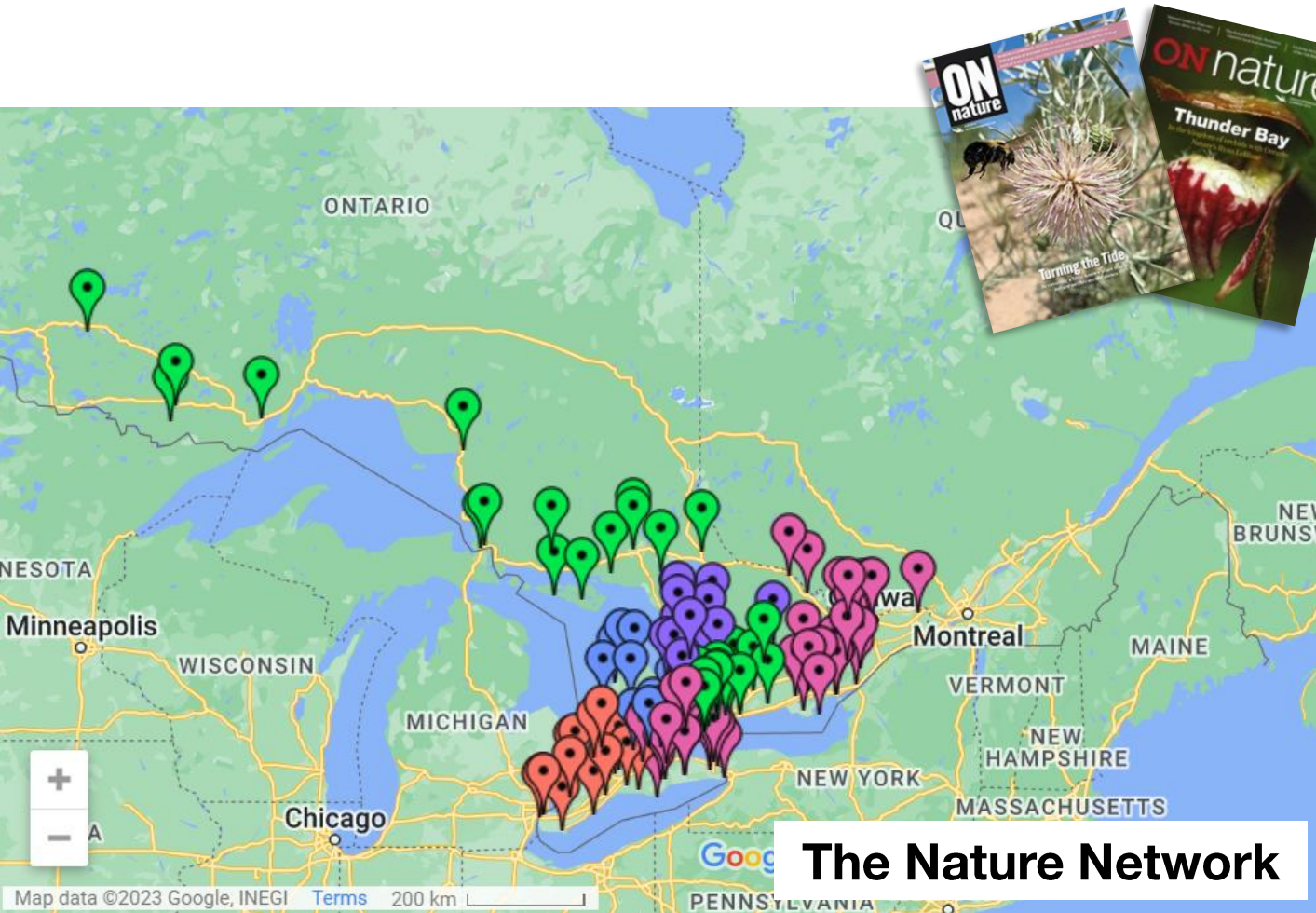


Wetland Offsetting: Wise Practices for Municipalities

Dr. Anne Bell

June 27, 2023

Ontario Nature: Who we are



- A voice for nature since 1931
- > 30,000 individual members and supporters
- > 150 member groups

