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**Official Report  
of Debates  
(Hansard)**

**Tuesday 29 September 2015**

**Journal  
des débats  
(Hansard)**

**Mardi 29 septembre 2015**

**Standing Committee on  
Social Policy**

Invasive Species Act, 2015

**Comité permanent de  
la politique sociale**

Loi de 2015 sur les espèces  
envahissantes

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL POLICYCOMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE

Tuesday 29 September 2015

Mardi 29 septembre 2015

*The committee met at 1600 in room 151.*

## ELECTION OF ACTING CHAIR

**The Clerk of the Committee (Ms. Valerie Quioc Lim):** Good afternoon, honourable members. In the absence of the Chair and Vice-Chair, it is my duty to call upon you to elect an Acting Chair. Are there any nominations? Mr. Anderson.

**Mr. Granville Anderson:** It would be my pleasure to nominate Ms. Forster as Chair.

**The Clerk of the Committee (Ms. Valerie Quioc Lim):** Ms. Forster, do you accept the nomination?

**Ms. Cindy Forster:** I accept.

**The Clerk of the Committee (Ms. Valerie Quioc Lim):** Are there any further nominations?

There being no further nominations, I declare the nominations closed and Ms. Forster duly elected Acting Chair of the committee.

INVASIVE SPECIES ACT, 2015  
LOI DE 2015 SUR LES ESPÈCES  
ENVAHISSANTES

Consideration of the following bill:

Bill 37, An Act respecting Invasive Species / Projet de loi 37, Loi concernant les espèces envahissantes.

**The Acting Chair (Ms. Cindy Forster):** All right, good afternoon, everyone. The Standing Committee on Social Policy will now come to order.

We're here to resume public hearings on Bill 37, An Act respecting Invasive Species. Please note that additional written submissions have been received and are distributed to the committee today.

Each presenter will have up to five minutes for their presentation, followed by up to nine minutes of questions from committee members, which will be divided equally among the parties.

We will start the rotation with the official opposition. When you get to the four-minute point in your presentation, I'll just—okay.

## ONTARIO INVASIVE PLANT COUNCIL

**The Acting Chair (Ms. Cindy Forster):** We're starting with the presenter, of course, the Ontario Invasive Plant Council: Iola Price, president. Welcome.

**Ms. Iola Price:** Thank you. Good afternoon, honourable members. The Ontario Invasive Plant Council is pleased to support this bill again. We provided comments when it was, I think, Bill 167 or 137, and we trust that our previous comments will be read again and taken into account.

We see value in unifying provincial law regulating invasive species, and we are proud that Ontario has the first act of this kind in Canada.

I have prepared a short description about us. My speaking notes—and I hope you have them with you—you can follow along if you wish.

Some may balk at the high cost to control one or more invasive species. Prevention and early response is exponentially cheaper, from an economic and environmental perspective, than waiting to control invasives after they have expanded and impinged on important, high-value areas. There are some points, however, that you may wish to consider.

First, the act does little to engage the majority of Ontario's organizations that have direct interest in control of invasive species, and does little to provide tools that will control unlisted species or tie together a collaborative, integrated approach.

We recommend that the minister engage one or more partners to develop six to 10 regional-scale plans that generically describe a collaborative approach for dealing with invasive species within each of the regions of the province. We're calling them regional invasive species identification and control plans.

We further recommend that these regional plans be developed with support from all levels of government, First Nations, NGOs and other interest groups such as the horticulture industry, forestry and agriculture, and, of course, us.

These plans would not only incorporate and integrate the control plans for regulated species but will also identify how collaborating municipalities, industry and other non-government organizations respond to invasives in their area. Such plans would be developed using a science-based, risk assessment process.

Secondly, there are 1,000 or more or so invasive species in Ontario—I've got a list here—and one of our concerns is that the majority of these invasives will not likely be listed. Furthermore, how their categorization is to be accomplished—a significant or moderate threat or simply not named as alien invasive species—is as yet

unknown. But it's clear there must be a coherent and efficacious process put in place to determine the level of threat.

We recommend and want a rigorous science-based assessment process that includes species inside and outside of our borders. We also want a process that recognizes that a species might be a significant threat in one region but a moderate threat in another. Subsection 4(3) implies a risk assessment process but is not explicit in this regard.

Thirdly, there are hundreds, if not thousands, of environmental groups and individuals in Ontario working as volunteers to control invasive plants such as phragmites, buckthorn, dog-strangling vine and garlic mustard, to name only four.

One section of the act indicates that the minister may authorize a person to conduct certain activities, including transport. Other sections outline particulars of authorization, prevention and response plans. Does this mean that those of us who work to control invasive species in our municipalities must seek authorization from the minister, write detailed plans and submit annual reports as well as pay fees to remove invasive species? If such plans, reporting and fees are required, we predict that a lot of volunteer effort will be abruptly halted, leading to the further spread of invasive species.

**The Acting Chair (Ms. Cindy Forster):** Ms. Price, you have one minute.

**Ms. Iola Price:** Okay, thank you. We recommend that the act be clarified to exempt individuals or groups who control invasive species on their property. We further recommend that bagging, transport and such activities be also clarified in the act.

It's very difficult for any landowner controlling invasive species to know exactly how to proceed, but we recommend suitable processes such as changes to the letter of opinion and, in some cases, the requirement to obtain a letter of opinion when there is a threat created by the presence of an invasive species and it warrants rapid action. So we want to see changes to the letter of opinion process.

Thank you for your time and attention. In the information sheet about us, you will see references to our publications. Here's one of them. Order them from us; they're free and you can download them from the Internet. Thank you for your time.

**The Acting Chair (Ms. Cindy Forster):** Thank you; right on time. We'll start with the official opposition. Mr. Barrett.

**Mr. Toby Barrett:** Thank you, Chair. A brief question, and my colleague may have a question. Thank you for the invitation to your Burlington meeting and dealing with knotweed, buckthorn and phragmites—it seems to be almost an impossible task for individuals—and for your work linking private and public sector.

