



Comments on:
Renewal of the Canada-Ontario Agreement Respecting the
Great Lakes Basin Ecosystem (COA)

EBR # PA07E0001

to the
Great Lakes Office
Land and Water Policy Branch
Ontario Ministry of the Environment

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By the
Canadian Federation of University Women
Ontario Council

Submitted by
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This fax contains 14 pages including this cover

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Re: EBR Registry Number PA07E0001- Renewal of the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem (COA)

The Ontario Council of the Canadian Federation of University Women (CFUW OC) welcomes the opportunity to comment on the upcoming review and renegotiation of the Canada - Ontario Agreement (COA)

Since 1988, CFUW has had policy asking that government “enact legislation to set rigorous quality standards for ground and drinking water, which would be updated frequently to reflect current research and increased technology”.

In 2001, CFUW established a policy that:

- declared that water, being a non-renewable natural resource of paramount importance, belongs to the Canadian public and its use must be regulated in the public interest;
- requested that government adopt and implement a sustainable and prudent water management policy to respond to long-term regional needs with due regard to the ecosystem and hydro-geological reality; and
- requested that government promote conservation and more efficient use of surface water and groundwater.

GENERAL RECOMMENDATIONS:

The original Canada - Ontario Agreement (COA) was signed by the governments of Ontario and Canada in 1971, as part of the preparation for the signing of the bilateral Great Lakes Water Quality Agreement in 1972 by the Governments of Canada and the United States. Although both Agreements have been reviewed and updated periodically over the past 35 years, the negotiations for a renewed COA in 2007 will present **new challenges, new opportunities and a pressing need for definitive new action and accountability** on the part of both the province and the federal government.

CFUW Ontario Council supports the renewal of a Canada - Ontario Agreement in 2007 in which

- definitive new action and accountability on the part of both the province and the federal government are recognized, and
- amendments to the existing Annexes are added which recognize new and emerging threats to the health and bio-diversity of the Great Lakes waters and ecosystems.

The Great Lakes - St. Lawrence River Basin Sustainable Water Resources Agreement (signed December 13, 2005), and the Clean Water Act (signed October 19, 2006), have added a further commitment on the part of the Ontario Government to safeguard the water resources within the Great Lakes Basin and the St. Lawrence River.

CFUW Ontario Council recommends that the current COA negotiations explicitly address:

- the new commitments under the Great Lakes - St. Lawrence River Basin Sustainable Water Resources Agreement and the Clean Water Act; as well as
- the funding to support their implementation.

The purpose of the COA states that Canada and Ontario (will) work cooperatively to restore, protect and conserve the aquatic health of the Great Lakes Basin Ecosystem and help Canada meet its obligations under the GLWQA. In order to fulfill that purpose, what is needed - and what has sometimes been lacking - is a firm commitment to adequate funding and to **SMART** goals - goals that are **Specific, Measurable, Accountable, Results-oriented, and Time-based**.

Under past COA agreements, some important issues and Areas of Concern (AOC) have been identified, some strategies have been proposed, and some work has been undertaken on several fronts with some success in some areas. But, whether because of limited funds which were directed mainly to AOC's, or because of a lack of clearly defined SMART goals, the mandate and responsibility for the equally important work of comprehensive Lake-wide

management (LaMP) has never really been fulfilled. In fact there has never been a LaMP established for two of the Lakes - Lake Huron and Lake St. Clair.

CFUW Ontario Council recommends that

- the focus of action and funding in this COA be more evenly balanced between the demands of the AOC's and the Lake-wide Management Programs; and
- more rigorous, time-based Lake-wide Management Plans be established for each of the Great Lake Basins, including Lake Huron and Lake St. Clair, to safeguard, rehabilitate and maintain the health of the whole ecosystem.

The **International Joint Commission (IJC)** makes several important comments with relevance to the COA as well as the GLWQA in its 13th Biennial Report on Great Lakes Water Quality (December 2006). The IJC Report points out that

- the Agreement must be improved so that persistent and emerging challenges to the Lakes can effectively and definitively be addressed;
- insufficient funding remains a core issue; and
- unambiguous accountability is central to the Agreement's success.

CFUW Ontario Council strongly recommends that these three issues:

- **effective and definitive action;**
- **sufficient funding to ensure implementation; and**
- **a clear accountability framework**

be a central focus in this round of COA negotiations.

