



Canadian Environmental
Law Association



January 22, 2000

Premier Mike Harris
Office of the Premier
Legislative Building, Queen's Park
Toronto ON M7A 1A1

Dear Premier Harris,

We are writing to request that Ontario hold public hearings at which citizens may appear and comment on Annex 2001, the proposed amendment to the Great Lakes Charter made public by the Great Lakes states.

As we understand it, the plan for finalizing this amendment is to solicit public comment in the states. This will be followed by further negotiation among the states, Ontario, and Quebec on the contents of the Annex, and finally signing of the Annex is anticipated in late spring or early summer at a meeting of Great Lakes governors and premiers.

We are concerned that under this plan Ontarians will have no opportunity for comment on this critical document, which will set the stage for dramatic changes in water use law and, if properly designed and carried out, provide protection from bulk water export and diversion proposals.

We understand that the provinces have serious concerns about the Annex in its current form, and have accordingly refused to join the states in proposing it. We strongly agree with at least one reason for Ontario's reticence, as we understand from the statements of Minister Snobelen, who has expressed worry that the so-called "de minimis exemption" in the Annex would weaken Ontario's current water quantity protections.

One might argue that there is little reason for comment on a document the Ontario government does not support. But it is critically important that Ontarians have an opportunity to comment on Annex 2001 now, since the next round of negotiations and rewrites of Annex 2001 will be critical in determining its final content. Therefore, Ontario's public should be heard now.

Hearings attended by all concerned parties and covered by the media would also provide an important opportunity for public education. The change in water use practice implied by Annex 2001 will be significant, improving decades of water use practice in most Great Lakes localities.

In particular, the Annex will require greatly increased conservation in what most citizens think is a water-rich area. Public education to prepare the region's citizens for water use changes guided by Annex 2001 should begin now.

Finally, the willingness of the governors to proceed on their own in this matter suggests a need for better understanding by the states of the reasons for provincial reservations about the current draft. Hearings in Ontario would help strengthen Ontario in its future negotiations with the Great Lakes states.

Since the comment period announced by the Council of Great Lakes Governors ends February 28, we would appreciate a timely response to this request. Thank you for your attention to this matter.

Sincerely,

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