I think of phragmites: One of the biggest transmission routes seems to be the provincial highway network. I think of Highway 403 coming out of Sarnia and of the

401. Are you working with MTO at all? Are they doing anything at all to control phragmites on MTO property?

**Ms. Iola Price:** We are certainly working with them. The plant council does have a phragmites working group. It has representatives from a number of agencies and, I believe—in fact, I'm certain—that the MTO is on that. We also have a member of our board of directors on the plant council, and I know that she is concerned about phragmites. So, yes, I think the problem is being worked on, but it's always a question of resources. How much money can you spend to control something? Unless there's money allocated, it's a problem.

**Mr. Toby Barrett:** Yes.

**Mrs. Gila Martow:** I just wanted to thank you for coming and to ask you if you have any kind of association with other organizations that you mentioned that are also working hard—I know that many of them are NGOs or just volunteers and small groups, and we even heard yesterday from landscapers—if you're working together on any of these projects.

**Ms. Iola Price:** The short answer to that is yes. We have a board of directors that has representatives from the federal government, the provincial government, municipalities, conservation authorities, Ontario Nature—and I could go on and on. We have a board of directors of 15. We have a wide scale of people. Then we have committees that deal with an even more expanded list of people. So, yes, we are working with anybody and any group that wants to work with us on this issue.

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**Mrs. Gila Martow:** I hope that we'll be getting a lot of input from you on how this transpires.

**Ms. Iola Price:** We certainly hope you will invite us.

**Mrs. Gila Martow:** Thank you.

**The Acting Chair (Ms. Cindy Forster):** You have about 45 seconds.

**Mrs. Gila Martow:** I just wanted to mention—you know, you summed it up very well, that we need to work at all levels of government, the NGOs and the native community, as well as all the organizations. What I would want to add to that is educating the public, because I feel that's really what's missing. The public is just so unaware and they're so quick to pick up a pretty plant in Colombia and bring it in their hand luggage on the plane.

**Ms. Iola Price:** That's a bad one. In terms of picking up something—I'll give a quick pitch for this Grow Me Instead publication, available in French and English for southern Ontario, English only for northern Ontario. It gives you a guide to what's not so good and what we prefer you would plant.

**Mrs. Gila Martow:** Thank you so much.

**Ms. Iola Price:** You can download this from our Internet.

**The Acting Chair (Ms. Cindy Forster):** Mr. Mantha.

**Mr. Michael Mantha:** How come it's only available in English in northern Ontario?

**Ms. Iola Price:** We haven't got enough money to get it translated.

**Mr. Michael Mantha:** Oh.

**Ms. Iola Price:** And they don't trust me to do the work.

*Laughter.*

**Mr. Michael Mantha:** I just have a couple of questions. First, is there anything that you didn't get a chance to share with the committee before that you'd want to share?

**Ms. Iola Price:** Oh, my gosh, yes. If I had 10 minutes—

**Mr. Michael Mantha:** Well, I'll give you my three—two and a half now.

**Interjection:** Two.

**Ms. Iola Price:** Two. Oh, where's page 6?

I'm worried about what the impact of other legislation might be on this and what would be the impact on significant wetlands, species at risk or migratory birds if a control operation takes place and inadvertently you destroy something that has another good ecological value. I'm worried that this act may be a little bit heavy-handed in places in terms of the fines. Would someone who's fined under this act get a criminal record? It seems a little bit much, but it does happen.

We want to see municipalities being encouraged and maybe even almost required to develop invasive plant strategies of their own, and we'll help.

**Mr. Michael Mantha:** Okay. In your comments, you talked about engagement of others and the tools towards a collaborative approach. You talked about regions. Can you explain that a little bit more to me, please?

**Ms. Iola Price:** I'm sorry, the regions?

**Mr. Michael Mantha:** Yes, the regions. The collaborative approach is what you had mentioned.

**Ms. Iola Price:** Right behind me, we have the Invasive Species Centre. We're working on a collaborative project with them which maybe they'll have time to describe—on workshops: early detection and rapid response workshops. So yes, we collaborate with a number of organizations. Anybody who wants help, we'll work with them.

**Mr. Michael Mantha:** Is there a targeted approach towards engaging First Nations? Because across Algoma-Manitoulin, this actually has been a long-time problem. Just in my riding, I have 21 First Nations, and there is a lot of importance to them in particular herbs and environments, and particular areas. Is there an opportunity to work collaboratively with them and educate them as well, or for them to educate you?

**Ms. Iola Price:** Yes. We have a member of Plenty Canada on our board of directors, but he's indicated that he's got a whole lot of other issues on his plate, so at the moment, we're looking for a replacement. We don't have an active First Nations representative, but we are looking. If you have anyone to suggest, please let us know.

**Mr. Michael Mantha:** Okay. Just on a final question, 40% of northern Ontario is francophone. I just thought I'd put that out there to you.

**Ms. Iola Price:** I know. I was born in Kirkland Lake, raised in North Bay and my mother's from the Soo.

**M. Michael Mantha:** Ah! bien, on aurait pu se parler en français d'abord.

**M<sup>me</sup> Iola Price:** Oui, je parle français.

**M. Michael Mantha:** Ah! bien, tiens.

**The Acting Chair (Ms. Cindy Forster):** Thank you, Mr. Mantha. Government member: Mr. Anderson.

**Mr. Granville Anderson:** Ms. Price, first, I want to thank you for being here and for the wonderful work that you do.

Education is paramount for preventing, detecting and responding to invasive species in Ontario. I understand that the Ontario Invasive Plant Council does great work in educating the public about invasive species. What are some of the ways that the OIPC could assist with the implementation of the proposed Invasive Species Act, if passed?