If the commitments agreed to in the renegotiated COA move to recognize and address these three issues raised by the IJC, Canada and Ontario will be able to assume a leadership position in the upcoming Review of the bilateral GLWQA.

Now, with a commitment to new stricter responsibilities under the Great Lakes - St. Lawrence River Basin Sustainable Water Resources Agreement and the

Clean Water Act, and with an improved understanding of the high costs of inaction and delay,

CFUW Ontario asks that the language of COA be amended to include specific references stating precisely who will act, who will fund and what timelines must be met in the remediation of all identified challenges and the Lake-wide Management Plans.

PERSISTENT AND EMERGING CHALLENGES:

Annexes One, Two and Three of the Framework Agreement outline persistent challenges to the health of the Great Lakes Basin.

CFUW Ontario Council recommends that the Annexes be amended to include emerging challenges such as chemicals in personal care products, pharmaceuticals, leachates from septic systems or landfill sites, urban run-off including road salts, air-borne pollutants and climate change.

CFUW Ontario Council further recommends that the obligations under Annex 3 be expanded to include not only a mandate to "understand" and "manage" the lake-wide and basin challenges listed - but also a mandate to "remediate" those issues and conditions.

As well as its responsibilities under the bilateral agreements on water quality, the Government of Canada has an obligation under the Fisheries Act to enforce the prohibition of the dumping of "ballast" from a ship and of "the deposit of a deleterious substance of any type in water frequented by fish, or in any place under conditions where the deleterious substance ... may enter the water." This obligation would cover a large percentage of the "harmful pollutants" listed in the COA Annexes 2 and 3, including industrial toxins and pollutants as well as non-point source pollutants such as phosphorous, which has been recognized as a dangerous pollutant in all of the Great Lakes, especially Lake Huron. It would also cover many of the invasive species dumped into the Lakes in ballast water.

CFUW Ontario Council asks that as part of the COA, the Government of Canada affirm its commitment to enforce the Regulations of the Fisheries Act,

especially as they concern the dumping of ballast water and of deleterious substances into the waters of the Great Lakes.

Invasive Species have become an increasing threat to ecosystems within the Great Lakes Basin. The Quagga Mussel, for example, is an aggressively invasive species that has all but destroyed the Diporeia population in Lakes Huron and Michigan. Before 1995, Diporeia, a protein-rich organism, constituted 70 % of the benthic biomass in the lakes and was the base of the food chain, representing 70% of fish diet. Since 1995, Diporeia has declined by approximately 95% in Lake Michigan and a similar amount in parts of Lake Huron.

There is also a sharp increase in the amount of beached Algae, including the appearance of new species of Algae, fouling the shorelines of the Lakes. This may be the result of an increase in non-point phosphorous pollution, or of climate change, but it is affecting the ecosystem and the quality of water and drinking water in the Lakes.

There is a need to track and document all such changes to the Lakes' ecosystems. There is also a need for extensive research into how to combat the effect of these phenomena within the Basin.

CFUW Ontario Council recommends that sufficient funding and direction be provided to research and combat the effects of invasive and changing species within the Great Lakes that are detrimental to the ecosystems.

MONITORING AND INFORMATION MANAGEMENT:

CFUW Ontario Council commends the commitment within COA of the Government of Canada, assisted by the Government of Ontario to monitor the quality and quantity of water in each of the Great Lakes, and the biodiversity of their ecosystems.

CFUW Ontario Council commends the focus in COA to document the effects and sustainability of increased shoreline development, increased recreational use, increased water takings and climate change on the integrity of the waters and ecosystems of the Great Lakes.

CFUW Ontario Council recommends that:

- the Government of Canada set up, fund and manage an information framework and data bank which would provide an accessible, technically coherent, central repository for data from all research, technical reports and monitoring initiatives of the Great Lakes; and
- the research and data collection required under COA be aligned with the research and data collection required under the GLWQA and under the Great Lakes - St. Lawrence River Basin Sustainable Water Resources Agreement; and
- work on research and data collection be done in concert with the work being done by the Great Lakes States according to a clear time-table and within a clear accountability framework.
- there be a concerted effort to gather the extant results of all monitoring and all research projects from all the variety of accredited sources (government, private, academic, international) from within the province and around the Basin; and that they all be integrated into the central information framework.

