

Legislative  
Assembly  
of Ontario



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# Bill 28

**An Act respecting a voluntary program for the alternate use of agricultural land  
and the production of ecosystem services on that land**

**Mr. T. Barrett**

**Private Member's Bill**

1st Reading      August 13, 2018

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

The Bill recognizes the right of owners of agricultural land to set aside any part of the land as fallow for either of the following two purposes: to establish, restore or preserve a natural ecosystem and to establish and maintain projects that produce services for natural ecosystems.

The Minister of Natural Resources and Forestry has 12 months to develop a provincial framework and action plan that does such things as the following. It can provide guidelines on how agricultural land can be used for those purposes, provide for the government to create and distribute standardized educational materials on those guidelines, promote research into those uses of agricultural land, promote the holding of international symposia on those uses and encourage fundraising for those uses and those symposia. The Minister can amend the provincial framework and action plan to update it as the Minister considers advisable.

**An Act respecting a voluntary program for the alternate use of agricultural land  
and the production of ecosystem services on that land**

**Preamble**

Natural ecosystems are essential for the survival of the earth. In Ontario, natural ecosystems are disappearing.

Owners of agricultural land can contribute to the establishment, restoration and preservation of natural ecosystems by participating in a voluntary, farmer-led, incentive-based program with two objectives.

First, they can set aside part of their land for that purpose. For example, they can restore wetlands, reforest, plant windbreaks, install riparian buffers, build sustainable drainage systems, create wildlife habitats and establish other ecologically beneficial projects on their land.

In addition, they can use their land to establish and maintain projects that produce ecosystem services. Those services are the things that are produced by healthy natural ecosystems and on which all living beings, whether human life, animal life or plant life, rely. They include clean air, clean water, healthy soil, flood mitigation, climate adaptation, carbon sequestration and wildlife habitats.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Definitions**

**1** In this Act,

“ecosystem service” means a thing that is produced by healthy natural ecosystems and on which all living beings, whether human life, animal life or plant life, rely, including clean air, clean water and healthy soil; (“service écosystémique”)

“Minister” means the Minister of Natural Resources and Forestry or any other member of the Executive Council to whom the responsibility for the administration of this Act is assigned under the *Executive Council Act*. (“ministre”)

**Right to leave agricultural land fallow**

**2** It is recognized that an owner of agricultural land has the right to set aside any part of the land as fallow to,

- (a) establish, restore or preserve a natural ecosystem; and
- (b) establish and maintain projects that produce ecosystem services.

**Provincial framework and action plan**

**3** (1) No later than 12 months after this Act receives Royal Assent, the Minister shall develop a provincial framework and action plan that,

- (a) provides guidelines on how agricultural land can be used to,
  - (i) establish, restore or preserve a natural ecosystem, or
  - (ii) establish and maintain projects that produce ecosystem services;
- (b) provides for the government to create standardized educational materials on the guidelines described in clause (a) and to distribute them to members of the public;
- (c) promotes research into the uses described in clause (a) for agricultural land;
- (d) promotes the holding of international symposia to provide education to members of the public on the uses described in clause (a) for agricultural land;
- (e) develops programs for the government to fund, out of the funds appropriated to the Ministry of the Minister and to the extent that the Minister considers appropriate, the uses described in clause (a) for agricultural land or the international symposia described in clause (d); and
- (f) encourages the raising of money from non-government sources to fund the uses described in clause (a) for agricultural land or the international symposia described in clause (d).

**Updates**

(2) The Minister may amend the provincial framework and action plan to update it as the Minister considers advisable.

**Administration of provincial framework and action plan**

(3) The Minister is responsible for the administration of the provincial framework and action plan.

**Consultation**

(4) For the purpose of developing, amending and administering the provincial framework and action plan, the Minister may consult with any other affected ministries, the Government of Canada or any other persons or entities that the Minister considers appropriate in the circumstances.

**Publication**

(5) Within one month after developing or amending the provincial framework and action plan, the Minister shall publish it on a Government of Ontario website.

**Commencement**

**4 This Act comes into force on the day it receives Royal Assent.**

**Short title**

**5 The short title of this Act is the *Alternate Land Use and Services Program for Agricultural Land Act, 2018*.**