



## 2009 OSCIA RESOLUTIONS

### **Resolution # 1 - Golden Horseshoe – OSCIA Constitution**

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one, and

**WHEREAS** even though we have the best regional communication coordinator in the province, the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to Peel, Halton, Hamilton-Wentworth, Brant, Norfolk, Haldimand, Niagara North and Niagara South preferably to split the area or add additional resources to maintain service levels to the very active membership therein.

**WITHDRAWN**

### **Resolution # 2 - Niagara South – OSCIA Constitution**

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

**Resolution # 3 - Niagara North – OSCIA Constitution**

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

**Resolution # 4 - Haldimand – OSCIA Constitution**

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

**Resolution # 5 - Wentworth – OSCIA Constitution**

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

***Resolution # 6 - Peel – OSCIA Constitution***

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

***Resolution # 7 - Brant – OSCIA Constitution***

**WHEREAS** the Golden Horseshoe Soil and Crop Improvement Association (GHSCIA) involves a vast and diverse area of predominantly crop acreage having major importance to Ontario agriculture, and

**WHEREAS** all the County/Regional Associations are extremely active and wholeheartedly support events like FarmSmart and FarmSmart Expo as well as completing other major grant projects individually, and

**WHEREAS** Director support has been reduced to one within the provincial constitution, and

**WHEREAS** the task of a provincial Director is considered too daunting (ie: there is the potential of a minimum of 24 regional meetings to attend yearly).

**THEREFORE, BE IT RESOLVED**, that the provincial directorate reconsider the structural change as it pertains to regions having six counties or more be permitted to have two Directors and additional resources to maintain service levels to the very active membership therein.

**DEFEATED**

**Resolution # 8 - Bruce – Municipal Drain Repair and Maintenance**

- WHEREAS** soil moisture management is a vital part of Ontario agriculture, and
- WHEREAS** proper drainage is absolutely essential for the efficient production of crops, and
- WHEREAS** both individual private landowners and the provincial government have invested considerable sums of money to construct, repair and maintain municipal drainage works, and
- WHEREAS** demands for studies at the applicant's expense and the designation of drains as fish habitat are threatening the Municipal Drain System in Ontario, and
- WHEREAS** the Department of Oceans and Fisheries are exhibiting disregard toward landowners through delaying the timely construction, repair and maintenance of municipal drains, and
- WHEREAS** the implementation of the Endangered Species Act 2007 may also delay the timely construction, repair and maintenance of municipal drains.

**THEREFORE, BE IT RESOLVED**, that the Bruce County Soil and Crop Improvement Association request the Ontario Government to exempt municipal drains, constructed under the Drainage Act from Section 28 of the Conservation Authorities Act.

**AND FURTHER, BE IT RESOLVED** that the Bruce County Soil and Crop Improvement Association request the Ontario Government to streamline municipal drain report and maintenance when Endangered Species Act 2007 authorizations are required.

**SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS FOR COMMENT**  
**SENT TO MINISTER OF NATURAL RESOURCES FOR COMMENT**  
**SENT TO MINISTER OF FISHERIES AND OCEANS FOR COMMENT**  
**SENT TO CONSERVATION ONTARIO FOR COMMENT**  
**SENT TO RURAL ONTARIO MUNICIPAL ASSOCIATION FOR COMMENT**

**REPLY BY THE HONOURABLE DONNA CANSFIELD, MINISTER  
ONTARIO MINISTRY OF NATURAL RESOURCES**

*Thank you for your letter regarding the Ontario Soil and Crop Improvement Association's resolutions about the management of drain activities and various legislative statutes.*

*I appreciate the opportunity to respond to the areas outlined in your letter that fall under my jurisdiction, namely the Endangered Species Act (ESA) and the Conservation Authorities Act (CA Act). I will refer the other issues to the Honourable Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs, and federal Minister Gail Shea of Fisheries and Oceans Canada for their review and consideration.*

*My ministry recognizes the need for good drainage in rural Ontario, as provided through the Drainage Act. However, we must also responsibly manage these drain activities to ensure protection of the public from water-related natural hazards as outlined under the Conservation Authorities Act, and having regard for our sensitive flora and fauna and their habitats, as outlined under the ESA.*

*I am aware that some issues have arisen in the field application of the CA Act section 28 regulations to some activities undertaken under the Drainage Act. It is my understanding that two multi-stakeholder groups, including membership from various provincial drainage agencies such as the Drainage Superintendents Association of Ontario (DSAO) and the Ontario Farmers Association, have been established to deal with these issues.*

*The first group, the Drains Action Working Group, was established to develop a practical means of implementing the requirements of the federal Fisheries Act to drain activity. The second group, the Drainage Act and Regulations Team, is tasked with developing practical solutions that facilitate a consistent technical and administrative approach to municipal drainage activities under the CA Act section 28 regulations. These groups continue to work toward solutions for drain issues. I will ensure your concerns are directed to the appropriate working groups for further consideration.*

*With regard to the implementation of the ESA, my staff have been communicating with the DSAO since the act came into force last June. The ministry has committed to working with the DSAO, the Department of Fisheries and Oceans and the Ministry of Agriculture, Food and Rural Affairs to integrate and streamline drain activity approval processes in cases where species at risk occur in municipal drains. To allow time to streamline the approval process, a transition regulation has eased the compliance requirements for existing municipal drains that impact species at risk until June 30, 2010.*

*I anticipate positive results from the aforementioned working groups in addressing the issues you have raised. Thank you again for bringing your concerns to my attention.*

**REPLY BY DON PEARSON, GENERAL MANAGER  
CONSERVATION ONTARIO**

*Thank you for informing Conservation Ontario of the drainage-related resolutions (#8, #9, #10) passed by the Ontario Soil and Crop Improvement Association (OSCIA) recently at their Annual Meeting. The resolutions cover a wide-ranging number of issues and this letter is in response to those aspects relating to the responsibilities of Conservation Authorities.*

*Currently, Conservation Ontario has representatives participating on two multi-stakeholder committees that have been established with the purpose of resolving drain-related issues with current environmental legislation. Implicit in the terms of reference for both committees is the recognition of the importance of improved drainage in rural Ontario and the importance of meeting current regulatory requirements. In this regard, Conservation Ontario participates on the Drainage Act & Section 28 Regulations Team (DART), which has been tasked with developing practical solutions that facilitate good working relationships while meeting Drainage Act and Conservation Authorities Act legislative requirements and with developing a consistent administrative approach and technical direction with regard to municipal drains.*

*Conservation Ontario is also represented on the Drains Action Working Group (DAWG), which was established to develop a practical means of implementing the requirements of the federal Fisheries Act to drain activity. These multi-stakeholder groups have membership from various government and provincial drainage agencies such as the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Natural Resources, Fisheries and Oceans Canada, the Drainage Superintendents Association of Ontario, the Ontario Farm Environmental Coalition and the Association of Municipalities of Ontario - Rural Caucus. We trust that by working closely and collaboratively with our partners and stakeholders in the management of drains and drainage activities, together we will find ways to mitigate and resolve the issues encountered by these agencies and the public.*

*If you have any questions please contact myself at ext. 231, or Natasha Leahy at ext. 228.*

**REPLY BY THE HONOURABLE GAIL SHEA, MINISTER  
MINISTRY OF FISHERIES AND OCEANS**

*Thank you for your correspondence of March 24, 2009, concerning municipal drain repair and maintenance.*

*Fisheries and Oceans Canada (DFO) has the mandate to conserve and protect fish and fish habitat. To fulfill this mandate, the Department administers the habitat protection provisions of the Fisheries Act*

*which prohibits, among other things, the harmful alteration, disruption or destruction (HADD) of fish habitat unless authorized by DFO.*

*Administration of these sections of the Fisheries Act includes the review of projects proposed in and around water. In Ontario, these project reviews are carried out in partnership with Conservation Authorities (CAs) that act as the first point of contact for the submission of proposals for projects that may affect fish and fish habitat.*

*Municipal Drainage Superintendents in Ontario submit "Notifications for Maintenance" of municipal drains or proposals for works such as installing culverts to the local CA. Most of these proposals are reviewed under a Fisheries Act Class Authorization process that the Department developed cooperatively with the agricultural community.*

*The Class Authorization process for Municipal Drains is a streamlined process to authorize, under Section 35(2) of the Fisheries Act, impacts to fish habitat, resulting from drain maintenance work. This streamlined approach allows for drain maintenance to proceed in accordance with both the Ontario Drainage Act and the federal Fisheries Act. In many cases, drain maintenance applications are reviewed and receive the necessary Fisheries Act authorization within seven days.*

*The Ontario Ministry of Natural Resources (OMNR) manages Ontario's fisheries and therefore has the responsibility for setting in-water work timing window guidelines necessary to achieve fisheries management objectives. DFO uses OMNR timing restrictions to set the conditions of Fisheries Act authorizations, that stipulate when work must be carried out.*

*Typically, drain maintenance work is permitted during in-water timing restriction periods (e.g. April 1 to June 15) only where assessments show drains are dry and it is unlikely that important fish communities will migrate upstream or that young newly-hatched fish will move downstream during flow events. Otherwise, in-water work resulting in a HADD is typically not authorized during this period.*

