



September 26, 2002

The Honourable Minister Chris Stockwell  
Minister of Environment  
12<sup>th</sup> Floor, 135 St. Clair Ave W.  
Toronto, Ontario  
M4V 1P5



Re: Environmental Bill of Rights Registry Posting:  
**Proposed Components of a Safe Drinking Water Act**  
**Registry Number AA02E0001**



Dear Minister Stockwell:

Thank you for the opportunity to comment on the proposed components of a Safe Drinking Water Act.

As you know, Justice O'Connor recommended that watershed source protection plans be established by the conservation authorities, municipalities and First Nations in the relevant watersheds, and then approved by the Ministry of the Environment. Thereafter, local and provincial decision-making must be consistent with those watershed source protection plans. Examples given by Justice O'Connor included farm plans, nutrient application, water taking permits, certificates of approval for emissions, and development.

Justice O'Connor also gave a time frame for development of the framework for source protection planning (six to eight months from the release of his Part II report) and a list of minimum components of the plans.

As we understand the government's plans, Bill 155 will proceed for further consideration, and of course the Nutrient Management Act regulations are subject to current consultations in three phases this fall.

As noted by Justice O'Connor, source protection is cited as the *first* barrier in a multi-barrier approach to protecting drinking water. We understand that the government plans to proceed with Justice O'Connor's source protection recommendations through amendments to the Environmental Protection Act and related planning legislation. We are concerned, however, that source protection and watershed planning are not acknowledged in the proposed components of a Safe Drinking Water Act. We believe this is essential.

It is critical that Ontario's water policy and planning system be coherent and consistent, and rest upon the first barrier of source protection. Accordingly, the source protection planning framework should be under development, with a view of ensuring that all of the legislation and regulations currently under consideration are appropriately linked to and based upon source protection.

The Premier has made a commitment to watershed-based source protection planning and implementation through his endorsement and acceptance of Justice O'Connor's recommendations. Our organizations, along with municipalities and others, have expertise to assist the government in ensuring that the source protection framework is effective and achievable. We stand ready to assist your ministry in the development of this framework for our shared goal of protecting drinking water for all Ontarians.

Once again, we appreciate this opportunity to comment on the proposed components of a Safe Drinking Water Act.

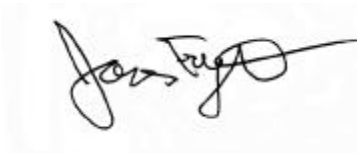
Sincerely,



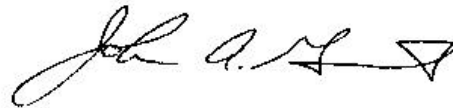
Richard D. Hunter, General Manager  
Conservation Ontario



(per) Jamie Fortune, Director of Regional  
Operations, Ontario Region,  
Ducks Unlimited Canada



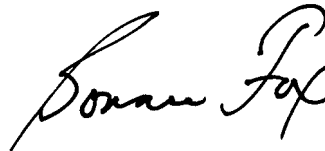
Jim Faught, Executive Director  
The Federation of Ontario Naturalists



John Grant, Regional Director  
The Nature Conservancy of Canada



Theresa McClenaghan, Managing Lawyer  
The Canadian Environmental Law Association



(per) Peter S. Chisholm, P.Eng, Treasurer  
Soil and Water Conservation Society

cc     The Honourable Premier Eves  
       Gordon Miller, Environmental Commissioner of Ontario  
       Jan Rush, Deputy Minister of Environment  
       Brian Nixon, Director, Water Policy Branch  
       Ann Mulvale, President, Association of Municipalities of Ontario  
       Sharon Crosby, President, Ontario Municipal Water Association  
       Wayne Wood, President, Municipal Engineers Association