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WHAT WE HOPE TO SEE IN THE GREAT LAKES PROTECTION ACT

We need a Great Lakes Protection Act to re-engage Ontarians with their Great Lakes, a source of drinking water, recreation, history and prosperity. We must increase the ecological resilience of the Great Lakes to improve their health and the health of the region's people. The Act should strive to get people, business, and government involved in celebrating, protecting and restoring these freshwater resources and the broader ecosystems they sustain.

Statement of purpose:

The Great Lakes Protection Act must solidify Ontario's commitment to lead in the Great Lakes 'bi-national' fora, by establishing an ambitious timeline to honour and fund our existing international commitments. It should align the work of Ontario Ministries whose activities affect the Great Lakes, to increase cross-Ministerial accountability to Ontario's environmental goals, and to achieve efficient and effective allocation of public resources for the benefit of the Great Lakes. It must establish criteria to guide the decisions of affected Ministries as they impact the Great Lakes, so as to avoid new impacts and promote the restoration and protection of the Great Lakes. It should use a watershed approach and address upstream and downstream impacts and activities, and promote the use of climate change adaptation responses. The Act must provide requirements for the setting of science-based targets and measurable goals and outcomes that will protect the Great Lakes ecosystem. The Act must also address anticipated impacts from climate change and population growth.

The Great Lakes Protection Act should affect those parts of the Great Lakes watersheds and the St. Lawrence River watersheds in Ontario.

This Act is meant to guide decision-making and input in all fora.

We need a Great Lakes Protection Act to:

Engage citizens and support vibrant waterfront communities and economies

- ⟨ Engage and connect all Great Lakes basin residents to the lakes;
- ⟨ Make Ontarians proud to live beside the Great Lakes by helping communities celebrate, protect and restore their waterfronts and watersheds;
- ⟨ Provide tools and incentives to engage citizens, volunteers, and workers in restoring and caring for their shorelines, such as Adopt-a-Beach in the US, or shoreline stewardship councils;
- ⟨ Support an action agenda to create conservation jobs to boost the economy;
- ⟨ Create meaningful economic opportunities for our smaller coastal communities by restoring a healthy native fish community;
- ⟨ Secure Ontario's agricultural economy through measures that protect the quantity and quality of water which it relies on;
- ⟨ Promote Great Lakes heritage, beaches, and coastlines as world-class and local tourism destinations to visitors like bird watchers, recreational fishermen and trail users.

Protect and restore Great Lakes biodiversity

- ⟨ Use Integrated Watershed Management approaches to address impacts from multiple sources and to support better decision-making around activities that affect water quality, water quantity, biodiversity and ecological integrity;
- ⟨ Build on successful restoration initiatives, such as the US Great Lakes Restoration Initiative, including dealing with invasive and exotic species;
- ⟨ Strengthen shoreline and riparian zone protection on the lakes and upstream, using vegetation protection zone policies specific to watersheds;
- ⟨ Protect all of the province's wetlands from degradation and prohibit development in or adjacent to all coastal wetlands of any size or class. At a minimum assure that Great Lakes wetlands get as much protection as those in the Greenbelt;
- ⟨ Create tools and incentives for agricultural practices that reduce erosion, increase naturalized riparian areas, and reduce pesticide and fertilizer use in watershed planning processes;
- ⟨ Place a moratorium on open net-cage, aquaculture (under MNR and DFO) until a strategy for closed system sustainable aquaculture is developed that protects water quality, native species and aquatic ecosystems;
- ⟨ Prohibit hydrofracking in the delicate Great Lakes watershed.

Improve water quality and quantity

- ◁ Reduce the impacts of urban development through strong support of Low Impact Development (LID) techniques and removal of barriers to their application;
- ◁ Use Ontario's own new high-tech innovations to build new and upgrade sewage and water treatment plants to create jobs here;
- ◁ Set lower phosphorus discharge caps on Certificates of Approval on wastewater treatment plants in lakes suffering from excessive nutrient loads;
- ◁ Set deadlines for control and implementation plans to address combined sewer overflows and bypasses, as per the recommendation of the Environmental Commissioner of Ontario;
- ◁ Update municipal, industrial and private wastewater effluent regulations that affect sewage systems to allow the use of higher level new technology;
- ◁ Assist municipalities' protection or establishment of green infrastructure, like urban forests, wetlands, stormwater ponds and green roofs, to reduce costs and keep our waterways and lakes healthy;
- ◁ Provide for Integrated Watershed Management decision-making inclusive of senior governments, municipalities, landowners, industry, ENGOs and the general public to achieve efficient and effective allocation of public resources for the benefit of the Great Lakes;
- ◁ Clean up toxic hotspots by providing the required investment and regulation in the next five years;
- ◁ Address sources of air pollution affecting the Great Lakes and human health in Integrated Watershed Management approaches.



