of imagination, where it was just—there's this demand for going back to that time. Why is it that you feel so comfortable attacking women who are public sector workers, but you'll go out on a ledge and create these special economic zones for widget workers? Why is that? Why do you feel so comfortable doing that? I really do wonder about that.

Particularly, your record is just horrendous. Why would you expect that Ontarians should give you the opportunity to just say, "Trust us," when every time we open the paper there's another scandal from your government? Personally, if I did something like that, I would be embarrassed, I would hide my head in the sand.

MPP Jamie West: Thank you for that.

Just in the interest of time, I want to talk to Sandro. Thank you for bringing the voice of the P.Engs forward. My history of working with engineers is that they just deal with data, and it's something that's very crisp and clean. I remember going through some upgrades we had to do at the smelter and talking about the cost, and the manager was saying, "How am I going to find money for that?" And the engineer just looked and said, "I don't know, I just read the reports." It just really is what is true is true.

One of the things you said that stood out to me is this idea of paying a fine is like allowing the bridge builder to pay a fee instead of ensuring that the bridge can support the weight of the vehicles and equipment that are on it. I have been warning my colleagues from the Conservative Party basically since they tabled the bill that there is going to be a really high fee to pay for this bill when it comes to prosperity in our province. This is all couched in ensuring that we're going to drive mining forward. I care about the mining industry. I think that schedule 5 is a great idea. The rest of the bill, though, is causing a lot of conflict in here.

The Chair (Mr. Aris Babikian): One minute.

MPP Jamie West: You had mentioned at one point that we need to strengthen the Professional Engineers Act. With the short amount of time you have left, how will that help us be more successful as a province?

Mr. Sandro Perruzza: The vast majority of engineers are competent and can find solutions, but there is a persistence of engineers for hire. These are sole practitioners who work out of their basement, and they'll stamp any drawing, try to contravene any standard for \$1,000,

\$2,000. PEO knows that they exist; they just acknowledge they don't have the resources to deal with them all.

This was identified during an investigation done by the Ministry of Municipal Affairs and Housing where they were trying to figure out why there are delays in housing approvals, and we had engineers, architects—you had the municipal engineers there, you had the provincial engineers, the building officials, and they all identified the same issue.

MPP Jamie West: I think I have, like, three seconds, so—

The Chair (Mr. Aris Babikian): Time is up.

Now we move to the government side. MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Thank you, Chair, and through you to all the presenters: Thank you very much for being here this afternoon.

My question specifically will go to MineConnect, supply and services, to Ms. Tremblay. Thank you very much for your deputation. Something you noted in your deputation was you specifically talked about that you do not want to see any risk of not doing the duty to consult with the First Nations. I did want to take the opportunity to reiterate that our intent to reduce permitting timelines by at least 50% has no impact whatsoever on the duty-to-consult obligations. Our focus is solely on reducing the total government review time because we know that there is a lot of review time that can be shortened. So that is on the government side, not on the duty-to-consult side. We do remain firmly committed to upholding the duty to consult—all our obligations with our First Nations communities. So I wanted to note that.

Second point: You talked about the number of jobs—40,000 jobs. It is a big deal. I think that's a big deal, no matter what. My community is Newmarket–Aurora; I'd love 40,000 jobs to come there.

Now, from that perspective, you also mentioned about how your communities grow in the north, and it's a lot of these mines that help build community. I think that's phenomenal because, at the end of the day, how do we create good, solid communities? That's when communities come together with business.

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That being the case, my question to you is, what specific opportunities for success does the MineConnect supply and services see for Ontario's mining sector due to the proposals of Bill 5?

Ms. Marla Tremblay: Well, there are a number of projects that—Frontier Lithium, just to name a few—there are many, especially in the northwest, that are waiting to move forward and they're in the permitting process and it's very slow. They're unable to raise the capital they need because it takes so long. It's not super appealing for an investor who wants to lay down a bunch of money into a project when they're kind of going, "Well, maybe I'll make something in 20 years." That's not the most investment-savvy way to do things. So, having that uncertainty in that timeline makes a big, big difference in being able to move those projects forward. The opportunity is that, if

we can, to your point, streamline some of that bureaucratic process, then if we can reduce even by 10%, you're still 10% faster. That makes a big difference in moving some things forward.

I just want to add—it's not really in answer to your question: Building widgets in mining is a lot better than—it's very good-paying jobs. The average salary in the mining sector is \$150,000 a year, so, just saying. And there's a lot of work being done to attract women into the sector. That's just an aside.

M^{me} Dawn Gallagher Murphy: Excellent. Well, I'm happy to hear that. Thank you for adding that.

Sorry, if I may, a quick follow-up to you is, how do you see—and maybe you've kind of answered it there, so I don't want to lead you, but how do you see Bill 5 accelerating the timelines of which mining permits are issued, and is this necessary compared to the current standard?

Ms. Marla Tremblay: Well, for sure—because a lot of the hold-up, like you said, is about things sitting on someone's desk. For those who are unaware, getting your mining permit isn't just one permit. Sometimes it's 19 different ministries that you have to deal with. So, if you get one approval from one ministry and then you have to wait to get that one to get the next one and then—so you're talking six months on that desk and then six months on that desk and then a year on that desk and then, “Oh, it's a new person. Well, now we're at square one.” That's a part of the challenge.

With what is being proposed from the streamlining process, is having that one window. The mining industry has been asking for one window for years. To have a point of contact to call to say, “Hey, I submitted everything I needed to do. We've consulted with First Nations. We've done this, that and the other. What's the hold-up?” That puts the onus on that one window to ensure that the other folks around the table that are supposed to be getting their things done are getting their things done in the time that's been allocated. Having an idea on timing makes all of the difference. Knowing when you're going to hear back—if you know it's six months, you know it's six months, but if you think it's six months and it's really a year and a half—

The Chair (Mr. Aris Babikian): One minute.

Ms. Marla Tremblay: —how do you get money? How do you plan? How do you hire people? It's impossible.

M^{me} Dawn Gallagher Murphy: Thank you, Madame Tremblay.

Thank you, Chair.

The Chair (Mr. Aris Babikian): MPP Cuzzetto.

Mr. Rudy Cuzzetto: I want to thank all three presenters here today, and especially Madame Tremblay here, what you said: There's more women in the mining sector now. I know at Queen's University there's tons of young future engineers that are women that are getting into the mining—they're great-paying jobs and that's what we want for the future of this province.

But I want to talk about CUPE here. CUPE, I'm a union member as well, for Unifor. I've been a member for 31 years. It's very important to have unionized jobs in the

province of Ontario, and I agree with that totally. In Darlington, we're building the first small modular reactor. That will create 18,000 jobs, and they're well-paying Canadian, Ontario jobs. And 3,700 high-quality jobs in Ontario. Do you support projects like this that create well-paying Ontario jobs in the province of Ontario?

The Chair (Mr. Aris Babikian): MPP Cuzzetto, the time is up.

Interjection.

The Chair (Mr. Aris Babikian): Sorry. The time is up. Now we move to the third party. MPP Hsu.

Mr. Ted Hsu: Thank you for coming here as witnesses today.

I want to start with some questions for the OSPE. Sandro, thank you very much for coming here. Is it fair to say that a couple of important acts when it comes to building industrial things are the Building Code Act and the Occupational Health and Safety Act?

Mr. Sandro Perruzza: Absolutely.

Mr. Ted Hsu: Is there an important one that I'm missing there?

Mr. Sandro Perruzza: There are a number of acts. You've named two great ones, the Building Code Act and the Occupational Health and Safety Act. There are a number of different regulations under those as well. The Professional Engineers Act, as well, has a number of regulations.

Mr. Ted Hsu: Would it be so bad to say that Bill 5 shouldn't allow projects or proponents to be exempted from these crucial acts?

Mr. Sandro Perruzza: It depends on which regulations, which sections. To be totally clear, we do support some of the intent of Bill 5. OSPE has been advocating since 2017 for one window for people to apply for applications, whether it's a building permit, whether it's a new business registry, whether it's coming in and investing in the province by moving a company here. We think those things are great.

However, the reason you have acts and regulations is because you need checks and balances. Why do acts and regulations come into place? Because something bad happened. When something bad happens, you put in an act, you put in a regulation, a new section to make sure these bad things don't happen again.

Mr. Ted Hsu: Do you think that the government should at least have to notify the public in advance of making one of these exemptions for a proponent or a project?

Mr. Sandro Perruzza: I think there should be consultation because, again, there are not a lot of professional engineers—except for one—who actually are members of provincial Parliament, and there's not a lot that work on the policy side. So there is a lack of knowledge from an engineering perspective on the unintended consequences of removing certain provisions and checks and balances.

I think this is where we come in and kind of provide that insight. Without that consultation, you're kind of driving without the lights on in the dark.

Mr. Ted Hsu: I wanted to ask you about this notion of independent scientific oversight when it comes to deciding which species are endangered and how that affects things.

When I listened to the comments that people have brought up, it reminds me of what happened with the Atlantic cod in Canada 30-some years ago. In this case, it was the federal government, but they didn't listen to scientists and they didn't even listen to the inshore fishermen, who could have told the government that they were getting fewer and smaller cod. The government issued too many licences, and we had the collapse of the cod fishery, which is only sort of recovering now.

My question is, do you think that something like that could happen to an endangered species in Ontario if we don't allow some sort of scientific process to have the final say on who's on the list of endangered species?

Mr. Sandro Perruzza: It's highly possible.

Mr. Ted Hsu: Thank you. What about this idea in Bill 5, which is that you can pay some money, and if you're going to threaten the continuation of a species—if you have an endangered species, in Bill 5, you can put some money into a pot that's payment in lieu of actually doing something to maintain the integrity of a species. When a species is gone, it's gone because it can't reproduce, and it's gone forever. So can preservation of species really be reduced to just some monetary equivalent?

Mr. Sandro Perruzza: The question is, "Who decides what that amount is?" If it's a significant amount, then aren't you driving up development costs? Development costs are already very high, so I think there are opportunities to lower development cost.

We've highlighted projects in the past where developers and engineers have worked with, again, ratepayer associations and First Nations to find solutions and ensure endangered species are safe.

A great highlight, one that's not too far—and I encourage everyone to go and visit and talk to the site engineers—is Friday Harbour, where they built underground habitats for the endangered turtles and snakes and lizards. They saved the indigenous trees; they moved them before they started the development and then they replanted them. So there are ways to do it, and they looked at that cost and it was insignificant to the overall moving of that project forward.

Mr. Ted Hsu: How much time do I have, Chair?

The Chair (Mr. Aris Babikian): One minute.

Mr. Ted Hsu: One minute? Oh, my goodness—not very much time.

A quick question to Ms. Tremblay about the fact that in Bill 5, in schedule 5, which regards mining, there's a process where the government is able to prevent somebody from getting a licence or prevent somebody from getting a lease without any recourse to a hearing: Do you have any thoughts about how that will affect foreign investment in Canada's mining industry, and are you worried that it will have a negative effect? Because foreign investment does matter.

Ms. Marla Tremblay: Well, I mean, I think that some of the—currently, there are tens of thousands of claims

which are maybe going to go nowhere, so having a little bit more process around what the plan is with some of those is probably a good thing. Otherwise, we have all of this opportunity for development and getting critical minerals out of the ground that we need—

The Chair (Mr. Aris Babikian): Time is up. That concludes our first panel.

We will take a short recess to set up this next panel.

The committee recessed from 1401 to 1407.

The Chair (Mr. Aris Babikian): The committee is back in session. Before I introduce the witnesses, are there any questions or comments? Yes, MPP Mamakwa.

Mr. Sol Mamakwa: Thank you, Chair. Again, I'm asking for an agreement from the committee. The Friends of the Attawapiskat River will be co-presenting and would ask for your support.

The Chair (Mr. Aris Babikian): There is a request from MPP Mamakwa to add another person to the witnesses list. Is there consent? There is? Okay.

ECOJUSTICE CANADA

FRIENDS OF THE ATTAWAPISKAT RIVER

VALE BASE METALS

The Chair (Mr. Aris Babikian): Now we have three groups in this panel: Ecojustice Canada, Friends of the Attawapiskat River and Vale Base Metals. You have seven minutes to make your presentation. We will start with Ecojustice Canada.

Please state your name and title.

Ms. Laura Bowman: Hello, I'm Laura Bowman, a staff lawyer with Ecojustice Canada. I want to thank the committee for allowing me to speak to you, and I am grateful to visit you from the territories of several First Nations, including the Wendat, the Anishinaabe, the Haudenosaunee, the Chippewas and the Mississaugas.

I acknowledge my obligation to uphold the principles of sharing and sustainability embodied by the Dish With One Spoon covenant, and to end discriminatory and colonial practices.

Ecojustice is Canada's largest environmental law charity, with offices across Canada. We use the law to defend nature, combat the climate crisis and fight for a healthy environment for all. I am delivering these comments today on behalf of Ecojustice and not any of our client organizations.

I would like this committee to imagine a world without birds, a world without dragonflies, bees and butterflies, a world without bats and turtles. That is the direction we are already headed. We have already lost much of southern Ontario's forests, grasslands, wetlands and clean, healthy cold-water streams. There are steep declines in insect-eating birds, bats, fish and other species. We are losing our shorebirds and grassland birds at a rapid rate. We are losing our butterflies and our flowers.

Our northern environments are also under increasing pressure. We already are not doing enough—not even close to enough. The minister claims we have world-class

environmental protection in Ontario. I can only assume that this is a joke, and it isn't funny. Bill 5 would be catastrophic for biodiversity and will accelerate these declines. Extinction is forever. Most species are in decline due to significant habitat loss; many have only a handful or fewer viable populations left. They need more habitat, not less, to survive and recover.

Under this bill, harassing endangered species would be legal. Destroying most of their remaining habitat would be legal. This bill only regulates killing, harming and the destruction of dwelling places in critical route zones. Under this bill, even these could be destroyed by filling out a form. Nothing in this bill ensures that decisions about species and their habitat will result in species' conservation or survival, let alone full recovery.

We know from decades of experience that discretionary provisions for protecting species don't work. There are so few regulated activities under this bill under the new Species Conservation Act that the enforcement powers are largely irrelevant. Is the Ontario you want an Ontario without caribou, sturgeons, monarchs, turtles and piping plovers? Is that what Ontarians support? We say it is not. Schedules 2 and 10 of the bill must be repealed.

I also want to speak to this committee about special economic zones. There is no detail set out in schedule 9. It could be used for anything. It represents a shocking and unprecedented power grab by cabinet to override provincial and municipal laws of any kind in any location in Ontario for any reason and with any scope. This bill contains no checks or balances of any kind—no purpose, no process, no limits.

The minister told you on Thursday that the public would be consulted on the implementation of the bill. This bill does not include any public process, any public or First Nation consultation requirement. It is a blank slate allowing cabinet to create lawless zones for trusted proponents and special projects in secret, using secret criteria.

Nothing in schedule 9 targets any specific impediments to mining. If this is about speeding up mining projects, there is no plan to do this spelled out in schedule 9. The word "mining" isn't even in schedule 9. It is simply an unprecedented and unconstitutional attack on the responsible government that has been in place in Ontario since the 1840s. Henry VIII would be proud; the Family Compact would be proud.

One committee member mentioned the Wild West was schedule 9. I would agree with that, but we are actually hearkening back to a pre-Wild West regime with this bill. Straight out of Trump's playbook: using obsolete executive power from the early 19th century.

Ask yourself this: Is Ontario industry incapable of playing by the most basic rules put in place for human rights, First Nations and the environment? Is the only strategy for speeding up permits to go back to a 19th century form of government, to abandon the constitutional role of the elected Legislature, to eliminate the regulatory framework that is essential to the exercise of First Nations rights, to use the playbook of dictatorships?

The Chair (Mr. Aris Babikian): One minute.

Ms. Laura Bowman: What paucity of imagination has brought us here, where the economy is merely a pretext to undermine our most fundamental values of democracy and environmental protection, where species who cannot speak for themselves are scapegoated?

Under this bill, there will be more Ontario Places, Dresden dumps and other scandals. We ask that you repeal schedule 9.

The Chair (Mr. Aris Babikian): Now I call upon the Attawapiskat River witnesses to start their deputation. Please state your name.

Mr. Michel Koostachin: *Remarks in Omushkego Cree.*

Today, I'm here to remind you guys with my presentation—I work for the Creator, and I would like to remind you guys this law violates our inherent sovereignty, treaty, our Aboriginal rights, along with UNDRIP. We have our own constitutions. We only get four laws from the Creator.

This law was prophesized that it is coming. We prophesized those mining giants are coming. De Beers came to our traditional territory. Your Ontario government took 14% royalties, and those royalties don't come from the Ontario government to our First Nation reserve. You guys say you're part of the crown land, but you take our resources. We have terminologies for you guys in our Cree language.

The people must understand also—the people of Ontario and our allies—that this bill is not legal. This bill is illegal. Because your government is corrupt. Your Ontario PC government is corrupt. If this bill goes through, who is going to be responsible that you're contaminating, destroying our peatlands? Is Ontario going to come and fix it? Are your children? Who's going to fix it? So we are concerned as grassroots people. The government of Canada has the fiduciary duty under our Treaty 9.

This proposed bill is going to come to our traditional territory. We have the largest peatlands in Ontario and the Hudson Bay and James Bay lowlands. You guys want to disturb that. What are you guys going to do to fix it if your kids have trouble breathing? It is the second-largest carbon sink in the world. We are concerned.

I'm here to remind the people—to tell you guys also to stop Bill 5. This bill is going to harm the future. We have prophecies, like I mentioned. I work for the Creator, so I'm here to let you guys know that this land you're going after is going to be destroyed. Our matriarchs are the true leaders in our traditional territory and our natural laws. We have to take direction from the women.

When those royalties your government took—we have negative socio-economic impacts still today in Attawapiskat. I was born and raised in Attawapiskat. The elders from other traditional territories call us "the water people." We live by the river surrounded by creeks, the swamp, the carbon sink—we call it "muskeg." It acts as a filtration system before anything that flows through the river.

Anything that's disturbed in our traditional territories is going to contaminate—you guys have studies to say that anything that's going to be disturbed, there's always consequences. Bill 5 is going to bring destruction. We want to let you know, anything destructive, there's going

to be devastation not only for me but for my children, grandchildren, great-grandchildren. That's who is going to face the environmental damages that this bill is going to introduce. I wish you guys did that before with our housing, fast-track our housing.

1420

My mom died in hospital under your health care system. The doctor didn't change her dressings for one month at your provincial hospital. The doctor got away with the malpractice. This is what is going to happen with this bill. There's going to be a lot of destruction. I worked for De Beers. I was mistreated. I was discriminated—

The Chair (Mr. Aris Babikian): One minute.

Mr. Michel Koostachin: Your companies, what they represented, we don't see those dollars. We don't see those partnerships. People had joint ventures, 49% to 51%. It didn't go to our people. It didn't go to our First Nations.

Those are the concerns I want to remind you guys of. This bill is going to have negative impacts to our traditional territory, Treaty 9. Treaty 9 is our environment. The sections that are being proposed will hurt and destroy the land around sacred artifacts. Those are there for a reason, to remind us. We will practise our natural laws. We have our own constitution through our pipe—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

Before we move to our third presenter, witness, I kindly ask everyone to use parliamentary language during these debates and presentations.

I call upon Vale Base Metals to start your testimony. You have seven minutes. Please state your name.

Mr. Jeff Gaulin: I am Jeff Gaulin. I'm the vice-president of corporate affairs for Vale Base Metals. Good afternoon. Bon après-midi. ᑭᐅᑭᑭᑭ. Bawn après midi.

We at Vale Base Metals are an Ontario-based global supplier of nickel, copper and cobalt, critical minerals that are transforming the world's future. The challenge for us all today is to find balance. The balance: The urgent global need for critical minerals, the need for Ontario to become more competitive, the need to maintain public confidence in the province's environmental protections and the duty to consult Indigenous people.

