Implementing the Clean Water Act:

A Chair's Perspective

Your Watersheds Our Great Lakes

A.D. Latornell Conservation Symposium

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This is far too complex! There are too many competing interests! Who will cover the costs? The path forward is not clear!

Focus on the goal. Take it step by step.

We are entering into new territory. There will be many challenges and uncertainties. This will be hard work. Many people will need to be involved. We will take it step by step. Protecting sources of drinking water is our shared goal.

On September 24th and 25th the Ontario Ministry of the Environment convened the inaugural meeting of the newly appointed 19 Chairs of Source Protection Committees from across the province of Ontario. Other participants in the session included our respective program managers, communication specialists, General Managers of the lead source protection authority, representatives from the Ministry of Natural Resources, Ministry of Municipal Affairs and Housing, Ministry of Agriculture, Food and Rural Affairs and Conservation Ontario.

The two day session provided us with an overview of the:

- Legislative framework and the guidance for the technical studies to support the source protection planning;
- Legislative and regulatory roles and responsibilities of the source protection chair;
- Establishing and functionalizing the Source Protection Committee;
- Developing the Terms of Reference; and,
- Managing communication issues and effective facilitation.

During the session I had a growing awareness and unease that the path forward was not well-defined; and that many of the required tools, discussion papers and guidance manuals we need to reach our goal were still works in progress. And, that there are many uncertainties.

An environment of such uncertainty can trigger drastically contrasting reactions from people. On one end of the spectrum, some will be energized by the prospects of being co-creators in the implementation of the Clean Water Act. On the other end, others will be highly disconcerted that we do not know precisely how the process will unfold and assume others in positions of influence and control will not satisfactorily respond to outstanding issues of concern. Or, in all likelihood reactions are some combination of both.

There are plenty of unanswered questions confronting us, including:

- How do we move forward on certain technical studies without sufficient guidance?
- What are the protocols to coordinate efforts for international water bodies such as the Great Lakes and inter-provincial water bodies such as the Ottawa River?
- How do we effectively engage citizens, First Nations and incorporate traditional knowledge?
- Who will be responsible for implementation, compliance and enforcement measures?

So many uncertainties! And yet, few will dispute the vast benefits of the source water protection efforts across Ontario. How do we move forward? Focus on the goal. Take it step by step.
The Mississippi Rideau Source Protection Region (MRSPR) is approximately 8,600 square kilometers or about 50% bigger than Prince Edward Island. This does not include the Ottawa watershed upstream of the City of Ottawa of some 95,000 square kilometers and with much of it in the province of Quebec. The population in the MRSPR is approximately 865,000 people of which 730,000 are on municipal drinking water systems (83% from surface water, 1% from groundwater). The remaining 135,000 are on private services throughout the region (or 16%).

The Mississippi-Rideau region includes 12 municipal drinking water systems with five drawing from surface waters and seven drawing from groundwater. The systems drawing surface water and requiring the delineation of Intake Protection Zones include Carleton Place, Perth, Smiths Falls and Ottawa (Lemieux & Britiannia). The systems relying on groundwater requiring the delineation of Wellhead Protection Areas include Almonte, Westport, Merrickville, Kemptville and within the City of Ottawa - Carp, Munster and King’s Park in Richmond.

Very early in the process we reached into the community - we did not wait for them to come to us. Over 70 presentations were made in 2005 and 50 in 2006. We connected with municipalities, stewardship councils, agricultural organizations, health units, lake & cottage associations, First Nations, landowner associations, environmental groups, and professional associations. We created a comprehensive list of interested participants to enable broader public participation as we move forward. This list continues to grow.

We also recognized in the early stages the unique needs of "shared" stakeholders, in particular municipalities that exist within the boundaries of two or more source protection regions. In eastern Ontario there are three other source protection regions that share our boundaries including Cataraqui (3,500 sq km), Quinte (6,200 sq km) and Raisin-South Nation (5,600 sq km) for a total 23,900 sq. km. Many municipalities within these areas may be served by two or three source protection regions.

We formalized an Eastern Ontario communications protocol to facilitate effective working relationships between the four source protection regions and our shared stakeholders, namely municipalities. We created a one-window approach and designated a lead source protection region for each stakeholder (i.e., the SPA with the greatest share of a municipality within its boundaries). Under this one window approach we conduct joint presentations and copy one another on ongoing correspondence. We invested significant energy in building an integrated team approach that goes beyond any one source protection region to one that encompasses Eastern Ontario.

Over the last two years the MRSPR as well as many other source protection regions across the province have been collecting scientific information in response to the various modules required for the Assessment Report. These efforts include watershed characterization, a conceptual water budget, establishing vulnerable areas, identifying issues and threats; and assessing and evaluating risk. Some of the modules are now draft reports in circulation to municipalities, while others are still works in progress.
Working with municipal partners we coordinated data requests and the exchange of information, established municipal working groups, jointly oversaw the management of studies and the selection of consultants.

Building on the effectiveness of the coordinated approach to communications amongst neighbouring source protection regions we looked for opportunities to be consistent in our technical work. We created a peer review team for three of the four regions (not including Raisin-South Nation), a report template to ensure a consistent look and feel for technical documents (for three of the four regions, not including Quinte), and adopted similar methodologies, where possible.