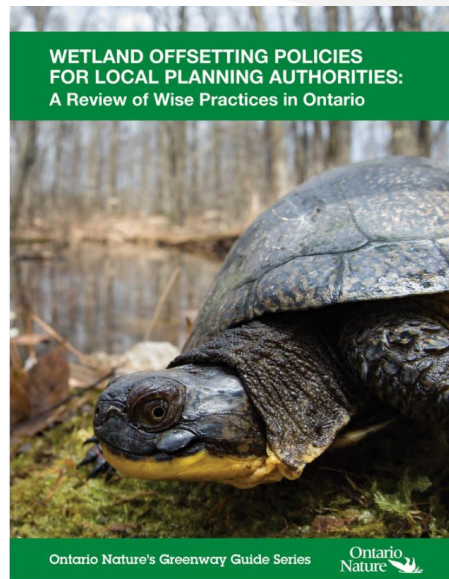
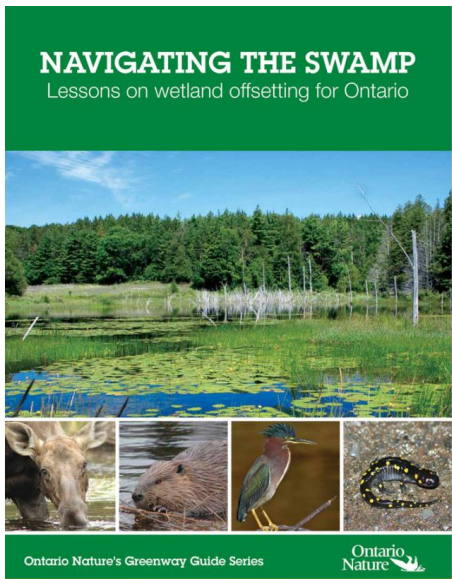
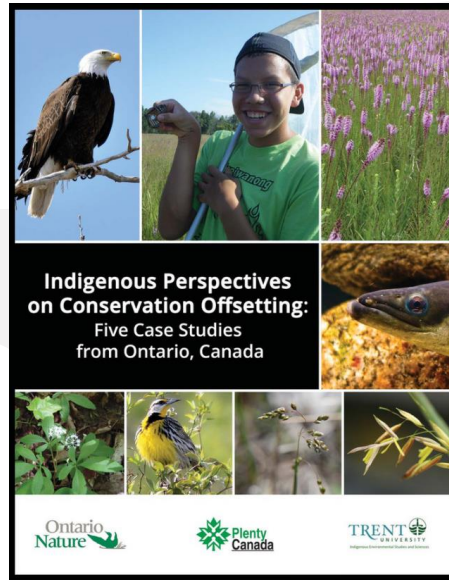
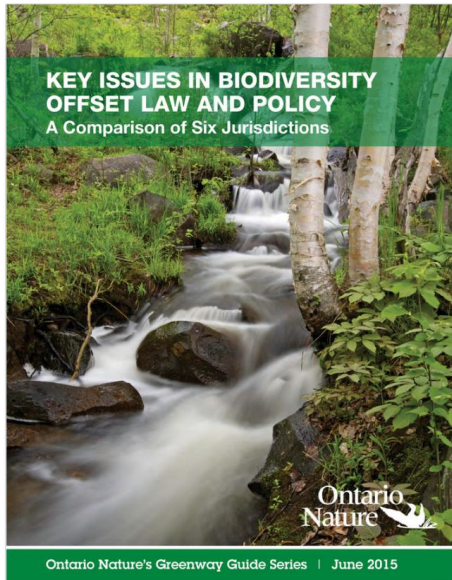
Ontario Nature and Wetland Offsetting

2014-2016: Law and policy scan (international); Ontario issues and examples

2017: Indigenous perspectives, lessons for Ontario

2022: Research update, online primer

2023: New report: [*Wetland Offsetting Policies for Local Planning Authorities: A Review of Wise Practices in Ontario.*](#)



What is wetland offsetting?

