

**Great Lakes – St. Lawrence River Basin Sustainable Water Resources
Agreement Implementation
Agreement Advisory Panel Meeting**

November 30, 2009, 10-11:30 am Teleconference

Meeting Notes

Meeting materials circulated prior to the call:

- Slide deck “*Intra-basin Transfers, Connecting Channels and Thresholds*”
- Report on Guelph’s recent conservation and efficiency efforts provided by a former Policy Fellow in the Walter and Duncan Gordon Foundations Fresh Water Resources Protection Programme (FYI only)

Agenda:

1. Intra-basin transfers, thresholds and upcoming sector meetings
2. Brief Updates on:
 - Water Use Proposals
 - Water Conservation and Efficiency Strategy
 - Industrial and Commercial Water Charges - Phase 2
 - First Nations Engagement
 - Regional Activities

Opening remarks:

- Peter Hulsman (MNR) and Anne Marie Weselan (MOE) provided welcoming remarks.
- Anne Marie commented that as a result of the comments from the EBR posting that it has been decided to consult further on intra-basin transfers and threshold options.
- Sector meetings are being planned to present new/modified options regarding intra-basin transfers and thresholds. Meetings are scheduled for December 9th and 10th, invitations will be sent from the MOE GL Agreement e-mail account.

1. Intra-basin transfers, thresholds and upcoming sector meetings (*Presentation provided with meeting materials. Presented by Stephen Maude, MOE*)

Overview:

- The Province received many insightful comments through the consultation process and the EBR comments on the “*Safeguarding and Sustaining Ontario’s Water Resources for Future Generations*” proposal paper.
- Polarized views were expressed through the consultations on how the province should be implementing the connecting channels and return flow provisions.
- Additionally, some comments questioned the approach on transfer thresholds. Specifically, the Province should consider lowering the transfer thresholds (e.g. requiring return flow at thresholds below 19M L/day consumptive use).
- Direction has been given to proceed with additional consultation to explore new (i.e., not presented in the proposal paper) and existing options in more depth and to discuss potential impacts of these options.

- Moving forward, Ontario plans to undertake a series of sector-based meetings to ground-truth pros, cons and impacts to water takers of alternative options.
- Meetings would include consultation with the following sectors:
 - Agriculture
 - Environmental NGO's
 - Industry/Commercial
 - Municipalities
- As well as continued engagement with UOI and other First Nations.

Questions and Comments:

- A number of comments focused on the rationale for having sector-specific meetings and what kind of information would be presented.
 - It is important for all stakeholders to be in the same room during the consultation process because it allows for the understanding and respecting of each other's opinions.
 - Individual sectors have individual needs – it is important to remember that the water also has ecological needs.
 - The government is implementing this historic, ground breaking Agreement while wanting to do business in traditional ways, without inconveniencing anyone. The government should ensure the Agreement is implemented as intended and discuss this polarized attitude at the staff and political levels.
 - All sectors should be presented with science-based information on the impacts of climate change on the Great Lakes and groundwater supplies, future withdrawals and Ontario's Low Water Response Program, as well as how we intend on addressing the cumulative impacts of climate change.
 - The information presented should also outline the connections with the Water Conservation and Efficiency Strategy. Both the intra-basin transfer and threshold topics are related to conservation and efficiency. This should be incorporated into the sector meetings. For example, conservation could be an alternative to an intra-basin transfer.
 - AAP members have provided input to the issues/options presented today at past meetings.
 - Next week is a busy time for Environmental NGOs. More advanced notice of the meeting would have been preferred. Please provide panel members with information about the sector meetings as soon as possible so that members can make arrangements to attend.
- In response to the comments and questions:
 - Ontario acknowledges the importance of having multi-sector meetings and will be hosting one early in 2010.
 - In the meantime, Ontario will host sector-based meetings to allow for a more focused discussion of each sectors opinions and concerns on the new and existing options.
 - The upcoming sector meetings will continue the conversation/dialogue between the government and the sectors on this matter.
 - Ontario is seeking further consultation on these issues because we are considering new options that haven't previously been discussed at this level.

- If members are unable to attend the sector meetings and would like to make alternate arrangements please contact MOE/MNR.