We believe the province needs to move urgently, with regulatory efficiency; maintain public faith in environmental protection; respect the voice of Indigenous rights-holders; and avoid investor uncertainty. Without these conditions, Ontario will not attract the necessary investment to create jobs, mine more minerals or build lasting value for all Ontarians. It will not be easy to strike the balance, but the opportunity is not to be missed.

At Vale Base Metals, we are stewards of industry-leading nickel and copper reserves in Canada, Brazil and Indonesia. Our combination of geology and geography positions us to serve customers around the world—in Europe, in Asia and in America—with a secure and responsible supply of high-quality minerals that go into electric vehicles, renewable energy, artificial intelligence and defence technologies. We provide mineral security to a world in transition.

We do it from Ontario, where we employ more than 5,000 people: here in our global head office in Toronto; at our cobalt refinery in Port Colborne; at our R&D lab in Mississauga; and, of course, at our Sudbury operations, the mining capital of North America. We operate the only fully integrated mining complex on the continent, one where we explore, extract, refine and supply manufacturers with finished products, and soon, we will add mineral stockpiling and mineral recycling to serve future generations.

Global demand for critical minerals is growing exponentially in a world where price and supply volatility are the norm. As the International Energy Agency has recently reported, demand for key minerals continues to grow strongly and is surging; supply is increasingly concentrated in China, putting downward pressure on prices, especially for Ontario-based battery minerals, such as graphite, cobalt and nickel; investment decisions on mining projects face significant market and regulatory uncertainty; and the threat of export restrictions is on the rise and the risk of security of supply is proliferating. In short, the world is weaponizing critical minerals, so a secure and responsible supply of critical minerals is fundamental for the generational shifts that are transforming our future.

Amid this volatility, Ontario can be a centre of stability, a place where the rules are clear, where we maintain a strong social licence to operate and where investors can invest with certainty. That's why some countries, notably in Europe, are turning to Canada as a renewed source of security of supply.

Canada's role as president of the G7 nations this year gives us a unique opportunity to develop new markets, such as Germany, who value our high commitment to environmental and social standards, our commitment to policy stability and our ability to supply minerals reliably. It is why Prime Minister Carney has announced an aggressive agenda to invigorate Canada's critical minerals sector by fast-tracking projects of national interest, signing co-operation and substitution agreements with willing provinces and Indigenous governing bodies to uphold both environmental standards and Indigenous consultation, by developing trade and resource corridors, and moving two a one project, one review approach—efficiency, confidence, certainty.

This is not unique to Canada. The European Union has done the same through its Critical Raw Materials Act, designating strategic projects to accelerate permitting to a maximum of 27 months for extraction projects and as little as 15 months for mineral recycling or mineral processing.

In the United States, a series of executive orders has empowered the National Energy Dominance Council to select projects for immediate approval under a FAST-41 designation. The council will also direct US agencies to eliminate permitting delays by using tools such as general permitting or permitting by rule.

The world is moving fast on critical minerals.

Clearly, Ontario is under competitive threat for mining investment and job creation, and risks falling behind with-

out bold action. The province needs a made-in-Ontario solution that responds to this threat, with regulatory efficiency that respects Indigenous rights through our one project, one process system, with faster timelines—one that is trusted by citizens. If we do not, then mining decisions that impact Ontario jobs will be made in Ottawa or Brussels, Beijing or Washington.

As the Ontario Mining Association testified earlier, smart regulation is not about more or less regulation; it is about delivering results in the least burdensome, most cost-effective way. Ontario is blessed with geography and geology, but how we forge our future together will be our competitive advantage. Conditions that divide us will only make us less competitive.

The Chair (Mr. Aris Babikian): One minute.

Mr. Jeff Gaulin: We are encouraged by the province's recognition of the need for regulatory reform to become more competitive and to optimize the mining permitting and approval process, but, at the end of the day, any changes must balance regulatory efficiency, public confidence, Indigenous voices and investor certainty.

We hope you reduce the exorbitant permitting timelines by building game-changing, fixed timelines into regulation, reduce complexity through a concierge mindset, streamlining low risk projects, and putting the best minds on the most complex projects. But ultimately, you must uphold all proponents to be accountable for environmental and Indigenous consultation standards so everyone has faith in the province's robust and responsible mining regulations. Nobody should get a free pass.

I have three recommendations for you to consider, but know this: Critical minerals are essential to protecting our border, our economy and our environment. Forge the future now.

Thank you. Merci. Meegwetch. Marsi.

The Chair (Mr. Aris Babikian): That concludes the testimonies of the witnesses. We will start with the first round of questioning, and we will go this time to third party. Who wants to lead? MPP Hsu.

Mr. Ted Hsu: I'm going to start with a question for Mr. Gaulin from Vale. Sorry for these numbers, but section 3 of schedule 5—I'll tell you what it's about—of Bill 5 allows the minister to bypass something called the Statutory Powers Procedure Act when dealing with—somebody, and the implication is it's some foreign actor that the government wants to restrict by, for example, suspending their prospector's licence or denying a lease, things like that.

1430

The Statutory Powers Procedure Act is something that ensures that you have a fair hearing when a tribunal or some other part of the government makes a decision that affects you. We know Vale has some foreign ownership. Glencore has some foreign ownership. They brought up this point as well. Foreign investment is really important for Canada. It's been important over the history of Canada.

Is there a danger here that—what I would call the overreach of ministerial power—to allow it to bypass the Statutory Powers Procedure Act, taking away the ability

of somebody who has their lease taken away or denied—taking away their ability to have a hearing, even—is that going to affect the likelihood that foreign investors would come to Canada to invest in Canada? Are you worried about that like Glencore is?

Mr. Jeff Gaulin: I can't speak on behalf of my friends at Glencore. What I can say is foreign direct investment is essential to Canada's and Ontario's mining sector. We simply don't have enough public capital, pension fund capital or private capital to invest.

That said, foreign interference in our natural resources and other elements of our industrial base is a considerable security threat and should be monitored accordingly. That said, everybody is entitled to a fair hearing and any allegation should be proven in a court of law.

Mr. Ted Hsu: Thank you very much. I'll pass it on to my colleague.

Ms. Mary-Margaret McMahon: Thank you very much. Thank you, everyone, for coming in. I'm sure you would like to be somewhere else in your daily life rather than locked in this windowless room, talking to us about this horrendous bill.

First question is to the Friends of the Attawapiskat River, Michel. How far away did you come from today?

Mr. Michel Koostachin: Attawapiskat is located on the shores of James Bay. It's about 600 kilometres north of Timmins. We're a First Nations fly-in reserve. We experienced the residential schools, the intergenerational trauma. We still live those today. We try to live in harmony within the community, but with trauma, there's hardships.

There's no housing, a poor health care system. We have a water crisis. The water that's there—there's a 10-year report: Over 123 people died within that 10 years sitting at the First Nations office. My dad died of cancer. We can have prevention with our health issues, but that never came to both my parents.

So I'm speaking on behalf of my people of the community. I tell them, "You guys have a voice. The Creator gave us voices." We're natural law people. One of the natural laws is honesty, and we have to practise what the Creator gave us. That's why I'm here today. Everything is flawed through the provincial government.

Ms. Mary-Margaret McMahon: Do you feel that the duty to consult has been respected, with you making that trek down to Toronto?

Mr. Michel Koostachin: We do have a say in our traditional territory, but there was never any free, prior and informed consent to the people of Attawapiskat and the surrounding rivers of the Attawapiskat River, Neskantaga, Webequie, Fort Albany, Moose Factory and Moosonee. Nobody told us about this bill.

Ms. Mary-Margaret McMahon: Our member down the table had suggested a consultation up in Thunder Bay, to be at least a little bit closer to the land we're speaking about, and it was voted down. How does that make you feel?

The Acting Chair (Mr. Rudy Cuzzetto): A minute left.

I just wanted to understand whether my understanding is wrong that Ecojustice would not have supported this development, we should not be considering economic factors in how we build, and that we shouldn't be building on otherwise naturalized-ish environments if it affects any species or any part of the natural environment.

Ms. Laura Bowman: I think you're putting a vast number of words in my mouth that I never said and that Ecojustice never said.

First of all, I can't speak to the specifics of that project. I don't have a brief on that project. But what I can say is that, when you speak of trying to speed up or prioritize certain projects, we don't have a position on that. That is not what I'm here to talk to you about.

When you insinuate that you can't speed up projects without giving cabinet complete and absolute power, I reject that notion. I reject the notion that we can't protect species and build environmentally friendly projects. That's what we reject. You're the ones who are saying that you have to get rid of the Endangered Species Act, that you have to get rid of the legislative process entirely and hand over power to cabinet, that you have to be able to exempt projects from any applicable law to speed them up at all. There's no plan to speed up projects in schedule 9. There is only a power hand-off to cabinet—a complete blank cheque.

The Chair (Mr. Aris Babikian): MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Thank you, Chair. Through you, thank you to the presenters here today. I appreciate your comments. My question will be through to Ecojustice Canada, to Ms. Bowman.

I wanted to raise the Species Conservation Act that you spoke about. The proposed Species Conservation Act introduces a registration-first approach for species approvals. This has been proven effective for other environmental authorizations, and this approach aims to reduce unnecessary delays and costs for critical infrastructure projects.

That being said, Bill 5 significantly strengthens the enforcement of species protection laws by equipping provincial officers with more flexible tools as well as stronger powers. In fact, the legislation includes stronger inspection and investigation powers, allowing officers to inspect project sites without a warrant and issue compliance orders, and serious violators will face hefty fines and imprisonment. These measures will ensure zero tolerance for non-compliance.

With those comments being made, my question to you is: When we look at the current system, it's been described to us as being expensive, slow, complicated. Many communities and proponents have said this. With our proposed changes to the species conservation, we are proposing to put forward a streamlined process, something more predictable, a predictable set of rules that all proponents need to follow as part of this registration-first approach.

The Chair (Mr. Aris Babikian): One minute.

M^{me} Dawn Gallagher Murphy: My question to you, Ms. Bowman: Why, in the view of your organization, is a regulatory regime where everyone clearly understands the

rules they need to follow not a goal that we should all aspire to?

Ms. Laura Bowman: Your proposed regime is to be able to kill species by filing a form, to destroy the last den of the last species by filing a form. That is not a "predictable" and "clear" and "efficient" process; that is simply getting rid of species at risk.

M^{me} Dawn Gallagher Murphy: How much time?

The Chair (Mr. Aris Babikian): Ten seconds.

M^{me} Dawn Gallagher Murphy: Okay, well, I don't have much time. I'll come back in the next round. Thank you.

The Chair (Mr. Aris Babikian): Now we move to the third party. This is the second round of questioning. MPP Hsu.

Mr. Ted Hsu: I have a question for Ms. Bowman from Ecojustice. One thing that worries me is this idea in Bill 5 that you can pay into a general fund, so payment in lieu of conservation efforts to protect endangered species or to maintain the integrity of ecosystems that endangered species live in. It's strange to me, because if you lose a species, you lose it forever. I just don't see how having money in the pot somewhere is going to make up the difference. It just seems like if you want to ignore endangered species, all you have to do is pay into this fund, or maybe attend the right political fundraisers. Can you just tell us a little bit about how you view these payment-in-lieu schemes in Bill 5?

1450

Ms. Laura Bowman: So Bill 5 has a species conservation fund possibility in it, but you don't even have to pay to kill species under Bill 5. You just have to file a form—that's the default system in the new Bill 5. This idea that there's going to be a more robust enforcement system that would somehow address that issue, or payments into this conservation fund by somebody to address that issue, you have to protect the habitat in the first place for species to survive and recover.

There's no point in a robust enforcement system to prosecute the people who didn't bother filing the form before they bulldozed that last den or killed that last endangered species if you haven't protected them in the first place.

Mr. Ted Hsu: Thank you. I'm going to pass it to my colleague.

The Chair (Mr. Aris Babikian): MPP McMahon.

Ms. Mary-Margaret McMahon: Thank you very much. I'm just going to continue along with Ecojustice. Laura, in your opinion, is the Endangered Species Act working currently? Is it working well?

Ms. Laura Bowman: The current Endangered Species Act has been clawed back over many years by many successive governments. There are serious problems with the implementation of the Endangered Species Act, especially with the existing enforcement powers, which are not used.

In 2021, the Auditor General noted that the ministry doesn't conduct inspections, period, so the idea that somehow, more inspection powers are going to help, when

we don't conduct inspections to begin with, is quite difficult to imagine being helpful. I think the current act, if it was implemented properly, if inspections were actually conducted, if the exemptions for species were addressed, then it could be a very robust system. It was, in the beginning, a very robust system.

Ms. Mary-Margaret McMahon: I'm sure you've taken a science class in your lifetime, at least one. So this new proposal for this Species Conservation Act protects the species where it sleeps and where lays its eggs, and nothing else. Does that seem logical to you? Would that support a species thriving and surviving?

Ms. Laura Bowman: No. Species that are in decline are usually in decline because they don't have enough habitat, so if what you do is you reduce the habitat to just their dwelling place—if they even have one; not all species necessarily have a dwelling place—then you are making it impossible for them to feed, to breed, to migrate, to carry out their life functions. You can imagine someone building a structure all around the den of an animal, and then all they have to do to get rid of that den and shoot the animal is file a form online. That is the new Species Conservation Act.

Ms. Mary-Margaret McMahon: Thank you very much for that.

Just one final question I think I have time for, with Michel, again. You mentioned the breathing lands in the Hudson Bay lowlands. I think a lot of people don't understand that or really know about it. I'm wondering if you can take some time to explain to us the breathing lands.

Mr. Michel Koostachin: Thank you. I'll let Kerrie speak.

Ms. Kerrie Blaise: Thank you, MPP, for the question. So the Breathing Lands are within the peatlands, the muskeg, in Treaty 9 lands where the Ring of Fire is proposed. Already, over 30,000 claims have been staked without the consent of any Indigenous communities.

This region, this is an area where the water flows underground. There are underground rivers where the sturgeon, the many fish species and the millions of migratory birds that visit this area every year live. This is the region that schedule 9 would see done away with law. This is the region where a special economic zone has been proposed by the province for this region.

The Chair (Mr. Aris Babikian): One minute.

Ms. Kerrie Blaise: The Ring of Fire covers up 5,000 square kilometres where no provincial law would apply.

Bill 5 is an evasion of constitutional rights, and those constitutional rights are our duty to uphold and protect Indigenous rights. What we've heard today from my client Michel Koostachin of the Friends of the Attawapiskat River is that those rights are not being respected with Bill 5 in its development or how we would see it implemented.

Ms. Mary-Margaret McMahon: What are the repercussions of traipsing into the breathing lands?

Mr. Michel Koostachin: We will destroy what the Creator gave us. That's the repercussion.

Ms. Mary-Margaret McMahon: Is there any coming back from that once they've been harmed?

Mr. Michel Koostachin: I don't think so. Do you, guys? That should be a question to these guys.

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

We will move to the official opposition. MPP West.

MPP Jamie West: I'm going to start with Jeff from Vale.

I was thinking about this when Laura was speaking. She talked about imagining a world without birds and bats and bees. In Sudbury, Vale owns the properties that used to be Inco in Sudbury. When I was born, the Superstack was built. We measured pollution in tonnes per hour. When I was elected, we finished the clean air project, which captures all the SO₂ in the area.

As well, I often talk about Sudbury as a template of how we can show the world how mining can be done best, because I know that, over the years, the 20 years I was there, the relationship with First Nations and treaty rights holders got stronger and better, including the two open-pit mines that maybe you can expand on in a second.

As well, the health and safety while working with the union has improved year after year in the area.

I just wondered, Jeff, if you wanted to talk about the benefits of doing business in the way that Vale espouses.

Mr. Jeff Gaulin: Thank you for the question. One only has to look at Sudbury today compared to 20, 30 years ago to look at the collective commitment made in a community—industry, stakeholders, rights holders, political leadership—to restore nature and allow for continued industrial development. We are extremely proud with the relationships we have with First Nations, with community partnerships, with organized labour and even with opponents, because, as I said, how we forge a path forward together is our competitive advantage. We do that by not excluding folks but by bringing them into projects going forward.

We look at the Sudbury basin as—whether it gets a special designation or not, it is a jewel for this province for the future, and it is an example of industry working together with community, not only developing responsibly but taking care of what industries' impacts have been on the environment. So I think we have a built-in, made-in-Ontario example of how mining can be done responsibly and can be a model to the world.

I had the fortune this morning of being contacted by officials from the government of Germany who saw some of our work recently in Ottawa when we were talking about what we had done in Sudbury. That is exactly the type of example—and that's why I used it in my remarks—of where the world wants to buy more of not only what Ontario has but how it does it.

MPP Jamie West: Building off that, you talked about the nickel, cobalt and copper that comes out of Vale Base Metals. A lot of the conversation about this and special economic zones tends to circle around the Ring of Fire. If we didn't have the ecological concerns around the Ring of Fire and we did have decent relationships with First

Nations—which we’re far from having either of those things—does it make sense to invest the amount of money, if we’re combatting Donald Trump and we’re concerned about critical minerals, so that we can open Eagle’s Nest, which is just going to put more copper and nickel on the market? Or does it make more sense to invest in existing properties, brownfield sites that could expand to existing ore bodies, and to invest locally in the short term so that we can capitalize on the importance of critical minerals today?

Mr. Jeff Gaulin: I would say we need all of the above. We live in a growing world that is moving towards the mineralization of our energy systems. We’re going to need more of everything. Renewable powers are incredibly mineral intensive. Electric vehicles or zero-emission vehicles are incredibly mineral-intensive and require much more than we can produce today.

1500

Clearly, we need new mines and new projects for the future, but that should not exclude the opportunity to be more efficient and productive with what we have. Brownfield projects or initiatives or operations should definitely be expanded, because we’ve got clean power, we’ve got existing infrastructure, we’ve got a talented workforce, we have social licence and we have engagement with Indigenous rightsholders. So I think we can start from a position of strength today with existing operations as well as expand for the future. It’s not either/or.

MPP Jamie West: Thanks, Jeff.

And just quickly, either Michel or Kerrie: Michel, when you were speaking, you talked about working at De Beers. You mentioned that Ontario got 14% of royalty rights. I’ve been hearing ever since this bill was tabled about how this bill is going to help bring prosperity to First Nations. Can you expand on the prosperity that your community saw? For example, down the street from Queen’s Park, there’s a four-lane road with world-class hospitals. We have condo towers going up all over the place. Are these things that your community saw with the expansion of that mine?

Mr. Michel Koostachin: When that mining company came, we were promised prosperity, jobs, economic development. When it happened, we were classified for getting lead jobs in the mine. It sounds promising: “Good, yay, I’m going to go work!” I worked with six companies there, and I tried to prosper.

The Chair (Mr. Aris Babikian): One minute.

Mr. Michel Koostachin: In Attawapiskat, I’m supposed to have a home, but I’m homeless. I raised two kids when their mom died. Is that prosperity? I had to get my own house, build it myself. Is that prosperity?

I live in Attawapiskat. I wanted to go back and live there. That’s home. But what’s going to happen now? Companies are coming, promising prosperity. I don’t believe in it, because I’m still suffering from your prosperity. And I don’t want to see that. That’s why I’m here.

Grassroots are being left behind in the dark. The prosperity that you talked about, they don’t see it.

MPP Jamie West: I think I have 20 seconds—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

We will move to the government side. MPP Cuzzetto.

Mr. Rudy Cuzzetto: I want to thank all three presenters for being here today. Thank you for being here.

My question will be for Vale Base Metals. I heard that you work in different countries, like Canada, the UK, Brazil, Japan, Indonesia. But you mentioned something about cobalt in Ontario. As you are aware, most of our cobalt comes from the Congo; 75% of it does come from the Congo, where they use child labour and they do environmental damages to the environment.