Conservation actions taken to compensate for the adverse effects of development

- Controversial and risky practice
- Certain loss for uncertain gain





Wetland offsetting has a poor record

- Long establishment times result in extended temporal losses
- Wetland offsets are fundamentally different from natural wetlands
- Finding appropriate locations for wetland offsets is challenging

Wetland Offsetting

Risky Business



What is wetland offsetting?

Restoration or creation of new wetlands to compensate for the negative impacts of development.

Why consider wetland offsetting?

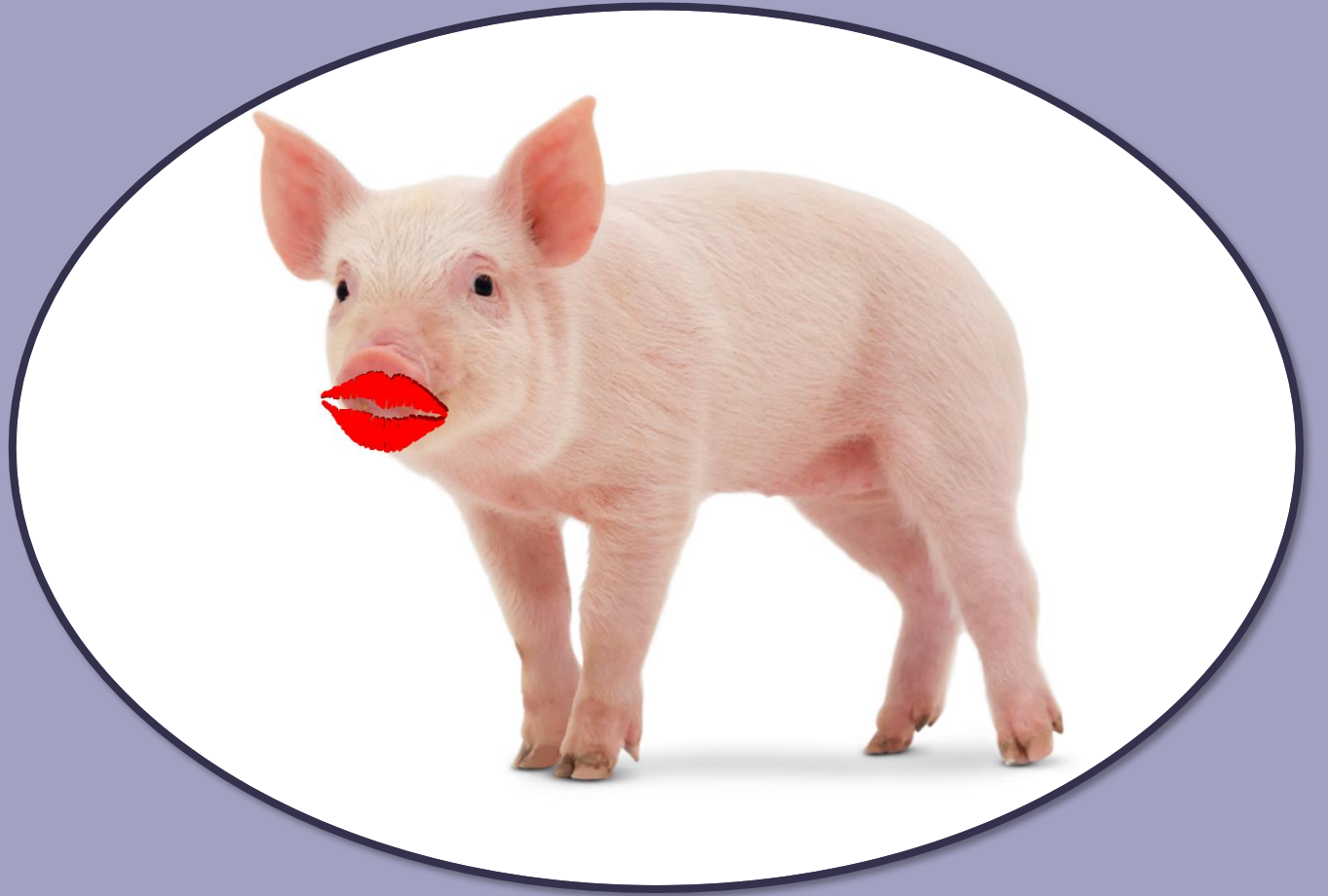
- Stopping all development that harms wetlands is not currently a realistic expectation in Ontario.
- Where development would proceed regardless, it's better than nothing.
- Offsetting creates new revenue streams for wetland restoration.