*The Department has developed and distributed public information and works directly with proponents to inform them of mitigation measures to reduce impacts to fish and fish habitat. In-water timing restrictions have been well-communicated within the drain maintenance community (Drainage Superintendents Association of Ontario, Ontario Ministry of Agriculture, Food and Rural Affairs and Non-Government Organizations) resulting in drain maintenance usually being scheduled around these restrictions.*

*In exceptional circumstances where drain maintenance must be done during a restricted in-water period, Department staff assess the site-specific risk of undertaking drain maintenance. Where the risk of spawning, nursery or migratory habitat is low, drain maintenance is permitted.*

*DFO has offices in London, Burlington, Peterborough, Prescott, Parry Sound, and Sudbury. For the office nearest you, please consult the Department website at <[http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/aboutus-apropos/regions/arctic-arctique\\_easp?#1](http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/aboutus-apropos/regions/arctic-arctique_easp?#1)>.*

*DFO appreciates your concern and is committed to working with municipalities, contractors, and the agricultural community to carry out works or undertakings in a manner which sustains healthy and productive aquatic ecosystems, of which drains are an integral part. If you have questions on this issue, please contact Ms. Chantal Larochelle, District Manager for Ontario Great Lakes Area-Southern District, at (905) 639-2935 or <[Chantal.larochelle@dfo-mpo.gc.ca](mailto:Chantal.larochelle@dfo-mpo.gc.ca)>.*

*Thank you for taking the time to express your concerns.*

**REPLY BY ALLEN TAYLOR, CHAIR  
RURAL ONTARIO MUNICIPAL ASSOCIATION**

*Thank you for forwarding the resolutions discussed at the OSCIA Annual Meeting for ROMA's consideration. The ROMA Board had a chance to review your letter at its April meeting.*

ROMA members share the concerns expressed in the resolutions. We recognize that good drainage is crucial to rural Ontario and to strong farms. It is very important that we remain as good stewards and work with the legislation while at the same time attempt to streamline the processes that have been identified as a concern. This is why we are working within the Drains Action Working Group (DAWG) and the Drainage Act & Section 28 Regulations Team (DART) with a representative sitting on both.

We are continuing constructive work in these groups to determine the most acceptable solutions. They have memberships which also include OMAFRA, OMNR, Fisheries and Oceans Canada and conservation authorities.

**REPLY BY THE HONOURABLE LEONA DOMBROWSKY, MINISTER  
ONTARIO MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

Thank you for your letter of March 24, 2009, and for sharing your organization's drainage related resolutions for my review. I appreciate the opportunity to respond to the issues raised in these resolutions.

Much of Ontario's cropland benefits from improved soil drainage. Municipal drains provide a vital outlet for improved agricultural drainage and important flood protection for land throughout rural Ontario.

To ensure that the interests of rural drainage are properly recognized, two multi-stakeholder working groups have been established:

1. The Drains Action Working Group's purpose is to develop a practical means of applying the requirements of the federal Fisheries Act to municipal drain activities.
2. The Drainage Act and Section 28 Regulations Team's purpose is to develop a consistent approach and technical direction for conservation authorities' review of municipal drain activities under the Conservation Authorities Act.

Both the Conservation Authorities Act and the Endangered Species Act, 2007, are administered by the Ministry of Natural Resources. I note that my Cabinet colleague the Honourable Donna Cansfield, Minister of Natural Resources, responded to your letter on May 5, 2009. I also note that she also committed to forwarding your concerns to the working groups for their consideration.

Mr. Sid Vander Veen of my ministry is available to speak with you about your concerns in greater detail. You can contact him by phone at 519-826-3552 or by e-mail at [sid.vanderveen@ontario.ca](mailto:sid.vanderveen@ontario.ca).

Again, thank you for writing.

**Resolution # 9 - Bruce – Municipal Drain Authority**

**WHEREAS** agriculture and municipal drains were designed to drain agricultural lands to improve production, and

**WHEREAS** over the years different legislation has limited or in some cases eliminated maintenance or construction of new drains.

**THEREFORE, BE IT RESOLVED**, that the Bruce County Soil and Crop Improvement Association request the provincial government to give the Ministry of Agriculture Food and Rural Affairs sole responsibility on all drains pertaining to agricultural lands.

**SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS FOR COMMENT  
SENT TO MINISTER OF NATURAL RESOURCES FOR COMMENT  
SENT TO MINISTER OF FISHERIES AND OCEANS FOR COMMENT  
SENT TO CONSERVATION ONTARIO FOR COMMENT**

**SENT TO RURAL ONTARIO MUNICIPAL ASSOCIATION FOR COMMENT**

**REPLY BY THE HONOURABLE DONNA CANSFIELD, MINISTER  
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*I appreciate the opportunity to respond to the areas outlined in your letter that fall under my jurisdiction, namely the Endangered Species Act (ESA) and the Conservation Authorities Act (CA Act). I will refer the other issues to the Honourable Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs, and federal Minister Gail Shea of Fisheries and Oceans Canada for their review and consideration.*

*My ministry recognizes the need for good drainage in rural Ontario, as provided through the Drainage Act. However, we must also responsibly manage these drain activities to ensure protection of the public from water-related natural hazards as outlined under the Conservation Authorities Act, and having regard for our sensitive flora and fauna and their habitats, as outlined under the ESA.*

*I am aware that some issues have arisen in the field application of the CA Act section 28 regulations to some activities undertaken under the Drainage Act. It is my understanding that two multi-stakeholder groups, including membership from various provincial drainage agencies such as the Drainage Superintendents Association of Ontario (DSAO) and the Ontario Farmers Association, have been established to deal with these issues.*

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*With regard to the implementation of the ESA, my staff have been communicating with the DSAO since the act came into force last June. The ministry has committed to working with the DSAO, the Department of Fisheries and Oceans and the Ministry of Agriculture, Food and Rural Affairs to integrate and streamline drain activity approval processes in cases where species at risk occur in municipal drains. To allow time to streamline the approval process, a transition regulation has eased the compliance requirements for existing municipal drains that impact species at risk until June 30, 2010.*

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*If you have any questions please contact myself at ext. 231, or Natasha Leahy at ext. 228.*

**REPLY BY THE HONOURABLE GAIL SHEA, MINISTER  
MINISTRY OF FISHERIES AND OCEANS**

*Thank you for your correspondence of March 24, 2009, concerning municipal drain repair and maintenance.*

*Fisheries and Oceans Canada (DFO) has the mandate to conserve and protect fish and fish habitat. To fulfill this mandate, the Department administers the habitat protection provisions of the Fisheries Act which prohibits, among other things, the harmful alteration, disruption or destruction (HADD) of fish habitat unless authorized by DFO.*

*Administration of these sections of the Fisheries Act includes the review of projects proposed in and around water. In Ontario, these project reviews are carried out in partnership with Conservation Authorities (CAs) that act as the first point of contact for the submission of proposals for projects that may affect fish and fish habitat.*

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*DFO appreciates your concern and is committed to working with municipalities, contractors, and the agricultural community to carry out works or undertakings in a manner which sustains healthy and productive aquatic ecosystems, of which drains are an integral part. If you have questions on this issue, please contact Ms. Chantal Larochelle, District Manager for Ontario Great Lakes Area-Southern District, at (905) 639-2935 or <[Chantal.larochelle@dfo-mpo.gc.ca](mailto:Chantal.larochelle@dfo-mpo.gc.ca)>.*

*Thank you for taking the time to express your concerns.*

**REPLY BY ALLEN TAYLOR, CHAIR  
RURAL ONTARIO MUNICIPAL ASSOCIATION**

*Thank you for forwarding the resolutions discussed at the OSCIA Annual Meeting for ROMA's consideration. The ROMA Board had a chance to review your letter at its April meeting.*

*ROMA members share the concerns expressed in the resolutions. We recognize that good drainage is crucial to rural Ontario and to strong farms. It is very important that we remain as good stewards and work with the legislation while at the same time attempt to streamline the processes that have been identified as a concern. This is why we are working within the Drains Action Working Group (DAWG) and the Drainage Act & Section 28 Regulations Team (DART) with a representative sitting on both.*

*We are continuing constructive work in these groups to determine the most acceptable solutions. They have memberships which also include OMAFRA, OMNR, Fisheries and Oceans Canada and conservation authorities.*

**REPLY BY THE HONOURABLE LEONA DOMBROWSKY, MINISTER  
ONTARIO MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

*Thank you for your letter of March 24, 2009, and for sharing your organization's drainage related resolutions for my review. I appreciate the opportunity to respond to the issues raised in these resolutions.*

*Much of Ontario's cropland benefits from improved soil drainage. Municipal drains provide a vital outlet for improved agricultural drainage and important flood protection for land throughout rural Ontario.*

*To ensure that the interests of rural drainage are properly recognized, two multi-stakeholder working groups have been established:*

- 3. The Drains Action Working Group's purpose is to develop a practical means of applying the requirements of the federal Fisheries Act to municipal drain activities.*
- 4. The Drainage Act and Section 28 Regulations Team's purpose is to develop a consistent approach and technical direction for conservation authorities' review of municipal drain activities under the Conservation Authorities Act.*

*Both the Conservation Authorities Act and the Endangered Species Act, 2007, are administered by the Ministry of Natural Resources. I note that my Cabinet colleague the Honourable Donna Cansfield, Minister of Natural Resources, responded to your letter on May 5, 2009. I also note that she also committed to forwarding your concerns to the working groups for their consideration.*

Mr. Sid Vander Veen of my ministry is available to speak with you about your concerns in greater detail. You can contact him by phone at 519-826-3552 or by e-mail at sid.vanderveen@ontario.ca.