**Ms. Iola Price:** I'm sorry, what would we propose?

**Mr. Granville Anderson:** Yes. Basically, what would you propose if the act is passed?

**Ms. Iola Price:** My personal druthers would be to have municipalities involved at a much greater level, a deeper level. Municipalities are one of the greatest landholders in Ontario, along with the conservation authorities. I'm currently reviewing the proposals to change the Conservation Authorities Act. My suggestion would be that the conservation authorities take the lead, along with their constituent municipalities, in developing comprehensive, science-based invasive plant strategies for the area. For instance, in Ottawa we don't have anything of that nature, except for one small program to deal with wild parsnip, but we need a comprehensive program. The municipalities and the conservation authorities would be my suggestion to get something going, along, of course, with education of the public.

**Mr. Granville Anderson:** Okay. Thank you. My colleague—

**Ms. Eleanor McMahon:** Thank you. Madam Chair, may I?

**The Acting Chair (Ms. Cindy Forster):** You may.

**Ms. Eleanor McMahon:** Thank you for what you do. I'm the MPP for Burlington, so you're coming to my community on the 13<sup>th</sup> and 14<sup>th</sup>.

**Ms. Iola Price:** Yes.

**Ms. Eleanor McMahon:** I shall try to meet you there.

**Ms. Iola Price:** Thank you.

**Ms. Eleanor McMahon:** Because that's a real jewel. The Royal Botanical Gardens is an incredible asset to not just my community, but all of Ontario. A little brag moment there. And my dad grew up in Kirkland Lake, so there you go.

A couple of points: I want to echo my colleague's comments and thank you for the work that you're doing. It's critically important. I love the Grow Me Instead program. A couple of things: You mentioned wetlands policy. We don't have much time, but maybe you can get a word in edgewise on that. I do hope that you're responding to the EBR posting that we've got on the wetlands strategy for Ontario. I don't know if you're

aware that we've initiated that conversation, and the conservation authorities—

**Ms. Iola Price:** It's on my to-do list.

**Ms. Eleanor McMahon:** Okay, great. Mine too.

The conservation authorities legislation: I hope you've commented on that.

**Ms. Iola Price:** That's what I'm reviewing on the train home tonight.

**Ms. Eleanor McMahon:** Okay; good stuff.

Lastly, when it comes to municipalities, we should probably connect you through to the Association of Municipalities of Ontario because that's the organization for municipalities in the province, and they have an MOU with the government on several files. We should probably connect you to them so that you can cement that partnership and disseminate your information.

**The Acting Chair (Ms. Cindy Forster):** Thank you, Ms. McMahon. Time is up.

**Ms. Eleanor McMahon:** Thank you, Madam Chair.

**The Acting Chair (Ms. Cindy Forster):** Thank you very much, Ms. Price.

**Ms. Iola Price:** Should I answer just to say that—

**The Acting Chair (Ms. Cindy Forster):** No. Sorry that you can't, but—

**Ms. Eleanor McMahon:** You're not allowed to, but we can talk after. Thank you, Madam Chair.

**The Acting Chair (Ms. Cindy Forster):** Thank you for being here.

## FORESTS ONTARIO

**The Acting Chair (Ms. Cindy Forster):** Our next group is Forests Ontario. Please state your name.

**Mr. Rob Keen:** My name is Rob Keen. I'm the CEO of Forests Ontario.

**The Acting Chair (Ms. Cindy Forster):** Welcome to committee. You have five minutes for your presentation, and I'll either put my hand up or tell you you've got a minute left; okay?

**Mr. Rob Keen:** Super; thank you. Good afternoon and thank you for the opportunity to share my views in support of Bill 37, the Invasive Species Act.

First, I'd like to provide some background information regarding Forests Ontario. Forests Ontario's vision is a future of healthy forests sustaining healthy people, a flourishing environment and a robust economy for generations. As a not-for-profit charity, Forests Ontario works to ensure healthy forests and landscapes for our future through the support of forest restoration and stewardship, education, and awareness. Our organization works to gain support for our cause by advocating for a strong environment to a range of stakeholders, including private corporations, environmental collaborations, government and the general public.

We seek to be the unbiased advocate for abundant, healthy and sustainable forests, truly a voice for our forests. We are very fortunate to be the administrator of the Ontario government's 50 Million Tree Program, which targets tree planting on fragmented landscapes,

which are predominantly, at this point in time found, in southern Ontario. The goal of this program is to plant 50 million trees by 2025. To date, we have planted over 19 million trees across Ontario.

We have a full suite of forest education programs targeting students from kindergarten to post-secondary levels, including the Forestry Connects program, Focus on Forests and Envirothon.

We applaud the government for the pursuance of the Invasive Species Act and recognize that invasives are one of the top threats to our natural environment, the others being habitat loss and climate change. These species can threaten our terrestrial and aquatic native species, out-competing them for habitat on the landscape. This, of course, has a domino effect and directly impacts the habitat of so many other species, wreaking havoc on our overall biodiversity.

We believe that this legislation is a positive step towards reducing threats from invasive species to Ontario's forests and speaks to the government's ongoing commitment to protect the environment from ecological risks. Ontario's forests, particularly those in the south, have been challenged by invasive species, among them emerald ash borer, dog-strangling vine, the Asian long-horn beetle and buckthorn, to name a few. These challenges to our natural environment will, if unaddressed, continue to negatively impact our forests and habitat.

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The Invasive Species Act, if passed, will seek to integrate early detection methods with rapid response solutions designed to combat invasive species.

We in Forests Ontario witness the effects of invasive species in our daily activities and are often faced with significant challenges in restoring sites that have been taken over by invasives. I would therefore offer these observations and recommendations regarding the implementation of Bill 37:

—that a comprehensive communications plan be developed that will engage the public and all stakeholders, thereby enhancing the awareness of the threats of the invasives and the need and benefits of this legislation;

—efforts must be made to develop collaborations to assist in the implementation of invasive species programs. Given today's economic realities, we need to recognize that no one agency or organization has the capacity to effectively deliver a successful program on its own and that all efforts must be made to engage multiple stakeholders and potential partners; and

—we need to ensure that the adequate resources are dedicated to fulfilling the implementation of the act and to restoring sites impacted by invasives.

