



August 30, 2019

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Dear Representative of Ontario, Carolyn O'Neill and Representative of Canada,

Re: Conservation Ontario's Comments on the Proposed new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health (ERO# 019-0198)

Thank you for the opportunity to comment on the proposed new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health. Conservation Ontario (CO) is the network of 36 Conservation Authorities (CAs), local watershed management agencies that deliver programs and services that protect and manage land and water in partnership with others to 90% of Ontario's population. Of the 36 CAs, 35 drain into the Great Lakes and St. Lawrence River Basins (one drains into Hudson Bay) and 26 of these CAs include Great Lakes and/or St. Lawrence River Shoreline as part of their jurisdiction. The activities and flood and erosion events in these watersheds and shorelines have direct impact on Great Lakes water quality and affect a significant source of drinking water for Ontarians.

CO coordinates watershed level input to Great Lakes and St. Lawrence River Basin issues through establishment of review teams of CA technical experts and/or endorsing representatives to participate in bi-national and domestic Great Lakes committees and initiatives (e.g. Great Lakes Executive Committee; Great Lakes Water Quality Agreement Annexes including: Lakewide Action Management Plans, Nutrients, Groundwater, Climate Change and Science; Lake Partnership Management Committees). CO supports and actively participates in the COA commitment to 'engaging the Great Lakes community on a good governance basis' (p.3). As well, CAs provide an effective coordination and local delivery mechanism for federal, provincial and municipal initiatives and priorities (e.g. Climate Change Resilience to natural hazards, Remedial Action Plans, Lake Erie Action Plan, Lakewide Management, Provincial Monitoring Networks, Source Water Protection, Rural Water Quality Stewardship).

The following general and the attached specific comments (Table 1) are offered with the aim of enhancing the ability of Canada and Ontario to protect Great Lakes water quality and ecosystem health. These comments are not intended to limit your review and consideration of more detailed comments you might receive from individual CAs.

CO commends Canada and Ontario for continuing to provide leadership to protect Great Lakes water quality and ecosystem health via the priorities and commitments outlined in this agreement. As local watershed managers and with the support of funded partnership agreements, conservation authorities are well positioned to assist the federal and provincial government in implementation of many of the science and action priorities in the

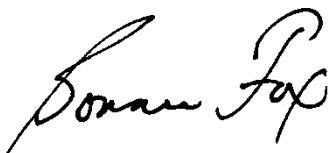
COA. It will be increasingly difficult however for CAs to motivate watershed actions without incentive funding from provincial and federal governments to generate municipal support and investments. Senior government incentive funding for watershed actions is appreciated as it helps to improve nearshore and tributary (inland) water quality and it helps to connect our local communities to the Great Lakes. The commitments to initiatives and lake-specific priority actions (as listed, for example, in Annex 6: Lakewide Management, Result 4) are appreciated.

It is agreed that significant ongoing work is required to successfully meet the targets and implementation of the Lake Erie Action Plan; including nutrient management programs/best management practices across watersheds. The commitment to work with partners to implement actions is strongly supported. As well, CO is pleased to see reference to Lake Ontario included in Annex 1: Nutrients as nutrients are an ongoing issue for many nearshore areas in Lake Ontario and an important issue to be addressed for drinking water quality.

Conservation Ontario strongly supports the commitments to maintaining provincial monitoring systems for multiple purposes in the COA and not the least of which is to support and inform Ontario's resilience to climate change. Additionally, the CAs strongly value their partnership with the Province and municipalities in their mandatory program responsibilities for natural hazards (to be defined in regulation) and delivery of the flood management program through our development permit regulations under the *Conservation Authorities Act* and their advice to the land use planning system and their coordination of associated funding applications to the Federal government. Thus, the following specific amendment is requested to **Result (2)** – "Canada will.....g) Support the Province, which is the lead jurisdiction for flooding and flood mitigation, as Ontario directs municipalities **and conservation authorities** using established legislation and technical guidance towards continued advancement in the identification of areas subject to natural hazards, and supports municipal **and conservation authority** use of flood mapping to inform statutory obligations under the *Planning Act and Conservation Authorities Act.*" (Annex 10: Climate Change Impacts and Resilience, p.71).