Again, thank you for writing.

### **Resolution # 10 - Niagara South – Municipal Drains**

- WHEREAS** moisture management is a vital part of agriculture, and
- WHEREAS** municipal drainage systems are vital to the overall competitiveness of the agriculture sector in the province as they reduce flooding, crop and property damage and improve safety, and
- WHEREAS** landowners have invested considerable sums of their hard-earned money to construct and maintain municipal drains, and
- WHEREAS** demands for studies at the applicant's expense and the designation of drains as fish habitat by Conservation Authorities across Ontario are threatening the municipal drain system in Ontario.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association request that the Ontario Government exempt municipal drains from Section 28 of the Conservation Authorities Act.

**SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS FOR COMMENT**  
**SENT TO MINISTER OF NATURAL RESOURCES FOR COMMENT**  
**SENT TO MINISTER OF FISHERIES AND OCEANS FOR COMMENT**  
**SENT TO CONSERVATION ONTARIO FOR COMMENT**  
**SENT TO RURAL ONTARIO MUNICIPAL ASSOCIATION FOR COMMENT**

#### **REPLY BY THE HONOURABLE DONNA CANSFIELD, MINISTER ONTARIO MINISTRY OF NATURAL RESOURCES**

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*I appreciate the opportunity to respond to the areas outlined in your letter that fall under my jurisdiction, namely the Endangered Species Act (ESA) and the Conservation Authorities Act (CA Act). I will refer the other issues to the Honourable Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs, and federal Minister Gail Shea of Fisheries and Oceans Canada for their review and consideration.*

*My ministry recognizes the need for good drainage in rural Ontario, as provided through the Drainage Act. However, we must also responsibly manage these drain activities to ensure protection of the public from water-related natural hazards as outlined under the Conservation Authorities Act, and having regard for our sensitive flora and fauna and their habitats, as outlined under the ESA.*

*I am aware that some issues have arisen in the field application of the CA Act section 28 regulations to some activities undertaken under the Drainage Act. It is my understanding that two multi-stakeholder groups, including membership from various provincial drainage agencies such as the Drainage Superintendents Association of Ontario (DSAO) and the Ontario Farmers Association, have been established to deal with these issues.*

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*Drainage Act and Regulations Team, is tasked with developing practical solutions that facilitate a consistent technical and administrative approach to municipal drainage activities under the CA Act section 28 regulations. These groups continue to work toward solutions for drain issues. I will ensure your concerns are directed to the appropriate working groups for further consideration.*

*With regard to the implementation of the ESA, my staff have been communicating with the DSAO since the act came into force last June. The ministry has committed to working with the DSAO, the Department of Fisheries and Oceans and the Ministry of Agriculture, Food and Rural Affairs to integrate and streamline drain activity approval processes in cases where species at risk occur in municipal drains. To allow time to streamline the approval process, a transition regulation has eased the compliance requirements for existing municipal drains that impact species at risk until June 30, 2010.*

*I anticipate positive results from the aforementioned working groups in addressing the issues you have raised. Thank you again for bringing your concerns to my attention.*

**REPLY BY DON PEARSON, GENERAL MANAGER  
CONSERVATION ONTARIO**

*Thank you for informing Conservation Ontario of the drainage-related resolutions (#8, #9, #10) passed by the Ontario Soil and Crop Improvement Association (OSCIA) recently at their Annual Meeting. The resolutions cover a wide-ranging number of issues and this letter is in response to those aspects relating to the responsibilities of Conservation Authorities.*

*Currently, Conservation Ontario has representatives participating on two multi-stakeholder committees that have been established with the purpose of resolving drain-related issues with current environmental legislation. Implicit in the terms of reference for both committees is the recognition of the importance of improved drainage in rural Ontario and the importance of meeting current regulatory requirements. In this regard, Conservation Ontario participates on the Drainage Act & Section 28 Regulations Team (DART), which has been tasked with developing practical solutions that facilitate good working relationships while meeting Drainage Act and Conservation Authorities Act legislative requirements and with developing a consistent administrative approach and technical direction with regard to municipal drains.*

*Conservation Ontario is also represented on the Drains Action Working Group (DAWG), which was established to develop a practical means of implementing the requirements of the federal Fisheries Act to drain activity. These multi-stakeholder groups have membership from various government and provincial drainage agencies such as the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Natural Resources, Fisheries and Oceans Canada, the Drainage Superintendents Association of Ontario, the Ontario Farm Environmental Coalition and the Association of Municipalities of Ontario - Rural Caucus. We trust that by working closely and collaboratively with our partners and stakeholders in the management of drains and drainage activities, together we will find ways to mitigate and resolve the issues encountered by these agencies and the public.*

*If you have any questions please contact myself at ext. 231, or Natasha Leahy at ext. 228.*

**REPLY BY THE HONOURABLE GAIL SHEA, MINISTER  
MINISTRY OF FISHERIES AND OCEANS**

*Thank you for your correspondence of March 24, 2009, concerning municipal drain repair and maintenance.*

*Fisheries and Oceans Canada (DFO) has the mandate to conserve and protect fish and fish habitat. To fulfill this mandate, the Department administers the habitat protection provisions of the Fisheries Act which prohibits, among other things, the harmful alteration, disruption or destruction (HADD) of fish habitat unless authorized by DFO.*

*Administration of these sections of the Fisheries Act includes the review of projects proposed in and around water. In Ontario, these project reviews are carried out in partnership with Conservation Authorities (CAs) that act as the first point of contact for the submission of proposals for projects that may affect fish and fish habitat.*

*Municipal Drainage Superintendents in Ontario submit “Notifications for Maintenance” of municipal drains or proposals for works such as installing culverts to the local CA. Most of these proposals are reviewed under a Fisheries Act Class Authorization process that the Department developed cooperatively with the agricultural community.*

*The Class Authorization process for Municipal Drains is a streamlined process to authorize, under Section 35(2) of the Fisheries Act, impacts to fish habitat, resulting from drain maintenance work. This streamlined approach allows for drain maintenance to proceed in accordance with both the Ontario Drainage Act and the federal Fisheries Act. In many cases, drain maintenance applications are reviewed and receive the necessary Fisheries Act authorization within seven days.*

*The Ontario Ministry of Natural Resources (OMNR) manages Ontario’s fisheries and therefore has the responsibility for setting in-water work timing window guidelines necessary to achieve fisheries management objectives. DFO uses OMNR timing restrictions to set the conditions of Fisheries Act authorizations, that stipulate when work must be carried out.*

*Typically, drain maintenance work is permitted during in-water timing restriction periods (e.g. April 1 to June 15) only where assessments show drains are dry and it is unlikely that important fish communities will migrate upstream or that young newly-hatched fish will move downstream during flow events. Otherwise, in-water work resulting in a HADD is typically not authorized during this period.*

*The Department has developed and distributed public information and works directly with proponents to inform them of mitigation measures to reduce impacts to fish and fish habitat. In-water timing restrictions have been well-communicated within the drain maintenance community (Drainage Superintendents Association of Ontario, Ontario Ministry of Agriculture, Food and Rural Affairs and Non-Government Organizations) resulting in drain maintenance usually being scheduled around these restrictions.*

*In exceptional circumstances where drain maintenance must be done during a restricted in-water period, Department staff assess the site-specific risk of undertaking drain maintenance. Where the risk of spawning, nursery or migratory habitat is low, drain maintenance is permitted.*

*DFO has offices in London, Burlington, Peterborough, Prescott, Parry Sound, and Sudbury. For the office nearest you, please consult the Department website at <[http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/about-us-apropos/regions/arctic-arctique\\_easp?#1](http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/about-us-apropos/regions/arctic-arctique_easp?#1)>.*

*DFO appreciates your concern and is committed to working with municipalities, contractors, and the agricultural community to carry out works or undertakings in a manner which sustains healthy and productive aquatic ecosystems, of which drains are an integral part. If you have questions on this issue, please contact Ms. Chantal Larochelle, District Manager for Ontario Great Lakes Area-Southern District, at (905) 639-2935 or <[Chantal.larochelle@dfo-mpo.gc.ca](mailto:Chantal.larochelle@dfo-mpo.gc.ca)>.*

*Thank you for taking the time to express your concerns.*

**REPLY BY ALLEN TAYLOR, CHAIR  
RURAL ONTARIO MUNICIPAL ASSOCIATION**

*Thank you for forwarding the resolutions discussed at the OSCIA Annual Meeting for ROMA’s consideration. The ROMA Board had a chance to review your letter at its April meeting.*

*ROMA members share the concerns expressed in the resolutions. We recognize that good drainage is crucial to rural Ontario and to strong farms. It is very important that we remain as good stewards and work with the legislation while at the same time attempt to streamline the processes that have been identified*

as a concern. This is why we are working within the Drains Action Working Group (DAWG) and the Drainage Act & Section 28 Regulations Team (DART) with a representative sitting on both.