What's the risk?

- **Destruction is certain**, but reparation is uncertain.
- **No two wetlands are identical.** Loss of or harm to all values (biodiversity, climate, cultural, economic) cannot and will not be offset.
- Despite more than 30 years of wetland offsetting in the United States, **success has not been demonstrated.**

**Yep, still
a pig!**

“a band-aid solution”



Offsetting gaining traction

- Greenbelt 2021 report: 24 of 26 municipal and CA survey respondents participated in offsetting
- Ontario Nature 2023 scan: 75% of GGH municipalities requiring some form of compensation for damages caused by development



Future provincial offsetting policy?

Ontario government proposal, 2022:

- Net gain
- Avoidance first



**WETLAND OFFSETTING POLICIES
FOR LOCAL PLANNING AUTHORITIES:
A Review of Wise Practices in Ontario**



Ontario Nature's Greenway Guide Series



New Report Available Now

Be prepared!

Available online at
[https://view.publitas.com/
on-nature/wetland-
offsetting-policies-for-
local-planning-
authorities/page/1](https://view.publitas.com/on-nature/wetland-offsetting-policies-for-local-planning-authorities/page/1)

**WETLAND OFFSETTING POLICIES
FOR LOCAL PLANNING AUTHORITIES:
A Review of Wise Practices in Ontario**



Peek between the pages

1. Introduction
2. 10-point framework for drafting and evaluation
3. Examples, analyses and draft wording

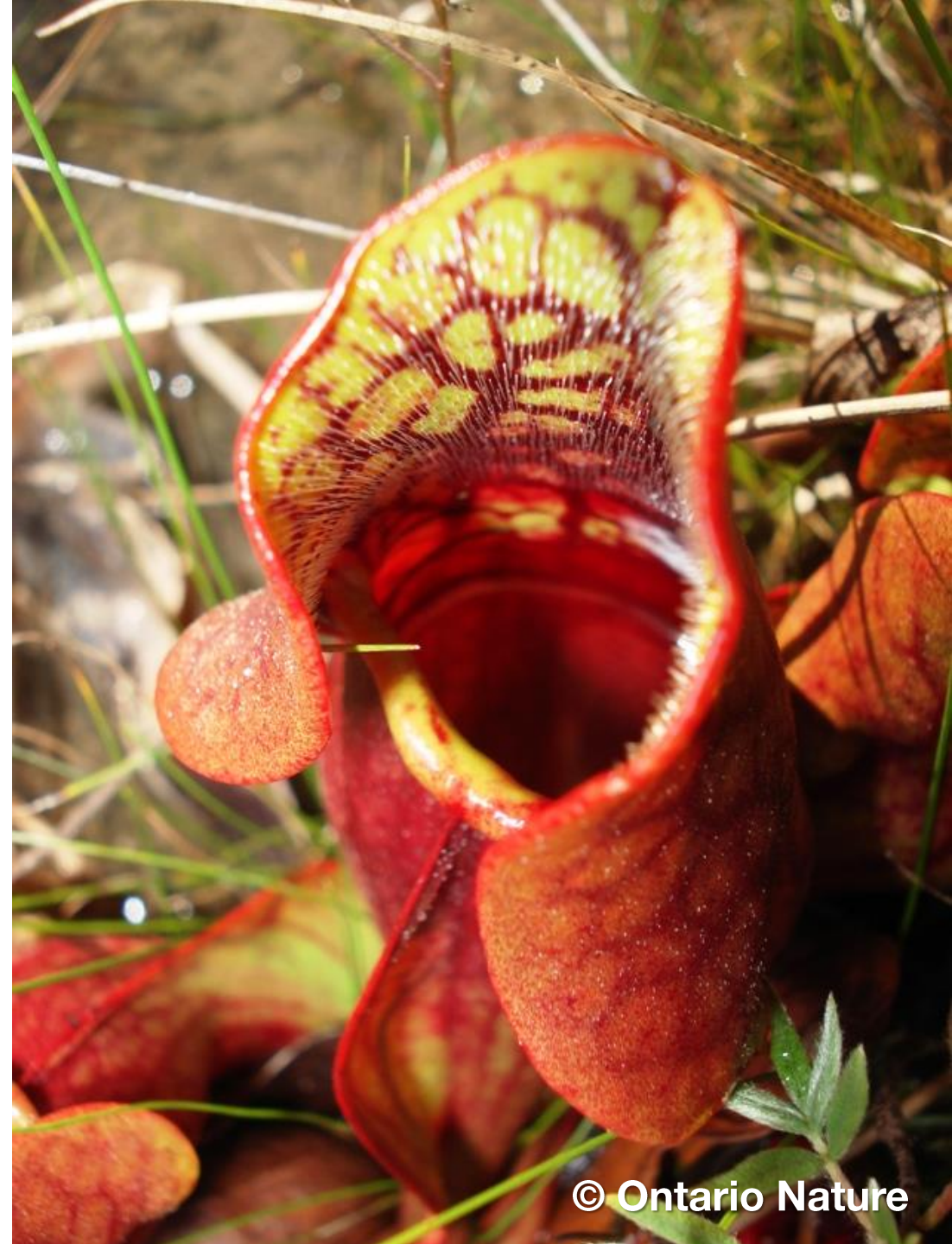


Our Approach

- Review of wetland offsetting research
- Review of official plans and CA policies
- Expert review

Ten Criteria for Effective Offsetting Policy

1. Commitment to achieving net gain
2. Consideration of diverse wetland values
3. Commitment to respectfully engage with Indigenous communities
4. Adherence to the mitigation sequence
5. Limits to which wetlands can be considered for offsetting



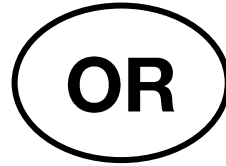
Ten Criteria for Effective Offsetting Policy

6. Strategic offset site selection
7. Reduction of time lags and provision of long-term protection for offsets
8. Monitoring of offset performance
9. Methods to quantify gains and losses of identified values
10. Transparency and reporting