I'd like to once again congratulate the Honourable Minister Mauro and the Ministry of Natural Resources and Forestry for bringing forward this essential piece of legislation. Forests Ontario looks forward to working alongside this government to implement solutions to protect our natural resources.

Just as a final note, I'd also like to mention that I am a member of the Ontario Biodiversity Council—and I

believe Steve Hounsell was here speaking to you yesterday—and as well, a recent director of the Invasive Species Centre. Thank you very much.

**The Acting Chair (Ms. Cindy Forster):** You have a minute left, if you'd like to expand.

**Mr. Rob Keen:** Sure. I guess the one thing that I'm always concerned about is the public perception of any kind of acts that come into place. We've witnessed, in the past, certain acts that have been enacted, and there's a general fear of what that act is going to mean to the public and certainly mean to landowners.

So back to my point of ensuring that an effective communications plan is developed: I think it's going to be absolutely essential that that is well coordinated, engaging multiple stakeholders, the partners, the Invasive Species Centre, the invasive plants council—all of those that are currently available to help with this but then way beyond that as well. I think it really is going to be important that everybody have a thorough understanding of the importance of this legislation, what the benefits will be and how they can play a part in it.

**The Acting Chair (Ms. Cindy Forster):** Thank you so much. We're going to start this time with the third party, Mr. Mantha.

**Mr. Michael Mantha:** Thank you very much. I'm just noticing from your map that there are no dots in my area.

**Mr. Rob Keen:** Not yet. We're working on it.

**Mr. Michael Mantha:** All right. I just thought I'd welcome you to—this nice little island here is called Manitoulin Island.

**Mr. Rob Keen:** Yes. We did plant there—

**Mr. Michael Mantha:** It's my pitch. It's the largest freshwater island in the world, so if you were to establish a project there, you'd get to claim that as a project.

**Mr. Rob Keen:** We'll do that. We did, sir. We were planting there last year—not a lot of trees, but we'll be back there this year.

**Mr. Michael Mantha:** Actually, the fortunate part about coming from northern Ontario is that there are a lot of forest companies there that also engage in planting of trees. Giving that tree to a child, to schoolchildren, and watching their faces as they grab this living tree—they go out and actually care for it, put it into soil, and the joy of coming back 10, 15, 20 years down the road and seeing their tree that has grown, that they can now no longer hop over—is quite rewarding.

I just wanted you to expand on one thing: You talked about engaging and educating the public and making sure that the proper resources were there not only for educating individuals but for enforcement as well. Can you just give me a little bit more in regard to your comments, what you were looking at and what you envision as far as what education and enforcement are going to look like?

**Mr. Rob Keen:** I guess to the point of what resources are available, we already heard it from the previous speaker: The resources are there. The finances need to be there in order to develop the educational materials to get

out to the public, to the point of being able to translate the brochure that had already been developed.

That really was my point about adequate resources. I think, too often, there's potential for legislation to be passed and put out but just not the resources behind it to really make it effective. So I think it probably just comes down to money and collaborations with partners that can actually get the program going.

**Mr. Michael Mantha:** Is there anything that you wanted to add from the comments that you made today that you didn't have a chance to?

**The Acting Chair (Ms. Cindy Forster):** Forty-five seconds.

**Mr. Rob Keen:** Again, I think it's absolutely essential to work with all the stakeholders that potentially have the opportunity to engage. It was previously discussed about municipalities. Developing the mechanisms to be able to reach out to kids about this, to get in the classrooms to talk about invasives—those are our future stewards, and they need to have a solid understanding of how they can participate in ensuring their healthy future.

**Mr. Michael Mantha:** Thank you.

**The Acting Chair (Ms. Cindy Forster):** Thank you. Government? Ms. McMahon.

**Ms. Eleanor McMahon:** Hello; how are you?

**Mr. Rob Keen:** Hi, Eleanor. Very good. How are you doing?

**Ms. Eleanor McMahon:** Nice to see you.

**Mr. Rob Keen:** You too.

**Ms. Eleanor McMahon:** Thank you for all the work that you do. I know it seems trite sometimes to thank such an important stakeholder to government for the stewardship role that you play and the education and awareness role that you play in partnership with the ministry. We really appreciate that.

My colleague opposite stole my question, truth be told, because you've highlighted the need for education and awareness and the context of the role out of the legislation. I think that's really important. Any more thoughts on that? And in context, when you're rolling out the 50 million tree program, I guess we're about a third of the way through now, or more. Is there an opportunity in engaging participants in that exercise and an education awareness program through that, I wondered?

**Mr. Rob Keen:** Absolutely. There are some examples. We're actually working with York region right now. We've been doing workshops for them for the emerald ash borer for the last three years and informing their local landowners about the emerald ash borer, its effects and such. They have actually just started to work with us to see if we can help get boots on the ground. That's folks who can get out and talk to landowners. Everybody's resources are tight, and it's harder and harder and harder to be able to reach out, go and drive up a driveway, get out, talk to a landowner and go and look at their forest.

Unfortunately, the default these days seems to be to put everything on a website. I can tell you that when we do these workshops and you get one-on-one communica-

tion going with people, it is far more effective than just saying, “Oh, go look at this website and you’ll get all the information you’ll need.”

I think on the education side, having the bodies that are knowledgeable, that can meet with landowners, meet with the public and have that face-to-face discussion is going to be imperative to make sure that this is properly implemented.

**Ms. Eleanor McMahon:** I know in my community—I’m assuming everyone in this room, in their riding, has garden centres. Perhaps you could think about garden centres as a way to connect with the public, because at the start of every growing season in particular, everyone is going to buy plants. They’re getting the earth ready for the season etc. It sounds like a granular conversation, but it may be something to think of. We can talk more about that.