We are continuing constructive work in these groups to determine the most acceptable solutions. They have memberships which also include OMAFRA, OMNR, Fisheries and Oceans Canada and conservation authorities.

**REPLY BY THE HONOURABLE LEONA DOMBROWSKY, MINISTER  
ONTARIO MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

Thank you for your letter of March 24, 2009, and for sharing your organization's drainage related resolutions for my review. I appreciate the opportunity to respond to the issues raised in these resolutions.

Much of Ontario's cropland benefits from improved soil drainage. Municipal drains provide a vital outlet for improved agricultural drainage and important flood protection for land throughout rural Ontario.

To ensure that the interests of rural drainage are properly recognized, two multi-stakeholder working groups have been established:

5. The Drains Action Working Group's purpose is to develop a practical means of applying the requirements of the federal Fisheries Act to municipal drain activities.
6. The Drainage Act and Section 28 Regulations Team's purpose is to develop a consistent approach and technical direction for conservation authorities' review of municipal drain activities under the Conservation Authorities Act.

Both the Conservation Authorities Act and the Endangered Species Act, 2007, are administered by the Ministry of Natural Resources. I note that my Cabinet colleague the Honourable Donna Cansfield, Minister of Natural Resources, responded to your letter on May 5, 2009. I also note that she also committed to forwarding your concerns to the working groups for their consideration.

Mr. Sid Vander Veen of my ministry is available to speak with you about your concerns in greater detail. You can contact him by phone at 519-826-3552 or by e-mail at [sid.vanderveen@ontario.ca](mailto:sid.vanderveen@ontario.ca).

Again, thank you for writing.

**Resolution # 11 - Bruce – Potash Monopoly**

**WHEREAS** Potash Corporation has recently announced that it will scale back production due to demand which in reality is a reaction to pricing pressure, and

**WHEREAS** the Government of Canada has allowed Potash Corporation to become a monopolistic power over potash fertilizer, and

**WHEREAS** we content that this decision has lead to the absence of healthy competition in the potash market resulting in an unfair market price for this essential ingredient for agricultural crop production.

**THEREFORE, BE IT RESOLVED**, that we request the Canadian Government review the pricing strategies and possible abuse of the monopoly powers of the Potash Corporation.

**SENT TO MINISTER OF AGRICULTURE AND AGRI-FOOD CANADA FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS  
COPY SENT TO ONTARIO AGRI BUSINESS ASSOCIATION**

**COPY SENT TO COMPETITION BUREAU OF CANADA**

**REPLY BY THE HONOURABLE GERRY RITZ  
MINISTER OF AGRICULTURE AND AGRI-FOOD CANADA AND  
MINISTER FOR THE CANADIAN WHEAT BOARD**

*Thank you for your letter informing me of the resolution recently passed by the Ontario Soil and Crop Improvement Association with respect to monopoly powers of the Potash Corporation. I appreciate being made aware of your association's concerns on this subject.*

*As you may be aware, issues regarding pricing strategies and possible abuse of monopoly powers fall within the purview of the Competition Act, which is administered by the Competition Bureau. I note that you have provided a copy of your letter to Ms. Melanie Aitken, Interim Commissioner of Competition for the Competition Bureau.*

*As the matter you have raised would also be of interest to the Minister of Industry, I have taken the liberty of forwarding a copy of your correspondence to the Honourable Tony Clement for his consideration.*

*Again, thank you for writing on this issue.*

**REPLY BY ELIZABETH EVES, COMPETITION LAW OFFICER,  
CRIMINAL MATTERS BRANCH, TORONTO  
COMPETITION BUREAU CANADA**

*This letter is further to your letter of March 24, 2009, to Mr. Gerry Ritz, Minister of Agriculture, and to our telephone conversation on June 1, 2009, acknowledging the receipt of your complaint.*

*The Competition Bureau ("Bureau") is the federal government agency responsible for the administration and enforcement of the Competition Act ("Act"). Under section 45 of the Act, it is illegal for companies to conspire, combine, agree or arrange to limit competition unduly. Under section 45(5) companies are exempt from these provisions if the conspiracy relates only to the export of products from Canada. The Act applies to business dealings and offences committed in Canada.*

*Your complaint is being examined under section 45 of the Act. Section 45 contains several elements which must be satisfied in order for an offence to occur. Additionally, as section 45 is a criminal provision, the offence must be proven "beyond a reasonable doubt".*

*Under section 29 of the Act, the Bureau is not permitted to share information except to other law enforcement agencies or for the purpose of administration and enforcement of the Act. As such, the Bureau cannot provide the Ontario Soil and Crop Improvement Association with any information received under any provision of the Act or obtained voluntarily and cannot provide updates on the investigation. You will be informed when the case is resolved or closed. If the Ontario Soil and Crop Improvement Association becomes aware of further information which may be of assistance to the Bureau in our investigation, please forward this information to the attention of Greg Andrews in Calgary at the contact information below.*

*If you have any further questions please do not hesitate to contact Greg at (403) 292-5615 or at [greg.andrews@cb-bc.gc.ca](mailto:greg.andrews@cb-bc.gc.ca). You may also find further information on our website at [www.competitionbureau.gc.ca](http://www.competitionbureau.gc.ca).*

*Thank you for bringing this matter to the attention of the Bureau.*

**Resolution # 12 - Bruce – Anti-Pesticide Campaign**

**WHEREAS** some individuals and groups in the health care profession have started campaigns against the use of registered pesticides, and

**WHEREAS** the approval and registration of pesticides in Canada is based on extensive

scientific data.

**THEREFORE, BE IT RESOLVED**, that OSCIA and AGCare request dialogue between Health Canada and PMRA to reconcile these opinions and that they establish a scientific framework for these discussions.

**AND FURTHER, BE IT RESOLVED**, that they make this scientific information available to the various medical-based organizations and to the public.

**SENT TO MINISTER OF HEALTH CANADA FOR COMMENT  
SENT TO PESTICIDE MANAGEMENT REGULATORY AGENCY FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS FOR COMMENT  
COPY SENT TO MINISTER OF THE ENVIRONMENT  
COPY SENT TO CROPLIFE CANADA  
COPY SENT TO AGCARE**

**REPLY BY THE HONOURABLE LEONA AGLUKKAQ  
MINISTER OF HEALTH**

*Thank you for your correspondence of March 24, 2009, highlighting resolutions passed at the Annual Meeting of the Ontario Soil and Crop Improvement Association concerning the use of registered pesticides.*

*Health Canada's priority is the health and safety of Canadians and their environment. Under the Pest Control Products Act, a pesticide is registered only if it meets our stringent health and environmental safety standards and proves value in its application. When determining if a pesticide can be used in Canada, the Department's Pest Management Regulatory Agency conducts extensive health and environmental scientific reviews, taking into account the available scientific information from governments, academia, industry and the public, including epidemiological and incident reports, both nationally and internationally.*

*With regard to Resolution No. 12, the public debate of issues related to pesticides and pesticide use often represents a range of personal and professional views, including interpretations of scientific data and risk. In addition to providing considerable information on its website, Health Canada participates at meetings where these discussions take place, such as municipal meetings and the Canadian Cancer Society Conference held in November 2008, and takes these opportunities to explain how federal regulatory decisions are made. The Department also monitors developments in pesticide regulation by other levels of government and internationally, as well as views expressed in the media, and responds promptly if Health Canada's work is misrepresented.*

*Given the rigour of the evaluation process, we are confident that the pesticides registered for use in Canada can be used safely under the prescribed circumstances indicated on the label. However, as you are aware, the provinces and territories, and sometimes municipalities, may impose further restrictions on the use of pesticides.*

*Thank you for writing.*

**Resolution # 13 - Middlesex - Pesticides**

**WHEREAS** safe, competitive pesticides are a necessity for Ontario farm producers, and

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association support science-based decisions on pesticide use.