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GREAT LAKES PROTECTION ACT ALLIANCE LEGISLATIVE DRAFTING NOTES

OBJECTIVES OF THE ACT / WHAT IT WILL ACHIEVE:

- ◁ Connect Ontarians with the Great Lakes
- ◁ Recognize the unique contribution –past, present and future –of the Lakes to Ontario's well being and prosperity and the major asset it is
- ◁ Protect human health and the Great Lakes ecosystem, present and future, and alleviate current, ongoing and future threats to the integrity of the Great Lakes ecosystem
- ◁ Provide a means of integrating diverse decisions, planning and activities so as to avoid new impacts and promote restoration and protection of the Great Lakes and the Great Lakes Basin ecosystem; as well as to address anticipated impacts such as climate change and population growth
- ◁ Provide for Ontario leadership in the Great Lakes domestic and bi-national contexts
- ◁ Integration with and harmonization of existing policies for water

MAIN PROVISIONS OF THE ACT:

- ◁ Designate the Minister responsible for the Act / Great Lakes to pursue the Great Lakes Protection Act purposes and to align inter-ministerial actions affecting the Great Lakes
- ◁ Create and empower a Great Lakes Science Committee to provide advice to the Minister

- ◁ Set out the purposes of the Act (see above) to guide its future implementation
- ◁ Provide a set of principles to guide Great Lakes related decision making & input in all fora –principles such as science based priority setting and decisions; prevention of harm; citizen involvement; and application of the precautionary principle in existing and future Great Lakes responsibilities
- ◁ Provide a definition of the `` Great Lakes `` as `` inclusive of the Great Lakes - St. Lawrence River watershed, inclusive of all Ontario waters draining into the Great Lakes or the St. Lawrence River and the lands surrounding them ``
- ◁ Provide program responsibility to the Minister for promotion, stewardship, and other aspects of engaging and connecting all Great Lakes Basin residents to the Lakes
- ◁ Provide for the setting of goals, with timelines, for the Great Lakes and their watersheds
- ◁ Establish integrated watershed management mechanisms across the Basin (with a range of tools available for the future from incentive based to more prescriptive options) in particular aimed at integrated planning and decision making as follows:
 - Provide for open and flexible approaches; enabling and authorizing integration of decisions at watershed / regional scale
 - Regional (watershed) based –need not be same approaches everywhere
 - Ensure multi-sectoral participation in integrated watershed management
 - Examples for implementation –
 - § Municipalities support and have regard for watershed / sub-watershed management targets in planning decisions, including infrastructure and land use (e.g. application of low impact development and green infrastructure techniques);
 - § MOE Directors have regard for watershed / sub-watershed management targets in Certificates of Approval and Permit to Take Water processes
 - § Integration of the Minister's office with state and municipal governments and the International Joint Commission on issues affecting Great Lakes levels in order to protect and restore the natural fluctuation of water levels for the protection of wetlands and other ecosystem functions

- Link to new Municipal Water Sustainability Plans under the Water Opportunities Act; to community energy planning; and to other required and ongoing community planning exercises
 - Include needed climate change risk and impact responses
 - Integration of water quality and quantity management with natural heritage planning
 - Provide requirements for the setting of science-based targets that will protect the Great Lakes, in consultation with the public, for the Great Lakes Basin as applicable at near-shore and in open lakes and within watersheds / sub-watersheds and on other ecologically relevant scales. To meet those targets and measures they shall be incorporated into integrated watershed management approaches upstream throughout the Basin.
 - Include assessment of past and ongoing practices
 - Include consideration of and responses to impacts resulting from direct deposition of contaminants to ground and surface water, and to air, as well as point and non-point sources of contaminants in integrated watershed management approaches
 - The ultimate goal of Integrated Watershed Management is protection, restoration and enhancement of human health; water quality; water quantity; aquatic ecosystems; and the overall functioning of the hydrological system in order to prioritize management approaches for the watershed / sub-watershed or where relevant, for the open lakes
- ◁ Provide for regulations relating to ongoing monitoring requirements by municipalities and Ontario and others with respect to relevant targets
 - ◁ Set individual Great Lakes reporting requirements on three to five year cycles (including to the Legislature) relevant to targets and provide for reporting from municipalities, Ontario, and provide for reporting based on integration of regional and inter-jurisdictional data collection and reporting including federal and bi-national
 - ◁ Set out responsibilities regarding Ontario's inter-jurisdictional agreements relating to the Great Lakes (Minister empowered to take a leadership role, and to continue or reach agreements with First Nations, Municipalities, Canada, States, Conservation Authorities and others to pursue joint initiatives and other matters regarding the Great Lakes, consistently with the purposes of the Great Lakes Protection Act)

COMPLEMENTARY AMENDMENTS & ACTIONS:

- ◁ Amend Ontario Water Resources Act to provide for integrated watershed management in the rest of Ontario where existing legislative mechanisms do not exist for watershed management
- ◁ Proceed with existing obligations to: enact regulations to prohibit new Intra-Basin Transfers under the Ontario Water Resources Act; to set water conservation targets and Municipal Water Sustainability Plans dealing with conservation and Municipal water system (drinking water, waste water, storm water) financing under the Ontario Water Opportunities Act; to pursue innovative green infrastructure approaches to managing water infrastructure under the province's Long Term Infrastructure Plan; and to implement restrictions for Permits to Take Water during drought conditions under the Ontario's Low Water Plans
- ◁ Work with other provincial Ministries to enable and encourage municipalities, utilities, and other agencies to align existing and new planning in water, energy and land use on regional (watershed) scales
- ◁ Provide for industrial and residential sewage treatment regulatory standards to allow higher levels of treatment using newer technologies
- ◁ Provide amendments in the Provincial Policy Statement to provide a higher standard to protect all of the province's wetlands from degradation and to prohibit development in or adjacent to all coastal wetlands of any size or class regardless of whether the wetlands have been assessed by MNR
- ◁ Continued implementation of next phases of water taking charges under the Ontario Water Resources Act, and ongoing review of those charges, and utilization of those charges for water quantity management, data collection and sharing, and water sustainability purposes in Ontario
- ◁ Integrate regulation making and implementation under the Clean Water Act the new Water Opportunities Act with Great Lakes Protection Act initiatives.

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The following sixteen organizations support the Statement of Expectations and Legislative Drafting Notes

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