Conservation Ontario appreciates the efforts of Canada and Ontario and the partnerships that have occurred to date under previous iterations of the Canada Ontario Agreement on Great Lakes Water Quality and Ecosystem Health. We look forward to further discussions with Canada and Ontario on how we can continue to work to deliver on commitments outlined in this agreement to ensure that management actions, taken in Ontario's watersheds and along our Great Lakes shorelines, deliver the best benefits for the Great Lakes. If you have any questions regarding these comments, please contact myself at 905-895-0716 ext. 223.

Sincerely,

A handwritten signature in black ink that reads "Bonnie Fox". The signature is written in a cursive, flowing style.

Bonnie Fox,
Manager of Policy and Planning

c.c: All Conservation Authority CAOs/GMs

Table 1: Conservation Ontario Specific Comments on COA Great Lakes Water Quality and Ecosystem Health

Sections	Specific Comments
Article VI – Science	<p>It is noted that information management is largely missing from the agreement and further that <u>coordinated</u> information management is critical to track and achieve adaptive management. The following amendment is suggested to capture the importance: “The Parties agree to conduct, maintain, focus and <u>coordinate</u> science activities, programs, and information in order to contribute towards the achievement of the Purpose of the Agreement.”</p>
Annex 1: Nutrients	<p>Result (1) g – These results are specific to Lake Erie and to avoid duplication of effort, the following amendment is suggested: “Meet at least annually and build upon existing mechanisms (e.g. Thames Forum, 2018) to assess key findings and identify priorities and opportunities for leveraging collaborative action on science and phosphorus reduction actions”. Alternatively, the Thames Forum could be referenced in Result (4) b of Annex 6.</p> <p>Results (1) h and (4) a – in addition to ‘innovative approaches and technologies’ there needs to be an indication of support for widely effective and practical approaches and technologies (with goal of broad long-term uptake of best practices for long-term Lake improvement)</p> <p>Results (1) f, h, (4) b, (5) m– CAs have existing resources to support these results, therefore there may not be a need to initiate development of watershed models / sub-watershed research / phosphorus management plans to support decision making but rather these existing resources should be identified, supported, and leveraged.</p> <p>Results (2) b and c - It is noted that more monitoring needs to be undertaken to determine whether additional targets are ‘required’ or ‘appropriate’</p> <p>Result (5) d - Suggest adding reference to non-point sources (or diffuse)... “For selected tributaries, improve understanding of how the activities of different sectors and seasonal characteristics are influencing water quality at the shores of Lakes Erie and Ontario, including point and non-point sources and role of sewage overflows and bypasses”</p>
Annex 2: Harmful Pollutants	<p>Annex 2 Preamble – Para 3 Line 9 – Suggest including reference to tributaries/river systems as sources of harmful pollutants as follows: “This Annex addresses the release of harmful pollutants from individual sources – those that are released into the sewer systems, and those that are discharged directly into the tributaries and lakes – and complements work, under the Wastewater and Stormwater Annex, to improve management of municipal wastewater and stormwater.”</p>
Annex 3: Wastewater and Stormwater	<p>Result (1) j - needs rewording for clarity—does “high uptake” in this case mean the sequestering of phosphorus through green infrastructure or the implementation of many projects? Suggested amendment: “Support studies that improve the understanding of the impacts of green infrastructure and low impact development on phosphorus loadings.”</p> <p>Results (2) g and h - Code of Practice is currently voluntary. Many municipalities voluntarily report on road salt usage and have salt management plans, however, third party contractors generally do not, which represents a huge gap. It is suggested that third party contractors be invited to the table to discuss and encourage reporting.</p>

	<p>Result (2)p - The issue of joint and several liability in Ontario must be discussed otherwise the goal of reducing road salt entering our waterways will be difficult to achieve. Conservation Ontario and the Ontario Good Roads Association have opened up this discussion in their road salt management guidance document (at: https://conservationontario.ca/conservation-authorities/source-water-protection/). Further, the <i>Occupiers Liability Act</i> must also be discussed with third party contractors for similar reasons. Suggest the following edit to (p): “Work with municipalities, conservation authorities, private sector and other partners to seek to address legal liability and legislation obligation challenges, promote salt application best management practices, certification and alternatives for both public and private salt applicators, including on private roads, sidewalks and parking lots”</p>
Annex 6: Lakewide Management	<p>Result 5 – Much of this work has already been done since 2004 through Ontario’s Drinking Water Source Protection program. This section should be edited accordingly to state that work already completed be leveraged and that the work continues.</p>