I want to read a quote from the book *Cobalt Red: How the Blood of the Congo Powers Our Lives*. You’ve probably read the book yourself; it came out about two years ago approximately. I want you to look at that and listen to that. What is the issue we have with getting our minerals from these other countries, and what can we do here in Canada for our prosperity and for better jobs and everything for the people of Ontario?

Mr. Jeff Gaulin: Well, as I mentioned, Canada and Ontario are specifically blessed with geology and geography that makes it the envy of the world. We have what the world wants, and with a small population, we don’t need that much of it. It’s the opportunity to export.

Vale Base Metals operates a cobalt refinery in Port Colborne and has done so for more than 100 years, the only one in North America. We brought European delegates through there who were shocked to see that was cobalt from Ontario, that was cobalt from Labrador, processed at some of the lowest-carbon highest purity in the world. We don’t have the volume, perhaps, of the DRC, but we have the geology to go get it.

Canada is not competitive on the world stage to attract the investment necessary to go get it. Legislation that increases and accelerates permitting for responsible producers should be encouraged so we can get that capital and we can create prosperity, not only for shareholders of the stock itself, but for the community at large, Indigenous rights-holders and employees.

The impediment in Canada is slow timelines and lack of capital. If we can fix that, we will be the envy of the world.

Mr. Rudy Cuzzetto: Thank you. I really appreciate that answer.

The Chair (Mr. Aris Babikian): MPP Dowie.

Mr. Andrew Dowie: Thank you, Chair, and through you, back to Ms. Bowman: I’ve been hearing a little bit of interpretation of some of the sections of the act. I don’t think my friend across the way from Kingston and the Islands is correct when he’s saying that the act says we can pay to slay, effectively. Schedule 2, section 17(3) ends the option to pay into the fund as part of the wind-down of the agency that was collecting the fund.

When you made the comment about, “We’re filing paperwork to kill a species,” I wanted to understand better if you’re referring to schedule 10, part 3, which establishes the permit-by-rule regime, but conditional on meeting specific requirements that are going to be set out in the

regulations. I just want to have a better understanding of what you were referring to, if it was that section of the act or another one.

Ms. Laura Bowman: The new Species Conservation Act sets out the power to—well, by default, the approval process becomes this registration process. The act itself does not include any specific requirements. The current Endangered Species Act has a test that has to be met to ensure species conservation and survival before permits are issued. The new Species Conservation Act—you're correct, it does not have that. What it has is a complete discretion to maybe create or maybe not create those requirements.

It's not just registration-first. That's kind of a mis-characterization to say it's just like other registration-first regimes which have a specific set of conditions that have to be met. This Species Conservation Act does not actually make it clear that you can impose substantive requirements. It has a process that has to be followed. It doesn't include any substantive requirements or clarify that there are powers to impose substantive requirements. All you have is the discretion to use the permitting regime. By default, it is simply a procedural requirement. That is how the new Species Conservation Act operates.

Mr. Andrew Dowie: Thank you, Chair.

The Chair (Mr. Aris Babikian): MPP Vickers.

MPP Paul Vickers: My question is to Jeff at Vale metals. Ontario is proposing a “one project, one process” model to accelerate permitting timelines. How would streamlined approvals impact your ability to bring projects online faster than then could replace imports from other countries that don't have our same standards?

Mr. Jeff Gaulin: Well, there's two ways in which that can do it. First and foremost is that concierge mindset, where industry or any project proponent has one window through which it deals with government. Out of the 15 years on average that it takes to get a mine built in Ontario—

The Chair (Mr. Aris Babikian): One minute.

Mr. Jeff Gaulin: —three to five years of that are spent just running around with paperwork. Imagine that: If you just had one account director by which government would still maintain all its standards and protections but reduces the running around and the paperwork and the overlap and the sitting on desks and in inboxes, you could save 20% to 30% time just like that. That's one way. And time is money.

The second is, if it can align with the federal government's “one project, one approval” process, provided that it's done by the legislative framework in Ontario where it's closest to the community and the impact, that too will save time because of the duplication, the overlap and the time wasted going back and forth with the feds.

So both within the service reform within the Ontario government to make it easier for project proponents, and to work collaboratively with the federal government, which has publicly stated it wants to achieve the exact same things, you will save more time and attract projects and investment.

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

The time allotted for this panel is over. I would like to thank all of you for coming and sharing your precious time and input with us. I kindly ask you to allow the next panel to take their seats.

1510

ONTARIO NATURE EVOLUTION MINING

The Chair (Mr. Aris Babikian): I ask everyone to take their seats, please. We have two witnesses for this panel: Ontario Nature and Evolution Mining.

I'm going to ask Ontario Nature to start their testimony. Please mention your name before you start.

Mr. Tony Morris: Good afternoon. My name is Tony Morris. I am the conservation policy and campaigns director at Ontario Nature. Established in 1931, Ontario Nature is a conservation charity with a mission to protect wild species and wild spaces. We represent over 30,000 individual members and supporters and 150 member groups from across the province that form our nature network.

Ontario Nature and our network have significant concerns with Bill 5. I'll briefly go over our main concerns. We outlined a more detailed overview of our concerns through the relevant environmental registry postings and materials provided to committee.

In terms of the proposed changes to the Endangered Species Act, redefining “habitat” to just immediate dwellings ignores science. Picture your own home: Your bedroom is protected, but your kitchen, living room, bathroom, could be bulldozed at any time. How would you survive? This absurdly narrow definition will put our most vulnerable species at further risk.

Eliminating recovery strategies and the concept of recovery makes it impossible to assess, mitigate and avoid harm to species. By giving up on recovery as a key feature of endangered species legislation, this bill makes species extirpation or extinction acceptable. Think of an ecosystem like a Jenga tower. One piece of that tower, a single species, may seem insignificant, but if you keep removing pieces, eventually the tower becomes unstable and collapses. When that happens, we too will be buried under the rubble.

I'd like to read you a quote from one of our Youth Council members, which is part of our written submission: “As youth who care for Mother Earth, we envision a life filled with health and well-being, where our natural environment remains preserved. It is essential for us to have access to food security, clean air, water, and land—all of which depend on the vital species and habitats that Bill 5 attempts to destroy.”

The proposal to remove environmental assessment requirements for the Eagle's Nest mine undermines public trust, infringes on Indigenous rights and puts our environment at risk. Mining projects require a social licence to

operate successfully. Without trust, transparency and appropriate mitigation measures, that licence is unattainable.

The same goes for the proposal to remove the EA requirements for the York1 waste disposal site. As recently as June 2024, the ministry required a comprehensive EA due to public concern. The about-face in Bill 5 provides no evidence of why this action is necessary or why this particular landfill should be exempt. Yet we've learned from reporting by the Trillium that the owners of the landfill have donated over \$200,000 to the Progressive Conservatives since 2018.

We object to the amendments to the purpose of the Mining Act, which remove reference to upholding Indigenous rights and minimizing the effects of mineral extraction on public health, safety and the environment.

The proposal for special economic zones disregards Indigenous rights, sound environmental planning and the concerns of local communities. There are no details on how trusted proponents will be determined or evaluated while creating exemptions from any and potentially all provincial and municipal laws. What's to stop the government from declaring a special economic zone in the greenbelt or Algonquin Provincial Park? Schedule 9 does not respect the rule of law and puts the health of Ontarians and our precious natural areas in jeopardy.

I now want to turn to some of the justifications being used for this bill. We are in the midst of interrelated biodiversity and climate crises. This is not up for debate. It is scientific fact. Doubling down on economic paradigms that created these problems while simultaneously undermining democracy, Indigenous rights and transparent governance doesn't address these crises. We need economic solutions that operate in harmony with nature, not in conflict. This means solutions informed by Indigenous knowledge and science. It means collaboration and stronger standards, not a race to the bottom. It means investing in the right sort of projects by good corporate actors, not hand-picked proponents encouraging weakened standards.

In recent polling from April, 89% of Canadians identified nature as a key element of what it means to be Canadian, higher than hockey, universal health care and our flag. Nature is prominent on our money, part of our mythos and a symbol of being Canadian. The maple leaf is the centre of our flag.

Why does this matter? The premise for Bill 5 is to defend our economy from American threats with rhetoric tied to protecting our sovereignty. You don't defend Canadian sovereignty by taking a chainsaw to our national identity. Environmental protections, public consultation and Indigenous rights are not red tape.

To be clear, we support economic development. We are simply opposed to sacrificing vulnerable species, transparent governance and Indigenous rights on the flawed premise that it is necessary to address economic uncertainty. Instead, we encourage the government to present an economic vision and strategy that strengthens our social safety net, environmental safeguards and supports In-

igenous reconciliation. The government should responsibly use our natural resources to ensure a sustainable economy for future generations.

Polling of Ontarians from May 2024 showed that 88% agree that the province should invest in the protection, restoration and sustainable use of biodiversity. Instead, Ontario has become an environmental laggard as compared with other provinces. As of this morning, over 18,000 Ontarians have written to the Premier using Ontario Nature's action alert opposing Bill 5. This number does not account for the numerous other organizations with similar petitions. Bill 5 represents an attack on the very foundation of Canadian identity and priorities of Ontarians. It must be withdrawn.

Thank you for the opportunity to speak with you all this afternoon.

1520

The Chair (Mr. Aris Babikian): We move to Evolution Mining. Please state your name.

Mr. Jay Allen: Good afternoon. My name is Jay Allen. I am the sustainability manager with Evolution Mining, Red Lake operations. Evolution Mining is a global mining company. We have one asset here in Canada, Red Lake operations, of course, in the Red Lake district of Ontario. Red Lake operations is one of the longest-operating gold mines in Canada. We have been operating for over 80-plus years in that area and have had a very long and coloured history, in a good way, operating in that jurisdiction and with our local First Nation partners.

I'm here to voice Evolution's support for Bill 5, for its core objectives, especially the urgent need to expedite permitting timelines and establish a more efficient "one window, one authorization" process for responsible resource development. Our own ongoing, lengthy experience with permitting, even for projects expanding and improving our environmental performance, underscore the importance of the changes of the proposed bill. We believe that these key elements are essential to enhancing Ontario's economic competitiveness and realizing the full potential of its mineral resources.

For Evolution specifically, a predictable and timely permitting framework is fundamental to unlocking crucial investments, and the proposed streamlining offers a much-needed pathway to progress. The "one window, one authorization" process represents a significant opportunity to reduce administrative bottlenecks which currently exist and accelerate project delivery, while upholding rigorous environmental and social assessments, thereby strengthening Ontario's attractiveness for investment and job creation.

Evolution Mining, Red Lake operations, continues to submit permit authorizations for anything from regular permit renewal applications for project development on a yearly basis. We have forward-looking—multiple years, in fact; usually up to 10 years in advance—to identify what the operational needs of the mine will be and to make sure that we have identified the proper processes and required time frames to allow authorizations for continued oper-

ations. That is including a continued partnership, as I mentioned, with our local First Nations.

Currently, Evolution Red Lake operations is undergoing a proposal extension of an existing tailings facility so that we actually may progress an old historical tailings facility into a closure state and work on rehabilitation. This project has been in the permit authorization process for multiple years and continues to draw out with unfortunate—without a clearly defined end date on when some of the authorizations will be achieved.

We are absolutely dedicated to collaborating with the government of Ontario, with local First Nation partners, to ensure Bill 5 effectively accelerates responsible development through a more streamlined permitting system, balancing economic growth with our commitments to our First Nations partners and environmental stewardship.

Given Canada's concerning slide in global permitting efficiency, we support Bill 5 as a vital step to ensure that obtaining necessary permits does not take years, a delay that hinders progress without any apparent environmental or community benefit. This also detracts further investment from companies such as Evolution into further expansions or acquisitions within Ontario due to its current permitting state and the uncertainties that come with that.

But with this, we are optimistic about the positive impact on the Protect Ontario by Unleashing our Economy Act, 2025, on the resource sector, and reaffirm our commitment to sustainable and responsible mining practices in Ontario. Thank you for your time.

The Chair (Mr. Aris Babikian): Thank you to both presenters.

We will move now to the first round of the question and answer. We will start this time with the government side. MPP Vickers.

MPP Paul Vickers: Thank you to our two speakers for your presentations. My first question is to Tony. In our bid to become more environmentally friendly, produce less carbon, to damage the earth less and less all the time, do you feel that it's better to buy those critical minerals that help us get us there from foreign countries that don't have any environmental laws at all, or any child labour laws of any kind? Or do you feel it would be better to try and make a program that would work here in Ontario that does have some of those environmental and labour laws?

Mr. Tony Morris: I can't speak to other countries, but I would argue that Bill 5 weakens environmental standards in Ontario and we don't—

MPP Paul Vickers: But if we don't buy from our own country that has those laws, we have to buy from countries that we have no control over at all.

Mr. Tony Morris: I would argue our competitive advantage is being a country that has higher standards. We don't become competitive on a global marketplace by doing a race to the bottom and lowering our standards to compete with countries that have poor human rights records and environmental standards. And I would argue that upholding Indigenous rights is a competitive advantage—

MPP Paul Vickers: Thank you.

I have a further question. This one is to Jay and Evolution Mining. Can you please explain if your own interpretation how Bill 5 will streamline regulatory processes, while still maintaining a high standard of safety and environmental protections?

Mr. Jay Allen: Absolutely. Thank you. For Evolution Red Lake operations, as mentioned, we have a very long and historic relationship with our local Indigenous First Nations. There is nothing that's going to change that for us. In fact, we are right about to re-sign a new collaboration agreement in the coming weeks with those First Nations that has been in development for multiple years.

It does not erode our engagement and our consultation with First Nation partnerships, but instead, where the benefit would be for us would be to centralize that process. So rather than having that consultation process split amongst multiple departments to obtain multiple authorizations and meeting the consultation duties by bringing that together, it would streamline not just the approval process but, honestly, it would improve upon that consultation process for us and our First Nations, as we are not duplicating those consultations that are happening just because we're working with one ministry office versus another and then another. It is duplicating all of that work right now. Bringing this process into place would actually bring all of those parties together to have a more meaningful consultation.

MPP Paul Vickers: Thank you.

The Chair (Mr. Aris Babikian): MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: Thank you, Chair, and through you to the presenters: Thank you for being here today.

My first question goes to Mr. Morris from Ontario Nature. I noted that in your deputation, you talked about sustaining our economy for future years, specifically investing in biodiversity. The proposed legislation includes a significant increase in funding for species conservation efforts. Since 2018, in fact, our government has funded 215 projects through the species-at-risk stewardship program. These projects have collectively restored over 44,500 acres of habitat for species.

Having said this, Bill 5 quadruples our government's direct investments in species recovery to \$20 million annually. Talking about investment and biodiversity, would your organization not agree that this substantial increase in on-the-ground conservation work to benefit species at risk will have tangible benefits for species at risk?

1530

Mr. Tony Morris: Any investment in nature is a worthwhile investment, but I would argue this investment is insignificant, given the scale of the crisis. You can't, at the same time, be claiming to quadruple the investments, while allowing habitat to be destroyed at a larger scale, which is what the proposal for the Species Conservation Act would do—

M^{me} Dawn Gallagher Murphy: Thank you, Mr. Morris.

Given my amount of time, I would like to move to the question for Mr. Allen, from Evolution Mining. Mr. Allen,

you made mention in your deputation about Bill 5 to accelerate economic growth and, at the same time, environmental stewardship. You also made mention, in your deputation, about your partnerships with the First Nations you have locally. My question to you is, in what ways can you see that Bill 5 will create jobs and drive that economic development in northern Ontario and in mining communities?

Mr. Jay Allen: For Evolution Mining specifically, where this improvement would help is—we are, as I mentioned, going through a major project right now on an extension on an existing tailings facility. That extension project is actually to improve our environmental performance and actually self-imposed stricter regulations on effluent discharges and improving our water treatment processes and the like. That has been in works for multiple years, but that is actually held up within the permitting approval process. So, we cannot move forward with these improvements—which is, again, making us more environmentally responsible—until approvals actually come through. We are doing all the work that we can in the meantime, but it will come to an unfortunate grinding halt, should approvals not be obtained within a reasonable time frame. Thank you.

The Chair (Mr. Aris Babikian): We move now to the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch to Ontario Nature and also Evolution Mining for your presentations.

Question to Evolution Mining: I know that you mentioned that there is 80-plus years of working in the industry, especially, I guess, in the Red Lake area as well. I also heard that you support Bill 5. One of the things that we've been hearing in the last few days with the presentations from others is that Bill 5 is a very colonial bill. That it is yet another form of oppression to First Nations people across Ontario, especially in Treaty 9 territory. I would like to know your thoughts and your response to this. Can you also explain your understanding of how this bill will impact treaties in Ontario?

Mr. Jay Allen: Thank you for your question. While I appreciate it, I do not want to speak for First Nations. I will leave the responses to them for that.

For Evolution Mining specifically, our commitment to our First Nations partners is unwavering and that does the not change. We have a very good relationship with our local First Nations, it has been for many decades, and that will continue, as is evident with our reaffirmed collaboration agreements with those partners.

Unfortunately, I'll have to leave the First Nations answers to the First Nations though.

Mr. Sol Mamakwa: I believe the process on schedule 5, on one approach on how to properly engage and to do the duty to consult—I would be fine with that. But the other pieces of the legislation are no good for First Nations. I ask you: Would you be open to just having schedule 5 in there? I think that's the one that you support—I'm thinking, anyway—as an industry, right?

Mr. Jay Allen: Thank you again. Evolution Mining is open to continuing to work with the government on

finding ways to improve our current processes, to ensure that we are not eroding any of our responsibilities with our First Nations or our environmental impacts. Bill 5, as proposed, for us does appear to do that, but we are absolutely open to supporting anything that will help us to find a better way of working together and to be able to get to the end goals that we're all trying to achieve.

Mr. Sol Mamakwa: Meegwetch.

Ontario Nature: Tony Morris, I was listening to the media scrum earlier today. Nishnawbe Aski Nation Grand Chief Alvin Fiddler shared a quote from a grade 8 student in Pikangikum First Nation who said of Bill 5 that “the environment is slowly dying because of these kinds of things that are going on around the world. It's not good for the earth, and it's messed up.”

Another student who opposed Bill 5 encouraged the government: “Don't think about the present generations. Think about the future generations.”

If this bill passes the third reading, what do you think the impacts for future generations will be, including for these grade 8 students writing to us from Pikangikum?

Mr. Tony Morris: Ontario Nature also has a youth council with dozens of youth from across the province, and they express similar concerns. It's great to see in my job that youth are engaged in this process and wanting to express, but I feel for them—their anxiety about the future. We are living in an era of climate crisis and biodiversity crisis because of actions we as a society have chosen to take.

I can't imagine a world where Ontario doesn't have turtles, yet every turtle species in Ontario is currently at risk.

We've lost over 70% of our wetlands in southern Ontario. Wetlands are flood mitigation powerhouses. They're biodiversity powerhouses. They're climate adaptation powerhouses. These are ecosystems we cannot lose.

The Chair (Mr. Aris Babikian): One minute.

Mr. Tony Morris: I just ask everyone in the room to basically picture an Ontario that doesn't have some iconic species that we all love, like turtles, like bats, caribou. That's the future if the Endangered Species Act is dismantled.

Mr. Sol Mamakwa: What I'm hearing is there's no public support on this bill from the north, from First Nations. What do you think is motivating the government to continue pushing forward with this bill that so clearly, clearly violates the treaties with First Nations and that will cause harm to Ontario's environment?

The Chair (Mr. Aris Babikian): Time is up.

We move to the third party. MPP Hsu, do you have any questions?

Mr. Ted Hsu: Yes. Thank you, Chair.