2. Brief Updates on:

- **Water Use Proposals**
 - **Water Conservation and Efficiency Strategy**
 - **Industrial and Commercial Water Charges – Phase 2**
 - **First Nations Engagement**
 - **Regional Activities**
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- Water use proposal updates (Peter Hulsman, MNR): Ontario has developed a draft response to the Town of Thetford Mines proposal and will share it with panel members once it is approved. The response does not object to the proposal but instead offers suggestions such as increased conservation efforts. Ontario also raised concerns relating to the Prior Notice and Consultation process and timing. Concerns around the process and timing will also be raised at the Regional level.
 - Water Conservation and Efficiency Strategy (Brad Badelt, MOE): The comments received regarding the strategy were constructive. There was support for moving forward with the strategy. Many people acknowledged the connection between energy and water savings. There was support for setting targets, but no consensus on what type. The feedback also showed that many people want a science-based approach. Education has been identified as a key component to the success of the strategy.
 - AAP: The importance of paying attention to new and emerging information regarding water conservation was stressed – for example, reviewing the information presented at the A.D. Latornell Symposium.
 - Water Charges (Brent Taylor, MOE): The MOE is starting to implement Phase 2 of the Water Charges regulation for industrial and commercial water users. When fully implemented, there will be three different rates based on consumptive usage. One of the new Water Charges components is the ability for a water user to request a Directors ruling if they feel they have been placed into the wrong consumptive use category. Ontario acknowledges that there is significant interest in seeing a draft regulation on this piece and want to provide comments on that. The draft regulation will be posted in the new year for comment. It has also been recommended to the MOE to endeavour to make the Water Charges program more administratively efficient. This will be addressed in the draft regulation.
 - AAP: Confirmation of the rate for medium consumption customer charge was requested. (\$0.86/million litres)
 - AAP: Ontario's water charges initiatives should encourage water conservation. Have related studies been completed?
 - Response: Studies have been done that show that the water charge would have to be significantly higher to encourage water conservation. The MOE acknowledges that this water charge is designed to bring awareness to water use and to help recover some of the cost of Ontario's water management programs. In 2012, there is opportunity to review (and potentially alter) Ontario's water charges approach

- First Nations Engagement (Karen Abrahams, MNR): On October 28th there was an Agreement Implementation Committee (AIC) meeting. At that meeting preparations were made for an annual meeting between the Anishinabek Grand Council Chief and the Minister of Natural Resources and agreement was reached on provisions for a continued MOU with Union of Ontario Indians, including:
 - Enhancing basin wide collaboration opportunities,
 - Enhancing community outreach,
 - Developing protocols for the First Nation review of major water proposals, and
 - Enhancing the relationship with the Anishinabek Women's Water Commission
- On November 18, 2009, the Anishinabek Grand Council Chief and Minister of Natural Resources met in Toronto to discuss initiatives related to the Anishinabek/Ontario Resource Management Council (including Agreement implementation). The meeting was positive and the Union of Ontario Indians are pleased with the progress to date in working with the Ministry of Natural Resources and want to continue this working relationship. The Minister also agreed to a spring 2010 meeting with the Women's Water Commission.
- Regional Activities (Peter Hulsman, MNR): There is a Regional Body meeting on December 8th. The Regional Body members will be asked to adopt interim protocols for submission of water use information to a regional database. These interim protocols will be reassessed in two years. The Regional Body will also be finalizing membership to a Regional Advisory Committee. Ontario sought an industry representative to sit on this committee but did not receive any feedback from the AAP about interested participants. Additionally, on December 8th, each jurisdiction will be submitting two program reports: the Water Management Program Report and the Water Conservation and Efficiency Program Report to the Regional Body for review.
- MNR and MOE were offered words of appreciation for their engagement with the AAP.

Closing remarks & next steps: *(Peter Hulsman, MNR)* Thank you for your participation and feedback. Information regarding sector meetings planned during the second week of December. *Update: Invitations were sent out on December 1, 2009 and the sector meetings/calls were held on December 9th and 10th, 2009.*

Minutes Prepared by:

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 December 1st, 2009