



Ducks Unlimited Canada



October 20, 2003

Premier-Elect Dalton McGuinty
Leader, Ontario Liberal Party
10 St. Mary's Street, Suite 210
Toronto, Ontario
M4Y 1P9



Dear Premier-Elect McGuinty:

The Canadian Environmental Law Association, Ducks Unlimited Canada, the Federation of Ontario Naturalists, the Nature Conservancy of Canada, the Soil and Water Conservation Society and Conservation Ontario wish to extend our congratulations on your election. You have been given an extraordinary mandate; with respect to Ontario's drinking water and source protection we stand ready to assist you in any way possible.

On July 22, 2003, our organizations sent the attached letter to Premier Eves. We received no response or acknowledgement to our letter.

Late last year, the government appointed the Advisory Committee on Watershed Based Source Protection Planning. Three of our organizations had representatives on that non-partisan Committee. The Advisory Committee released its report, *Protecting Ontario's Drinking Water: Toward a Watershed-Based Source Protection Framework* in April 2003. As suggested by the committee, the government posted the report on the EBR registry for public review and comment until June 21, 2003. Since that time there has been no decision on this most critical step in protecting Ontario's drinking water.

The Advisory Committee Report deals with both urban and rural source protection. It deals with the concerns of the agricultural community, as well as with the issues raised by urban growth and development and is consistent with the Oak Ridges Moraine legislation and planning. Equally as important, the process established to develop the Report was fair, comprehensive and meticulous.

Our organizations strongly support the Committee's Recommendations and Framework. We strongly urge your government to adopt the Report of the Advisory Committee and begin the consultation called for in its detailed recommendations as soon as possible. Source protection planning in Ontario cannot begin too soon.

One of the common recommendations of both the Walkerton Inquiry and the North Battleford Inquiry, two water tragedies which occurred close in time, was the importance of the multi-barrier approach to drinking water protection, with both stressing the paramount importance of source protection as the first necessary barrier. Ironically, many other provinces and some U.S. states have proceeded with implementation of source protection initiatives based in part on the Ontario experience and the Walkerton Inquiry Reports.

However, here in Ontario, many of our source protection planning efforts have largely been those that were already underway prior to the Walkerton tragedy. To date, there has been no movement on public consultations other than the EBR posting, nor on the development of required legislation, funding models or other essential components of the Report's recommendations.

We believe there are some important recommendations that can commence immediately according to the Report. The formation of the technical committee to develop a made-in-Ontario definition of vulnerability of source waters and the appropriate approach to risk management is needed. In addition, a stakeholders committee to develop urgently needed new municipal and other agency tools for source water protection can and should be implemented immediately. This latter committee should also develop the long-term sustainable funding models for all components of source protection planning and implementation. It, too, can be formed immediately and need not wait for the completion of the public review.

We would also encourage you to immediately establish the Watershed Management Branch in the Ministry of Environment as recommended by Justice O'Connor. The recent appointment of Mr. Jim Smith as Chief Drinking Water Inspector is an important step in the right direction. As an Assistant Deputy Minister, it is essential that he have sufficient responsibility for water quantity and water quality to ensure that any Inter-ministerial issues can be dealt with in an integrated and timely manner.

Our organizations remain committed to assisting you and your government with these tasks. We have particular expertise in source protection and watershed planning and are available and ready to assist in this regard.

We strongly urge you to take the steps required so that the critically important work of source protection implementation can begin immediately. We look forward to your early response.

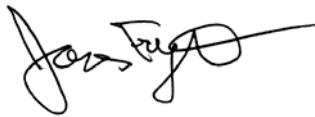
Yours sincerely,



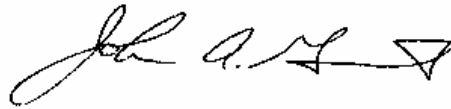
Theresa McClenaghan, Managing Lawyer
The Canadian Environmental Law Association



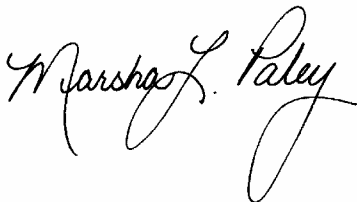
Ron Maher, Manager of Provincial
Operations – Ontario Eastern Region
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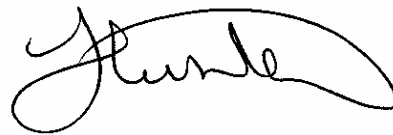
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