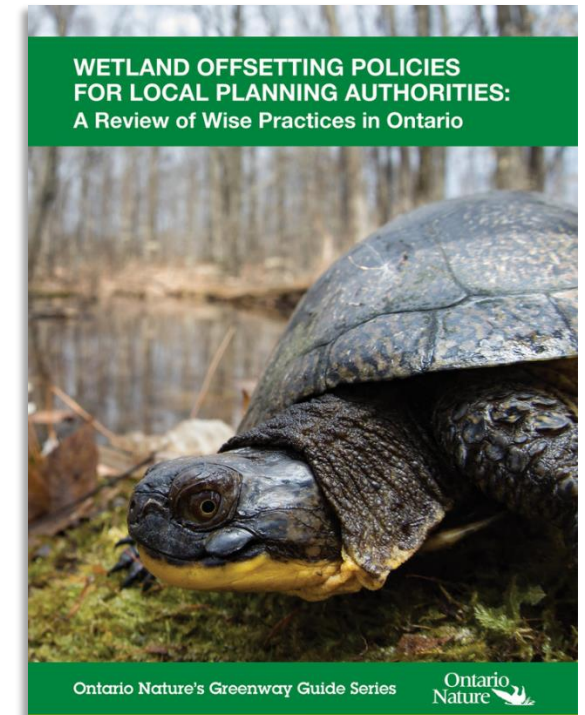
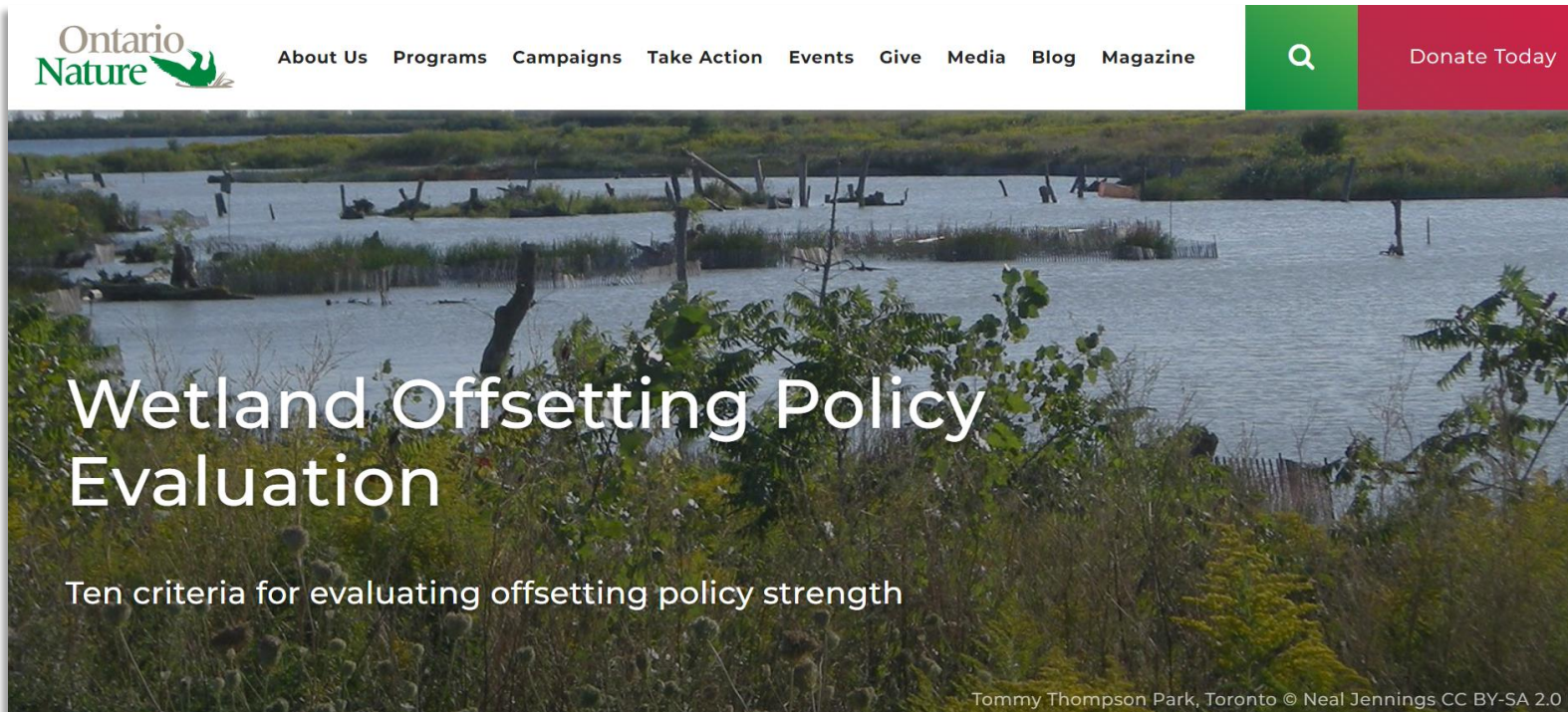


