

February 26, 1996

**An Open Letter to Ontario Cabinet Ministers**

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Minister of Natural  
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Dear Ministers Leach, Elliott, and Hodgson,

**Re: York Region's Proposals for Future Water Supplies**

Great Lakes United, an international coalition dedicated to the protection and sustainability of the Great Lakes ecosystem is now finalizing a report on the present status and future outlook for water use in the Great Lakes Basin. This research has revealed that the continued neglect of a number of problems by Basin jurisdictions is leading toward profound conflicts over Great Lakes waters in the future. The options now being considered by York Region for new sources of water for future growth in that region are symptomatic of how poor planning and management are escalating future water conflicts.

On March 9, 1994, several of the undersigned groups wrote to your Ministries identifying a variety of concerns over the TransCanada Pipeline proposal to build a water pipeline from Georgian Bay to the York and Cambridge Regions. Then Minister of the Environment and Energy, Bud Wildman responded; "It should be noted that it is only the concept of TransCanada's involvement in the development of infrastructure that is currently being considered by the Ontario government. ...Your request for an individual environmental assessment which examines all phases of this project is certainly reasonable. ...I will keep you informed of any future decisions that are made on TransCanada's proposed concept." We were astounded to read in the Toronto Star article of February 20, 1996 "York Region ponders U.K. water system" that your government's Ontario Clean Water Agency (OCWA) has submitted a tender with TransCanada Pipeline to undertake this pipeline before assessing the need for and impacts of the project. With the government now standing to directly profit from this tender, we are requesting a full environmental assessment of this significant undertaking's local, provincial and international implications.

**Local Concerns**

There is no chronic shortage of water resources in the Greater Toronto Area (GTA). The Geological Survey of Canada is currently conducting studies of groundwater resources in the Oak Ridges Moraine which are identifying important ground water potential there. The competition among the municipalities for future growth has led to a lack of cooperation, efficiency strategies and planning to share and prudently allocate supplies. Fragmented and piecemeal planning has resulted. Little attention has been given to increasing water supplies by conservation measures. It has been estimated that as much as a third of the areas' water supply is lost through leaks in aging infrastructure which has not been maintained. A lack of incentives for conservation continues to encourage users from all sectors to lead the world as per capita wasters of water. Privatisation schemes like all three alternatives being considered by York Region will aggravate water wastage as profits will come from increased use.

Considerable public efforts have been made in the Toronto region to implement watershed planning to restore and rehabilitate rivers and streams and protect their headwaters at the Oak Ridges Moraine. The impacts of the increased volumes of wastewater discharged into these water bodies from the new supplies from the pipeline could cause increased contamination and stress on these ecosystems. The transition anticipated from the Golden Report on the reorganization of the

GTA has the potential to result in improved management and distribution of the region's water resources. York Region's rush to choose their preferred option within the next three weeks could severely constrain the transition process and the benefits which might result from the proposed GTA reorganization. A decision without the full information on groundwater resources in the area would be premature and could be costly and damaging over the long term.

In its original inception the TransCanada Pipeline proposal had two phases, to supply first the York Region, then the Cambridge Region. The proponent argued that both regions had to be served to make the proposal economically viable. Currently the Cambridge Region is concentrating on assessing conservation and long term ground water supplies. These efforts to live within resources available locally have pioneered conservation in this province and should not be discouraged. Impacts of phase two on that region's efforts and the Grand River watershed too must be assessed.

What of impacts on Georgian Bay and areas downstream (the St Clair River, Lake St. Clair and Lake Erie) of these proposals? These water bodies could suffer many consequences from diminished flows. Lowered lake levels impact all shoreline and riparian uses. Habitat loss and loss of biodiversity could result. Pipelines increase the opportunities for contamination and invasive species to migrate into new watersheds. The recreational uses of Georgian Bay could be impacted as well as aboriginal treaty rights.

#### **Provincial Concerns**

Each of the options which York Region is considering will have consequences for Ontarians which will reach far beyond York's regional boundaries. The precedent of privatization requires careful scrutiny. Two of the bidding teams are partnered with British firms whose records at home have proven very costly for consumers and have raised quandaries over accountability. The pipeline option has been estimated to cost at least \$500 million. The magnitude of each of these options warrants a full environmental assessment (EA). We urge you to examine all phases of the proposal selected under one EA rather than severing it into smaller approvals. It is our experience that the full range of impacts, alternatives, evaluation of need and conservation options cannot be weighed adequately when a large infrastructure project is considered in segments under Class EAs.

It is regrettable that the province of Ontario has abandoned all efforts to have a water conservation policy or even a strategy. The recent changes to the Planning Act have dramatically diminished the tools available to stakeholders to protect Provincial waters and encourage conservation. The weak conservation mandate given to the OCWA as only one of several loose criteria for distributing provincial infrastructure grants has proven inadequate to protect the Province's water resources for the future. In this case, OCWA is in conflict with its evaluative responsibility as it has entered into a tender with a private partner in competition with other bidders that could, if successful, be looking to OCWA later for resources to carry out their proposals.

#### **International Concerns**

The pipeline proposals being considered will not escape international scrutiny even though technically they could be termed "intra-basin" transfers. Our research shows that York Region and the Ontario government are not alone in their designs on Great Lakes waters. In a survey of many US municipalities reliant on groundwater within or near to the boundaries of the Great Lakes watershed, the majority had no intention of limiting growth where there were inadequate (imagined or real) water resources. They all have pipe dreams for the Great Lakes.

Ironically, in the past Ontario has been a strong voice in opposition to these diversion and withdrawal proposals originating in the United States. Most recently they have encouraged other Great Lakes jurisdictions to join them in objecting to the Mud Creek irrigation proposal in Michigan and the Lowell, Indiana diversion. The Great Lakes Charter commits Ontario to prior notice and consultation with other Great Lakes jurisdictions for all diversion requests for

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Great Lakes waters. If the spirit of ecosystem cooperation envisioned by the Charter is honoured, the Province should notify Quebec and other members of the Water Resources Committee of the Council of Great Lakes Governors of OCWA's involvement in this tender.

TransCanada Pipelines already moves natural gas in pipelines from Canada to the US. We are very concerned that they are preparing to do the same with Canada's water resources. The Georgian Bay Pipeline proposals could be the first steps in providing key portions of the infrastructure to pipe Great Lakes waters south. Trade specialists point out that under provisions of the Canada - US Free Trade Agreement and the North American Free Trade Agreement once water is diverted between countries, continuous supplies must be provided regardless of supply shortages at the point of origin. Indeed, previous Ontario governments were drafting legislation to prevent out-of-Province diversions.

Perhaps the most dismaying part of our recent research has been the evident lack of long term planning for sustainability of our water resources by all levels of governments in the Great Lakes. In practice there is uniform protectionism rather than cooperation, and a lack of planning and policy. Should the predictions of continental water shortages and climate change occur, crises and user conflicts like the one being played out in York Region will become the norm.

We urge you to reconsider the joint venture you have made with TransCanada Pipelines and urge you to require the other precedent setting proposals being recommended to York to undergo a full Environmental Assessment. Rather than pursuing mega-projects like these proposals, we urge you to implement a strong water conservation policy to ensure a sustainable future for Ontarians.

Yours truly

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