

Section III – Items for Board of Directors' Information

TO: Chair and Members of the Board of Directors
Meeting #8/19, Friday, September 27, 2019

FROM: Laurie Nelson, Director, Policy Planning

RE: **TRCA COMMENTS TO ENVIRONMENTAL REGISTRY OF ONTARIO (ERO)**
New Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health (ERO #019-0198)

KEY ISSUE

Toronto and Region Conservation Authority (TRCA) comments on the new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health.

RECOMMENDATION

WHEREAS the Province of Ontario posted the new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, for public comment on the Environmental Registry of Ontario (ERO);

AND WHEREAS several TRCA programs contribute to Great Lakes water quality and ecosystem health;

AND WHEREAS TRCA staff submitted comments to the Province in response to the ERO posting by the September 4, 2019 deadline;

THEREFORE LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) staff report and comments on the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, be received;

AND FURTHER THAT the Clerk and Manager, Policy, so advise municipal partners and Conservation Ontario.

BACKGROUND

On July 5, 2019, the Ministry of the Environment, Conservation and Parks posted on the Environmental Registry of Ontario for a 61-day review period (comments were due September 4th), a proposed new agreement between Canada and Ontario to restore, protect and conserve the Great Lakes in accordance with the Province's [Made-in-Ontario Environment Plan](#).

The current Canada-Ontario Agreement expires in December 2019. To support the continued partnership on Great Lakes restoration, Canada and Ontario have negotiated a [draft new Canada-Ontario Agreement](#). This would be the ninth agreement between the two levels of government. It is designed to advance action on key challenges facing the Great Lakes such as improving wastewater and stormwater management and reducing pollution, including a new focus on road salt and plastic pollution.

Once finalized, the new Canada-Ontario Agreement (the COA) would be signed by:

- the Ontario Minister of the Environment, Conservation and Parks
- the Ontario Minister of Natural Resources and Forestry

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- the Ontario Minister of Agriculture, Food and Rural Affairs
- Canada's Minister of the Environment and Climate Change
- five other federal ministers

An Executive Committee will oversee the COA and consist of senior representatives from the ministries, departments and agencies of the Parties responsible for Agreement commitments.

Commitments in the draft new COA would:

- support the implementation of Great Lakes-related commitments in the Province's [Made-in-Ontario Environment Plan](#)
- advance the purposes of the Province's [Great Lakes Protection Act, 2015](#)
- align with the goals of [Ontario's Great Lakes Strategy](#)
- support Canada's commitments under the [Canada-United States Great Lakes Water Quality Agreement](#)
- respond to priorities raised by many Great Lakes partners in recent discussions with federal and provincial agencies

The new COA is comprised of a Framework Agreement consisting of thirteen articles that describe the purpose, principles and administration. The COA also contains thirteen annexes (listed below), each of which includes:

- a preamble describing what Canada and Ontario will strive to achieve;
- intended results for the Great Lakes specific to each annex; and,
- commitments Canada and Ontario will deliver jointly or separately to achieve the intended results.

Protecting Waters

Annex 1: Nutrients

Annex 2: Harmful Pollutants

Annex 3: Wastewater and Stormwater

Annex 4: Discharges from Vessels

Improving Coastal Areas

Annex 5: Areas of Concern

Annex 6: Lakewide Management

Protecting Habitat and Species

Annex 7: Aquatic Invasive Species

Annex 8: Habitat and Species

Enhancing Understanding and Adaptation

Annex 9: Groundwater Quality

Annex 10: Climate Change Impacts and Resilience

Engaging Communities – From Awareness to Action

Annex 11: From Awareness to Action

Annex 12: Métis and the Great Lakes

Annex 13: First Nations and the Great Lakes

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To respond to the consultation on the proposed new agreement, TRCA Policy Planning staff coordinated comments from various divisions at TRCA, drafted and submitted a final letter response to the ERO by its deadline of September 4, 2019 (Attachment 1). The TRCA response letter includes general comments and two appendices containing a listing of TRCA programs contributing to Great Lakes ecosystem health, as well as detailed comments on the COA itself.

RATIONALE

TRCA understands the Canadian and Ontario governments recognize the need to strengthen efforts to address new and continuing threats to Great Lakes water quality and ecosystem health, including aquatic invasive species, excessive nutrients, harmful pollutants, discharges from vessels, climate change and the loss of habitats and species.

TRCA supports the proposed update to the COA and appreciates that it is premised on the belief that Great Lakes water quality and ecosystem health cannot be achieved by addressing individual threats in isolation, but rather depends upon the application of an ecosystem approach that addresses individually and cumulatively all sources of stress to the Great Lakes. There is a strong alignment with conservation authorities' (CAs) ecosystem approach and watershed-based work that serves to mitigate for the impacts of urbanization and climate change on the Great Lakes and improves ecosystem health.

On a collective basis, CAs and their partners' environmental protection and management of rivers, wetlands and headwaters provide downstream benefits to the Great Lakes, including those for water quality, habitat and recreation. As local watershed and partnership agencies, CAs are well-positioned to play a key role in many of the actions identified in the COA. This is particularly the case for the Greater Golden Horseshoe CAs with Great Lakes shorelines, where the impacts of urbanization and the compounding effects of climate change are acutely felt.

The draft COA contains many initiatives that align with TRCA's Strategic Plan, business units and current program delivery. The Toronto and Region Remedial Action Plan (RAP) is the largest program currently supported by COA. TRCA administers the RAP for the Toronto Area of Concern (AOC) as part of a 5-year (2015-2020), \$2.5 million agreement with Environment and Climate Change Canada and the Ministry of Environment, Conservation and Parks (matching funding). In addition to habitat restoration work, through development and infrastructure planning processes, TRCA staff work with municipalities and proponents to ensure restoration is directed toward strategic areas to address RAP priorities in the Toronto AOC.

TRCA staff with technical expertise in each Annex reviewed the draft COA and provided detailed comments that informed the TRCA response (Attachment 1). TRCA's letter made the following recommendations for the governments' consideration:

- COA employs a holistic lens and reflects a watershed approach to supporting lake health; this approach should be replicated in the update.
- Introduce a section or an appendix on implementation mechanisms, targeted timelines and funding;

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- That the connection between land development and lake water quality and ecosystem health be a more prevalent theme throughout the COA;
- Maintain the ability of the current COA to encourage partnerships between agencies and the leveraging of funds for greater impact;
- Ensure a continuum of current and long-term program funding for TRCA and agencies/ministries with whom we collaborate to deliver on COA actions;
- Make new funding available in support of land-based actions such as watershed planning, stewardship and restoration (perhaps under the Western Lake Ontario Land to Lake Initiative).
- Maintain an ongoing commitment to the de-listing of Areas of Concern and to monitoring, community engagement, and maintenance following de-listing.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 4 – Create complete communities that integrate nature and the built environment

Strategy 8 – Gather and share the best sustainability knowledge

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Staff are engaged in this policy analysis work per the normal course of duty, with funding support provided by TRCA's participating municipalities to account 120-12. No additional funding is proposed to support the policy analysis work associated with the preparation of these comments.

DETAILS OF WORK TO BE DONE

The enclosed comments have been submitted to the Province and copied to the federal government for consideration. Staff will continue to brief the Board on any updates received as a result of the COA consultation.

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Date: September 9, 2019

Attachments: 1

Attachment 1: TRCA Comments – Great Lakes COA (ERO #019-0198)