



SUBMISSION FROM

Swim Drink Fish Canada

IN THE MATTER OF:

Canada-Ontario Agreement on Great Lakes Water Quality
and Ecosystem Health, 2020 (Draft)

ERO Number 019-0198

SUBMITTED TO:

Ontario Ministry of the Environment, Conservation and Parks Attention:
Carolyn O'Neill (via ERO Registry)

and Environment and Climate Change Canada
via email: ec.grandslacs-greatlakes.ec@canada.ca

FOR MORE INFORMATION, PLEASE CONTACT:

Krystyn Tully, Vice President
krystyn@swimdrinkfish.ca | (416) 861-1237 ext. 2001

September 4, 2019

SUMMARY

Swim Drink Fish has been working for a swimmable, drinkable, fishable future since its launch in 2001. By blending science, law, education, and storytelling with technology, we empower millions of people to know and safeguard their waters.

Our founding initiative, Lake Ontario Waterkeeper, has been an active contributor to Great Lakes restoration and protection since our earliest days. In the Great Lakes region, Swim Drink Fish also operates Great Lakes Challenge restoration projects funded by The W. Garfield Weston Foundation, Swim Guide, and Great Lakes Guide.

Based on our extensive knowledge of Great Lakes issues, we submit these comments on the Draft *Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2020*.

We recognize and acknowledge the commitments Ontario and Canada are both making to the Great Lakes by updating this agreement. The document, as well as the numerous programs and initiatives mentioned in it, reflect hard work by many people to restore and protect the lakes. This is not an easy undertaking, and the Lakes will benefit from all the attention they can get.

We are supportive of government's continued coordination efforts and the commitment being made to Great Lakes restoration. In particular, we recognize and appreciate the attention to sewage pollution issues, improved monitoring and public alerts for sewage spills, and the attention being paid to microplastics and road salt pollution.

Specific comments and recommendations are included below and summarized at the end.

BACKGROUND

The Canada-Ontario Agreement is the mechanism by which Canada delivers on its obligations under the *Canada-United States Great Lakes Water Quality Agreement* (GLWQA). The Agreement exists because all Great Lakes within Canadian borders are also part of the Province of Ontario. Cooperation between federal and provincial

governments is the only way to ensure the lakes are protected and communities in this region can prosper.

The first Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem (“COA”) was signed in 1971. The current COA entered into force on December 18, 2014 and remains in place until December 17, 2019. The draft agreement signals the priorities and commitments Canada and Ontario are making for the next five years.

COMMENTARY

After reviewing the draft Agreement, we see:

- Significant commitments to address municipal sewage pollution concerns;
- Recognition for beaches and the tourism potential of Great Lakes recreation in general;
- Continued support for community engagement and awareness;
- New opportunities to increase transparency both federally and provincially; and,
- More opportunity to include concrete, identifiable benchmarks; such benchmarks would improve progress reporting, accountability, and learning during the next COA period.

More detailed commentary follows.

Annex 3 is a welcome addition to the Agreement

The addition of Annex 3: Wastewater and Stormwater helps to focus both levels of government on the most pressing issue affecting Great Lakes water quality and human health.

Billions of litres of sewage flow into the lakes each year from wastewater treatment plants and combined sewer overflows. These overflows impact public health, beach openings, fish habitat, and tourism potential in the region.

Recommendation #1: Please include Swim Drink Fish in actions intended to improve beach data sharing, beach posting reports, monitoring best practices, and public alerts.

Through our Swim Guide platform, we track beach posting histories at thousands of beaches around the world, including all public beaches in Ontario. We have also authored summaries of beach monitoring policies and practices in numerous jurisdictions. We encourage the Government of Canada to reach out to Swim Drink Fish in order to help generate beach report results for its State of the Great Lakes reporting. (p. 31)

Similarly, the Province of Ontario makes several commitments for improving beach management tools and monitoring/ reporting for sewage spills. (p. 32) This is also an important cornerstone of the province's environment plan. We look forward to assisting with those efforts however we can.

Appropriate funds must be allocated to fulfil the commitments in the Agreement

The Agreement recognizes that resources to implement the commitments depend on appropriations from Parliament and the Legislature. Without direct funding or funding from partners that match the government's commitments, this Agreement will not translate into meaningful benefits to the Great Lakes.

In particular, many of the infrastructure commitments are dependent on funding. Both parties should commit to working hard to ensure that government budgets include adequate funding for projects and/or partnership management.