CFUW Ontario Council further recommends that as part of that central information repository, a list, accessible to the public, be posted which contains

- all persistent and emerging challenges that have been identified within each Lake;
- an action plan to respond to each of the identified challenges including a specific timetable and the agents responsible for undertaking remedial action;
- an account of funding sources to implement the work; and
- a quarterly report on the results and improvements from remedial action taken.

CFUW ONTARIO COUNCIL

CFUW Ontario Council is made up of more than 5700 women university graduates living in 58 Ontario communities, including large urban areas as well as in rural and northern towns (see Appendix B). We are non - partisan and non-sectarian and totally member-funded.

When voting on policy each of our clubs has one vote so that the voice of members from Thunder Bay and Renfrew and St. Thomas have the same weight as those from the Toronto and Ottawa areas. This results in well balanced policies that may be embraced by most Ontarians.

Our members put their skills and education at the service of their community and are active in public affairs, working toward the improvement of the status of women, human rights, public education, health, justice and the environment in Ontario.

CFUW Ontario Council is part of the Canadian Federation of University Women (CFUW) and has links with the International Federation of University Women (IFUW).

Respectfully submitted,

Linda McGregor
President
Ontario Council of the Canadian Federation of University Women

APPENDIX A**SOME CANADIAN FEDERATION OF UNIVERSITY WOMEN
POLICY ON WATER**

**Note: CFUW Ontario Council policy integrates
CFUW Ontario Council policy as well as CFUW and IFUW policy**

2006 Enforcement of the Fisheries Act

RESOLVED, That the Canadian Federation of University Women urge the Government of Canada and the Ministry of Fisheries and Oceans to enforce the Fisheries Act to eliminate the pollution of fish and their habitat in Canada's coastal and inland waters.

2004 Alien Invasive Species

RESOLVED, That the Canadian Federation of University Women urge the Government of Canada:

1. to establish and fully implement measures, policies and funding as recommended by the Canadian Biodiversity Convention Office in their Canadian Biodiversity Strategy to fulfill Canada's commitment to the United Nations Convention of Biological Diversity (1992) with respect to Alien Invasive Species; and
2. to coordinate the related efforts of departments of the federal, provincial, territorial and municipal governments to prevent, control and/or eradicate these species.

RESOLVED, That the Canadian Federation of University Women urge the federal, provincial territorial and municipal governments to expand and promote broader educational programs that would alert the public to the wide variety of dangers posed by alien invasive species and would inform the public of measures that can be taken by individuals to prevent, control and/or eradicate these species.

2001 Canadian Water

RESOLVED, That the Canadian Federation of University Women (CFUW) urge the federal, provincial and territorial governments of Canada to protect our water resources and specifically to declare that water, being a non-renewable natural resource of paramount importance, belongs to the Canadian public and its use must be regulated in the long-term public interest;

RESOLVED, That CFUW urge the federal, provincial and territorial governments to adopt and implement a sustainable and prudent water management policy to respond to

long-term regional needs with due regard to the ecosystem and hydrogeological reality;
and

RESOLVED, That CFUW urge the federal, provincial and territorial governments to promote conservation and more efficient use of surface water and groundwater at individual, local, provincial, territorial, national and international levels.

1993 Canadian Water

RESOLVED, That the Canadian Federation of University Women (CFUW) urge the Government of Canada to pass and enforce a Canada Water Preservation Act which will prohibit further diversion of water between drainage basins and which will ensure Canada sovereignty over its domestic water resources; and

RESOLVED, That CFUW urge the Government of Canada to resolve immediately the uncertainty surrounding the water-trade issue through the execution of a separate and binding joint diplomatic agreement, ratified by both the US Congress and the Canadian Parliament, which ensures that nothing in the Canada-US Free Trade Agreement shall apply to Canada's water resource in other than bottled form.

1972 Solid Waste Disposal

RESOLVED that the Canadian Federation of University Women urge the municipal, provincial and federal governments of Canada to set definite policies and programs on the disposal of solid waste.

1970 Water Pollution and Sewage Treatment Plants

RESOLVED "that the Canadian Federation of University Women strongly urge the Government of Canada to ensure that any proposed phosphate substitute be harmless to the environment.