I wanted to start with a follow-up from MPP Mamakwa's question to Evolution Mining. Let me just frame the question in a different way: If schedule 9—that's the “special economic zone” schedule—were taken out of the bill, would you still support it? Schedule 5 is the one that's all about mining. Would you still support the bill if schedule 9 were voted down in committee? If we got rid of the special economic zones but we kept the “one project, one

process” and all that good stuff, would you still support the bill?

Mr. Jay Allen: Thank you very much for the question. In all honesty, I would need to look at that a little deeper. In our review, we did not look at what sections would potentially be removed if we wanted to look at it separately. So I’ll be honest: I don’t have an answer for that at the moment. But as previously commented, Evolution Mining is absolutely committed to finding a solution and a better path forward for all parties involved.

1540

Mr. Ted Hsu: I want to ask a little bit more of a technical question about schedule 5 now, particularly about mining.

In section 9 of the schedule, there’s language that allows a minister to revoke claims or terminate mining leases for any reason; the exact phrase used is “any prescribed factors.” So at any time, the minister could say, “Sorry, you don’t have a lease anymore. Your claim is revoked.”

And it doesn’t discuss anything about compensation. In fact, the previous section of that schedule allows the minister to bypass the Statutory Powers Procedure Act, which means you don’t even have to have a hearing if these things get revoked.

I think we have to take foreign investment very seriously when it comes to mining. There’s a lot of capital available. Evolution Mining has global operations; I believe it’s headquartered in Australia, if I’m not mistaken. We’ve heard from Vale, which is from Brazil, and Glencore, which is a European-based company.

So all of these new powers, which are unchecked and discretionary—don’t they inject uncertainty that might make foreign investors think twice about investing in Ontario? Are you worried about that?

Mr. Jay Allen: I would say there’s an existing level of uncertainty already, which has made Ontario not as attractive for investment and development as it once was—as much as Evolution would like as well.

Global mining companies—we are always looking for our next opportunity for investment. The current state of legislation and the permitting regime and world that we live in within Ontario has made Ontario, honestly, not very attractive for investment. So any changes that will help to disburden that process—

Mr. Ted Hsu: Like the one window of schedule 5—

Mr. Jay Allen: Yes, very much so. Yes.

Mr. Ted Hsu: But maybe not the unchecked discretionary powers that any future government will have. You don’t know what they’re going to do.

Mr. Jay Allen: This is always true.

Mr. Ted Hsu: Okay, thank you very much.

Mr. Morris, the way Bill 5 is written, you could exempt a project or a proponent from, say, the Clean Water Act or the Safe Drinking Water Act. And this is legislation that tries to be careful about protecting drinking water—what everybody needs.

Moving a little bit away from nature and the environment—I’ll let you answer the question more broadly, but wouldn’t you want to say, in Bill 5, that we won’t try to

exempt you from the Clean Water Act or the Safe Drinking Water Act? I mean, isn’t that reasonable to do?

Mr. Tony Morris: Yes, I think if you’re referring to the special economic zones act portion of the bill, that is the most concerning. There are no criteria in terms of how those special economic zones will be determined. It’s entirely discretionary and up to cabinet, and we’ve seen patterns with ministerial zoning orders, the greenbelt, Ontario Place—projects that don’t really pass due diligence or that reward very specific developers.

So it’s perfectly reasonable that Ontarians are quite concerned with that much discretionary power. There needs to be safeguards in place, and environmental protections are not red tape.

The Chair (Mr. Aris Babikian): One minute.

Mr. Ted Hsu: Would it be fair to say, if we look at schedule 9, that even the Environmental Protection Act or the Environmental Assessment Act—some of these could even be exempted from those things? There’s no limit, is there?

Mr. Tony Morris: No. It could be any and all provincial or municipal laws.

Mr. Ted Hsu: Wouldn’t Ontarians feel safer living in a province where certain things were pretty sacred, like protecting drinking water?

Mr. Tony Morris: I would agree, and we’ve seen from polling after polling that Ontarians want their government to do more to protect nature.

Mr. Ted Hsu: I think I probably only have a few more seconds, but I feel like you were about to say something when the government last questioned you, but you didn’t get a chance to finish your sentence. Is there something you would like to add there?

Mr. Tony Morris: I think it was basically that with the investment they’re talking about, it’s like bringing a watering can to an inferno.

The Chair (Mr. Aris Babikian): Thank you. The time is up for this round of questioning.

We will start the second round with the government. MPP Cuzzetto.

Mr. Rudy Cuzzetto: I want to thank the presenters here. This question is more for Tony. Tony, do you believe in electrification?

Mr. Tony Morris: Of what?

Mr. Rudy Cuzzetto: The province. The world.

Mr. Tony Morris: The need for—

Mr. Rudy Cuzzetto: Getting off fossil fuels.

Mr. Tony Morris: Yes.

Mr. Rudy Cuzzetto: Okay. So when you electrify, you need minerals. Correct?

Mr. Tony Morris: Yes.

Mr. Rudy Cuzzetto: So you would rather depend on countries like the Congo, Russia—jurisdictions in the world that do environmental damage, use child labour—than use our own minerals here where we do it safely. Because you’ve heard from miners that come in here—we do it safely here, we follow the rules and we do not use child labour. So do you believe in that or would you rather depend on the Congo?

Mr. Tony Morris: As I said in my presentation, we believe in economic development and we support economic development, but not at the expense of our environment, Indigenous rights or labour laws.

Mr. Rudy Cuzzetto: And you hit on the environment and labour laws. We follow all of those to a T here in Ontario.

And I'm looking at your aluminum bottle there. Where does the aluminum from that bottle come from? Does it come from Canada, or from a jurisdiction that does environmental damage?

Mr. Tony Morris: I acknowledge we need minerals for our things, and I said, our competitive advantage is by upholding strong environmental laws—

Mr. Rudy Cuzzetto: And we do, Tony. We do here in Ontario.

Mr. Tony Morris: You're proposing to get rid of the Endangered Species Act.

Mr. Rudy Cuzzetto: In Ontario, we do. We do. We follow all the rules here in Ontario, Tony.

Mr. Tony Morris: The Special Economic Zones Act could basically exempt a proponent from any and all provincial laws. That's not upholding rules.

Mr. Rudy Cuzzetto: So right now you'd rather depend on these other jurisdictions—that's what you told me.

Mr. Tony Morris: You're putting words into my mouth.

Mr. Rudy Cuzzetto: But that's what you're saying right now.

Mr. Tony Morris: No.

Mr. Rudy Cuzzetto: Do you drive an electric car?

Mr. Tony Morris: I don't own a vehicle.

Mr. Rudy Cuzzetto: No, I figured that; that's why I asked you that question.

The Chair (Mr. Aris Babikian): MPP Cuzzetto, can you leave the witness to answer the questions and after, then follow up—

Mr. Rudy Cuzzetto: That's fine for me. I'll be passing it on right now. Thank you.

The Chair (Mr. Aris Babikian): MPP Dowie.

Mr. Andrew Dowie: I want to thank both presenters for being there. My question would be for Mr. Allen. I know you relayed a bit in your remarks to the process that you've gone through and the competitive nature of the mining industry and how companies will choose jurisdictions based on, effectively, how quickly they can start selling the product.

I'm wondering if you might be able to elaborate a bit, your own interpretation, how you see Bill 5 streamlining regulatory processes but still maintaining the high standard of safety and environmental protections that we certainly try to achieve in the province of Ontario?

Mr. Jay Allen: Thank you. Yes, I could look at that from two different perspectives. One is from our current operations, as I said, where we are focused on sustaining operations, but at the moment the permitting regime that is in place is actually threatening suspension of the operations, which will have a direct economic impact in the Red Lake jurisdiction—over 1,000 people employed,

the local economy and the employment and benefits provided to the local First Nations. With not having a one-window-type process it threatens current operations. And on the other side of that, as I mentioned, it does not make Ontario attractive for us to do further investment or acquisitions of existing infrastructure to continue to improve operations.

So until that regime is improved upon, we will continue to struggle with our current operations and it makes it less attractive for further investment.

Mr. Andrew Dowie: Thank you.

Chair, how much time is left?

The Chair (Mr. Aris Babikian): Two minutes and 36 seconds.

Mr. Andrew Dowie: I just would like to follow up with you, Mr. Allen. Understanding that—you've mentioned the one-window approach. Obviously today, you don't have that. I'm wondering if you could speak a bit to the approach that you followed today and how having the prospect of that mineral development adviser will effectively reduce that consultation fatigue, the different levels of government and really having harmonization. What kind of impact will that have on your industry?

1550

Mr. Jay Allen: Thank you. Currently, if I take our existing—as I mentioned, we have a project that's already in the permit approval process. That singular project consists of over a dozen permit applications. Each one of those permit applications, albeit are for different aspects within that project—each one carries with it a specific consultation piece, collaboration. And it becomes, even for—when we're dealing with our local First Nations, it becomes very repetitive. It breaks things apart and what it does is it does not necessarily allow us to provide a good overall view of what a true project is, what the outcome here is. Instead, it's delivered in very small bite sizes, which may not appropriately link a project together. So, bringing in a one window approach, a one project approach brings that together for the benefit—

The Chair (Mr. Aris Babikian): One minute.

Mr. Jay Allen: —of our collaboration with First Nations, as well as through the permit approval process.

Mr. Andrew Dowie: Thank you.

Chair, just one final follow-up—

The Chair (Mr. Aris Babikian): MPP Vickers. Oh—

MPP Paul Vickers: Earlier on today, we heard about the importance of creating jobs in the northern and even the southern areas of Ontario.

Jay, in what ways can Bill 5 create jobs and drive economic development in northern and southern Ontario and in mining communities?

Mr. Jay Allen: Thank you. Well, it creates jobs by allowing us to continue to operate. Again, without the support of a process such as Bill 5, we struggle to continue with existing operations, which threatens current employment of, as I mentioned, in our operation, over 1,000 people. We are at that stage right now, where we may be scaling back—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

We move to the official opposition. MPP West.

MPP Jamie West: Mr. Allen, I'll start with you. I hope I'll have enough to get to Tony as well.

You talked about your Red Lake operations being around for 80-plus years and the relationships you have with the First Nations that you're in partnership with. What First Nations are you in partnership with?

Mr. Jay Allen: For multiple decades now, we have had close relationships and agreements in place with Wabauskang and Lac Seul First Nations.

MPP Jamie West: Okay. And how did that develop? 80 years ago, I don't think the presence of having these relationships was there, so what was the process? Was it the government helping you? Was it internal?

Mr. Jay Allen: While Evolution Mining was not the mine owner at the time when the agreements were originally struck, I believe that they were internal at the time, with support of the government. So, again, the actual agreements have been in place for decades with those local First Nations.

MPP Jamie West: I know it's not in this bill specifically, but do you think it would be helpful for more junior mining companies if the government—it doesn't matter what party was in power—was instrumental in helping to form those relationships, identify the First Nations or treaty rights holders to communicate with?

Mr. Jay Allen: What we've been finding ourselves as we actually continue to attempt to build new relationships with additional First Nations is government overreach, at times, can actually be a bit of a roadblock, not necessarily supporting of it, as it becomes a bit of a gatekeeper for communications going back and forth between the mining companies and First Nations. Don't get me wrong; I believe that it needs to be there to establish and kick things off, but I don't think it needs to be there to be a gatekeeper, if you will, for helping to develop those.

MPP Jamie West: Multiple mining companies have come to talk about being in favour of schedule 5, but at the same time, we're hearing from First Nations treaty rights holders that they're very opposed to this bill in general—not just that schedule—although pretty much every single one of them, I think, has said, "We're not against development; it's just the way that this bill is being implemented."

How do we balance that difference between the perspective of mining companies saying—I think you talked about, "The bill is pretty good"? Schedule 5 is about six pages of a 229-page bill, so how strong do you feel that those six pages are so important that the other 223 don't have the same sort of importance?

I apologize if I'm putting words in your mouth. I've been trying not to do that.

Mr. Jay Allen: No problem. As I said, I'm trying to be very cognizant of not speaking for First Nations myself. I can only speak for Evolution. For us, our perspective has been dealing with our long-time First Nations partners, who we have a very good relationship with. We haven't

seen any opposition ourselves to it, but that's just our stance at the moment.

MPP Jamie West: Okay. Thank you.

Tony, I have about three minutes. It was an interesting conversation earlier, when the government side was asking questions. What I was hearing in that, and maybe I misinterpreted it, was that there are countries around the world that sell products—let's say cobalt, for example—that don't have strong labour laws, don't have child protection laws or environmental laws, and the only way we can get competitive with them is if we pass a special economic zone to remove our labour laws, our child laws or environmental laws. Is that what you heard?

Mr. Tony Morris: I don't know if that's the position of the government. But, I mean, the Special Economic Zones Act basically creates a situation where, yes, it could be a race to the bottom, because there are no criteria, there is no explanation of how safeguards will still be kept in place. And the Endangered Species Act is being sacrificed under the premise that that's what is holding up economic development, and I would argue that's not the case.

MPP Jamie West: I noticed you talked about how over \$200,000 was donated to the Conservative government from the owners of the Dresden landfill. At the same time, this morning at question period, we were asking about the greenbelt scandal, where it feels like maybe there was—well, they're being investigated by the RCMP, so there seems to be rumours of corruption in there as well.

Does it feel right to you that with the special economic zones, workplaces could feel like the best way to move their project forward is to make donations to the party?

Mr. Tony Morris: It's quite concerning. I mean, we live in a world where we're seeing democracy under assault. One of the great things about Canada, one of the great things about Ontario, is our democratic institutions, so anything that tries to undermine that to make decisions by a select few is quite concerning without public transparency.

MPP Jamie West: I was wondering, for example, what kind of airplane we might get for the Premier in order to open the next mine site.

You mentioned a couple of times that the second-largest carbon sink in the world is around the Ring of Fire. How important is that? Let's say we just pave over it. What is that going to do to us?

The Chair (Mr. Aris Babikian): One minute.

Mr. Tony Morris: I mean, the Hudson Bay lowlands, the peatlands up there, are an incredibly valuable ecosystem in our fight against climate change, as well as their benefit to biodiversity.

I spoke to the amount of wetlands we've lost in southern Ontario. We need to protect habitats to ensure our climate resilience, while balancing economic development. We don't do that by taking basically a carte-blanche approach with no safeguards in place. It means working with Indigenous communities to identify what areas they want to protect and working with them in partnership for economic development.

MPP Jamie West: What is the outcome if we don't protect these, possibly?

Mr. Tony Morris: The outcome for—

MPP Jamie West: For, I don't know, farming land or our ability to survive climate change.

Mr. Tony Morris: Part of the whole greenbelt—Ontario Nature was part of a coalition, and the greenbelt, as well. Southern Ontario has the best farmland in Canada. Part of our national security is maintaining that farmland, so—

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

We will move to the third party. MPP Hsu.

Mr. Ted Hsu: Thank you, Chair. Let me start with Evolution Mining. Again, thank you for coming today. Does Evolution Mining anticipate wanting a special economic zone in an area where you are right now or could potentially operate in the future in Ontario? Is that something that you might want?

Mr. Jay Allen: At the moment, for us, our focus has not been in seeking a special economic zone; it has been seeking just an improved process around the permitting authorizations.

Mr. Ted Hsu: Okay. Thank you very much.

Mr. Morris, it sounds like you know what you're talking about, so I want to ask you a question to help me understand something better. One thing that Bill 5 achieves for this government is cancelling an economic assessment for a landfill in southwestern Ontario—an environmental assessment which was promised. Now, Bill 5 allows them to get out of this promise.

The government is countering by saying that it's going to go through this environmental compliance approval process to replace an environmental assessment. It's my understanding—and I think you might be able to confirm this—that one difference between an environmental assessment and getting an environmental compliance approval is that in an environmental assessment, you have to look at alternatives to whatever the project is proposing; for a landfill, it might be an alternative site. Whereas for an environmental compliance approval, it's just kind of a yes or no. You're getting approval to do something; you're checking if it's safe for health and the environment.

Is that a fair assessment? Is that a fair thing to say, that you have to have an environmental assessment to require examining alternatives?

Mr. Tony Morris: Yes. An environmental assessment looks at many things. It looks at the environmental impacts, social impacts, economic impacts and requires comprehensive studies, but there's also opportunity for the public to have their say. Removing that ability, an environmental compliance approval basically becomes an interaction between the proponent and the ministry without that opportunity for public involvement and the level of detailed studies.

For something like a landfill, they can have significant environmental impacts. This landfill in particular is very close to the Sydenham River. The Sydenham River is the most biodiverse river in Ontario. If that landfill were to

fail, that would potentially completely destroy that river. I would think we would want proper study on what the proponent is proposing in terms of mitigation measures for that landfill.

Mr. Ted Hsu: Okay. One thing that I'm worried about—so I'm asking you whether you think this scenario, a future scenario, is possible. I'm worried that in the future, in various other parts of Ontario, a government would promise a comprehensive environmental assessment in order to gain approval for some project or at least overcome opposition, if there was an impending election or something like that, and whether any of the other 400 municipalities in Ontario should worry about the same thing, that they would get promised something by the provincial government and then have that taken away after an election or something like that. Is that a realistic worry?

Mr. Tony Morris: Well, in the case of the Dresden landfill, it was last year that the ministry ordered a comprehensive environmental assessment. That was a decision that was posted to the environmental registry just June of last year. Now, it's saying no in Bill 5, so the community, the local concerns down there are now quite rightfully outraged by the fact that, in less than a year, that decision was reversed.

Mr. Ted Hsu: The municipality of Chatham-Kent has passed a motion, and it suggests that other municipalities should examine what's happening in Bill 5 in terms of breaking a promise by a provincial government. My municipality of Kingston has addressed this. Would you recommend that other municipalities have a look and decide for themselves?

Mr. Tony Morris: We have been seeing numerous municipalities across the province, but that's up to those municipalities and their councils.

Mr. Ted Hsu: Okay. Thank you very much. That's all.

The Chair (Mr. Aris Babikian): Thank you. That concludes the time allotted for this panel. We will take a short recess, and we will reconvene.

The committee recessed from 1602 to 1615.

ONTARIO SEWER AND WATERMAIN
CONSTRUCTION ASSOCIATION
NESKANTAGA FIRST NATION
WILDLANDS LEAGUE

The Chair (Mr. Aris Babikian): We have three presenters on this panel: the Ontario Sewer and Watermain Construction Association, Neskantaga First Nation and the Wildlands League. I would kindly ask from each one of you, when you start your deputation, to mention your name.

We will start with the Ontario Sewer and Watermain Construction Association. Go ahead.

Mr. Patrick McManus: Good afternoon. My name is Patrick McManus, I'm the executive director at the Ontario Sewer and Watermain Construction Association. Chair and members of the standing committee, thank you for the opportunity to come and speak with this bill today.

At OSWCA, we represent 500 contractors and another 300 manufacturer and supply members who supply municipal infrastructure products across the province. Our member companies typically operate at the regional level on core municipal infrastructure projects. They build sewers, water mains, roads, bridges and storm water infrastructure, along other types of municipal infrastructure. Our member companies build the projects that are critical to the health and safety of our communities and ensure that our communities are able to grow, because without this core infrastructure, we would indeed see our ability to build new housing and our ability to build new commercial properties curtailed, as this is the type of infrastructure that is foundational to our growth.

It's why I'm here today speaking in favour of a component of Bill 5, and in particular on the positive steps being actioned that are aimed at addressing some of the long-standing issues with the environmental-assessments-and-procedures process for municipal infrastructure projects. Costly and unnecessary delays in the EA process have plagued municipal infrastructure projects for many decades.

In 2016 and again in 2018, the Auditor General of the province, in their annual report, noted that the EA process was slow, it was costly and it was not proportionate to the project risks. In particular, it noted that the part 2 order process, or the bump-up requests, created long and unnecessary delays in getting necessary and low-risk infrastructure built, and it recommended a streamlined process for low-risk projects.