Recommendation #2: Canada and Ontario should each ensure that appropriate funds are allocated to meet or exceed commitments described in the Agreement.

We noticed that there are no references to the Great Lakes Guardians Community Fund in the draft Agreement. While that fund was not the only way to fund commitments made in the Agreement, Ontario should be transparent about how it is/ will deliver on commitments.

The additional emphasis on tourism and sustainable economic development is welcome

The draft Agreement includes greater emphasis on sustainable economic development linked to appreciation for the Great Lakes. This is a profoundly important approach to economic development in the region and for the Province of Ontario. It recognizes the unique beauty and wealth that healthy lakes offer to Ontario communities.

We can't overstate how important this thinking can be to the future of this region. Respect for the lakes and respect for the connections between water, public health, mental health, innovation, and prosperity are the foundation of a strong regional development strategy.

There is no place in the world like the Great Lakes region, placing both a responsibility on us to protect these lakes and an opportunity to experience the benefits of living in the midst of such unique natural heritage.

Through our platforms Great Lakes Guide (greatlakes.guide) and Swim Guide (www.theswimguide.org) we have developed an appreciation for the public's desire to connect with the lakes to improve their quality of life. We have seen a steady increase in people's desire to explore the region and engage in recreational activities. We would love to share our knowledge with you as Ontario seeks ways to revitalize and promote the Great Lakes region (p. 76).

Recommendation #3: Please include Swim Drink Fish in efforts to find ways to revitalize and promote the Great Lakes region.

Include enforcement when looking at ways to reduce harmful pollutants

The draft Agreement recognizes the harm microplastics are doing to the Great Lakes and makes commitments to reduce plastic pollution in the region (p. 26). This includes looking at the western end of Lake Ontario and industrial plastics pollution (p. 27). The microplastics issue is an area where provincial and federal collaboration is particularly strong. Similarly, commitments are made by both levels of government to address chloride (road salt) pollution (p. 24-25).

For traditional Chemicals of Concern and other harmful pollutants, we encourage Ontario to explicitly recognize the importance of enforcement in pollution reduction. The commitments Ontario makes on page 24 emphasize research, education, voluntary agreements, and similar early-stage compliance actions. The serious impact many

harmful pollutants have been having on the lakes is well-understood and many laws and policies have been in place for years that are meant to protect the Great Lakes. We encourage Ontario to recognize the value that strict and consistent enforcement of existing rules has in deterring pollution. In many cases, enforcement is the simplest, most effective, most efficient way to achieve environmental protection goals.

Recommendation #4: Enforce existing environmental rules in order to protect the lakes from harmful pollution.

We also note and appreciate the commitment to develop environmental indicators of wastewater treatment performance mentioned on page 26.

Take advantage of Remedial Action Plan Programs to make meaningful improvements in people's lives near Areas of Concern

Three of the Areas of Concern mentioned in the Agreement are well-known to our Lake Ontario Waterkeeper team: Hamilton, Toronto, and Port Hope. There are a few areas where targeted action through existing Remedial Action Plan programs and networks would further other commitments made in the Agreement and be transformative for Ontarians.

The impacts of sewage in Hamilton on area beaches, shoreline, and the Waterfront Trail are well-documented. This is one of the most severely impacted regions in the province. The water quality benefits that would flow from wastewater management upgrades would encourage people to return to the water, especially once the Randle Reef project is complete and city residents have an opportunity to create a new relationship with their waterfront.

Recommendation #5: In addition to the Randle Reef restoration work being done, provide encourage and support efforts to reduce sewage pollution in Hamilton to improve recreational water quality in Hamilton Harbour.

The City of Toronto still experiences significant sewage debris problems in the inner harbour, where millions of people visit, boat, paddle, and shop. We recognize and appreciate new efforts underway to manage sewage debris and encourage all levels of government to keep this space protected while long-term infrastructure improvements are made that will eliminate sewage spills.

Recommendation #6: Expand sewage debris cleanup programs in the Toronto Harbour pending the completion of infrastructure upgrades that eliminate sewage spills in the area.

One of the beneficial uses that Remedial Action Plans aim to restore is swimmable water. This is particularly important in the City of Toronto. The population has more than doubled in Toronto since the first COA was signed. Meanwhile, the number of beaches available to city residents has shrunk by roughly half. In addition to protecting water quality at the city's current 11 official beach locations, the city should restore access points to the water across the waterfront to better serve residents. This could mean, for example, creating swimming access points at Ontario Place and along the Scarborough waterfront between Bluffer's Beach and Rouge Beach.