RESOLVED That CFUW strongly urge the Government of Canada to assist the Provincial and Territorial Governments to finance construction, by their municipalities, of sewage treatment plants with nutrient removal

Other Resolutions of Interest

1988 Drinking Water Quality

RESOLVED, That the Canadian Federation of University Women urge the Government of Canada, to enact legislation which would establish substantive and procedural laws in order to:

1. set rigorous quality standards for ground and surface drinking water which would be updated frequently to reflect current research and increased technology; and develop strict standardized inspection, testing and enforcement procedures to uphold these standards;
2. fund research into the identification and removal of substances in the drinking water which may be harmful to human health and distribute the results of such research to the provincial and territorial authorities responsible for administering water quality legislation;
3. provide user protection by:
 - a) requiring immediate public notification of instances of water contamination and ensuring an adequate supply of safe water either by decontamination or the provision of alternate sources; and
 - b) requiring the inclusion of safe water provisions in Emergency Planning Canada and promoting emergency planning schemes at other government levels.

1989 "Our Common Future"

RESOLVED, That national federations and associations (of the International Federation of University Women) be encouraged to take action in their respective countries, and where possible, to encourage joint participation with IFUW affiliates in neighbouring countries to prevent further deterioration of our global environment by working to implement the recommendations of the Report of the World Commission on Environment and Development, "Our Common Future", (Brundtland Report) presented to the UN General Assembly in October 1987.

1990 Preservation of Wetlands

RESOLVED, That the Canadian Federation of University Women (CFUW) urge the Government of Canada to:

1. establish a standard system of evaluation of wetlands, in co-operation with the provincial and territorial governments in order to identify wetlands which it is agreed are worthy of preservation and statutory protection. (specially significant);

2. increase its support of research on wetlands;
3. increase its efforts to make the Canadian public aware of the vital importance of wetlands; and

RESOLVED, That CFUW urge their provincial and territorial governments to:

1. a) establish a system of evaluation for wetlands consistent with the national system, and to pass legislation to protect and monitor those wetlands which have been identified as specially significant;
- b) increase their support of research on wetlands;
- c) increase their efforts to make the public aware of the vital importance of wetlands; and to
2. a) be alert to any proposed development in areas where there are wetlands which might be degraded or lost; and
- b) urge the relevant planning boards, municipal councils and like authorities at the local level to have evaluations done in order to preserve significant wetlands.

1995 **Sustainability**

RESOLVED, That national federations and associations (of the International Federation of University Women) should:

1. urge their respective legislative bodies to incorporate the protection of the environment as an overall goal into their basic laws;
2. help raise a general awareness of the necessity of protecting the environment, in particular by expounding the consequences of resource depletion, the degradation of natural systems, the dangers of pollution and the destruction of fragile ecosystems;
3. promote the education of girls and boys of all ages in science, technology and disciplines relating to the natural environment; and
4. encourage governments to promote the development of sustainable and ecologically sound consumption and production patterns including ecologically safe waste disposal, the re-use and recycling of resources, the reduction of air pollutants, the careful management of energy sources and the use of environmentally sound technologies.

2000 Canadian Water

RESOLVED, That the Canadian Federation of University Women urge the Government of Canada and the provincial and territorial governments to take all measures necessary to ensure that large-scale freshwater commercial exports carried out by any means do not take place.

APPENDIX B

CLUB LOCATIONS
Canadian Federation of University Women
ONTARIO COUNCIL

Ajax - Pickering	Guelph	Niagara Falls	Renfrew & District
Aurora - Newmarket	Haliburton Highlands	Norfolk	Sarnia Lambton
Barrie & District	Hamilton	North Bay	Saugeen
Belleville & District	Kanata	North Toronto	Scarborough
Brampton	Kincardine	North York	Southport
Brantford	Kitchener – Waterloo	Northumberland	St. Catharines
Brockville & District	Kingston	Oakville	St. Thomas
Burlington	Leaside - East York	Orangeville & District	Stratford
Cambridge	London	Orillia	Sudbury
Chatham - Kent	Markham-Unionville	Orleans	Thunder Bay
Cornwall & District	Milton & District	Oshawa & District	Toronto
Etobicoke	Mississauga	Ottawa	Vaughan
Georgetown	Muskoka	Owen Sound & Area	Welland & District
Grimsby	Nepean	Perth	Weston & District
		Peterborough	Windsor