We think that there is a lot more to do in reforming the EA process, but Bill 5 is taking the steps in the right direction. I want to be clear that we are not proponents of eliminating the process, but rather addressing those egregious cases where EAs delay basic, low-risk infrastructure that is necessary for our communities.

I want to list just a couple of examples. A project to widen a 4.5-kilometre section of Stouffville Road took over ten years to complete the EA process, despite the relatively straightforward nature of that project. The delay hindered some of the timely infrastructure builds and improvements that were necessary for that growing community.

The EA for widening a six-kilometre stretch of Mississauga Road took more than nine years to complete.

The replacement of the Harmer Avenue pedestrian bridge in Ottawa took seven years, largely due to the procedural requirements of the EAs. This delay occurred even though the bridge was deemed to be in structurally deficient order and posed safety risks to the general public.

Efforts to implement critical stormwater infrastructure in flood-prone areas regularly see delays of five to seven years as a result of the EA requirements, despite the urgency to public safety and the property damage concerns that are involved.

These projects have minimal risk. They are projects that are meant to help move people, to get fresh water to our homes, and to safely treat sanitary and storm water sewage. They are projects that help reduce traffic conges-

tion and water and air pollution, and they help put in place the veins and arteries that are necessary for our growth here in the province.

1620

The EA process is best served and perhaps best intended for high-risk projects, not for routine municipal infrastructure improvements. Streamlining this EA process would mean a number of very beneficial things for municipalities:

It would get shovels in the ground faster on projects and infrastructure upgrades would happen sooner; it would reduce costs for municipalities for routine infrastructure upgrades; and it would help stretch the limited infrastructure dollars farther;

Moving towards a risk-based model—aligning EA requirements with the potential for actual environmental harm would get us away from the one-size-fits-all model, and it would allow the government to refocus resources where environmental scrutiny is actually necessary;

It would make the process more predictable, as we expect stricter eligibility and clearer criteria for bump-up requests and mandatory timelines for ministry decisions, which would ultimately reduce the uncertainty around project start times; and

All of this results in infrastructure projects moving faster, supporting housing, growth and economic development.

This bill will help to accelerate construction timelines, reduce costs and improve project delivery certainty.

All of these things are critical for ensuring that Ontario's infrastructure can keep up with demand, especially in the face of our population growth, our climate resilience needs, and our housing pressures.

In conclusion, our organization supports Bill 5 for its crucial reforms aimed at streamlining the EA process, and we want to see critical infrastructure projects move forward in a timely manner, and we appreciate the move to eliminate some of that red tape and redundancies that are causing delays on low-risk projects.

Thank you for the opportunity to speak on the bill.

The Chair (Mr. Aris Babikian): Thank you.

Now it's Neskantaga First Nation's turn. Please identify your name.

Mr. Wayne Moonias: Hello, good afternoon, Wayne Moonias from the Neskantaga First Nation. ᑭᓐᓇ ᑭᓐᓇ

First of all, we would like to extend our condolences and prayers to the Sagutch and Moonias family, who suffered a tragic loss this past weekend.

I will be delivering a statement on behalf of our First Nation, Neskantaga First Nation, Chief Quisess and the council and the community.

Neskantaga's homelands and legal jurisdiction on the Attawapiskat River: We, the Anishnaabe people of Neskantaga First Nation live on the headwaters of the Attawapiskat River. It is the lifeline of our community. We use the whole river to hunt, to fish, to trap and also we use it as a means of transportation. It is the most vital source of our health and life to our people.

Any decision regarding laws that govern our homelands must go through our authority. The government must obtain our free, prior and informed consent for projects that can fundamentally change our way of life. Do not forget: Canada recognizes our legal system and authority of our law, not only through our constitutionally protected Aboriginal treaty rights but through Canada's obligation to international law and the United Nations Declaration on the Rights of Indigenous Peoples, UNDRIP, and of course our treaty, Treaty 9, that we all signed.

Neskantaga has deep concerns with Bill 5. Neskantaga is deeply concerned with the plans for fast-tracking the developments of mining in the Ring of Fire. We are particularly concerned with the potential ecological, social and cultural impacts of the proposed development with the Ontario government's lack of meaningful consultation with us regarding these plans.

Specifically, we object to schedule 3 of Bill 5, which terminates the agreed upon environmental assessment for the Eagle's Nest mine, which is situated on our homelands. It's on our river system—it's going to destroy our river system. In proposing this change, the Ontario government is avoiding its duty to consult and accommodate our First Nation and is violating Treaty 9.

Ontario's attempt to sidestep environmental assessment for the Eagle's Nest mine means that it hopes to avoid Neskantaga's decision-making process under its own laws and negate our ability to have any say in whether Eagle's nest goes ahead or not. The project will destroy our homelands. It will destroy our medicines. It will impact our way of life not just for this generation, but for the next generation on.

Our other concerns with the bill are: Repealing the Endangered Species Act will endanger one of the most important species of fish to our people, the lake sturgeon. We value this. This is our source of life. The amendments to the Ontario Heritage Act: The bill wants to remove requirements for archaeological assessments where companies are building mines on our sacred lands. This leaves Neskantaga's cultural sites, including burial grounds and ceremonial sites, incredibly vulnerable.

Many of these sites are located along esker ridges, which will likely be used as a source for gravel for the construction of access roads for the Ring of Fire. Without proper archaeological assessments, these sites could be potentially utterly destroyed. We have very grave concerns about those kinds of things that could happen with this bill.

The potential creation of special economic zones is especially worrying for Neskantaga. These zones appear to have been proposed to allow private interests to operate without any provincial regulations. More importantly, they represent an attempt by Ontario to circumvent our treaty—a nation-to-nation treaty that's with the crown and the First Nations. We are part of that.

They may not want to, but you cannot carve out a space where the treaty doesn't apply. This bill seems to want to do that. Canadian courts will find this bill unconstitutional. We know that. We believe in that, that our rights will

prevail. We want to remind Ontario that Canadian courts frequently find in favour of First Nations in cases where the duty to consult has not been met. This Bill 5 will not meet its duty to consult with our First Nations and with nations of Treaty 9.

These cases are lengthy and expensive, as we all know, and often result in projects being abandoned. We talk about certainty. This Bill 5 will not create certainty for industry or a government that wants to fast-track these projects in our homelands. The only way to avoid delays when it comes to extracting resources on our lands is to fully obtain our free, prior and informed consent.

In closing, there will be no bulldozing across the Attawapiskat River system without our consent. Our people will stand united. Our people will stand together. They will stand strong because there is a lot that's on the line for us as a First Nation since time immemorial. We are connected to these lands and waters, and we will continue to be long after these companies have finished looking for metals. When all these projects are all said and done, we will still be here. All attempts at fast-tracking the Ring of Fire will fail. Our people will meet you on the land. Meegwetch.

The Chair (Mr. Aris Babikian): Wildlands League: Please state your name. You have seven minutes.

Ms. Anna Baggio: Thank you for inviting me to appear before you today on Bill 5. My name is Anna Baggio and I'm the conservation director for Wildlands League.

Wildlands League is one of Canada's leading conservation not-for-profit groups, with over 30,000 supporters. We are policy experts. We speak for vulnerable wildlife, ecosystems, and we stand with communities. We have helped reform laws, including the Provincial Parks and Conservation Reserves Act and the Mining Act.

Our team were ministerially appointed members from 2008 until 2018. We often work with progressive industry, Indigenous nations, scientists, municipal leaders and the public to find solutions to seemingly intractable challenges. Our team are national leaders in boreal caribou conservation, protected areas and forestry.

Our main conclusion today is that we strongly object to Bill 5, and it must be withdrawn. It is an attack on the rule of law, our environment, Indigenous rights and our democracy.

Now, I'm just going to go through a few comments. I have included a bit more for the committee, but I will just give you some comments. Repealing the Endangered Species Act and replacing it with a shell law is a betrayal. This shell law narrows the definition of "habitat," eliminates protection and recovery objectives, ignores science, allows damaging activities to go ahead as long as they're registered and replaces species-at-risk's needs with proponents' needs. This takes us back 50 years.

1630

In response to the threats by Trump, the province is giving itself Trump-like powers to get rid of laws it sees as getting in the way of mines, highways and development. It is the culmination of years of attacks by this government

on threatened wildlife, our natural world and treating the environment and public consultation as red tape.

Let me say a few words about special economic zones. We've already heard the province say it wants to fast-track the Ring of Fire. Fast-track what exactly? There isn't even a mining project defined here with a feasibility study. Are mining companies going to be allowed to construct a mine in Indigenous lands and on globally significant peatlands without undergoing an environmental assessment, without the consent of communities and in the absence of a proven economic case?

We know self-reporting and self-monitoring by companies is deeply flawed. Is Ontario going to allow mines to operate without any oversight? What about water quality? Will these be gone too? What about health and safety and labour laws?

We've seen the consequences of unjust laws before when six Indigenous leaders from a northern nation called Kitchenuhmaykoosib Inninuwug were sentenced in 2008 for standing up for their ancestral lands in the face of an antiquated and unjust Mining Act. We do not want to see that repeated here with Bill 5 and special economic zones, where Indigenous peoples will be forced to defend their lands—their ancestral lands—from an unjust law.

We do not issue this warning lightly: Carving out lawless zones anywhere in Ontario—where environmental protections are scrapped, Indigenous rights trampled and local voices silenced—all to fast-track private profit will precipitate crises. Let's be blunt: What are these companies proposing that they need the province to shield their construction and operations from every single law and regulation on the books?

I'd like to read the expert view of the Canadian Environmental Law Association into the record, with which we agree, since they were not invited to present today. This is a quote from the Canadian Environmental Law Association: "In our view, this vague proposed legislation represents a direct result on the rule of law since it enables the province to make regulations delineating zones in which 'trusted proponents' or designated projects may not have to comply with the existing legal requirements enacted by the Ontario Legislature (and by-laws made by municipalities) that otherwise apply to every individual and corporation."

With respect to schedule 3, which covers the Environmental Assessment Act and includes the termination of a comprehensive environmental assessment for the Eagle's Nest mine, there is a lack of transparency around the scope of the new project. Yet, according to the Ontario government, it does not warrant an EA.

Ontario is the only jurisdiction in Canada that does not require mine projects to undergo an environmental assessment. We also suspect that the proposed new project will not trigger an assessment under the federal Impact Assessment Act by keeping below the threshold for metal mines. Without an environmental assessment at all, the public, Indigenous peoples and investment community will be deprived of a transparent process designed to prevent and mitigate significant adverse effects. Environmental

assessment is not red tape. It is a critical forward-looking function within our society to prevent and mitigate impacts. It is not duplicative of other environmental approvals.

We also agree with the concerns raised by the mayor of Chatham-Kent and Walpole Island Chief Leela Thomas about the landfill in Dresden. I heard them both speak on Thursday. They are right to raise the alarm. The large proposed landfill will be devastating to the town and the river.

Let me just say quickly about schedule 5 and the Mining Act—in the interest of time, I just want to draw your attention to the section that would allow the minister to cancel or revoke mining claims and/or terminate a lease for the protection of the national mineral supply chain. This is an admission that the free-entry system, as currently constructed, is a problem. We agree. We recommend a separate legislative process that addresses the broad failings of the free-entry system and recommend that the government expand its powers to cancel or revoke mining claims or terminate a lease in response to potential impacts to public health, safety, environment and reconciliation with Indigenous peoples.

To conclude, we support efficiencies, robust environmental laws, transparency and holding proponents to the highest standards, not giving them free reign.

The Acting Chair (Mr. Rudy Cuzzetto): A minute left.

Ms. Anna Baggio: Please withdraw Bill 5.

The Chair (Mr. Aris Babikian): Thank you. We will start with the first round of questioning. This time we will start with the official opposition. MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch, Chair. Thank you to the three presenters to speak to the committee.

Neskantaga, Wayne Moonias—I hear you loud and clear on your message. You talk about rights holders. You talk about treaty rights holders. You talk about inherent rights holders. And you talk about the protection of these rights.

I would just like to commit today: No matter where the fight is, I will be there with you. I say that because I'm a treaty rights holder first. I'm an inherent rights holder. I'm a treaty rights holder just like everyone else in Treaty 9, Treaty 5 and Treaty 3, where Kiiwetinoong has three treaties. That's something that everyone in those territories—nobody can take that away.

Me, as an MPP—what it does for me is it provides a platform to be able to speak on things. But I know this much—I ask you this question, Wayne Moonias: Has this Ontario government upheld their duty to consult and implement free, prior, informed consent at the level of Neskantaga First Nation and at a level of individual rights holders?

Mr. Wayne Moonias: Meegwetch, MPP Sol. Thank you. That's why we're saying these things: Because we hold so dearly to what our First Nation believes, what our sacred duty is, what those principles and values entail for us. That's why we have grassroots people that are here today, because they see a threat to not only their way of life but a threat to their treaty rights, to their inherent

rights. These rights are being trampled, as our former chief, Chris Moonias, said on Thursday. This is what our people are fighting for and want to uphold.

When we talk about prosperity, when we talk about a lot of things, prosperity for us is more than just money, more than about jobs, more than about putting development or infrastructure into our area. It encompasses everything, the interconnections that we have in our beliefs, in our customs, in our traditions. I think that's very important.

When we say that we are going to fight hard to try to defend those principles and values and the teachings that our people have long had since time immemorial, we will, because this is very important for us. This is about our life. This bill and the way this government is approaching this bill is going to destroy our homelands. It's going to take away our sturgeon. It's going to destroy our medicines that we use for healing. Like I said in the first opening statement, the land and the river system provides healing for us. It provides help for us. If that is taken away, then that's something that we cannot, will not sit idle on.

I think we need to be mindful that we are people too up there. There are only two First Nation communities that live on our river system, the Attawapiskat River system: Our brothers and sisters in Attawapiskat First Nation and us as Neskantaga. And we intend to protect the proposed crossing. As our elder Maggie Sakanee said, she doesn't want development to occur without her consent.

The treaty is being violated. The duty to consult and accommodate is being undermined because of this bill, the way this bill is being fast-tracked. This is something that will not sit well for us, and we will not sit idle on this, because our basic fundamental right to live on our homelands is being threatened. Meegwetch.

1640

Mr. Sol Mamakwa: Meegwetch, Wayne.

February 1, 2025, marked 30 years since the long-term boil-water advisory in Neskantaga First Nation began.

The Chair (Mr. Aris Babikian): One minute.

Mr. Sol Mamakwa: If this government really cared about reconciliation, they would start by ensuring that every First Nation has clean drinking water, acceptable housing conditions, proper airports—well, gravel runways—and equitable access to health care and addiction services.

Do you think that proper support for the health of the people in Neskantaga First Nation from the Ontario government is conditional to Neskantaga's support of mining projects in the Ring of Fire?

Mr. Wayne Moonias: Hello. Meegwetch again. I know time is limited.

Today our First Nation is under a state of health care crisis—where is Ontario? Yet they want to access our homelands. Ontario has been MIA with our health care crisis. Our people have been evacuated in Thunder Bay for the last month and a half.

Since 2013, we have a suicide crisis. Former Chief Peter Moonias declared a state of emergency because we were using our young people—

The Chair (Mr. Aris Babikian): Time is up. Thank you very much.

We will move to the government side. MPP Vickers?

MPP Paul Vickers: Thank you, Chair, and thank you to the presenters for their time to present to us and give us their points of view.

My first question is to Mrs. Baggio. You talked about 30,000 members that you have. Are all those 30,000 members all in Ontario?

Ms. Anna Baggio: No, they're across Canada, and I think we even have some in America.

MPP Paul Vickers: Do you ever kind of decide to look into it to see how many are outside of Canada that are supporters?

Ms. Anna Baggio: Oh, no, no. The vast majority are in Ontario, actually. Our history comes from Ontario. We were established in 1968. So a lot of our work, our history, is here. We've cut our teeth here, and we were formed here, and we—

MPP Paul Vickers: And the next question—

Ms. Anna Baggio: Okay, go ahead.

MPP Paul Vickers: Do you ever worry about money coming in from across the border from other countries supporting your organization because they want to keep our system weak and they don't want us to develop our mineral deposits?

Ms. Anna Baggio: No. I don't worry about that, actually, because we have an ethical filter on our—

MPP Paul Vickers: I feel good about that. You told us that.

Ms. Anna Baggio: We have an ethical filter on our donations. We know exactly—we track that very closely.

MPP Paul Vickers: I'm glad you do have that because I sometimes worry about organizations how much they are being funded by other outside organizations.

My next question is to Mr. McManus. What role do you think—since we need so much building, we're short on housing, we're trying to keep the housing inside the urban boundaries. Obviously, we need water and sewer to service those developments. What role does innovation and new technology play in your sector, and how could faster approvals help accelerate their adoption?

Mr. Patrick McManus: Faster approvals mean shovels in the ground faster. It means jobs out faster. It means building housing faster, right? Innovation happens on the job site all the time. The municipal class of the environmental assessment process substantially slows down those project start times.

With every year that passes, our infrastructure deficit grows. That requires innovation on catch-up. It also requires us to figure out how we're going to build things faster in order to support our population growth. Lots of that happens on the job site, but it only happens on the job site after we get approvals and get to building.

MPP Paul Vickers: And we really can't build the housing until we get the infrastructure underneath. Is that not correct?

Mr. Patrick McManus: This infrastructure is foundational for everything we build.

MPP Paul Vickers: Thank you.

The Chair (Mr. Aris Babikian): MPP Scott.

MPP Chris Scott: Thanks to the presenters for your presentations. I'd like to ask Patrick McManus a question, through you, Chair, and ask him a little bit about what he thinks a sort of more predictable approval process would allow for in terms of workforce planning. Maybe help us paint a picture, I guess, of these sort of large-scale projects. You guys are a major part of that; that unlocks a bigger piece. So what happens if you're able to do your jobs, and how does that play into the overall timeline of actually going from a proponent putting something in and somebody living in a house or having access to house-enabling infrastructure?

Mr. Patrick McManus: For sure. Predictability is so difficult in construction. It's not like manufacturing or really any other sector because it's project by project by project, and when we know we're going to build, we will build up our workforce. We've been hearing about a skilled trades gap in this province for well over 15 years and we need the predictability of those projects in order to build our workforce, because when we don't have that project work available, the workers in this sector, in the road sector, in the utilities sector, in the bridge sector, they'll find work elsewhere. People need a predictable paycheck and if we can't offer it to them, they will find that work elsewhere.

So predictability is so critical and it's lacking in construction. So the more predictability that we have, the more likely that we can attract and retain our workforce and the next generation of workforce coming in.

MPP Chris Scott: Thanks so much. So basically, the difference maker between reinforcing and growing the talent pipeline versus that being a choke point in the overall unlocking of a project.

Mr. Patrick McManus: That's right.

MPP Chris Scott: Thank you.

The Chair (Mr. Aris Babikian): Question? MPP Gallagher Murphy.

M^{me} Dawn Gallagher Murphy: How much time do I have?

The Chair (Mr. Aris Babikian): A minute.

M^{me} Dawn Gallagher Murphy: One minute.

First off, thank you very much to all the presenters. My question is to Mr. McManus of the Ontario Sewer and Watermain Construction Association. I'll probably have to follow up after this.

Municipalities face significant challenges in delivering infrastructure due to complex and outdated environmental assessment processes. You spoke about that during your deputation—thank you very much. Bill 5 does propose a modernized approach to support municipal projects. What we're proposing is to replace the municipal class environmental assessment with a time-limited, streamlined process, and this is specific to lower-impact municipal projects. I think you referred to it as a routine municipal upgrade, something like that.

My question to you is, in your experience, how have delays in permitting impacted the timing cost, or even the

viability, of a major sewer and water main project across this province?

The Chair (Mr. Aris Babikian): Thank you very much. The time is up.

We will move to the third party.

Mr. Ted Hsu: Thank you to all the witnesses for coming here today.