**SENT TO MINISTER OF THE ENVIRONMENT FOR COMMENT  
SENT TO THE MINISTER OF HEALTH CANADA FOR COMMENT  
SENT TO PESTICIDE MANAGEMENT REGULATORY AGENCY FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS  
COPY SENT TO AGCARE  
COPY SENT TO CROPLIFE CANADA**

**REPLY BY THE HONOURABLE JOHN GERRETSEN, MINISTER  
ONTARIO MINISTRY OF THE ENVIRONMENT**

*Thank you for your letter of March 24, 2009 regarding the cosmetic pesticides ban.*

*As you may be aware, Ontario's cosmetic pesticides ban will take effect April 22, 2009.*

*The requirements of the ban are detailed in Ontario Regulation 63/09 (O. Reg. 63/09) made under the Pesticides Act, which has been amended by the Cosmetic Pesticides Ban Act, 2008. More information about the ban is available on the ministry's website at [www.ontario.ca/pesticideban](http://www.ontario.ca/pesticideban).*

*The ban protects Ontario families and children from the unnecessary risks of cosmetic pesticides by only allowing the use of biopesticides and certain lower risk pesticides for controlling weeds and pests in lawns and gardens.*

*O. Reg. 63/09 includes a new classification framework for pesticides which establishes the rules for each pesticide class. O. Reg. 63/09 and the accompanying Pesticide Classification Guideline for Ontario identify which products can and cannot be sold and used in Ontario based on clear scientific and technical information.*

*Under the ban, the use of biopesticides and certain lower risk pesticides are allowed for controlling weeds and pests in lawns and gardens. The biopesticides are those designated by Health Canada's Pest Management Regulatory Agency (PMRA). Lower risk pesticides were selected based on PMRA's proposed criteria for low risk pesticides that have characteristics such as low toxicity to humans, minimal impact to the environment, and act in a non-toxic way in controlling intended pests.*

*Agriculture is excepted from the use ban. Ontario farmers already have stringent rules on the storage and application of pesticides. We recognize farmers have been adopting integrated pest management approaches to reduce their use of pesticides, and these efforts have achieved a 52-percent reduction in pesticide use on agricultural crops since 1983.*

*The ban takes the place of existing municipal pesticide bylaws, establishing one clear set of easy-to-understand rules, and providing certainty for businesses operating in different areas of the province.*

*Thank you, again, for sharing your perspective with our government.*

**REPLY BY THE HONOURABLE LEONA AGLUKKAQ  
MINISTER OF HEALTH**

*Thank you for your correspondence of March 24, 2009, highlighting resolutions passed at the Annual Meeting of the Ontario Soil and Crop Improvement Association concerning the use of registered pesticides.*

*Health Canada's priority is the health and safety of Canadians and their environment. Under the Pest Control Products Act, a pesticide is registered only if it meets our stringent health and environmental safety standards and proves value in its application. When determining if a pesticide can be used in Canada, the Department's Pest Management Regulatory Agency conducts extensive health and environmental scientific reviews, taking into account the available scientific information from governments, academia, industry and the public, including epidemiological and incident reports, both nationally and internationally.*

*With regard to Resolution No. 12, the public debate of issues related to pesticides and pesticide use often represents a range of personal and professional views, including interpretations of scientific data and risk. In addition to providing considerable information on its website, Health Canada participates at meetings where these discussions take place, such as municipal meetings and the Canadian Cancer Society Conference held in November 2008, and takes these opportunities to explain how federal regulatory decisions are made. The Department also monitors developments in pesticide regulation by other levels of government and internationally, as well as views expressed in the media, and responds promptly if Health Canada's work is misrepresented.*

*Given the rigour of the evaluation process, we are confident that the pesticides registered for use in Canada can be used safely under the prescribed circumstances indicated on the label. However, as you are aware, the provinces and territories, and sometimes municipalities, may impose further restrictions on the use of pesticides.*

*Thank you for writing.*

#### **Resolution # 14 - Prince Edward – Cosmetic Pesticide Ban**

**WHEREAS** the Ministry of the Environment released proposed regulations which would implement a blanket ban on the use of cosmetic herbicide use with no rational or scientific criteria to support that legislation, and

**WHEREAS** this ban ignores the fact that all pesticides are regulated by the Pest Management Regulatory Agency and Health Canada, and must pass a strict scientific safety assessment before public use, and

**WHEREAS** exclusion of this scientific advice in making this policy sets a worrying precedent for the farming industry.

**THEREFORE, BE IT RESOLVED**, that OSCIA support the efforts of OFA, OCPA, and other commodity groups in their lobby to the Ministry of the Environment to accept the stringent regulatory process already in place to determine product safety and refrain from creating nonscientific-based regulations originating from public fearmongering.

**SENT TO MINISTER OF THE ENVIRONMENT FOR COMMENT  
SENT TO THE MINISTER OF HEALTH CANADA FOR COMMENT  
SENT TO PESTICIDE MANAGEMENT REGULATORY AGENCY FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS  
COPY SENT TO AGCARE  
COPY SENT TO CROPLIFE CANADA**

**REPLY BY THE HONOURABLE JOHN GERRETSEN, MINISTER  
ONTARIO MINISTRY OF THE ENVIRONMENT**

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*Agriculture is excepted from the use ban. Ontario farmers already have stringent rules on the storage and application of pesticides. We recognize farmers have been adopting integrated pest management approaches to reduce their use of pesticides, and these efforts have achieved a 52-percent reduction in pesticide use on agricultural crops since 1983.*

*The ban takes the place of existing municipal pesticide bylaws, establishing one clear set of easy-to-understand rules, and providing certainty for businesses operating in different areas of the province.*

*Thank you, again, for sharing your perspective with our government.*

**REPLY BY THE HONOURABLE LEONA AGLUKKAQ  
MINISTER OF HEALTH**

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*Health Canada's priority is the health and safety of Canadians and their environment. Under the Pest Control Products Act, a pesticide is registered only if it meets our stringent health and environmental safety standards and proves value in its application. When determining if a pesticide can be used in Canada, the Department's Pest Management Regulatory Agency conducts extensive health and environmental scientific reviews, taking into account the available scientific information from governments, academia, industry and the public, including epidemiological and incident reports, both nationally and internationally.*

*With regard to Resolution No. 12, the public debate of issues related to pesticides and pesticide use often represents a range of personal and professional views, including interpretations of scientific data and risk. In addition to providing considerable information on its website, Health Canada participates at meetings where these discussions take place, such as municipal meetings and the Canadian Cancer Society Conference held in November 2008, and takes these opportunities to explain how federal regulatory decisions are made. The Department also monitors developments in pesticide regulation by other levels of government and internationally, as well as views expressed in the media, and responds promptly if Health Canada's work is misrepresented.*

*Given the rigour of the evaluation process, we are confident that the pesticides registered for use in Canada can be used safely under the prescribed circumstances indicated on the label. However, as you are aware, the provinces and territories, and sometimes municipalities, may impose further restrictions on the use of pesticides.*

*Thank you for writing.*

**Resolution # 15 - Sudbury – Crop Damage by Sandhill Cranes**

**WHEREAS** the population of Sandhill Cranes is increasing rapidly in Sudbury District and other areas in Northern Ontario, and

**WHEREAS** Sandhill Cranes are causing extensive crop damage and therefore considerable economic loss to farmers in these areas.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association encourage the Ontario Ministry of Natural Resources to consider introducing a hunting season on Sandhill Cranes.

**AND FURTHER, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association encourage the Ontario Ministry of Agriculture, Food and Rural Affairs to introduce a program which will allow the payment of compensation for crop damage caused by Sandhill Cranes.

**ON HOLD**

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**Resolution # 16 - Middlesex – Source Water Protection Act**

**WHEREAS** Ontario rural landowners provide a benefit to the Ontario society by responsibly supplying water recharge zones.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association support full public compensation for producers negatively affected by the Source Water Protection legislation.

**SENT TO MINISTER OF ENVIRONMENT FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

**REPLY BY IAN SMITH, DIRECTOR, SOURCE PROTECTION PROGRAMS BRANCH  
MINISTRY OF THE ENVIRONMENT**

*Thank you for your letter of March 24, 2009 informing the Honourable John Gerretsen, Minister of the Environment, of the Ontario Soil and Crop Improvement Association's resolution from their recent annual meeting. I am pleased to reply on his behalf.*

*The issue of financial support for affected property owners was raised and discussed throughout the development of the Clean Water Act, 2006 (CWA), including the province-wide hearings held by the Standing Committee on Social Policy in August 2006, regional roundtable consultations on the draft Bill in spring 2007, and consultation through the Environmental Registry throughout the development of the legislation. I would point out that an amendment to the draft Bill made during Standing Committee was to provide for the Ontario Drinking Water Stewardship Program (ODWSP) specifically to address the issue. This was accompanied by a commitment to fund the program through to 2011.*

*The decision was made during the development and consultation process on the draft Bill that compensation, except in accordance with the Expropriations Act, 1990, would not be provided for under the CWA. Since then, the Ministry of the Environment has been very clear that compensation is not provided for under the CWA and staff have provided written direction to the Source Protection Committees to that effect.*

*This direction, which has been widely circulated, clarified that Section 22 of the CWA, which sets out the required contents of a source protection plan, does not provide for the inclusion of policies related to financial compensation. The Act also states in subsection 98(6) that nothing done in accordance with the Act constitutes an expropriation or injurious affection for the purposes of the Expropriations Act, 1990 (except an expropriation under section 92).*

*This provision indicates that the Legislature did not intend there to be compensation for the imposition of land use restrictions.*

*It is my understanding that the Minister has no intention of requesting that the Legislature amend the CWA to include compensation. The Minister has however, received advice from key stakeholders about whether or how the ODSWP might be renewed, extended and/or amended. A key concern among several groups that the ministry has heard from appears to be that financial support be available to property owners when policies are being developed through 2012, and as they are being implemented after plan approval.*

*The ministry is currently concluding a review of the ODWSP. At the Minister's request, Source Protection Committee Chairs have been conducting consultations with the agricultural community and other local stakeholders. These consultations are winding down and the Chairs are currently reporting back to the ministry on the results. All comments received will be considered as the ministry completes its review of the ODWSP.*

*Ministry met with staff of OSCIA (Andy Graham, Christine Schmalz) on April 2, 2009, to discuss this review and to seek comments on how to improve the ODWSP and OSCIA's role as a delivery agent for the program.*

*I can assure you the ministry will continue to be responsive to the agricultural sector and other stakeholder concerns as the existing fund is administered from now through 2011, particularly when the vulnerable areas are defined and activities that are threats identified in the Assessment Reports.*

*I hope you find this information helpful. If you would like to discuss compensation further, please contact Mr. Keith Willson, Manager of Source Protection Approvals in our Source Protection Programs Branch, at 416-314-0560, or at keith.willson@ontario.ca. For further information about the ODWSP, you may contact Mr. Paul Heeney, Manager of Source Protection Implementation in our Source Protection Programs Branch, at 416-326-5564, or at paul.heeney@ontario.ca.*

*I trust this information is helpful in addressing your association's concerns. Thank you, again, for bringing your resolution to the attention of the ministry.*

#### **Resolution # 17 - Renfrew – Salvage Benefit Program for Wheat**

**WHEREAS** large areas of Ontario's Winter and Spring Wheat crop have been adversely affected by fusarium, resulting in downgrading to Feed and Sample Grades, and

**WHEREAS** producers are having problems marketing this wheat and are taking excessive discounts for downgraded wheat in the marketplace.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association support the Ontario Wheat Producers Marketing Board in requesting Agricorp implement a salvage benefit program similar to the Corn Salvage Benefit Program which is a feature of the Corn Production Insurance Plan.

