



April 14, 1999

CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

Dwight Duncan  
Member for Provincial Parliament Windsor  
Room 1310  
Whitney Block  
Queens Park, Ontario

Dear Dwight Duncan

**Re: Sustainable Water Act**

Your office has contacted the Canadian Environmental Law Association (CELA) for guidance on framing a private members bill on a sustainable water act. We have enclosed a range of materials which could be of use to you in this endeavour. However, the task is not an easy one and has led our organization to oppose other private members bills attempting to do the same thing in the past.

The issues are very complex ones and there is a great risk of omissions. As most of our laws never anticipated the need to take an ecosystem, or a watershed approach, the links between ground and surface waters or the threats of climate change, and species loss, they are very inadequate. The job of doing a comprehensive law should involve water in the environment as well as water systems. The public and jurisdictional issues have been further complicated by the entry of the private sector into water management in Ontario. We have just received a grant to work on furthering sustainability in Ontario. We would like to do draft legislation as part of that work.

I would suggest that your bill put on moratorium on export and call for a process to draft a comprehensive sustainable water policy. We will be most anxious to help with this but at this time feel that rushing through something quick could cause more problems than we already have.

Yours truly,  
Canadian Environmental Law Association

Sarah Miller  
Coordinator