We are well positioned now for the future. Focus on the goal. Take it step by step.

In late October the Mississippi Rideau Source Protection Authorities formed the Source Protection Committee. A coordinated training session jointly convened by the Ministry of the Environment and the four eastern Ontario source protection authorities will be conducted for the new committee members in the end of November. The inaugural meeting of the MRSPC will be held in December.

In the coming months we will be working to establish the road map for the next five years through the development of the Terms of Reference. We will also be reviewing the various technical studies undertaken to date. Through the design of a community involvement strategy we will continue to further public awareness and encourage public engagement through out the planning process using public forums, open houses, educational sessions, and workshops. In our efforts we must strive to instill in the public a sense of involvement in and responsibility for the protection of our source water. We will need to regularly communicate progress, successes and challenges to our partners and the public. Plain language is crucial.

On November 2, 2007 the front page of the Ottawa Citizen published the headline, "Write your science article in plain English, or else, editor warns." The article went on to quote Editor in Chief - Donald Kennedy of the journal Science, "It's clear that accessibility is a problem, because we are all laypeople these days: Each specialty has focused in to a point at which even the occupants of neighbouring fields have trouble understanding each other's papers."

We must be sensitive to the barriers that can be created when using scientific language. We need to seek ways to inspire people to care about the issue and connect to their hearts.

"Knowledge is only an asset if it's shared."

Henry Lickers
Mohawk Council of Akwesasne
*Workshop on Community Involvement in Decision Making, 1993*
We will need to listen.

"Golden Rule of Communication - You have two ears and one mouth, use them accordingly."

Bob Simpson
Simpson and Associates
Workshop on Community Involvement in Decision Making, 1993

We must encourage representatives of sectoral interest groups to remove the cloak of their respective interest. Each of us must focus on the goal - with the highest and best interests of the public at the forefront - today and for the next generations.

We will need to resolve the apparent discrepancy between our concerns for protecting public health associated with municipal drinking water systems versus that of private wells. For instance, Kings Park, a neighbourhood of 450 residents within the village of Richmond is served by a municipal groundwater system and will be part of our assessment and planning efforts. Yet, the 3,900 other residents in the village on shallow private wells will not be part of the process unless the area is designated as a cluster. If we are proceeding on the basis of public health then private supplies of drinking water must also be equally protected.

We need to clarify to citizens and municipal partners that even though we are nearing the completion of a number of technical studies in advance of the development of the Terms of Reference - for example the Watershed Characterization Study - the dye has not yet been cast. We need to convey to the public that their input is relevant and important.

We need to ensure effective engagement of our municipal partners in the preparation of the Terms of Reference, work leading up to the Assessment Report and the development of the Source Protection Plans. Municipalities are key partners in this process. It is their systems we are working to protect. Municipalities will have different capacities to participate and must be supported.

Perhaps, one of the most contentious issues with municipalities is who will pay the costs of implementation. Municipalities are saying, "Show me the money." They have every right to ask this question, and to be persistent until a satisfactory response is provided. Municipalities need to know that the funding issue will be addressed.

I was shocked and disheartened to read the Environmental Commissioner of Ontario's Special Report entitled Doing Less with Less submitted to the Speaker of the Legislative Assembly on April 24, 2007. Gord Miller, our Environmental Commissioner of Ontario (ECO) cited numerous examples of how insufficient funding is contributing to capacity problems at MOE and MNR and the inability to "...track the health of Ontario’s natural environment, identify instances of environmental degradation, and take action to prevent or mitigate such degradation."
Even though additional resources were dedicated to respond to drinking water protection following the Walkerton tragedy we need only look at the operating budgets of MOE and MNR cited by Miller in the following slides to know that we have a challenge before us.

"...after adjusting for inflation, the buying power of MOE’s 2006/2007 operating budget is approximately 34 per cent lower than it was in 1992/1993...[and] MNR’s 2006/2007 operating budget remains approximately 18 per cent lower than in 1992/1993."

"...MOE’s and MNR’s planned operating budget for 2006/2007 is about 0.32 per cent and 0.73 per cent respectively of the overall operating budget of the Ontario government. In the early 1990s, MOE’s and MNR’s operating budgets had been as high as 0.63 per cent and 1.15 per cent respectively, of the Ontario government operating budget."

The issue of providing sufficient financial resources for the protection and conservation of our environmental resources is not new. Yet, now as we start the implementation of the Clean Water Act we have an opportunity to challenge our complacency as Ontarians and demand better from ourselves and from our government.

Citizens know that safe, clean, and reliable supplies of drinking water are critical to public health. They understand the necessity and effectiveness of reducing the risks of contamination at the source. It just makes sense. Citizens expect their governments to look beyond political cycles and to make investments to protect the quality and quantity of our water resources for today and future generations.

We are undertaking a joint planning process. An effective and successful joint planning process does not just happen; it takes time, energy, resources, unwavering determination and a strong spirit of cooperation. The results of such an investment will create a forum that forges new partnerships and fosters cooperative problem solving in the search for innovative solutions. Ultimately, this will lead to better informed, more creative, balanced and enduring decisions because of shared commitment to and responsibility for the process, results and implementation.

Leadership and an unshakeable shared vision for the protection of our water resources and public health will be required as we work to protect the sources of our municipal drinking water.

Focus on the goal. Take it step by step.