**SENT TO AGRICORP FOR COMMENT  
COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

**REPLY BY RANDY JACKIW, CHIEF EXECUTIVE OFFICER  
AGRICORP**

*Thank you for your letters of March 24. I appreciate the opportunity to comment on the resolutions carried at the annual meeting of the OSCIA regarding Production Insurance (PA). Agricorp is working closely with our industry partners to address the following resolutions raised in your letters.*

**Quality concerns in Ontario Wheat**

*To better reflect current market conditions, Agricorp has increased the PI quality adjustment factor for spring wheat from 15 percent to 30 percent, starting with the 2009 crop year. When the grade of harvested spring wheat is downgraded to feed grade, Agricorp decreases the yield by 30 percent to help compensate for the loss in value. The two percent deductible applied to a customer's guaranteed production to account for the quality adjustment factor remains unchanged for 2009.*

*To further address quality concerns with Ontario wheat, Agricorp is collaborating with a technical committee of the Ontario Wheat Producers' Marketing Board (OWPMB). This priority project for 2009-10 will help us develop appropriate next steps to address the issue of quality coverage available from Production Insurance.*

### **Risk management strategy for specialty crops**

*Agricorp acknowledges that there are always opportunities to expand and improve PI and this is why priorities for PI plan development are continually reviewed with industry stakeholders. We consider many factors when evaluating plan enhancements and new plans, including: the needs of producers, the long-term sustainability of plans, changes to the program's risk profile and enrolment, and compliance with legislative and regulatory requirements. Agricorp continues to evaluate PI plans to reflect market diversification and industry trends. For example, the separation of the winter wheat plan into distinct plans for each class was implemented in response to the shift in the types of winter wheat grown in Ontario and the rise in Ontario's organic industry. I have asked Mike Vlcek, Senior Director of Program Development, to contact OSCIA to ensure your input and perspective are part of the priority-setting process moving forward.*

*A significant focus for supporting specialty grain and oilseed crops is the successful development and delivery of the Risk Management Program (RMP) pilot. In addition, Agricorp is working closely with OMAFRA this summer to evaluate the effectiveness of this pilot program. We will be happy to follow up with you in the fall to share the results of this evaluation.*

*Thank you again for sharing the OSCIA's concerns with me. Ongoing collaboration with industry and excellent customer service will continue to be top priorities for Agricorp in the years ahead. We look forward to continuing to work with you in the future.*

### **Resolution # 18 - Prescott, Russell – Grading System for Wheat**

**WHEREAS** the spring wheat crop of 2008 was of poor quality in eastern Ontario, and

**WHEREAS** the testing facility at local elevators was not adequate and compatible with testing conducted by end use buyers, and

**WHEREAS** this discrepancy caused misleading results for producers trying to sell their wheat, which was in many cases refused or downgraded to sample grade and discounted in dollar value that caused big losses for producers.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association petition that the Ontario Wheat Board and the Canadian Grain Commission to revise the grading system used at all elevators to provide all wheat producers with a trusted method of grading at harvest time.

**SENT TO CANADIAN GRAIN COMMISSION FOR COMMENT  
COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD**

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

Thank you for your letter dated March 24, 2009 indicating recent resolutions adopted at your association's annual meeting.

The Canadian Grain Commission (CGC) values this input from associations such as yourselves in order for the CGC to work with industry and producer groups in the continued development and improvement of Canada's grain quality assurance system.

One of the mail forums for discussions pertaining to the resolutions in your letter is the Eastern Grain Standards Committee which meets twice a year. The spring meeting is scheduled for April 22, 2009. The CGC will look forward to engaging the committee members, which include the Ontario Wheat Producers' Marketing Board representative, in discussions on the three resolutions identified in your letter.

I would be pleased to provide you with an update after the Eastern Standards Committee meeting with respect to your association's resolutions.

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

In my previous letter to you dated April 17, 2009, I agreed to provide you with an update from the Eastern Standards Committee (ESC) meeting and address the three resolutions identified in your letter dated March 24, 2009. The ESC met on April 22, 2009 in Toronto and dealt with a number of issues related to your organization's resolution concerns on the grading of eastern wheat.

The resolutions outlined in your letter dated March 24, 2009 focused around three main issues:

- consistency of grading at elevators
- subjectivity in the grading system
- a grading system that meets the needs of the end user.

**Consistency**

Consistency in any quality evaluation system is difficult whenever you have multiple parties involved. The grain grading system is no different. The Canadian Grain Commission (CGC) has worked with the industry in eastern Canada for many years providing training and refresher courses with the goal of minimizing grading differences. This training will continue in the future.

Starting in 2009, the CGS will be hosting a weekly conference call for the industry to discuss specific crop quality issues being seen in the harvest. The calls will commence in early July and wrap up when it is determined that the harvest is virtually complete. The calls will facilitate discussion on the crop quality as it proceeds, alerting the industry to any potential problems being seen and ensuring companies have the required tools in place to grade the harvest and identify any training needs. All sectors of the industry will be invited to call in and provide input to the call.

**Subjectivity**

The Canadian grain grading system is mainly a visual system related to end-use functionality. With any visual system comes subjectivity between individuals. This is especially true when grading samples that have been affected by mildew. The CGC provides interpretive guide samples to the industry to help minimize subjectivity. At the recent ESC meeting, the CGC presented data to the committee showing the impact of mildew on the end-use functionality of the wheat. Based on the data presented, the committee recommended that the amount of mildew in the current No. 2 C.E. Red Winter Mildew Guide can be increased to coincide with the CGC report. If material can be obtained, new mildew guides will be prepared and be available for distribution July 1, 2009. This change will mean that in years where mildew is a grading concern, more wheat will be eligible for the grad No. 2 and conversely there will be fewer disputes.

The CGC can also act as an arbitrator when requested to help resolve grading disputes.

The CGC is committed to identifying new technology that can assess the end-use quality of grain samples quickly, accurately, consistently and at a reasonable cost to the industry. Once proven in the lab, the CGC works with the industry to adapt the technology into the grading system. At the recent ESC meeting, updates were provided by the CGC regarding new technology being assessed for the grading system. These included:

- Rapid visco analysis (RVA) - used to predict falling number and assess alpha amylase damage caused by sprouting
- Toxin testing - a couple of new technologies are being evaluated that will be able to predict values for vomitoxin or DON caused by fusarium damage, ochratoxin and aflatoxin
- Hyper spectral imaging - is being evaluated to assess mildew levels in wheat sample. This technology is showing promise.

#### **End User**

The Canadian grading system segregates grain by grade that reflects the end-use functionality of the product. The segregation system encompasses all end-use requirements. As such, there are end users who, rather than use the CGC's grading system, choose to purchase their wheat on the specifications that are important to them. One factor that is important to one customer may not be important to another. This sometimes leads to individuals believing that a specific grading factor may or may not be important. The Canadian grading system is flexible whereby a parcel of grain can either be graded by CGC standards or analyzed on a specification basis.

As stated in my previous letter, the CGC values input from associations such as yours in order for the GCG to work with industry and producer groups in the continued development and improvement of Canada's grain quality assurance system.

#### **Resolution # 19 - Prescott – Grading System for Wheat**

- WHEREAS** the past few years have proven to be challenging for Ontario wheat producers that have resulted in sometimes poorer quality wheat, and
- WHEREAS** not always the same grading standards are followed at the points of delivery of the wheat crop, and
- WHEREAS** the grading systems at the points of delivery and that of the end user are not the same (i.e. Visual grading versus actual analysis of product), and
- WHEREAS** there are new technologies available that give quick and accurate results of samples tested.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association work with the Ontario Wheat Producers' Marketing Board to put a single standardized grading system for Ontario wheat in place.

**SENT TO CANADIAN GRAIN COMMISSION FOR COMMENT  
COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD**

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

Thank you for your letter dated March 24, 2009 indicating recent resolutions adopted at your association's annual meeting.

