

November 25, 2011

Sent via fax (416) 314-7337

The Honourable Jim Bradley  
Minister of the Environment  
77 Wellesley Street West  
11th Floor, Ferguson Block  
Toronto ON  
M7A 2T5

Dear Mr. Bradley,

Re: Ontario Implementation of the Great Lakes St. Lawrence River Basin  
Sustainable Water Resources Agreement

We are writing to you as members of Ontario's Agreement Advisory Panel first established in 2005 to advise Ontario negotiators in the international negotiations that resulted in the Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement. This Panel has continued to advise your Ministry and the Ministry of Natural Resources on the domestic implementation of this historic Agreement. We are seeking a meeting on urgent unresolved matters not only impacting implementation of this Agreement in Ontario but causing serious delays in full Agreement protections for Quebec and the eight Great Lakes States. All other nine jurisdictions have all passed their implementing regulations and are waiting on Ontario to pass their regulatory framework. The linked editorial from the Compass newsletter of the Council of Great Lakes Governors sets out their hopes Ontario will act soon.

<http://www.cglg.org/news/TheCompass/Compass-2011-Issue3.pdf>

Our Panel has worked constructively for Intra-Basin diversion (exception regulations) and the conservation strategy set out in the Agreement in dozens of meetings since 2008. Yet, last spring we had to ask that our Advisory Panel be convened after well over a year without meetings as we watched other jurisdictions act. After a summer meeting, we again were troubled when discussions of posting the Intra-Basin transfer regulation to the EBR were expunged from the July meeting minutes (available upon request).

We know that there is at least one diversion proposal expected from the US City of Waukesha, Wisconsin next spring. That proposal should receive full scrutiny of the Region Body set up in the Agreement to review proposals. The full force of the Agreement needs to be part of the evaluation of this first diversion proposal so that a bad precedent is not set. The lack of regulation in Ontario raises questions about what Ontario's status might be in these deliberations and