For more about the criteria, please see:

Our [online primer](#) about wetland offsetting



Pages 7-8 of the [new wise practices report](#)





Strengths of existing policies

- Commitments to net gain
- Adherence to the mitigation sequence
- Establishing limits to what can be offset
- Strategic site selection

Wise Practice: County of Peterborough re. the Mitigation Sequence

In limited circumstances within settlement areas and rural settlements, a wetland compensation strategy may be utilized for **non-significant wetlands**, provided it can be demonstrated through the hierarchy approach that it is required. The hierarchy is intended to prevent or limit negative impacts of human activity and has four steps:

1. Avoid – Avoiding wetlands and their vegetation protection zones is the preferred approach and going beyond this step is strongly discouraged. **Going beyond the avoidance step will require an Official Plan Amendment.**
2. Minimize – Where it has been demonstrated that the wetland and its vegetation protection zone cannot be avoided, **every effort should be made to minimize the area being impacted**, including reducing the number of lots or intensity of the development.
3. Mitigate – Appropriate **mitigation measures must be put in place** to minimize negative impacts.
4. Compensate – In very rare cases, where it has been demonstrated that **no other reasonable alternative** is available through avoidance, minimizing impacts and mitigation, wetland compensation may be permitted.... In such circumstances the proponent must avoid the feature to the greatest extent possible.

– [*Peterborough County: County Official Plan*](#) (adopted by County Council June 2022), section 6.3.1.1

Policy Gaps

- Inclusion of social and cultural values in policy goals
- Requirements and guidelines for meaningful and respectful engagement with Indigenous communities
- Consideration of Indigenous cultural values when setting limits to offsetting
- Relevant indicators and methods by which to quantify gains and losses
- Public transparency and reporting



Policy Gap: Limited Scope of Offsetting Policy Goals

- No policies that required offset of social or cultural impacts

Draft policy for consideration:

Offsetting activities should account for the full range of ecological, social and cultural values. Relevant policies shall ensure that an offsetting proposal establishes, to the satisfaction of the approval authority, a detailed description of the ecosystem to be impacted; ecological features and functions to be impacted; social and cultural values to be impacted; and proposed compensation targets for ecosystem compensation size, features and functions, and social and cultural values.



If done well and where appropriate, offsetting could have a positive outcome.

**Opportunity
to build on
existing
policies and
lessons
learned**





Thank you! Questions?

Six Nations of the Grand River Territory and the Red Hill Valley Parkway

<https://view.publitas.com/on-nature/indigenous-perspectives-on-conservation-offsetting/page/1>

Anne, I see two good options (I'll leave it to you to choose):

1. [Alderville First Nation's voluntary offset](#) for the solar farm – strong emphasis on avoidance first and using offset for the true intention of improving outcomes for biodiversity (but maybe less relevant for municipal audience since it was indigenous-led)
2. [Six Nations of the Grand River](#) involvement in offsetting for Red Hill Valley Parkway – gets into biodiversity and cultural benefits of the project, municipal-led project with indigenous engagement, has that quote about how to replace 5 200-year old trees and how even successful offsetting isn't full replacement

Positive Outcome: e.g., North Oakville

- Mitigation sequence carefully followed
- Net gain was stated intent
- Offsets occurred within same planning area as impact
- Based on a natural heritage system approach
- As lands are developed, all of the natural heritage system will come into public ownership and be protected
- High level of consultation and many agencies involved
- Developer will pay all costs of the offset

(Biodiversity Offsetting in Ontario, pp. 21 – 25)