*The Canadian Grain Commission (CGC) values this input from associations such as yourselves in order for the CGC to work with industry and producer groups in the continued development and improvement of Canada's grain quality assurance system.*

*One of the mail forums for discussions pertaining to the resolutions in your letter is the Eastern Grain Standards Committee which meets twice a year. The spring meeting is scheduled for April 22, 2009. The CGC will look forward to engaging the committee members, which include the Ontario Wheat Producers' Marketing Board representative, in discussions on the three resolutions identified in your letter.*

*I would be pleased to provide you with an update after the Eastern Standards Committee meeting with respect to your association's resolutions.*

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

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*The resolutions outlined in your letter dated March 24, 2009 focused around three main issues:*

- consistency of grading at elevators*
- subjectivity in the grading system*
- a grading system that meets the needs of the end user.*

**Consistency**

*Consistency in any quality evaluation system is difficult whenever you have multiple parties involved. The grain grading system is no different. The Canadian Grain Commission (CGC) has worked with the industry in eastern Canada for many years providing training and refresher courses with the goal of minimizing grading differences. This training will continue in the future.*

*Starting in 2009, the CGS will be hosting a weekly conference call for the industry to discuss specific crop quality issues being seen in the harvest. The calls will commence in early July and wrap up when it is determined that the harvest is virtually complete. The calls will facilitate discussion on the crop quality as it proceeds, alerting the industry to any potential problems being seen and ensuring companies have the required tools in place to grade the harvest and identify any training needs. All sectors of the industry will be invited to call in and provide input to the call.*

**Subjectivity**

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*The CGC can also act as an arbitrator when requested to help resolve grading disputes.*

*The CGC is committed to identifying new technology that can assess the end-use quality of grain samples quickly, accurately, consistently and at a reasonable cost to the industry. Once proven in the lab, the CGC works with the industry to adapt the technology into the grading system. At the recent ESC*

meeting, updates were provided by the CGC regarding new technology being assessed for the grading system. These included:

- *Rapid visco analysis (RVA) - used to predict falling number and assess alpha amylase damage caused by sprouting*
- *Toxin testing - a couple of new technologies are being evaluated that will be able to predict values for vomitoxin or DON caused by fusarium damage, ochratoxin and aflatoxin*
- *Hyper spectral imaging - is being evaluated to assess mildew levels in wheat sample. This technology is showing promise.*

#### **End User**

*The Canadian grading system segregates grain by grade that reflects the end-use functionality of the product. The segregation system encompasses all end-use requirements. As such, there are end users who, rather than use the CGC's grading system, choose to purchase their wheat on the specifications that are important to them. One factor that is important to one customer may not be important to another. This sometimes leads to individuals believing that a specific grading factor may or may not be important. The Canadian grading system is flexible whereby a parcel of grain can either be graded by CGC standards or analyzed on a specification basis.*

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#### **Resolution # 20 - Glengarry – Grading System for Wheat**

**WHEREAS** the 2008 wheat crop had very high levels of fusarium infestation, and

**WHEREAS** the current method of grading is a subjective visual system, and

**WHEREAS** the end users (flour mills) use a ppm toxin level to determine the quality of the wheat, and

**WHEREAS** there are methods being developed to analyze the toxin levels by using a more science-based system that does not rely on a visual analysis to determine grade.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association actively encourage the OWPMB and the Canadian Grain Commission to develop and accept a more science-based system to analyze the fusarium levels in wheat instead of the present visual method.

**SENT TO CANADIAN GRAIN COMMISSION FOR COMMENT  
COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD**

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

*Thank you for your letter dated March 24, 2009 indicating recent resolutions adopted at your association's annual meeting.*

*The Canadian Grain Commission (CGC) values this input from associations such as yourselves in order for the CGC to work with industry and producer groups in the continued development and improvement of Canada's grain quality assurance system.*

*One of the mail forums for discussions pertaining to the resolutions in your letter is the Eastern Grain Standards Committee which meets twice a year. The spring meeting is scheduled for April 22, 2009. The*

CGC will look forward to engaging the committee members, which include the Ontario Wheat Producers' Marketing Board representative, in discussions on the three resolutions identified in your letter.

I would be pleased to provide you with an update after the Eastern Standards Committee meeting with respect to your association's resolutions.

**REPLY BY ELWIN HERMANSON, CHIEF COMMISSIONER  
CANADIAN GRAIN COMMISSION**

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*As stated in my previous letter, the CGC values input from associations such as yours in order for the GCG to work with industry and producer groups in the continued development and improvement of Canada's grain quality assurance system.*

**Resolution # 21 - Prescott – Quality Factor for Spring Wheat**

**WHEREAS** many farmers across Ontario have experienced wheat quality problems over the last few years, and

**WHEREAS** there has been a significant financial loss to farmers due to these situations beyond their control, and

**WHEREAS** the majority of these farmers rely on the Crop Insurance to cover losses due to a variety of causes, and

**WHEREAS** the Quality Factor Compensation under the Crop Insurance mostly does not reflect the difference in the value of the wheat of its intended use and the downgraded wheat crop, and

**WHEREAS** this Quality Factor Compensation only goes into effect when the producer is in a below-average-yield situation and therefore will not qualify if the yield is above average but the quality is poor.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association work with the Ontario Wheat Producers' Marketing Board to get a fairer quality factor compensation in place by the Crop Insurance to better cover these losses.

**SENT TO AGRICORP FOR COMMENT  
COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

**REPLY BY RANDY JACKIW, CHIEF EXECUTIVE OFFICER  
AGRICORP**

*Thank you for your letters of March 24. I appreciate the opportunity to comment on the resolutions carried at the annual meeting of the OSCIA regarding Production Insurance (PA). Agricorp is working closely with our industry partners to address the following resolutions raised in your letters.*

**Quality concerns in Ontario Wheat**

*To better reflect current market conditions, Agricornp has increased the PI quality adjustment factor for spring wheat from 15 percent to 30 percent, starting with the 2009 crop year. When the grade of harvested spring wheat is downgraded to feed grade, Agricornp decreases the yield by 30 percent to help compensate for the loss in value. The two percent deductible applied to a customer's guaranteed production to account for the quality adjustment factor remains unchanged for 2009.*

*To further address quality concerns with Ontario wheat, Agricornp is collaborating with a technical committee of the Ontario Wheat Producers' Marketing Board (OWPMB). This priority project for 2009-10 will help us develop appropriate next steps to address the issue of quality coverage available from Production Insurance.*

### **Risk management strategy for specialty crops**

*Agricornp acknowledges that there are always opportunities to expand and improve PI and this is why priorities for PI plan development are continually reviewed with industry stakeholders. We consider many factors when evaluating plan enhancements and new plans, including: the needs of producers, the long-term sustainability of plans, changes to the program's risk profile and enrolment, and compliance with legislative and regulatory requirements. Agricornp continues to evaluate PI plans to reflect market diversification and industry trends. For example, the separation of the winter wheat plan into distinct plans for each class was implemented in response to the shift in the types of winter wheat grown in Ontario and the rise in Ontario's organic industry. I have asked Mike Vleck, Senior Director of Program Development, to contact OSCIA to ensure your input and perspective are part of the priority-setting process moving forward.*

*A significant focus for supporting specialty grain and oilseed crops is the successful development and delivery of the Risk Management Program (RMP) pilot. In addition, Agricornp is working closely with OMAFRA this summer to evaluate the effectiveness of this pilot program. We will be happy to follow up with you in the fall to share the results of this evaluation.*

*Thank you again for sharing the OSCIA's concerns with me. Ongoing collaboration with industry and excellent customer service will continue to be top priorities for Agricornp in the years ahead. We look forward to continuing to work with you in the future.*

### **Resolution # 22 - Dufferin – Quality Factor for Spring Wheat**

**WHEREAS** Ontario farmers have had serious quality issues (from fusarium and ergot) in their 2008 spring wheat resulting from insured perils, and

**WHEREAS** the current "Quality Factor for Spring Wheat" reduces individual farm yield by 15% when wheat is graded feed to "increase the likelihood and size of any claim payment" to compensate for quality losses (Agricornp Production Insurance Factsheet: Spring-seeded Grain and Oilseeds Plans - 2008), and

**WHEREAS** the actual loss to producers of grain, graded feed or sample is much greater than 15% (farmers in Dufferin County are currently being discounted \$75.00-\$90.00/tonne).

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association request that Agricornp revise its compensation, for wheat-graded feed or sample, to better reflect the actual loss incurred.

**SENT TO AGRICORP FOR COMMENT**

**COPY SENT TO ONTARIO WHEAT PRODUCERS' MARKETING BOARD**

**COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

**REPLY BY RANDY JACKIW, CHIEF EXECUTIVE OFFICER  
AGRICORP**

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### **Quality concerns in Ontario Wheat**

To better reflect current market conditions, Agricorp has increased the PI quality adjustment factor for spring wheat from 15 percent to 30 percent, starting with the 2009 crop year. When the grade of harvested spring wheat is downgraded to feed grade, Agricorp decreases the yield by 30 percent to help compensate for the loss in value. The two percent deductible applied to a customer's guaranteed production to account for the quality adjustment factor remains unchanged for 2009.

To further address quality concerns with Ontario wheat, Agricorp is collaborating with a technical committee of the Ontario Wheat Producers' Marketing Board (OWPMB). This priority project for 2009-10 will help us develop appropriate next steps to address the issue of quality coverage available from Production Insurance.