I just wanted to understand a little bit better, from Mr. McManus—sewer and water main construction is very important for my home city of Kingston. It's a very old city; we have a lot of old infrastructure. Where I live, it's been ongoing for about 20 years now. We have a lot of infrastructure to replace and even though everybody's experiencing the inconvenience, it's really important to have a modern sewage and separate sewage and storm sewer systems. That's been going on for a couple of decades now.

But I wanted to understand exactly how Bill 5 would be used to make sure that low-risk municipal infrastructure isn't subject to a burdensome environmental assessment project. Is this about using schedule 9 to apply the Environmental Assessment Act in a way that is less burdensome?

Mr. Patrick McManus: I think our intent is to comment, generally, on some of the environmental assessment changes that are being proposed here. It's proposed, both in writing and here today, that a broader approach is necessary to actually put a focal point on projects that require more environmental scrutiny, and on those low-risk projects—move them towards a permit-by-rule process or some time-limited process, where we're talking about expanding or replacing existing infrastructure.

1650

Mr. Ted Hsu: So is schedule 9 of the bill required to accomplish that?

Mr. Patrick McManus: Schedule 9 is the—

Mr. Ted Hsu: Schedule 9 is the special economic zones, which allows exemptions in the way that laws or regulations are applied.

Mr. Patrick McManus: Is it necessary?

Mr. Ted Hsu: To accomplish your goal, which is a laudable goal, of reducing the burden of environmental assessments on low-risk municipal infrastructure projects.

Mr. Patrick McManus: I don't necessarily think that it is necessary, although—honestly, it's not something that we have looked into in any sort of particular detail.

Mr. Ted Hsu: Okay. All right. Couldn't we simply amend the Environmental Assessment Act once and for all? Instead of mixing it in with Bill 5, which gives—one of the problems with Bill 5 is that it grants a lot of discretionary and unchecked powers to ministers to apply or not apply any statute or any regulation.

Do we really need to do that? Couldn't we just modify the Environmental Assessment Act so that we define clearly once and for all, instead of on a project-by-project basis, what a low-risk municipal infrastructure project is?

Mr. Patrick McManus: I think we certainly want to see any which way to get the MCEA process reformed. I'm a board member at something called the Residential

and Civil Construction Alliance of Ontario. At that board, we have been focused on municipal-class environmental assessment reform since before the 2016 Auditor General's report. It has not moved quickly; it has not moved hardly at all. Yes, perhaps we're latching on to changes here that are happening because these changes are so long overdue on the EA process.

Mr. Ted Hsu: If Bill 5 were passed, how would it work? Would a municipality come to the provincial government and say, "Here's this project. Could you please designate it as low risk so that we could have a less burdensome environmental assessment?" Is that how it would work—you have a project and you come to the government?

Mr. Patrick McManus: I think it's something more to address in regulations for the bill about how you actually address low-risk infrastructure.

Mr. Ted Hsu: Okay, but it might be a separate process for every project. Is that how it would work?

Mr. Patrick McManus: It potentially could be. I mean, we certainly hope that's not the case.

Mr. Ted Hsu: Okay. All right. My next question is for Neskantaga First Nation. Could you tell me about the Eagle's Nest project and why you think the government wants to cancel the environmental assessment for that project?

Mr. Wayne Moonias: Well, the Eagle's Nest project is situated close to our river system. I think the only way they want to fast-track the project itself is to negate their responsibilities to their duty to consult and accommodate our First Nations, like us, that are not in line with what they're planning to do.

I believe that we have rights to our lands. We've had these since time immemorial. The fact that they're going to be crossing the river system to get to the potential proposed site is clearly undermining our way of life. I think that's why our people are so strong in their opposition and their position.

More importantly, I think when we talk about our treaty—we signed Treaty 9 as nation-to-nation. It was a treaty that was based on respect. It was based on a joint responsibility, to jointly benefit from potential things that could occur. That relationship today is not that. I think that's where we're really very concerned about the treaty—the way they're trying to circumvent with this Bill 5. Because it's clearly going to undermine our ways. It's going to destroy our homelands. It's going to destroy our medicines—

The Acting Chair (M^{me} Dawn Gallagher Murphy): That ends round one for the third party.

We will now move to round two of questions, starting with the official opposition. I recognize MPP West.

MPP Jamie West: I'm going to begin with Wayne Moonias.

Thursday, Scott McLeod from Lake Huron—he's regional chief of Anishinabek Nation. One of the things he said that stood out to me was, "I'm sure the water in" your "toilets is cleaner than the tap water in some of our First Nations."

Can you tell me a little bit about the quality of the water in Neskantaga First Nation?

Mr. Wayne Moonias: Okay. It's not a good story. It's very shameful to keep reminding the public and tell this story.

Today, we are 30 years, three months and 12 days on a boil-water advisory that's been in existence for over 30 years. Where in this country can you say that that is the case? Where we say that we're going to take care of our own—where we can't even have people that potentially could be home right now, but because they're on dialysis, they can't. Those are the kind of struggles that we are facing.

I think the biggest thing that we always maintain is our connections to our land. I think that's been very important. It provides healing. It provides a sense of something that's far beyond what this bill is talking about. I think it's creating a lot of opposition from our community, and I would imagine there's a lot of grassroots First Nations people right across this province that are concerned about that. I think that's where we're at.

Like I said before, we were in a state of emergency in 2013; that still exists. We're still losing people's lives. Just this past weekend, we lost a 34-year-old young man in Thunder Bay. We have a homelessness crisis. We have things that we're dealing with as a First Nation, and I think it's very critical, that that is something that still plays a big part in our community.

But it's not only that: We're very resilient people, and I think our resiliency is connected to our teachings, to our customary practices. I think that's also important to the connections that we have with our land, to what we believe is very important to us. I think that's something that we are dealing with.

And 30 years, for anybody to not have any access to clean, safe drinking water in a place where we call—this is the richest country in the world, and yet we can't even get access to clean water in our community and in communities like ours.

MPP Jamie West: Let me ask you this, because you talked about it being 30-plus years: The Ring of Fire started being explored around 2003, maybe a little earlier, but the big, big deposit was in 2007. That was 18 years ago. That would have been in the heart of the Liberal government. It would have been at least seven years of Conservative government. How much effort were the Liberal and Conservative governments doing to tackle the boil-water advisories in your area in order to set up positive First Nation relationships between the government and Neskantaga?

Mr. Wayne Moonias: The crown's effort wasn't enough to demonstrate that we can actually change the course of time, where it's at today. It still exists. Boil-water advisories are still in our community. The housing crisis, all these different mental health issues are still in our community.

We have a state of emergency right now when it comes to the health care crisis, because we had a flood in our

nursing station. Our community members, our most vulnerable people, are still evacuated in Thunder Bay.

Now, I ask the question: Where is the crown? Where is Ontario when it comes to aiding the people that they want to access their homelands? Where is the crown? Why is this bill so important for them, instead of the lives of our people that are suffering right now, today—not down the road, but today? I think that's a question that the public should be asking themselves: Why is that? Why are our people so marginalized? Why are our people so vulnerable in a situation where they can't even access health care access in our area, in our communities? Why do we have to be flown to Thunder Bay to access that? Why can't it be in Neskantaga? That's the question.

I think if we're going to develop a true partnership based on a treaty relationship, those are the things that should be looked at closely—a treaty based on respect, not a treaty based on intimidation through this Bill 5. This is what this bill is about. It's threatening the lives of our people back home. It's threatening our sturgeon, it's threatening our river system, and that is unacceptable for the people of Neskantaga. Meegwetch.

1700

MPP Jamie West: Thank you. Do you believe that if those conditions existed in, let's say—I'll exclude Sol's riding—any of our ridings here in southern Ontario—I'll say Sudbury and below, because I'm the member for Sudbury. Do you think that we would put up with those conditions and find it acceptable? Some of the things you talked about, the high suicide rate, the lack of medication, the housing issues, high suicide rates—my condolences to your colleague, as well. Do you think that would be acceptable for any of us in southern Ontario?

Mr. Wayne Moonias: All I can say is this: I don't think anybody should be without those vital services anywhere. Why should it exist in our community, in communities like Neskantaga, where the resources are rich? You want to get our resources in our lands, and yet we cannot get health care access in our community. I'm not saying that nobody should get it in here or there and all that. I believe everybody should have a fundamental basic human right to health care or any quality-of-life supports that are needed in order to safeguard their health care.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you very much. That ends the second round with the official opposition.

We will now move to the government side. I recognize MPP Cuzzetto.

Mr. Rudy Cuzzetto: I want to thank the three presenters here.

Patrick, I know my colleague asked you a question and you weren't able to respond to that. Can you respond to it at this present time?

Mr. Patrick McManus: Yes, sure. I think you were asking about “What does that do?” and “What does the delay process on building infrastructure result in?” Labour and material costs for projects don't go down. They only go up year over year. They're like the Morningstar Index, and waiting seven years to replace an existing and

crumbling pedestrian bridge in Ottawa did nothing to improve that price. It did nothing to balance the public safety. We need to find balance between environment, development and job creation in these very low risk types of infrastructure that are meant to better our communities.

Mr. Rudy Cuzzetto: I want to touch on the Mississauga Road project that you had. Where was it exactly?

Mr. Patrick McManus: North of Highway 403. I don't know what section.

Mr. Rudy Cuzzetto: Tell me what happened there.

Mr. Patrick McManus: There was a project on the books and it went to environmental assessment, and there were bump-up requests at, I think, four different stages of the project. The project ultimately took less than two years to build, but the EA process took nine years to complete.

Mr. Rudy Cuzzetto: Thank you.

The Acting Chair (M^{me} Dawn Gallagher Murphy): I recognize MPP Dowie.

Mr. Andrew Dowie: Once again to Mr. McManus: Thank you for being here. I can certainly relate to what you shared. I spent 18 years as a municipal engineer. I put forward many, many applications to the Ministry of the Environment for approval of routine neighbourhood sewer projects, some of which took six to eight months to just get through the approval of my design—of a simple design, not much. But there was the backlog.

A few years ago, the ministry approved the consolidated linear infrastructure ECAs. That was back in the 2019-20 era, and that allowed for municipalities to effectively undertake a review in-house and not have to wait for a centralized review process. That's conducted by licensed professional engineers who have ethical obligations. That has sped up significant projects, certainly in my experience.

I'm wondering if you might be able to elaborate further from your side. Tell us what that reform, which is effectively an as-of-right approval, has done for speeding up your local neighbourhood and routine projects?

Mr. Patrick McManus: It's not for maybe enough pieces of infrastructure, but for the sewer infrastructure, it's been quite great. All those sewer replacement jobs—we're not waiting or losing a full construction season while we're waiting on approval for a job. We have tens of thousands of men and women that work in our sector that rely on those projects coming out and waiting is not great for their mortgage payments.

Mr. Andrew Dowie: Thank you, and just a follow-up: Do you have confidence in those professional engineers who review those designs, or do you think that it can only be done by centralized authorities based in Toronto?

Mr. Patrick McManus: We have a lot of faith in professional engineers. They are putting their stamp on project designs, and they are taking on an amount of risk when they stamp those, so I think that they do a very good job at designing their projects and understanding what it is professionally that they have to do and what risk they have by stamping a bad design. We don't think that that happens. The delays that we're experiencing are just

rubber stamps that just take months and months in order to complete.

Mr. Andrew Dowie: Thank you. Chair, how much time is left?

The Acting Chair (M^{me} Dawn Gallagher Murphy): Two minutes and 15 seconds.

Mr. Andrew Dowie: Okay. I will pass forward to MPP Vickers.

The Acting Chair (M^{me} Dawn Gallagher Murphy): I recognize MPP Vickers.

MPP Paul Vickers: Thank you, Chair. Wayne, in budget 2025, our government had the expansion of the Indigenous Participation Fund up to \$70 million, which will include hiring mineral development advisers to support Indigenous communities in the mine-permitting process. Additionally, we are committing a further \$10 million over three years to create new scholarship opportunities for First Nations post-secondary students pursuing careers in resource development.

Do you believe these investments will help empower youth in First Nations to take an interest in a mining-related career?

Mr. Wayne Moonias: I think one of the things that we want is, obviously, opportunities for our young people. But clearly, I think investments, in trying to fix this bill that your government has rolled out, would be a first good step for your government to seriously look at how you can work with First Nations. We have a treaty that we have in place, and I think that would be a good start: to honour and respect the treaties of our First Nations. That's a very critical part.

We know that the bill itself, for example—we have a lot of concerns. I think in order for our First Nations people, our young people to get engaged, they have to be part of that process. They have to ensure that their voices matter. The fact that the government is doing these hearings here in Toronto when the proposed development that's going to occur will take place in our river system—I believe there was a call from MPP Sol to have these hearings in Thunder Bay. That was rejected. I think that shows a lack of understanding as to how we can—

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you very much for your deputation. That ends the—
Interruption.

The Acting Chair (M^{me} Dawn Gallagher Murphy): To the audience, you're more than welcome to be here. We love having you here. You are here as observers, so please refrain from participating by clapping or any verbal outbursts. Thank you very much.

Now I'm going to move it over to the third party. I recognize MPP Hsu.

Mr. Ted Hsu: Before I ask my question, I just want to continue with an idea from the previous round. What I'm concerned about is that in many parts of Bill 5, it mentions only project-by-project approvals. For example, in schedule 7, it talks about exempting a property from the application of a requirement. In that subsection, it's talking about provincial priorities like infrastructure. And of course, in schedule 9 one could accomplish a reduction of

the burden of an environmental assessment by applying the Environmental Assessment Act in a certain way for a particular project.

My worry about that is, if the Lieutenant Governor in Council is approving projects one by one, there's a lot of potential for lobbying and influence—deciding what projects get what exemptions. That was my concern.

1710

So I want to follow that up with Ms. Baggio, because as I understand it the Wildlands League has participated in updating the Provincial Parks and Conservation Reserves Act, and I'm just wondering: In schedule 9—the special economic zones schedule of this bill—are there things that you might be worried about, that the government might want to give an exemption for in the Provincial Parks and Conservation Reserves Act, to a particular project or proponent? Why couldn't we say in schedule 9 that “nothing in this schedule may affect the application of the Provincial Parks and Conservation Reserves Act”? Why isn't the government excluding certain acts from being covered by schedule 9?

Ms. Anna Baggio: Thank you for the question. I actually don't know why they structured this particular section so far-reaching, so broad, with no guardrails, no safeguards in place, no purpose, even. I don't know why. So I'm kind of hesitant to get into a conversation about, “Well, let's make sure that you don't touch this act,” or “Let's make sure you don't touch that act,” because, frankly, I want them all to apply. I don't want there to be carve-out zones. I want us to actually make sure that what we care about in this province gets taken care of, not carved out. So I don't want to just say, “Well, if you make sure the PPC area's okay.” Then what about the Clean Water Act? What about labour laws? I don't want this to be a race to the bottom. I think that's where we're headed with the way that particular section is crafted.

Mr. Ted Hsu: Okay, thank you very much.

Just a detail, if I could get back to the Neskantaga First Nation. Mr. Moonias, I think you used the phrase, “crossing the river system to get to it”—meaning the site. And I'm just wondering—I've never visited—if you could paint me a picture of what you mean by having to cross the river.

Mr. Wayne Moonias: Well, the proposed development will cross river systems. One of those river systems will be the Attawapiskat River system. There are only two First Nation communities that can say that they are on that river system. One of them is Attawapiskat First Nation, our brothers and sisters downstream, near the Victor mines project. The other First Nation is our First Nation. And then we have not given our consent to these proposed plans that the government, that the industry, is making.

So the idea that this, for some reason, is giving some certainty to the industry and even to—conservation is what I heard, one time; I don't think it does. The fact that you have not—the government has not gotten the consent or the okay of our people on our river system, that still use the river system, that still harvest our moose, our sturgeon, get our medicines. Our river system is one that's

connected with our people—our grassroots people. And I think it's important to know that our First Nation is on that.

We went there a few years ago. Our elders, our community members, a child that was as young as—probably less than a year old: Clayton John Moonias's little child. He's here; Clayton John is here. He took his daughter, his little kid down there. We saw things that were told to us by our elders. "There's a campsite here; there's an old village site here; this is where we did our fish traps," and that's near the proposed crossing of the Ring of Fire, where the road is going to cross. And we say that that cannot happen without our involvement, without our consent.

There is a large bedrock that we found a village site; an old site—that's within that proposed crossing. And I'm wondering why all the politicians that are sitting around this table are not actually asking those questions. What's going to happen to the ecosystem? What's going to happen to the peatlands? What's going to happen to the sturgeon and all the animals that are there? We did ceremonies on that area. Our people long before us did that too. There are people buried in that area too. And what are we going to do? We're going to gut legislation. We're going to gut guardrails that are going to eliminate those things.

We say no. Neskantaga says no to that. Neskantaga will stand up against all those policies or laws that are going to be put in place, regardless of if we stand alone. But we know that the grassroots people of Treaty 9 nations—

The Acting Chair (M^{me} Dawn Gallagher Murphy):

Thank you very much. That concludes this part of the presentation. Thank you to all the presenters.

As we prepare for the next three presenters to come up, we will recess for a quick five minutes.

The committee recessed from 1716 to 1723.

BRUCE POWER

SAUGEEN OJIBWAY NATION

NUVATION ENERGY

The Acting Chair (M^{me} Dawn Gallagher Murphy):

As a reminder, each presenter will have seven minutes for their presentation, and after we have heard from all presenters, the remaining 39 minutes of the time slot will be for questions from the members of the committee. This time for questions will be divided into two rounds of six and a half minutes for government members, two rounds of six and a half minutes for the official opposition members and two rounds of six and a half minutes for the third party.

I would like to call on—

Interjection.

The Acting Chair (M^{me} Dawn Gallagher Murphy):

Yes, I recognize MPP Mamakwa.

Mr. Sol Mamakwa: Again, on behalf of—I'm requesting from the committee: Saugeen Ojibway Nation will require—they're going to share their time between the two of them, Ogimaa Conrad Ritchie and also Councillor Randall Kahgee. So I just need some agreement from the committee.

The Acting Chair (M^{me} Dawn Gallagher Murphy):

Are we in agreement? Yes. Thank you.

Okay, if we can please start with Bruce Power—and I would ask that you provide your name, title and organization. Let us begin.

Mr. James Scongack: Great. Thank you very much, Madam Chair. For the record, my name is James Scongack, and I'm the chief operating officer at Bruce Power. By way of background, Bruce Power—we operate on the traditional territories of the Saugeen Ojibway Nation in rural southwestern Ontario, also referred to as the tri-county area of Grey, Bruce and Huron counties. Our facility generates about a third of Ontario's electricity and is a global provider in the supply of life-saving medical isotopes.

In terms of the committee discussion today, the reason for Bruce Power presenting is really to focus on the energy security elements of Bill 5. We very clearly are not a mining company, but there are some key elements of the bill that relate to supply chains and energy security that I'd like to share a Bruce Power perspective on and, really, how it aligns with a lot of the areas that our organization is focused on.

The first, and I think most important, element that I really want to underscore is that here in Ontario and here in Canada, we have a very unique advantage when it comes to our nuclear supply. Six out of 10 homes, businesses, schools and hospitals in the province get powered by nuclear power. In this geopolitical environment where there is a tremendous focus on supply chains, one of the areas that is very unique about our nuclear supply chain is to the degree that it's made in Canada and made in Ontario. So the focus that we, as Canadians and Ontarians, have as it relates to our long-term energy security—the focus on supply chains and energy independence we think is exceptionally important.

In particular, we've seen an emergence in recent years coming out of the conflict in Ukraine and other geopolitical factors that really remind us of the importance of energy security. I always like to say that we can't have economic security and broader security without energy security. I think that's a very important component, broadly, of what we need to achieve here in Ontario.

One of the key elements I want to spend a few minutes on and talk about today is the role of the private sector in terms of contributing to that energy security and those robust supply chains.