**Mr. Rob Keen:** I’d be more than happy to.

**Ms. Eleanor McMahon:** Thank you. Thanks for your time.

**Mr. Rob Keen:** Thanks.

**Ms. Eleanor McMahon:** I’m all set, Madam Chair.

**The Acting Chair (Ms. Cindy Forster):** Mr. MacLaren.

**Mr. Jack MacLaren:** You mentioned a concern about buy-in by the public of any bill because it’s new and it’s natural to be afraid of—change, I guess, is a good word. I would speak to you from the perspective of landowners, who would often be the first and most immediately impacted by an invasive species and naturally, therefore, have the greatest interest in controlling them. But there is a tendency when you start to read about inspectors, fines, penalties, warrantless entry etc.—I’ll tell you, that kind of language always raises my hackles.

I think that’s a terrible term, “warrantless entry.” We’re a free country. The best way to do that approach, as you say, is the one-on-one and going to talk to a real person face to face, and you’ll always get the best results. Asking will get far more than warrantless entry. We’re going to submit some potential amendments to this bill, and one of them would be to remove that warrantless entry and replace it with having a fellow drive down the driveway, so to speak, and you’ll get along far better—rather than forcing people to do something.

We would also be concerned about the impact on the landowner if in fact something is found, through no fault of his own, that would result in work and therefore costs being incurred. We’d like to submit this amendment to the bill, that kind of language should be put in place: that there be full, fair and timely compensation for loss of use, enjoyment, profitability or value of property.

**Mr. Rob Keen:** That’s a good statement.

**Mr. Jack MacLaren:** It is. I think it’s a wonderful statement.

**Mr. Rob Keen:** Do you want me to comment on it? If you want me to comment, I could just say it again.

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**Mr. Jack MacLaren:** No, I would hope you would support that idea.

**Mr. Rob Keen:** I think always to the point that—landowners need to be concerned about any acts that are implemented, such as this.

**Mr. Jack MacLaren:** Of course.

**Mr. Rob Keen:** If there are hardships to the landowner, then compensation needs to be considered. I’d be a little bit concerned about just putting a blanket statement in, that every time this happens, compensation is there, but I think there’s consideration that needs to be put there, for sure.

**Mr. Jack MacLaren:** Well, we’re close. Thank you very much.

**The Acting Chair (Ms. Cindy Forster):** Thank you so much, Mr. Keen.

**Mr. Rob Keen:** Thank you.

## INVASIVE SPECIES CENTRE

**The Acting Chair (Ms. Cindy Forster):** Our next group up is the Invasive Species Centre: Kelly Withers and Brendon Larson. You have five minutes between the two of you.

**Ms. Kelly Withers:** Thank you for the opportunity to speak today. I’m Kelly Withers, the acting executive director for the Invasive Species Centre. Joining me is Dr. Brendon Larson.

The Invasive Species Centre is a non-profit organization. We were established in 2011. Our board has representation from all levels of government, industry, other non-profits, First Nations and academia. We connect stakeholders, knowledge and technology to help prevent the introduction and reduce the spread of invasive species that are harmful to Canada.

We’re here to offer our support for Bill 37 and to thank Minister Mauro for bringing this bill forward to address the need for provincial authority to deal holistically with invasive species. We’re going to discuss reasons why the act is necessary and the response to threats of invasive species; highlight three critical sections of the act; and expand upon the importance of adequate resources and collaboration for effective implementation.

Invasive species have many significant, far-reaching impacts. Ontario especially has a high risk for invasions, with large volumes of international trade. Some 64% of overseas containers to Canada are opened right in Ontario, and these containers are a major vector for invasive species arrival.

For example, the emerald ash borer beetle was accidentally imported from Asia to Michigan, and it spread rapidly to Ontario. As of 2014, the Ministry of Natural Resources and Forestry had aerially mapped almost 200,000 hectares of dying ash trees. The direct cost to Ontarians has been more than \$364 million for tree removal from infested areas, with Toronto alone spending an estimated \$70 million. The emerald ash borer is still spreading, so we know these costs will grow.

This is only one example, but there are many other examples of invasive species that could have, or have



had, a significant impact on the province. These include zebra mussels, Dutch elm disease, and the Asian long-horned beetle, just to name a few.

The first of its kind, the proposed Invasive Species Act fills a large legislative gap. There is no similar comprehensive instrument anywhere in Canada, at the federal or provincial levels, that condenses the authority to deal with invasive species. By implementing this act, Ontario will take a large step forward to proactively prevent invasions and expedite the response when invasions occur. This will protect the economy, environment and health of Ontarians. The Invasive Species Act will give Ontario the tools and authorities it needs to intercept and quickly respond to threats from invasive species.

Today, we want to highlight three areas of the act where we believe the province has taken the right approach:

—first, having the ability to classify the threat level of a species, because not all invasive species have the same risk of becoming established and causing damage. We have to understand the level of risk, to prioritize and use the available resources where they'll have the greatest impacts;

—second, the prohibition of significant-threat species, because we need to prevent the import and sale of harmful invasive species, to avoid costly control efforts that will be needed if those species take hold;

—and finally, providing ministerial powers to provide a temporary-threat designation to a new species, because it brings needed tools to eradicate an unexpected threat before it has time to establish. If a response is delayed by slower-moving administrative processes, opportunities for eradication can be missed, and costs for control will inevitably be higher.

Invasive species are a complicated problem and the task is enormous. Provincial efforts to combat invasive species will be enhanced significantly through continued collaboration with all levels of government, multiple jurisdictions, non-profits and individual citizens. Continuing to leverage contributions from all these partners will go a long way towards enhancing the implementation of the act.

Additionally, adequate resources need to be allocated. The act provides the right level of authority with respect to resource management, but appropriate capacity and expertise need to be dedicated to its execution so that necessary outcomes can be realized. This can be achieved through finding new efficiencies, exploring alternative service models, avoiding duplication, and identifying resources that can be reallocated.

**The Acting Chair (Ms. Cindy Forster):** You have about a minute.

**Ms. Kelly Withers:** Thank you. To conclude, we support this act and think it is critical that the province be a leader in addressing the issue of invasive species. By passing this bill, Ontario will take necessary action to limit the overall costs and effects of invasive species, and protect Ontario's environment, economy and society for its citizens and future generations.