### **Risk management strategy for specialty crops**

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Thank you again for sharing the OSCIA's concerns with me. Ongoing collaboration with industry and excellent customer service will continue to be top priorities for Agricorp in the years ahead. We look forward to continuing to work with you in the future.

### **Resolution # 23 - Wellington – Crop Insurance for Specialty Crops**

**WHEREAS** farmers are encouraged to diversify their cropping programs and many specialty crops have no crop insurance plans, and

**WHEREAS** having no crop insurance available puts these crops at a disadvantage.

**THEREFORE, BE IT RESOLVED**, that a program be developed by the crop insurance commission to make a program available to cover specialty crops.

**SENT TO AGRICORP FOR COMMENT  
COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS**

**REPLY BY RANDY JACKIW, CHIEF EXECUTIVE OFFICER  
AGRICORP**

Thank you for your letters of March 24. I appreciate the opportunity to comment on the resolutions carried at the annual meeting of the OSCIA regarding Production Insurance (PI). Agricorp is working closely with our industry partners to address the following resolutions raised in your letters.

### **Quality concerns in Ontario Wheat**

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To further address quality concerns with Ontario wheat, Agricorp is collaborating with a technical committee of the Ontario Wheat Producers' Marketing Board (OWPMB). This priority project for 2009-10 will help us develop appropriate next steps to address the issue of quality coverage available from Production Insurance.

### **Risk management strategy for specialty crops**

Agricorp acknowledges that there are always opportunities to expand and improve PI and this is why priorities for PI plan development are continually reviewed with industry stakeholders. We consider many factors when evaluating plan enhancements and new plans, including: the needs of producers, the long-term sustainability of plans, changes to the program's risk profile and enrolment, and compliance with legislative and regulatory requirements. Agricorp continues to evaluate PI plans to reflect market diversification and industry trends. For example, the separation of the winter wheat plan into distinct plans for each class was implemented in response to the shift in the types of winter wheat grown in Ontario and the rise in Ontario's organic industry. I have asked Mike Vlcek, Senior Director of Program Development, to contact OSCIA to ensure your input and perspective are part of the priority-setting process moving forward.

A significant focus for supporting specialty grain and oilseed crops is the successful development and delivery of the Risk Management Program (RMP) pilot. In addition, Agricorp is working closely with OMAFRA this summer to evaluate the effectiveness of this pilot program. We will be happy to follow up with you in the fall to share the results of this evaluation.

Thank you again for sharing the OSCIA's concerns with me. Ongoing collaboration with industry and excellent customer service will continue to be top priorities for Agricorp in the years ahead. We look forward to continuing to work with you in the future.

### **Resolution # 24 - Wellington – Secondary Safety System for Machinery**

**WHEREAS** farm safety is a concern for all, and

**WHEREAS** machinery may be accessible even for short periods of time to many people on the farm, and,

**WHEREAS** some machinery may be started with just an ignition key and easily put into motion.

**THEREFORE, BE IT RESOLVED**, that it is mandatory for all motorized machinery to have a secondary safety system to address this problem.

**SENT TO CANADIAN EAST DEALERS ASSOCIATION FOR COMMENT  
COPY SENT TO FARM SAFETY ASSOCIATION**

**Resolution # 25 - Brant – Replace Special Project Coordinator in Provincial Office**

- WHEREAS** the reputation of the Ontario Soil and Crop Improvement Association, throughout its 70 years of history, has been built around farmers conducting trials at both regional and county levels, and
- WHEREAS** the past 9-year period has been one of adjustment for the Ontario Soil and Crop Improvement Association as it put in place and fostered 11 regional Soil and Crop Improvement Associations, and
- WHEREAS** the development of regional associations improved exponentially in the last 4 years with the appointment of a provincial Special Projects Coordinator whose prime focus was on the needs of the regional and local associations, and
- WHEREAS** the focus of the Ontario Soil and Crop Improvement Association should continue to revolve around the needs of Soil and Crop members across the province, and
- WHEREAS** the Special Project Coordinator's position will have been vacant for more than a month by the time of the OSCIA Annual Meeting in February (since December 19, 2008).
- THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association set about hiring a well-qualified person to fill this position immediately.

**SENT TO OSCIA EXECUTIVE FOR COMMENT**

**Resolution # 26 - Carleton – Prime Agriculture Class 1,2 and 3 is lost to urban development even with Provincial Policy in place**

- WHEREAS** the farming community in Ottawa believes there should be absolutely no more development on the Prime Agriculture Class 1,2 and 3 soils and future expansion to urban or village boundaries should never be extended on prime lands, and
- WHEREAS** there is a limited amount of Class 1,2 and 3 prime soil left; any further development in the future will not be sustainable, and
- WHEREAS** consumers are aware of the origins of their food supply and support the 100 Mile Diet, and
- WHEREAS** the City of Ottawa is making decisions based on a policy that is protecting cost effective development and land use patterns that stimulate economic growth; it is not protecting the city's future in regard to land that is producing the most economical and productive yields to end markets.
- THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association request that the Minister of Municipal Affairs strictly enforce the Provincial Policy Statement when it comes to Class 1,2 and 3 soils, and that there be a process in which an agriculture study needs to be conducted to determine if the land is productive at the most economic value (meaning if it meets soil nutrient and soil organic matter adequate measure that demonstrates clearly that the soil is highly productive at an economical cost).

**SENT TO THE ONTARIO MUNICIPAL BOARD FOR COMMENT**  
**SENT TO MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR COMMENT**

**COPY SENT TO MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS  
COPY SENT TO ASSOCIATION OF MUNICIPALITIES OF ONTARIO  
COPY SENT TO NORTH WESTERN ONTARIO MUNICIPAL ASSOCIATION  
COPY SENT TO FEDERATION OF NORTHERN ONTARIO MUNICIPALITIES**

**REPLY BY THE HONOURABLE JIM WATSON, MINISTER  
ONTARIO MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING**

*Thank you for your letter of March 24, 2009, regarding the 2005 Provincial Policy Statement (PPS) and the protection of prime agricultural lands.*

*The policies of the PPS are key elements of Ontario's system of land-use planning. They provide direction on matters of provincial interest related to land-use planning and development. The PPS recognizes the complex inter-relationships among economic, environmental, and social factors in planning and embodies good planning principles.*

*The Planning Act requires that all decisions that affect planning matters shall be consistent with the PPS, including decisions made by municipalities. The "shall be consistent with" implementation provision ensures that provincial interests remain an essential part of decision-making and that provincial policies are implemented and applied within the local context.*

*There are numerous policies in the PPS that require planning authorities to use land and opportunities within settlement boundaries before expanding outwards.*

*With respect to prime agricultural areas, the PPS directs that such areas shall be protected for long-term use for agriculture. Indeed, planning authorities may only include land from prime agriculture areas for settlement-area expansion if the following conditions, among others, are met: the lands do not comprise specialty-crop areas; there are no reasonable alternatives that avoid prime agricultural areas; there are no reasonable alternatives on lower-priority agricultural lands in prime agricultural areas; and impacts from new or expanding settlement areas on agricultural operations adjacent or close to the settlement areas are mitigated to the extent feasible.*

*Staff in the ministry's Eastern Municipal Services Office in Kingston will be involved in the review of the City of Ottawa Official Plan. During the course of their review, they will be considering the proposed policy directions in the Official Plan from the perspective of provincial plans and policies, including the PPS.*

*As you may know, the Planning Act requires that a review of the PPS be undertaken at least every five years from the date it was issued. The purpose of this review is to address the effectiveness of the PPS and its ability to address emerging issues that are of potential provincial interest as well as to determine the need for revision to the policy statement.*

*Since the PPS came into effect on March 1, 2005, the legislation requires that a review of the PPS be commenced no later than March 1, 2010. I assure you that the OSCIA's resolution - along with other feedback received from the public, municipalities, and stakeholders - will be taken into consideration as part of the review at that time.*

*Thank you, once again, for writing on behalf of the Ontario Soil and Crop Improvement Association.*

**Resolution # 27 - Glengarry – Regional Association Funding**

**WHEREAS** the Ontario Soil and Crop Improvement Association has continued to stress the important roles the regional associations play in the overall function of the whole Association, and

**WHEREAS** there is no permanent support for the regions to conduct small-scale projects or educational activities.

**THEREFORE, BE IT RESOLVED**, that the Ontario Soil and Crop Improvement Association provide an annual grant available exclusively to regional associations for extension, demonstration, or educational purposes.

**SENT TO OSCIA EXECUTIVE FOR COMMENT**

**REPLY BY OSCIA EXECUTIVE**

At a recent meeting of the OSCIA Board of Directors, it was agreed to provide an Education Grant in the amount of up to \$500 to each of the eleven regions in 2009. New educational outreach activities are encouraged, rather than ongoing yearly meetings or conferences.

The guidelines for Education Grants for local associations can be found in the 2009 Grant Guidelines, and will also be applied to regions. However, the regions are encouraged to use the funding for a new event or activity within the region.

The 2009 Grant Guidelines and application forms were provided to you (regional SCIAs) in the fall of 2008, and can be found and downloaded from the OSCIA website.

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