Last month, our organization had the opportunity to release an initiative called Canadian at our Core. It was really in response to, clearly, the tariff threats in the United States, and the need for all of us as Canadians to look at what contributions we can make to Canada's long-term infrastructure. We really identified five important areas that we as a company are focused on in terms of being Canadian at our core. I wanted to take a few minutes and walk the committee through each of them.

The first area of our Canadian at our Core commitment is that for 95-plus cents of every single dollar that we invest or we spend as a company, we're committed to

investing that here in Ontario and here in Canada, whether that's our labour spend or our capital spend. As many of you know, we're one of the largest private investors in electricity infrastructure here in Canada. Our commitment—we call it the 95% commitment—is to spend that money not only here in Ontario but here in Canada. What that not only provides is a significant economic stimulus for communities across Canada and Ontario but really contributes to that secure supply chain which is so important.

We only have to go back a number of years to the COVID-19 pandemic when supply chains were disrupted. All of us will have our own stories and our own impacts from that pandemic, but one of the things we said as a province and as a country coming out of that pandemic is that we would never let our supply chains get weakened to the place that we would rely on other countries. I think that we need to remind ourselves of that when it comes to the current geopolitical environment around energy.

The second area of our Canadian at our Core campaign is to launch a made-in-Canada supply chain council. While we have secured over 95% of our supply chain in Canada and Ontario, there are strategic areas that we as a province need to continue to focus on when it comes to electricity supply in terms of how we can have those key suppliers and those key enablers here in Canada and Ontario. Ontario is not the only jurisdiction in the world that is looking to increase its electricity supply, and so the more of these components, goods and services, and engineering that we can do here in Ontario—that is really important in terms of the broader goals we're trying to achieve around the world.

The third area is what I call Buy Local. As I noted earlier, our site is on the traditional territory of the Saugeen; Chief Ritchie is here today, along with Councillor Kahgee. We live in small communities, and we're committed to doing everything we can to spend as many dollars as we can locally. You often hear of the importance of small businesses and small communities, whether it's across rural or northern Ontario. We believe that we as a company, when we're looking at the contracting we're doing, when we're looking at every single dollar we spend, how we keep that dollar local. We always say that when people move to the community and they're part of the community, they can contribute to the community. Fundamentally, that is really what this is all about.

The fourth area of our Canadian at our Core campaign is reconciliation through reconcili-action. We are committed, as Bruce Power—and the chief and council have heard me say this before—for the next 50 years to look different than the last 50 years. For that to happen, that has to happen through action, not just talk. As we look at our current eight units of operation, as we look at our current isotope elements, which I'll talk about in a second, that is a very important component of that.

1730

The fifth area that I want to talk about is leading the world in the area of medical isotopes. The Saugeen Ojibway Nation is a partner in that venture with us. The

world is counting on Canada and Ontario to provide life-saving medical isotopes in the sterilization of medical equipment and the diagnosis and the treatment of cancer, and that's a very important element to our Canadian at our Core campaign.

I thank the committee for the opportunity to share this. It is a more narrowly focused component to the bill, but I appreciate the opportunity to share that today. I'd be happy to take any questions related on these items from MPPs around the table, if they have any questions.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you.

Now to the Saugeen Ojibway Nation. If you could please state your name for the Hansard, that would be great.

Chief Conrad Ritchie: *Remarks in Anishinaabemowin.*

Chief Conrad Ritchie, Saugeen First Nation.

Mr. Randall Kahgee: Good afternoon—or should I say good evening. I'm sure it's been a long day. Randall Kahgee, councillor for Saugeen First Nation. I'll turn it over to our elder, Miptoon, who is joining virtually.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Please go ahead.

Mr. Miptoon (Anthony) Chegahno: Good evening, everyone. This is Miptoon, or Anthony, Chegahno. I'm a councillor at Nawash. I hope to say a few things in a few minutes, but I'm glad to address the standing committee on a very, very important issue.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you.

Chief Conrad Ritchie: I'll start with a bit of our position for Saugeen. I just wanted to say thank you for the time to listen today.

First of all, I would like to say we are here to tell you directly that Bill 5 should not be passed in its current form. We view Bill 5 as a targeted attack on SON's rights and territory.

The Saugeen Ojibway Nation is made up of two First Nations, the Chippewas of Nawash and Saugeen First Nation. Our territory, Saukiing Anishnaabeking, spans from the Saugeen Peninsula south towards Goderich and Arthur and across the surrounding waters of Lake Huron and Georgian Bay.

The territory that we live in has sustained us since time immemorial. Our history, our ancestors, our burial grounds and everything is all ingrained in the territory that we come from. We're here to explain some of that and also to remind everyone that we entered into treaties with the crown, and those treaties set out obligations that Ontario is required to meet.

As our treaty partner, we have a relationship—a relationship that demands Ontario act honourably in their relationship with us, and act honourably when it comes to making any decisions that could have an impact on SON's territory and SON rights. That includes not just consulting us but obtaining our free, prior and informed consent when it comes to our territory, respecting and abiding by our Anishinaabe laws and protocols. That is the principle that we, SON, have operated on and have required outsiders to respect when it comes to the territory.

Bill 5 will have devastating consequences to our territory. Projects will go ahead without government review, and so key opportunities for consultation with us will disappear. This violates SON's rights under the United Nations Declaration on the Rights of Indigenous Peoples, particularly the requirement for free, prior and informed consent.

We cannot and will not sit idly by to see the crown designate the entire province a special economic zone using its powers under Bill 5. We will not permit the crown to escalate control in our territory. We remind the crown that our laws, Anishinaabe law, continues to apply to protect the territory, and Ontario must follow these laws. The crown is a treaty partner, not a dictator, and it's time to act like one.

Also, when there are Indigenous voices, when those Indigenous voices are missing in key decisions, we all suffer as a people, because there is an understanding that we have as Anishinaabe people. We haven't forgotten those laws that were given to us from the Creator. We're here to remind all people of where they come from; not to lose connection to the land, to the water, to the air. Once you start honouring the treaties and honouring the Indigenous voices, you're going to honour your children, as well. You're going to honour your great-grandchildren that are up and coming, because we speak for the land and the water and the air and everything that encompasses that and everything that was given to us as Anishinaabe people. We haven't forgotten.

When we're not doing our due diligence in regard to the land and the environment, we all suffer. We'll all pay that price. Those laws are laws that can't be broken. Those laws will always be there, and you can't get away from that. When you start to break those laws, we will all suffer as a people. Just reminding the crown that they have a fiduciary duty to honour our treaties.

SON urges the committee to reject Bill 5 in its entirety. If Ontario or Canada wants certain things done in this country, they have to start involving the Indigenous peoples, because there's a certain wisdom, a certain knowledge that our people have held on to, and to remind the rest of the world of where we come from—we can't get away from that. When we're here and making these decisions, we have to think about the children and the grandchildren that are coming. How are these decisions that we're making today going to affect them?

Taking all that into consideration, what I've just said there, I wanted to give a little bit of time for my counterpart here, Randall, who is also a leader from Saugeen—if you wanted to share a few comments as well.

The Acting Chair (M^{me} Dawn Gallagher Murphy): One minute.

Mr. Randall Kahgee: A minute? Oh, boy. Never tell a lawyer they have a minute; they'll take 10.

Chi meegwetch. I think Chief Ritchie has done a really good job at articulating. I'll simplify this as much as I can.

For over 200 years, my people have been fighting to preserve, if nothing else, the promise that our ancestors fought so hard for and gave their lives for. First and

foremost, it was to maintain that connection to our lands and our waters, because who we are as Anishinaabe, who we are as a people, is inextricably linked to that relationship: our language, our culture, our ceremonies, indeed our very identity. If you sever that connection, what does that mean for our people?

For the past 200 years, that's what we have been fighting to preserve, against significant odds. We all know the dark chapter in the history of this country, the efforts that the crown made to strip the language and our culture from—

The Acting Chair (M^{me} Dawn Gallagher Murphy): Sorry. Thank you. That ends the presentations.

We will now go to the first round of questions, round one. We will start with the—

Interjections.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Oh, I'm sorry. I missed one.

My apologies, young man. We will go to Nuvation Engineering. You have seven minutes.

Mr. Michael Worry: Awesome. I'm honoured to be introduced as "young man." Thank you for that.

Thank you, members of the standing committee, for inviting me to present to you today. By introduction, I'm Michael Worry, CEO and CTO of Nuvation Energy. We are an energy storage company. By background, I'm an electrical engineer. I graduated from the University of Waterloo and before that, St. Andrew's College in Aurora.

1740

It's my privilege to appear at Queen's Park today in order to speak in support of Bill 5, the Protect Ontario by Unleashing our Economy Act. I want to focus my remarks on a critical provision specifically restricting foreign adversaries from supplying goods and materials for Ontario's infrastructure. Inside of that, I think you'll hear a lot of my remarks mirror some of the comments from James that energy security is really a matter of national security.

My testimony today will be focused on why restricting the origin of goods and materials from our critical energy structure is highly both welcome and required for safeguarding Ontario and Canada's critical infrastructure, domestic manufacturing and sovereignty. In my over 18 years in energy storage, I have very much witnessed firsthand the need for political leadership to protect our critical infrastructure in a world where our supply chains are a key vulnerability in our national security.

To explain a little bit about energy storage systems, they're really a critical part of modern energy infrastructure. They work really well alongside nuclear. Nuclear is great for baseload—very cost-effective. Energy storage is the big battery systems that are hooked into the grid. They provide flexibility, so you can move energy from different parts of the day. You can do peak shaving. You can provide energy resiliency. Energy storage systems are really a critical part of today's energy infrastructure. This is needed for applications beyond resiliency, with AI data centres and increasing flexibility for generation, transmission and distribution. This guy makes the energy; we make it flexible.

At the core of all this energy storage is battery management systems. Battery management systems—without getting too technical, they're kind of like the brake controller. It's the safety electronics that are there in order to keep the energy storage system safe, so it regulates voltage, current, temperature, things like that. The same way that energy storage systems and battery management systems are there in order to prevent safety issues, we run the risk that if we get some of the electronics from foreign adversaries, those same electronics can be used to cause safety issues. This could be access to data, this could disrupt the grid and, in the worst case, this could even trigger lithium battery fires. The same way that you want your control electronics on your nuclear site to be from domestic sources—same thing: You want the control electronics for an energy storage system to be from a domestic source.

What we're seeing happening in the industry right now is that Chinese battery management companies are offering these high-risk components at massive discounts as they seek Ontario purchase orders. It's not because they're running a charity. In actuality, for them it's not about making money. They're purchasing access to critical infrastructure. Ontario companies like Nuvation are world-class and we can compete on a fair playing field, but we certainly can't compete against the entire Communist Party of China.

We've seen this before. Just two weeks ago, Reuters put out an article reporting that rogue communication devices were found inside Chinese-made inverters and batteries connected to US power grids, these originating from multiple Chinese suppliers. This is just one example among many. We need to stop these kinds of activities. These devices weren't declared; they weren't caught in pre-installation testing, and there were some really alarming implications here. Using these rogue communication devices, it would be possible to skirt existing firewalls, doing end-runs around standard network security; switch off inverters, change their settings; destabilize power grids; damage infrastructure; and even trigger widespread blackouts. We would be naive to think the kinds of things that are going on in the US can't also happen here in Canada. The key vulnerability here wasn't the utility or good cyber security; it was the component supply chain. Let me put it plainly: This kind of vulnerability doesn't exist when you buy from trusted, allied manufacturers.

Here's the good news: We are more than capable of providing all of these necessary safety control electronics right here in Ontario. Nuvation is headquartered in Waterloo. We do all our manufacturing in Markham. We have all of these electronics and the capacity to provide for our needs locally. There's no need to be acquiring that from foreign adversaries. Critics will comment that domestic sourcing costs more, but in the case of high-risk components, the battery management system is a fairly small cost difference. It's in the range of 5% of the cost of the system, and that's really a negligible premium for security, reliability and sovereignty.

Our industry can completely compete on innovation, reliability and engineering quality, but not on a state-subsidized race to the bottom. We cannot, and shouldn't be expected to, compete with the entire Communist Party of China. This isn't a fair marketplace; it's a geopolitical power play. I am very thankful that Minister Lecce and Premier Ford have so quickly made good on their campaign commitment to ban the purchase of high-risk Chinese components from Ontario energy procurements. Bill 5 could not come at a better time. This bill will help empower utilities to make the right choices for our long-term physical and economic security.

When governments clearly signal secure procurement priorities like this bill does, it creates a stable environment for domestic investment, job creation and supply chain expansion. It signals to our allies that Ontario is serious about building resilient, democratic infrastructure.

I want to thank you all today again for your time. I look forward to answering any questions you may have for me. Thank you.

The Acting Chair (M^{me} Dawn Gallagher Murphy): That's great. Thank you very much. I think we've covered everybody now. We will move to round one questions, and we will start with the third party. I'll recognize MPP Hsu.

Mr. Ted Hsu: Thank you. I wanted to follow up on what Councillor Randall Kahgee was starting to talk about. We've heard from many First Nations over the last two days of testimony. I think what we've heard is that if Ontario, in this bill, neglects its duties to consult, then we would have a fight on our hands, a conflict on our hands.

I wanted to ask Councillor Kahgee: If Bill 5 passes as it is now, what does this fight look like? What does the disruption to Ontario's economy look like? What are we risking here by passing this bill and not consulting properly?

Let me just add to this: I see from the news reports that the federal government has weighed in about the importance of consulting properly with First Nations. It seems to me that they're worried about this bill as well.

Mr. Randall Kahgee: Chi meegwetch for that question. Obviously, I come at this having been doing this work now for a little more than 25 years in different capacities, both as an Indigenous rights lawyer, as a former chief, as a former judge of the Canadian Nuclear Safety Commission and in my current role as councillor. From my experience, the bill in its current form would set our relationship back significantly. We'd be back in the days where the only ones who would benefit from that would be the lawyers, because they're going to be dusting off their robes and that's where these fights are going to play out.

That does two things—and whenever I'm engaged with industry, whenever I'm engaged with government, I always remind you: I don't have to stop you, I just have to slow you down. If I slow you down, that's going to cause significant pain to whatever it is you're proposing to do. That's all I need to do, and I have the tools to do that.

The disadvantage that creates for First Nations is that not every First Nation is in the position to do that, because

that means you have to take resources from somewhere—resources you don't have. That means you have to take resources from health, resources from education, resources from infrastructure.

I think people forget that First Nations, we're diverse. We're shaped by our experiences we have, with our relationship to our lands and our waters, because that's what defines us. That relationship and who we are as a people, as I said earlier, is inextricably linked to that relationship to those lands and that water. That's what we fight to preserve.

We're also diverse in our experiences, but one thing that's true is that we're all fighting to struggle at the margins. We heard from a former chief earlier, the challenges he had—unfathomable that he's got a 30-year water advisory. I'll give you an example: We live in the second-wealthiest region in Canada, and Saugeen only got access to clean water in the last 12 years.

Yet, I see how our people suffer day-to-day from addictions. We're fighting to figure out where we're going to get our housing, how we're going to make sure we have advantages for young people coming up so we can invest in their futures. That means if I've got to fight you, I have to take resources from that.

But one thing is clear: Our people are resilient. When you think of everything we've endured in the last 200 years—and I don't need to educate you on that dark history in this country—the fact that my chief can sit here and speak to you in our language, he can talk about our laws, Chi-Naaknigewin—those first laws, those first principles that the crown first had to honour before they sat with us even to enter into treaty.

1750

I remember testifying in our court case, and it's the first time ever I felt conflicted as a lawyer because I thought we were looking at it backwards trying to justify the treaty through the lens of Canadian law when we should have been looking at it through the lens of our law because those are the laws that the crown knew they had to observe, even to have that conversation with us.

So the short answer to your question is that pathway in its current form in this bill will lead to conflict—that's for certain—because First Nations will be given no choice but to stand on our rights and do what's necessary to slow you down.

Mr. Ted Hsu: Can you give some examples of infrastructure projects that could be slowed down? What are we talking about?

Mr. Randall Kahgee: It could be a range. In our territory—

Mr. Ted Hsu: It could be energy?

Mr. Randall Kahgee: It could be energy. It could be the whole gamut, right? It depends on where things are at.

I think there's a presumption that First Nations are anti-development. I think we have to clear that right now. That is not the case. In my experience in doing this work, that is not the case. But what First Nations insist upon is that they are in the best possible position to make informed decisions about what is being proposed, making sure

what's been proposed won't interfere with the rights, interests and way of life and that fundamental connection they have to the lands and the waters.

That's always a challenge because you have to reconcile that in the face of existing projects that, predominately, they've been excluded from. Our territory is an example of that, whether it be nuclear projects or other projects that have taken place. We have over 500 quarries in our territory.

We had to fight the province and take you to court just to get you to the table to have the right conversation. We shouldn't have to do that—and that's post-Haida/Taku—with jurisprudence as long as my arm saying, "This is what you shall do," Ontario wasn't doing it. We had to go to court to make you do that.

Mr. Ted Hsu: So new aggregate extraction projects might be effective?

Mr. Randall Kahgee: Absolutely. And we also have an—

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you very much.

We will now move to the official opposition, and I recognize MPP West.

MPP Jamie West: Thank you very much, Chair. Thank you as well to all of our presenters.

There is an elder—he stepped away for a moment; I was going to ask if he had comments he wanted to say—I think, Anthony.

You got cut off when you were first speaking and doing the summary. I wanted to know if there's anything you wanted to finish.

Mr. Randall Kahgee: Oh, I think I've finished my point. I was just going to say you asked about other projects. You had talked about infrastructure. We talked about quarries.

I would also reference energy projects as well in our territory. We do have an existing agreement with the Ministry of Infrastructure. That was a long, hard fight to secure that. It was one of the first accommodation agreements in Ontario that clearly sets out the parameters for how projects will be done in the territory. This bill would run counter to everything that we fought for and that Ontario agreed to in that agreement. The first-ever accommodation agreement on those issues in the province—this bill would run counter to that.

I would like to defer to my elder, Miptoon. I think he had some comments with the one question.

MPP Jamie West: That's what I was going to ask for.

Mr. Miptoon (Anthony) Chegahno: When I am dealing with nature, I am an elder who follows nature. I just want everyone to understand that I had a group out walking today and we were counting birds. This act will change that drastically.

I went for a walk on Saturday. I had seen some of the critical habitat where some species that are on the decline are having a resurgence. It brought me great joy to see that. I honestly believe that this bill will do a lot of things to nature.

Nature was given to us to enjoy, to bring us peace. One of the most important things that we as human beings need to know is that Mother Nature nurtures us while we're alive. And when we go on to the spirit world and our body is in the ground, our body nurtures it, so it's a working relationship that we have.

I've been a nature lover for all of my life, and I just want you to understand that changing this act—I was just reading Ontario's version of the species-at-risk act; I read that and I was proud to read that, but if you're changing that, that pride that I have—and there's going to be no protection of nature. I believe there's a lot of groups, nature groups, that are going to really strongly oppose this. It's the speakers that have said anything, that it may have some benefit—but do it through a different act. Don't pass this Bill 5 where we can say, "Goodbye, nature." Nature talks to us; let's learn to do it once again.

Those are my comments, guys. I just really, really need you to understand that—you come and talk and walk with me. Don't make decisions from wherever, in Toronto. Come and walk and see how we view the world and the protection. Trees are dying, the medicines are dying, because we haven't been taking care of nature. Those are my comments, and it just saddens me when I see this. I honestly believe we can work together on this.

I tell you, I am not a frustrated man, but when I read this Bill 5, it frustrated me greatly, because the birds are making a comeback, the plants are making a comeback, because it is an agreement that we had with the species at risk originally. Don't change it, please. Make another act to protect what the gentleman was talking about, the things that are coming in from China. Don't change the species at risk act where we won't have nature and we as human beings will pass away. Aho! Chi-meegwetch.

