



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

October 5, 2007

Paula Thompson
Senior Policy Advisor
Ministry of Natural Resources
Water Resources Section
300 Water Street
PO BOX 7000
Peterborough, Ontario
K9J 6M5
Dear Paula,

Re: EBR Registry # 010-1447

The Canadian Environmental Law Association (CELA) and Great Lakes United (GLU) take this opportunity to reiterate our position on the Great Lakes – St. Lawrence River Basin Water Conservation and Efficiency Initiative Draft Regional Water Conservation and Efficiency Objectives. As you know, both organisations were involved in the Advisory Panel to the Regional Body convened to help frame the conservation objectives by the Council of Great Lakes Governors.

At this juncture in time it is difficult for us to separate the political landscape from the practical needs for these objectives. It is our observation that efforts to keep these objectives vague feed into the active campaigns in the US to weaken commitments to the Compact and the International Agreement. The State of Wisconsin, which could benefit the most from increased water resources that aggressive water conservation could bring, is experiencing strong opposition to the Compact from areas where water crises have already developed.

We remain concerned that the US Compact, the vehicle that the US States are seeking to pass into law, contains no explicit commitments to conservation. While the International Agreement contains requirements for the conservation objectives, these may not be seen by the States as binding. It is ironic that the first Draft of the Agreement released to the public included an implementation manual that contained a detailed prescriptive outline of conservation. This disappeared and has been replaced by the current proposed non-detailed conservation proposal. Without detailed criteria on what constitutes adequate water conservation, the Parties will be challenged to evaluate proposals that fall under provisions of the Agreement and proposals for exceptions. For these reasons we feel that Ontario should once again show leadership by advocating

for a more prescriptive conservation guideline that includes timetables and targets with the other jurisdictions.

This is why we also recommend that the Province commit to completing a much more progressive conservation policy within the next few years that would raise the bar for the other jurisdictions in the Great Lakes.

A conservation policy for this province is long overdue. Both of our organizations were involved in the early 1990s in the Ontario Water Efficiency Strategy, a lengthy exercise that did not lead to any policy changes. Had it been put in place we may have avoided some of the water conflicts and shortages we are now facing in the Province. Without the tools to require conservation as the preferred option, we will continue to see crises building as Ontario communities abandon their groundwater for Great Lakes surface water to achieve growth goals and new controversial plans for pipelines that will lead to intra-basin diversions.

Conservation strategies for Ontario should not be limited to water in the pipes, but should also apply to water management practices on the land and in watersheds. We applaud the initiative of the Great Lakes and St. Lawrence City Initiative in their earlier submission on the Conservation Framework and their suggestion of a goal of a 15% reduction in water use by all sectors by 2015. We also endorse their recommendation that "Explicitly stating the link between water conservation and efforts to address climate change helps demonstrate the broad range of benefits that can be realized through achievement of the objectives". We agree that municipalities should be partners in planning conservation. Their participation should be encouraged and enabled. A comprehensive conservation plan should establish best practices for all sectors of water users.

CELA and GLU have already submitted comments on earlier drafts of this policy that were widely endorsed by 64 ENGOs throughout the ecosystem. These comments had very little impact on the current draft. We are resubmitting those comments to you for your consideration once again. The comments outline how these groups feel a more detailed conservation plan could advance and integrate work immediately on the science agenda and other gaps that the Agreement has determined need development for our full understanding of sustainable use of the waters of the Great Lakes and St. Lawrence River.

Please feel you can contact us to discuss our submissions.

Yours truly,

Sarah Miller

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Coordinator and Researcher
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John Jackson

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