

SPEAKING NOTES
CO Standing Committee Presentation
on the Proposed *Clean Water Act*

Introduction

- My name is Richard Hibma and I am the Chair of Conservation Ontario. Our organization represents Ontario's 36 Conservation Authorities, who share a mandate to protect Ontario's water.
- Conservation Ontario strongly supports the proposed *Clean Water Act*. We believe firmly that there are strong economic, public health, and environmental benefits to ensuring clean and plentiful supplies of drinking water.
- The comments in our written submission are supported by proposed amendments to the legislation that we believe will strengthen the Act and ensure that it is able to do what is intended.
- The **one-page handout** in front of you highlights Conservation Ontario's four key issues.

An Integrated Approach to Water Management in Ontario

- Our first key issue is the need for an integrated approach to water management.
- Water management in Ontario is highly fragmented and administratively complex.
 - While the Ministries of the Environment and Natural Resources are the key government decision-makers involved in water quality and quantity, a large number of other ministries and agencies are also currently responsible for various aspects of water management.
- The absence of an integrated policy framework and the fragmentation of responsibilities have led to uncertain roles and responsibilities and, what is most troublesome... inconsistent planning and implementation.
- Integrated water resources management is best achieved through development of a comprehensive Provincial water management strategy.
 - Justice O'Connor and both the Technical Experts Committee and Source Protection Implementation Committee recognized the need for such an integrated approach.
 - Other Provinces have also recognized this need and have developed or are working towards integrated water policies.
- In the absence of such strategy, it is essential that the *Clean Water Act* and regulations clarify the relationship between source protection planning and broader watershed management.
 - Conservation Ontario is recommending that a "Principles" section be added to the *Clean Water Act* to address the need for an integrated approach and recognize the linkages between source water protection and other water management programs.

- We also recommend amendments to Sections 13 and 19 of the *Act* to ensure the Assessment Report and Source Protection Plan recognize other water management issues and programs in the watershed.

Addressing Non-Municipal Drinking Water Supplies

- Another significant issue is the need to ensure adequate protection of all water supplies across the Province – including non-municipal water supplies.
- Nearly 3 million Ontario residents rely on non-municipal drinking water supplies – both wells and surface water intakes.
- As currently written, the *Act* does not provide adequate protection for these drinking water sources.
 - Sections within the *Act* do give municipalities the ability to require the inclusion of any existing or planned drinking water systems, this will only protect a small minority of non-municipal drinking water users.
- Conservation Ontario is not recommending additional regulatory measures; however, there are a number of other tools that can effectively protect non-municipal sources.
 - Specific reference for inclusion of non-municipal water supplies in the terms of reference, assessment reports, and source protection plan sections of the *Act* is essential.
- Source protection plans should also include specific references to ensure optimum management of non-municipal wells and surface water intakes.

A Complete Spectrum of Implementation Tools

- We know from experience that regulatory instruments are not suited to all situations. Regulations should be seen as a last resort only when compliance is critical and other options have been unsuccessful.
- If source water protection is to be a consensus-based process, a full range of implementation tools is required with particular emphasis on voluntary and incentive-based options.
 - The instruments prescribed under the proposed *Clean Water Act* should be seen as only one available implementation tool.
 - Non-regulatory tools include such activities as education programs, stewardship incentives, and research.
- To address this issue, Conservation Ontario recommends that a “Principles” section be added to the *Clean Water Act* which recognizes the spectrum of tools available to bodies subject to the *Act* in developing source protection plans.
- In addition, source protection plans should be required to address both the regulatory instruments and non-regulatory tools that may be used to protect drinking water supplies.

Long-Term and Sustainable Funding

- Our last comment is key to the success of the *Act*. There is a need for a long-term and sustainable funding model for source water protection to support watershed stakeholders in plan implementation.
 - This is particularly important with respect to funding for municipalities and rural landowners in undertaking their responsibilities for source protection plan implementation.
 - While the *Sustainable Water and Sewage Systems Act* and the proposed *Clean Water Act* provide some tools for source water protection cost recovery for municipalities, mechanisms are not currently in place for implementation using non-regulatory tools such as education, incentive-based programs, etc.
 - In many regions of the Province local agencies and landowners have little capacity to take on additional responsibility without access to additional resources.
- A **Stewardship Fund**, administered by the appropriate Provincial agency, is recommended for implementation of non-regulatory tools including research, public education and outreach, and incentive-based programs.
 - Similar models have been used in Manitoba and Quebec in the implementation of watershed based programs and such a model is consistent with recommendations of the Source Protection Implementation Committee.

Closing Remarks

- Conservation Ontario wishes to thank the Standing Committee for the opportunity to submit comments on the proposed *Clean Water Act*.
- Ontario's Conservation Authorities look forward to continued progress towards drinking water source protection in Ontario and their role in its development and implementation.
- Conservation Authorities are committed to ensuring successful implementation of source water protection to achieve this goal and we look forward to continued partnerships toward this end.