**The Acting Chair (Ms. Cindy Forster):** Thank you. I'll start with the government. Ms. McGarry.

**Mrs. Kathryn McGarry:** Thank you very much for your presentation. I find, in my own riding of Cambridge and North Dumfries township, that this is an extremely important topic. I actually live in the rural component, where we've got the last remnants of the Carolinian forest. We have a lot of endangered species in our area such as the smooth greensnake. Due to some of the changes that we've seen recently in protecting habitat and also monitoring for and getting rid of invasive species, we've seen a return in our area of the bald eagle as well as nesting sandhill cranes. So we are seeing improvement.

I'm very happy to hear that you are already collaborating and co-operating. You were even named by the Ontario Invasive Plant Council at the beginning of their presentation. That's really a key element of taking this proposed bill, if passed, into the public to get their buy-in, not just in terms of identifying but monitoring where invasive species are.

I think you've already answered my first question, which would be that you're very supportive of this stand-alone piece of legislation. Secondly, are there other ways that the proposed bill could be strengthened to provide more clarity and encourage even more collaboration amongst user groups to look at monitoring and identifying where invasive species are and how to manage it?

**Dr. Brendon Larson:** We think that a critical part of the act is the process that's used to prioritize among species. That's written into this act. How exactly that will roll out and the policies that come out of the act will be really critical. To efficiently use resources, we will have to be actively prioritizing and making tough decisions about where to put resources.

**Mrs. Kathryn McGarry:** Thank you. Do you have some ideas on how to engage the public in the different groups that are very happy to come and assist in rolling out this act, if passed?

**Ms. Kelly Withers:** One of the projects we're actually working on right now is developing an early detection and rapid response network. We've got four pilot areas in Ontario. It's being funded by the provincial government and the Ontario Trillium Foundation. It's becoming very popular; we're training and engaging citizens to be out there in the community and responding and reporting invasive species as they come across them.

**The Acting Chair (Ms. Cindy Forster):** Thank you. Official opposition: Ms. Martow.

**Mrs. Gila Martow:** Thank you very much for coming in. What I wanted to ask you is just your opinion. I'm just north of Toronto—I represent Thornhill—and what we experienced with the city of Vaughan is that they chose to let the trees die because of the emerald ash beetle rather than inject the trees with whatever substance can prevent the larvae. Toronto, from my understanding, was injecting quite a number of trees.

What I wonder is: Do you feel that maybe there needs to be a province-wide response to something like that? I

can't imagine that letting the trees get infected and letting it spread is particularly helpful for combating that. Maybe we need to have, across the board, that municipalities are on board and understanding that it's not just about the bottom line on their budget.

**Dr. Brendon Larson:** Yes; absolutely. The role of municipalities is very important for the enactment of this act, so we have municipal representation on our board to recognize that. I think, more broadly, though, such as the example you gave, a critical element is the coordination of bodies at all different levels: municipal, provincial and federal.

**Mrs. Gila Martow:** Does this person—would they feel that it would be fair to obligate municipalities to respond in a certain way even though it's going to cost them money?

**Dr. Brendon Larson:** That's an interesting question. The challenge is that this issue crosses scales. These species tend to expand from a specific municipality, and that's why I think legislation at the provincial level makes a lot of sense, because in many instances, there's a general way in which these species, for example, might be entering the province. It's beyond the scale of one municipality, I think.

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**Mrs. Gila Martow:** Thank you very much. Is there anything else that you wanted to add to your talk, or mention to us?

I think that everybody is kind of frustrated and I think that there is a lot of support for dealing with things better. I've just been working in this building for about a year and a half and all I can tell you is that everybody makes suggestions to have new projects, but new projects cost money and we don't seem to cancel any of the old projects that we've been working on.

It's challenging, because really, to have a province-wide system, as the previous speaker mentioned, go house to house and look at people's trees or plants, you're talking in the hundreds of millions of dollars to roll something out across the province like that.

**Dr. Brendon Larson:** And again I think—

**The Acting Chair (Ms. Cindy Forster):** Thank you.

**Dr. Brendon Larson:** Oh.

**Mrs. Gila Martow:** Thank you.

**The Acting Chair (Ms. Cindy Forster):** Mr. Mantha.

**Mr. Michael Mantha:** Well, I just purchased a house in November, and we were doing some yard cleaning, my wife and I, a couple of weekends ago. We were just sorting out something, and it wasn't an invasive species, but somebody had buried a pet in the backyard and we found it. I was very quickly out of my backyard. It was the most horrid experience that I have ever experienced in my life.

But there were so many plants that were there in my backyard that some of them could have been introduced, because they certainly weren't native to the backyard. So individuals like a landowner—how does a landowner actually get educated? How do you see engagement of a landowner before they start removing, so that they don't

do the error of improperly removing what they have in their backyard and making a terrible mistake? They're doing an innocent mistake, trying to clean up what they have there, but how do you see this particular bill engaging those individuals to make sure that they're taking the appropriate steps?

**Dr. Brendon Larson:** My reading of it was that there is some understanding of reasonable activities that people are doing. I think that the interpretation of the act would have to be reasonable in that regard. Nonetheless, to get more directly to your point, I think that this again comes down to a prioritized list of species, so that it's not 1,000 species that are somehow being considered but a more manageable number that we can communicate effectively, and that it's reasonable to be drawing on the network of people we have who are already looking at this issue around the province to lower the cost of enacting it.

**Mr. Michael Mantha:** And within the context of this bill, although it's a good step in the right direction, you're right. You touched on it earlier in your comments, that if the proper resources are not put into it, which is funding, we're going to continue battling the idea of efficiencies and we're really not going to solve the problem.

In the scope of your area, what would that model look like? What efficiencies do you believe—not the funding; just identify what you believe as far as, "This is a piece of the puzzle that is absolutely needed. This is another piece that is needed."

**Dr. Brendon Larson:** One example is drawing on the networks of people who are already, from various non-governmental and individual perspectives, looking for these species and aware of them. That doesn't require new funding; it's already there. What it requires is the capacity to then do something about it if something is detected, I think.