MPP Jamie West: Chi-meegwetch for your comments.

Maybe the councillor could help me with this: Time and time again, we hear in committee—today and last Thursday, and there should be more days, which my colleague had advocated for, more sittings, especially in northern Ontario. I did this morning as well. But time and time again we hear from First Nations about the treaty with the crown and the importance of the treaty with the crown. It feels like what's happening here is the Conservative government is trying to write legislation to circumvent the treaty of the crown. I'm not a lawyer. Is that something that is possible to do?

Mr. Randall Kahgee: I don't think it's possible to do, but certainly you can have something that could give the effect of that. I think the unfortunate part is that everyone likes the word "reconciliation" until you actually have to do the work involved, and it's a lot of work. I've had the benefit of giving many talks on this. The students I teach in law school—I teach Indigenous law, and I always make it very clear to them. I want to be abundantly clear: My people have nothing to reconcile to the crown. We have nothing to reconcile. We've upheld our end of the bargain, but somewhere along the way, people have lost the way

and the crown has lost its way. So everyone likes the word until they have to do the work, and there's a lot to be done.

If we think about the first principles of what our treaties were supposed to be predicated upon—mutual respect, nation to nation, neither will interfere with the path of the other—we've forgotten those three fundamental principles. That's how we've lost our way.

We've seen efforts in the past to undermine those treaties. The Indian Act in and of itself was a clear violation, because our treaties pre-date Canada's existence as a nation. One of the things that was promised was that we continue to be able to maintain that relationship to our lands and our waters throughout the whole territory—

The Acting Chair (Mme Dawn Gallagher Murphy): Thank you very much. That concludes round one for the official opposition.

I will now bring it over to the government and recognize MPP Scott.

MPP Chris Scott: Thanks so much, Chair, and I want to thank all the presenters.

My questions specifically, through you, Chair, is for our friends at Nuvation Energy. During your presentation, you said a lot of really interesting things that touched on foreign interference, potentially, and the threat of non-state-owned things. I'd like to understand more about the Chinese dominance that you talked about in the energy storage and the risks to allowing bad actors to build and produce some of these high-risk components in our energy systems. Maybe just to contextualize it, let's help the committee understand why, from your expert opinion, we need to keep bad actors out of our energy system.

1800

Mr. Michael Worry: Sure. I'm happy to expand on that. Today, energy storage is over 80% owned by Chinese suppliers. They own the critical minerals, the manufacturing. So the majority of energy storage that is installed is Chinese technology underneath that. If we look back to the Ontario LT1 program, for example, even though that was awarded to a variety of companies, underlying that, when you get down to the energy storage systems, those are primarily Chinese technology.

The risk of having bad actors and potential foreign adversaries on that level is it is possible, as we've seen in this Reuters article, in order to embed wireless technologies into those, such you can end around traditional cyber security.

So, typically when people talk about cyber security, they mean network security. This is traditional firewalls, passwords, authentication, stuff like that. However, as electrical engineers, we've developed a lot of different ways to communicate with electronics. A common example I use is my Apple watch. This device—WiFi, Bluetooth and satellite communication. This device of this size, sitting on my wrist, can receive commands from satellites that are thousands of miles away. So if we've invented that ability, then you could embed those linkages, those technologies, into devices such as energy storage systems and completely end around traditional network security.

These are the risks that are out there, and we're starting to now see China and other countries be caught by these sorts of things. Cyber security is a combination of network security and having rules and standards around that, and then also supply chain security. If we don't pay attention to supply chain security, then we're completely end-arounding and defeating the network security.

MPP Chris Scott: Okay, great. I really appreciate that.

Chair, through you, I was just wondering, as a follow-up, are there examples you're aware of, of this happening in Ontario today? Is there any in Ontario today that you're aware of?

Mr. Michael Worry: We can look to other industries. Say, for example, if we looked to the telecom industry and what happened with Huawei and that sort of situation. Think of what's going on in energy storage as Huawei, but rather than it being networks, where you have access to information, you can actually use that backdoor access in order to shut down parts of the grid, and worst case, cause lithium battery fires.

Imagine if a foreign adversary wanted to attack our nation. People have the stats on the number of cyber attacks that are going on in our infrastructure all the time—electricity, water, everything. Say those attacks not only gave access to sensitive information, but could actually, in the worst case, cause large-scale fires that would burn down structures in hundreds or even thousands of systems across the country.

MPP Chris Scott: Perfect. So in the context of Bill 5, it's us or status quo, and status quo is China?

Mr. Michael Worry: The status quo is China because the Chinese Communist Party has really subsidized a lot of these companies. So the cost of energy storage coming out of China has dramatically dropped: less than half the price of what it was a year ago. This was not achieved through manufacturer efficiency; this was achieved through subsidies. If we want to have a domestic supply chain for this, we need to put protections in place or we're going to lose the ability to generate those electronics locally.

MPP Chris Scott: Thanks so much, Chair.

The Acting Chair (M^{me} Dawn Gallagher Murphy): I recognize MPP Vickers.

MPP Paul Vickers: Yes, thank you, Chair. I'd like to welcome the SON to Queen's Park. The SON is in my riding back home, along with the Chippewas of the First Nations. I'd like to take Anthony up on his offer to go for a walk some day this summer. I'll be up to go for a walk with you.

Randall and the chief, you talked about how people think the SON is against infrastructure building and stuff like that. I don't believe that. There's a project in my hometown, the pump storage—which is not battery, but actually, I think, even better; not having to rely on any foreign actors or anybody else. We can kind of control it ourselves. The Ontario government is advancing pre-development work for the proposed Ontario pump storage facility in Meaford. It was developed in partnership with TCE and the SON. This would be the largest project of its

kind in Canada, delivering over 1,000 megawatts of clean and affordable energy, reliable energy

What does it mean for the SON to be a lead partner in a project of this scale and national significance, and how do you see it benefiting your community long-term?

Mr. Randall Kahgee: Thank you for the question. Step back: I think there is an important piece that you said at the outset—and this is the key part—that TC Energy and SON walk together. TC Energy made it very clear that they wouldn't move forward without the support of the SON communities, recognizing that it's the communities that would have to decide that. Our role as leaders—and chief can attest to this, and Miptoon as well—

The Acting Chair (M^{me} Dawn Gallagher Murphy): I'm sorry. That concludes that session of questions.

Now we move to round two with the third party. I recognize MPP Hsu.

Mr. Ted Hsu: I wanted to go back quickly to Bruce Power and to Nuvation Energy. I understand that what you're talking about here—for example, the Canadian at our Core and making sure we procure as much as possible in Canada and use local suppliers—pertains to schedule 1 and, perhaps, schedule 6 of the bill; namely, the one that involves the Electricity Act and the Ontario Energy Board Act.

It seems to me—and I just have in mind here Councillor Chegahno's imploring us to not change the species-at-risk act—that getting rid of the species-at-risk act has nothing to do with your goals of trying to procure everything Canadian as much as possible. Is that a fair statement?

Mr. James Scongack: Just by way of background, we're a federally regulated undertaking at Bruce Power through the Canadian Nuclear Safety Commission, so any of the elements related to Bill 5 related to regulatory components would not apply to our undertaking. My comments were really focused on the elements of Bill 5 related to building made-in-Ontario, made-in-Canada supply chains. Really, what I was trying to articulate were five key areas that Bruce Power has identified as a private sector partner that are really our commitments.

I really think the theme that has been discussed here is important, which is, it's only through unity that we're going to be able to face of the rest of the world, whether it's First Nations rights holders, provincial government, federal government, communities and private sector companies. That was really what I was trying to articulate.

Mr. Ted Hsu: Let me just add that I think what we've heard over the last couple of days is that unity is threatened by other parts of the bill, not the ones that address supply chains and keeping supply chains Canadian.

Is it fair also to say that schedule 9, which gives the government the power to exempt certain proponents and projects from any act or regulation, is not needed and not relevant to your concern, which is to make sure that our supply chains are as secure and domestic as possible?

Mr. James Scongack: Our real focus in terms of the work of the provincial government as it relates to our Canadian at its Core are some of the areas that the government has previously announced, such as areas like

the loan guarantee programs, where there's a program both at the federal level and provincial level. We believe those are, from our perspective, related to those five areas, important tools to be advanced.

But you're correct that nuclear power generation, as a federally regulated undertaking, is entirely under the purview of the federal government. We do believe, and we have advocated at the federal level, that there is a need between proponents, between the government of Canada and First Nations communities to work together to find a way as to how the next 50 years are going to be different than the last 50 years.

At the end of the day, what we are doing now as a country and as a province—it's not working for anybody. We need to call that out and recognize that and find out what that path forward is together because that's the only way it's going to work.

Mr. Ted Hsu: Is it fair to say that, as a place where a big chunk of our electricity comes from and even more is going to come from in the decades to come, you would prefer not to stir up an unnecessary conflict between First Nations and the crown, something that Bill 5 could do, given the comments that we've heard in the last couple of days.

1810

Mr. James Scongack: Well, in my role, I tend to not stir conflicts up on things that are not Bruce Power's business, right? We're a federally regulated undertaking, and I really want to keep my focuses of the bill focused today on the areas that I talked about.

But I don't think you're going to have any disagreement from anybody that presents at this that unity is going to be a very important component of this, and I think we need to recognize that it's only by being unified that we're going to be able to face the rest of the world. If we're divided, we are not going to be able to face the rest of the world together, and I think if the tariff situation—as devastating and as concerning as it has been—has reinforced anything, it's the need for unity.

I really appreciate the opportunity to be before the committee—great to hear the other presenters; always fantastic to hear from SON and the chiefs. I think we need to listen to each other and determine how we want to move forward with unity, because that's very important. But that sometimes also means meeting each other on middle ground, building that trust and finding a way forward.

Mr. Ted Hsu: I want to give the rest of my time to the Saugeen Ojibway Nation. There was a discussion here about the pumped storage project in Meaford, and the fact that TC Energy made it clear that they would only go ahead in partnership. Is that threatened by the reaction to Bill 5 that is building up?

Mr. Randall Kahgee: Well, we would hope not. I think both parties are moving forward in a good way and fundamentally trying to empower the people so they're in the best-possible position to make a decision.

I think it's important to recognize that economic benefits are a good thing and they're important, and I think it's critical that our people participate fairly in the wealth

that's generated from our territories. But for us, and I'm sure for most First Nations, we never put economic benefits above the protection of our lands and our waters and our relationship to that. That's always paramount to us.

Certainly, SON has been leading the way on this work. It's been very important work, but it's been hard-fought work. These kind of things, it takes time to really build those things out but those things are fragile, and things like this can undermine it—

The Acting Chair (M^{me} Dawn Gallagher Murphy):

Thank you so much.

Now we will move to the official opposition, and I recognize MPP Mamakwa.

Mr. Sol Mamakwa: Meegwetch to the presenters. Just a quick question to Saugeen Ojibway Nation. Meegwetch. Good to see you here, Ogimaa, and also Randall, the councillor.

One of the things I heard today is when you said, counsellor, "I don't have to stop you; I only have to slow you down. That will cause you pain." I know in reading some of the material that you have from 2017, there was a process that you talk about, some work at a consultation process, regarding the limestone quarry. That judge wrote that the ministry's processes "did not pass constitutional muster." That judge ruled that the duty to consult had been breached.

In your opinion, has the government made any improvements with their duty to consult? And do you think that the principle of free, prior, informed consent has been or will be fulfilled by this government with Bill 5?

Mr. Randall Kahgee: There are two parts to that question. I think the first answer is, I want to believe that the crown will honour its constitutional obligations; my experience tells me otherwise. And I come at that from my capacity as a leader, a former chief and a councillor, but also as an Indigenous rights lawyer who's been practising in this area for over 25 years.

These are hard lessons, and it seems for every step we take forward, we take two steps back. There are good examples. I pointed to the examples of the MOI agreement. That's a very positive step we took forward together, but that was hard-fought. We had to fight for that. The frustrating part for me is that it took a few years to do that.

The challenge here—to your question—I think, is important. Not every First Nation is going to be equipped to have the capacity to do that. It's not an exaggeration to say that when I was chief, I had a stack this high of requests to engage and consult. But for every time I'm focused on that, I'm taking time away from our people, who need me to be there, who need us to be there to deal with the day-to-day issues, because that's what we're there to do. We're also there to protect the integrity of the territory. So how do you do that? Because each one of those requests represents a cut. One of the things that the late Chief Ralph Akiwenzie used to say was, "Our territory is dying a death of a thousand cuts." Right?

I'll give you an example. Our women wanted to have a water ceremony, and it's our women that carry the respon-

sibility to make sure that water is safeguarded and to honour that spirit. They didn't have a place where they felt safe and secure to have that ceremony, so they came and they said, "Chief, what do we do?" I said, "If you have that somewhere you want to have it, we'll make sure there are warriors there to protect you so you can have that ceremony." But that's an impact, because they were cut off. So it was death by a thousand cuts. Each one of those requests represents that.

The best way to carve through that is to make sure that you're having those conversations early and often. My experience is, we're brought in way too late or after the fact. Then you're left in a position where you have no choice to be in opposition and you have to take that tough stance.

But one thing that should never be questioned is the question of our resolve. If we have to stand to protect our rights, that's what we will do. We're a peaceful people, but make no mistake—people forget this—the Anishinabek are warriors. It's the warriors who led the War of 1812. They didn't go to the Haudenosaunee; they didn't go to the [inaudible]. They came to our people first and said, "Will you stand with us?", because they knew what kind of warriors we were.

That's not our preferred approach. We prefer to sit down, have these conversations in a good way, honour the spirit and intent of those treaties: nation to nation, mutual respect, neither to interfere with the path of the other.

There is a pathway to do these things. We've forgotten that way. The chief talked about that. You want to know where reconciliation starts? It first starts by honouring those three principles. This bill does not do that; it takes us backwards. All those special protections—and our elder spoke to it—we fought hard for. That takes us back.

There's a way for these things to coexist. We understand the pressures that everyone is under. I was asked, "What do you think is going to happen with all of this thing that's going on south of the border?" I said, "It's our people. We're going to bear the brunt of that." But the government has to make a choice. The crown has to make a choice. Are you going to bring us with you, are you going to leave us behind?

If it feels like we're going to get railroaded, if it feels like all the things we fought hard to protect are going to be undermined, then we have no choice but to make that stand.

There's a right way to do this and a wrong way to do this. The right way is to sit down, have those conversations, have them often and find a way to move these things forward. We're not necessarily opposed to development; we want to insist that what's being proposed is done in a way that doesn't undermine our interests and, first and foremost, doesn't undermine our broader relationships to our lands and waters.

If we can get to that place, then absolutely. We have to benefit in a way that's really meaningful for our people, because anything less than that, as the late Chief Akiwenzie would say, is "taking." We refuse to be beggars on our own land. We're tired of looking and seeing what's

happening in our territory when everyone else benefits from that—they keep taking and taking and taking, that death by a thousand cuts. That can't stand. That's the work we've been doing for so long, to get that ground back so we can have those meaningful conversations. We've had some success—

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you very much. That concludes round two with the official opposition.

I will now move it over to the government side, and I recognize MPP Pang.

Mr. Billy Pang: Madam Chair, through you to all the witnesses: We are in the 21st century. Basically, no one can escape from technology. We are using cell phones, we are watching TVs, we are using computers—a lot of things—everything. These things cannot be composed without critical minerals.

I also heard that there are jurisdictions which don't have any treaty or environmental challenges and that they are way more advanced than us in excavating those minerals. What do you think? Any of you can respond to that. Is it better to leave excavating critical minerals for those jurisdictions and we just have a happy life here?

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The Acting Chair (M^{me} Dawn Gallagher Murphy): Who is your question to?

Mr. Billy Pang: Any one of them can respond to that—or all of them can respond to that.

Mr. Michael Worry: I can chime in. My expertise is more in energy storage than in mining, but certainly in order to do energy storage systems we need the critical minerals, the critical materials that go into these systems. I think it is the intention in both Canada and the US to build up local battery manufacturing, which will require a local supply chain of minerals in order to provide for that.

The alternative is to continue to purchase these battery cells from other countries, but we definitely have the minerals and the capabilities here in order to do it. I think these things need to be done in balance.

So, I'm not a mining expert, but from a supply chains perspective it would certainly be an advantage to Canada to be able to use minerals we have here rather than to continue to import them.

Mr. Billy Pang: Just to follow up on your answer: If we are not doing anything on the excavation of critical minerals and we just buy them, what would be the challenge for Ontario?

Mr. Michael Worry: If you continue to import the minerals rather than mining them locally then it's a trade imbalance to continue to source those. As you say, correctly, there is so much technology, so much electronics, and all of our electronics require batteries in one form or another; it could be phones or cars or energy storage. So I would certainly be an advocate for building out a local supply chain for battery cells in Canada.

I know Quebec is looking at this a lot. Hydro-Québec has done investments in order to build out battery manufacturing in Quebec. It would be fabulous to see Ontario have some of that leadership as well.

Mr. Billy Pang: I'd also like to hear from the other witnesses on the checks and balances.

Mr. James Scongack: I can't speak to mining, but I'd be happy to comment from an electricity generation perspective. That is, we are not going to be successful as a country, as a province, unless we find a way of uniting and working on these large infrastructure projects together.

As I laid out in the five principles of our Canadian at our Core campaign—working in collaboration, for example, as it relates to our site, which is located on the traditional territory of the Saugeen Ojibway Nation, we don't see that, frankly, as a risk. We see that as a tremendous opportunity for the project to address some of the long-standing items that Mr. Kahgee alluded to. Very much from our perspective, from electricity generation, it's really about how we work in collaboration with First Nations communities, putting those environmental issues first and foremost that Mr. Kahgee mentioned, but also ensuring that the benefits from these projects do directly go to address economic inequities that do exist around a lot of these areas.

I will be very direct and say this: The work that we do at Bruce Power has a tremendous amount of economic benefit in our region, but there is an economic disparity between the communities that the chief and councillors represent in other communities in the area. We believe there are actually activities in our existing assets that we can do to work together to make that better, to take an important step forward. I think that we are not going to be able to go at the speed that we need to unless we can deliver that unity.

I think everybody agrees with that; it's how we get there. I think the kind of discussions that we're having at this committee are a really critical first step in that journey.

The Acting Chair (M^{me} Dawn Gallagher Murphy): Chief, did you want to respond?

Chief Conrad Ritchie: Can you repeat the question again?

Mr. Billy Pang: My question is—there are other jurisdictions that have no concern about the environment or treaties. We do. So, how about we just leave everything to them and we can have a more peaceful life. Is it better like that?

Chief Conrad Ritchie: I'm still trying to understand what you're asking, sorry. So you're asking if it's better to, what, leave it?

Mr. Billy Pang: That means we don't touch anything. Just leave it alone.

Mr. Michael Worry: We don't do mining in Ontario, we do mining somewhere else.

Chief Conrad Ritchie: Oh, okay. Like in our territory?

Mr. Billy Pang: Well, in Ontario. I can—

Chief Conrad Ritchie: Oh, just in Ontario? I can't really speak for other treaty territories, but I can speak for our territory. I think any kind of extraction or any kind of consideration should include the Saugeen Ojibway Nation in some of that decision-making. I know somebody referenced TC Energy in the beginning there. They took a proper step in the sense of coming to the Saugeen—

Mr. Billy Pang: Do you have any experience of consultations—

The Acting Chair (M^{me} Dawn Gallagher Murphy): Thank you very much. That concludes round two of the questions. I'd like to thank you all for your presentations here this afternoon.

For the members of the committee, a gentle reminder that the deadline to file amendments to this bill is 7 p.m. today, May 26, 2025.

A reminder to any of the audience members: Please leave the portable audio devices for interpretation in the room before you leave.

There being no further business, the committee is adjourned until 9 a.m. on Wednesday, May 28, 2025.

The committee adjourned at 1826.

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