Recommendation #7: Open (or re-open) beaches to help Toronto's growing population connect with the lake, restoring the number of recreational water areas in the city to at least 25.

Port Hope is located in a stunning part of the Lake Ontario watershed. Its history of low-level radioactive waste contamination has impacted the quality of life in the area for generations. With the ongoing cleanup program, the community has an opportunity to create a different future for residents. While the Government of Canada bears primary responsibility for this cleanup program, the Province of Ontario has significant expertise in hazardous waste management and its own air and water quality guidelines. The cleanup program should meet both federal and provincial guidelines.

Recommendation #8: Ensure that the Port Hope low-level radioactive waste cleanup program meets all of Ontario's air and water quality objectives.

The Remedial Action Plans are the main vehicles for designing and implementing restoration projects in the Great Lakes' most vulnerable places. Both the restoration initiatives and the coordination and project management activities undertaken by RAP offices must be adequately funded. See recommendation #2, above.

Coastal wetlands need more attention

Coastal wetlands are the key to so many of the draft Agreement's commitments. They help to manage precipitation. They help to purify water. They provide habitat for animals. They provide natural spaces for residents and visitors to enjoy. They attract species that, in turn, attract tourists and visitors and drive local spending. Coastal wetlands are in a dismal state on the Great Lakes, with as much as 90% of wetland area eliminated in places like the GTA. The draft Agreement

does not describe many specific actions related to wetland restoration and protection, but it does create numerous opportunities to invest in this area. For example, stormwater management commitments can be met with the assistance of coastal wetlands. Tourism and recreation objectives can be linked to wetland protection and creation. Wetland restoration activities can be affordably “tacked on” to other infrastructure improvement projects. We strongly encourage both levels of government to think of creative ways to promote wetland restoration in conjunction with all other Great Lakes activities.

Recommendation #9: Restore or protect coastal wetlands whenever and wherever possible.

Concrete benchmarks will help to ensure people experience the benefits of life in a healthy, thriving Great Lakes region

One common criticism of the draft Agreement is the lack of clear, measurable, timely benchmarks that will help us understand two things: first, if the commitments made in the Agreement are being implemented; second, if those commitments are successfully restoring and protecting the Great Lakes.

Our main recommendation is to include progress benchmarks in the Agreement, because it would be the most transparent way to set and report on progress. But there is nothing to preclude either government from setting and publishing its own clear benchmarks and reporting on progress over the course of the COA. Many of the commitments relate to collaboration, study, and process-related questions. Ultimately, the measure of the Agreement’s success is the impact these commitments have on the health of the Great Lakes. (The “swimmability, drinkability, fishability” factor, as we would say.)

Recommendation #10: Set clear, simple, objective benchmarks that indicate whether the health of the Great Lakes is improving. Then monitor results and share the findings routinely with the public and stakeholders.

SUMMARY OF RECOMMENDATIONS

1. Recommendation #1: Please include Swim Drink Fish in actions intended to improve beach data sharing, beach posting reports, monitoring best practices, and public alerts.

2. Recommendation #2: Canada and Ontario should each ensure that appropriate funds are allocated to meet or exceed commitments described in the Agreement.
3. Recommendation #3: Please include Swim Drink Fish in efforts to find ways to revitalize and promote the Great Lakes region.
4. Recommendation #4: Enforce existing environmental rules in order to protect the lakes from harmful pollution.
5. Recommendation #5: In addition to the Randle Reef restoration work being done, provide encourage and support efforts to reduce sewage pollution in Hamilton to improve recreational water quality in Hamilton Harbour.
6. Recommendation #6: Expand sewage debris cleanup programs in the Toronto Harbour pending the completion of infrastructure upgrades that eliminate sewage spills in the area.
7. Recommendation #7: Open (or re-open) beaches in Toronto to help the growing population connect with the lake, restoring the number of recreational water areas to at least 25.
8. Recommendation #8: Ensure that the Port Hope low-level radioactive waste cleanup program meets all of Ontario's air and water quality objectives.
9. Recommendation #9: Restore or protect coastal wetlands whenever and wherever possible.
10. Recommendation #10: Set clear, simple, objective benchmarks that indicate whether the health of the Great Lakes is improving. Then monitor results and share the findings routinely with the public and stakeholders.