**The Chair (Ms. Cindy Forster):** Thanks very much for coming to committee.

**Dr. Brendon Larson:** Thank you.

#### ONTARIO FEDERATION OF ANGLERS AND HUNTERS

**The Chair (Ms. Cindy Forster):** Our last group today is the Ontario Federation of Anglers and Hunters: Matt DeMille. Welcome to committee. You have five minutes.

**Mr. Matt DeMille:** Thank you. Good afternoon, Madam Chair and members of the committee.

Since 1928, the Ontario Federation of Anglers and Hunters has worked to promote and encourage the conservation of Ontario's fish and wildlife, their habitats and the ecosystems that support them, to ensure continuing benefits for all Ontarians. Our vision includes a future with healthy lakes and forests, bountiful fish and wildlife, and accessible opportunities for all Ontarians to share our passion for fishing, hunting and conservation. We are here today because invasive species threaten this vision.

The OFAH addresses invasive species through its participation on numerous national and binational committees, including the Great Lakes Panel on Aquatic Nuisance Species, the Great Lakes Water Quality Agreement Annex Subcommittee on Invasive Species and as the only Canadian member of the Chicago Area Waterway System Advisory Committee. We also serve on the board of directors of the Canada-Ontario Invasive Species Centre, the Canadian Aquatic Invasive Species Network and the Ontario Invasive Plant Council.

In 1992, the OFAH entered into a partnership with the Ministry of Natural Resources and Forestry, or MNRF, to deliver the Invading Species Awareness Program. For more than 20 years, we have demonstrated a successful track record of outreach and education focused on preventing the introduction and spread of invasive species in Ontario. We have established partnerships with hundreds of community groups, non-government organizations and all levels of government in order to continue to respond to emerging threats and engage millions of people each year in invasive species education, awareness, monitoring, reporting, control and prevention.

Invasive species continue to have significant impacts on Ontario's environment, economy and society. We recognize that education and outreach is only one part of the solution, and there is a need for a strong legislative and regulatory framework to better prevent, detect and respond to invasive species. The current framework is a patchwork of regulations, and the proposed Invasive Species Act would provide Ontario with significant tools to address current gaps.

We are pleased to see that the government of Ontario is proposing to use a risk-based approach that considers the full range of threats, not only the costs and benefits to the environment but also to social and economic activities as well. Our recreational fisheries are estimated to be worth \$3.5 billion annually and provide enormous other social and cultural benefits to society. Therefore, protecting Ontario waters from the threat of invasive species should strongly consider how actions under the act will impact, positively or negatively, our recreational fisheries. This is just one example.

A well-balanced, comprehensive and transparent risk assessment framework for both pathways and species will be essential. The development of a proper risk assessment methodology that clearly categorizes levels of risk must be done up front and will require adequate time prior to the legislation coming into force.

Time will also be critical for the government of Ontario to ensure that adequate and meaningful public consultation is scheduled when developing regulations or policy. This will be particularly important for any regulations or policies pertaining to the powers of inspectors, like accessing private land. We must continue to engage anglers, hunters, trappers and landowners in stewardship because they are on the front lines and play a very critical role in the solution moving forward.

Private landowners in many parts of Ontario will make the difference in the success of this legislation. There are

lessons to be learned from Ontario's experience with the implementation of the Endangered Species Act so that we do not discourage participation because of fear of legal implications and private property interventions.

There will always be finite resources to fight invasive species, so we need to ensure that our efforts are coordinated to minimize duplication and inefficiencies. This will require continued and enhanced co-operation among all levels of government and ministries to ensure we are maximizing our potential for invasive species prevention and control.

The Ministry of Natural Resources and Forestry continues to be the lead government agency in the fight against invasive species. The proposed act is intended to enhance Ontario's capacity for the prevention and control of invasive species. Therefore, the government of Ontario must ensure that the MNRF has adequate new government funding to support the implementation of the Invasive Species Act.

The release of the Ontario Invasive Species Strategic Plan in 2012 and the proposal of the Invasive Species Act show the continued commitment and support from the government of Ontario to respond to the threat of invasive species. The OFAH supports the proposed Invasive Species Act, but in order to make it as successful as possible, we need to make sure that the implementation is well thought out, adequately funded and empowers the public to make a difference. Stakeholders like the OFAH have a key role in the prevention and control of invasive species, and we look forward to working with the government of Ontario on the development of supporting regulations and policies.

Thank you for your attention. I'd be happy to answer any questions.

**The Acting Chair (Ms. Cindy Forster):** Thank you. We'll start with the official opposition. Mr. Barrett.

**Mr. Toby Barrett:** Just a brief question: You mentioned adequate resources for Ontario's Ministry of Natural Resources. Oftentimes, compared to spending in other ministries, it certainly has been declining over many, many years. Are there are other jurisdictions we can look to—say, other states or provinces—that have a handle on this or have gotten out in front of this, from the government perspective? Certainly, there are other groups, like OFAH, that are attacking it, but other state jurisdictions or other state natural resource departments?

**Mr. Matt DeMille:** Do you mean from a funding perspective or a regulatory and legislative perspective?

**Mr. Toby Barrett:** Yeah, or just even approaches of actually killing some of this stuff.

**Mr. Matt DeMille:** I'm not familiar with how other jurisdictions are managing the threats of invasive species or the funding that's available to those jurisdictions. I imagine there is some knowledge within our Invading Species Awareness Program about how other jurisdictions are working on these things, but I don't have specific knowledge of what others are doing other than when we collaborate on a binational scale, and in around

the Great Lakes, but those are coordinated by national efforts.

**Mr. Toby Barrett:** Sure.

**The Chair (Ms. Cindy Forster):** Mr. MacLaren?

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**Mr. Jack MacLaren:** I appreciate seeing you have regard for private property. Could you explain to me how your organization in the past or historically has approached private landowners when you want access to their property to look at anything?

**Mr. Matt DeMille:** Absolutely. We have the benefit of being non-government, so that right there is something. When we approach landowners, we're able to enter into discussions. There is, I think, an inherent fear that was talked about earlier of what governments are doing or what could potentially happen if governments come on your land.

I think, really, what we do is engage landowners in stewardship. We want them to understand the benefits of what entry on to their land would mean. If we want to collaborate on a project for stream restoration, which is something we have a lot of experience with, we go to those landowners and we explain the benefits of allowing us to come on to their lands to work with them, engage them and empower them to make a difference, because it will benefit them but it will also benefit society as a whole. It's really about working with them on things that we have mutual interest in. It's showing them those benefits.

**Mr. Jack MacLaren:** I really appreciate you saying that, and I agree with you bang on.

**Mrs. Gila Martow:** Do we have 10 more seconds?

**The Acting Chair (Ms. Cindy Forster):** You have 10 seconds.

**Mrs. Gila Martow:** I'll just say that I agree with you that a better approach is the carrot than the stick. I think that what we really need here is public education and getting people to have a better understanding.

**The Acting Chair (Ms. Cindy Forster):** Thank you. Mr. Mantha?

**Mr. Michael Mantha:** I just wanted to say thank you for having supported a young gentleman out of my riding. His name is Eric Labelle. He came out with a report on the Invading Species Awareness Program, on which the federation actually helped him out with the funding. It's a fabulous document. If any of you have the time to read it, go out and read it. There's tons of information in there that is really useful.

One of the communities that I represent has a wonderful lake within their community limits. What happened was, an invasive species was introduced to the lake: a shiner. What's happening is that they used to have some record fishing that was going on in that lake, particularly for pickerel. What has happened now is that the mass of fish remains in the lake; however the numbers have diminished because now the fish are gorging on this invasive species that was introduced and they are no longer feeding.

However, as you can understand, tourism is big in northern Ontario and some of these tourism outfitters are relying on having people who come to their camps to catch fish. How do you see educating those communities or those business owners? If you introduce anything more or if we have anything more coming into this lake, it's actually going to be harmful. When we're actually looking at—this is going to create a really big, negative impact on your business.

**Mr. Matt DeMille:** I think that's critical, and it goes to the last question. It's about engaging those individuals, those groups, those landowners and those businesses and talking about the benefits of what we're trying to do.

What you're talking about is prevention. Really, that's what we need to do. We need to prevent invasive species from coming into Ontario and spreading in Ontario. I think that's really key, to talk about the benefits of doing that upfront work, because it will cost us far more to prevent those invasive species from coming in and spreading than it will to address them after the fact. So it's really about showing those benefits and also showing the potential costs of what could happen. Sometimes, as was said earlier, it's innocence. These things are not done intentionally or on purpose, but they can still have the same effects. So therefore, we need to go in and talk to those individuals about what they can do to not introduce any species.

**Mr. Michael Mantha:** Thank you.

**The Acting Chair (Ms. Cindy Forster):** Thank you. Government: Ms. Wong?

**Ms. Soo Wong:** Thank you so much for your work. I understand, in your remarks, you also indicated your partnership with the Minister of Natural Resources and Forestry.

**Mr. Matt DeMille:** Yes.

**Ms. Soo Wong:** My question is, can you share with the committee how the hunters and anglers may be involved? Because you keep talking about engagement in terms of the issue of prevention, detection and responding to invasive species, if you could elaborate on that particular point.

**Mr. Matt DeMille:** We've been focusing for really the entirety of our program—so for more than 20 years we've been looking at ways to engage the average, everyday citizen in activities that they can do to help prevent the introduction and spread of invasive species.

There are some prime examples that we have that really focus—our programs all focus around that education and awareness, things like Operation Bait Bucket or different best management practices that people can use. So we really try to empower them to make a difference. Anglers: The bait buckets are a prime example. We look at Operation Boat Clean. It's cleaning your boat so you're not spreading invasive species from lake to lake.

We've even had, in the recent past, information brochures for waterfowlers, waterfowl hunters, on what they can do to help prevent the spread of invasive species—real, practical, tangible stuff that can be used. They can take that, they can come to a seminar, read a brochure

and say, “Oh, that’s something simple that I can do to be a part of this.”

**Ms. Soo Wong:** Do I have more time, Madam Chair?

**The Acting Chair (Ms. Cindy Forster):** You’ve got about a minute and a half.

**Ms. Soo Wong:** A minute and a half; okay.

On the bottom of page 4 of your written submission—I’m going to make the statements, and I need to ask the question. “The proposed act is intended to enhance Ontario’s capacity for the prevention and control ... the government of Ontario must ensure that the MNRF has adequate new government funding to support the implementation....”

My question is to you, to the committee and to the Chair: How much money are you asking for?

**Mr. Matt DeMille:** As much as you’re willing to give.

*Laughter.*

**Ms. Soo Wong:** Good. What’s the dollar amount?

**Mr. Matt DeMille:** I don’t have a dollar amount. It’s really about: The more dollars we have, the more we can do. Behind that statement was—we’re already doing work on education and awareness and trying to prevent

the introduction and spread of invasive species, but we want to do more. This is about being better. We want to continue what we’re doing. But to be better, to enhance what we can do through this act and the regulations and policies that come out of it, we will need more funding in order to do that enhancement.

We want to continue to do what we’re doing, but we want to do more. Whatever money we can get, we will take it and we will use it.

**Ms. Soo Wong:** Thank you very much for your presentation.

**Mr. Matt DeMille:** Thank you.

**The Acting Chair (Ms. Cindy Forster):** Thank you so much for your presentation. Thanks to all of the presenters who were here today.

A reminder to committee members: Pursuant to the order of the House, the deadline to file amendments to Bill 37 with the committee Clerk is noon tomorrow, Wednesday, September 30, 2015.

This committee stands adjourned until 2 p.m. on Monday, October 5, 2015.

*The committee adjourned at 1657.*





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Ms. Eleanor McMahan (Burlington L)

Ms. Soo Wong (Scarborough–Agincourt L)

#### Also taking part / Autres participants et participantes

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Ms. Valerie Quioc Lim

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