



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

March 19, 2003

Brenda Lucas
Program Manager
The Walter and Duncan Gordon Foundation
11 Church Street Suite 400
Toronto, Ontario
M5E 1W1

Dear Brenda Lucas,

**Final report on the travel grant to the Canadian Environmental Law Association
for participation in the development of the Great Lakes Annex 2001**

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The Canadian Environmental Law Association (CELA) is very grateful for the travel assistance that the Walter and Duncan Gordon Foundation provided to our water programme co-ordinator Sarah Miller to participate in a number of efforts in 2002 to further water sustainability in the Great Lakes. As you recall, we approached you on an emergency basis after being invited to participate in several projects that did not reimburse for travel.

CELA has utilised your grant to participate in three different efforts in 2002.

**1. The Stakeholder Advisory Committee (SAC) to the Great Lakes Commission in their development of a Water Resources Management Decision Support System for the Great Lakes.**

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This work carried out by the Great Lakes Commission concentrated on ensuring that informed decisions are made regarding Great Lakes water withdrawal and use. Work included an evaluation of our current understanding of Great Lakes Water Resources, and made recommendations on what additional tools would be needed to guide future decision-making. The final report on this work is available on The Great Lakes Commission web site (see attachment #1.) The Stakeholder Advisory Committee (SAC) reviewed and contributed to a number of background papers to the report on:

- Consumptive uses of Great Lakes Water
- Water Conservation in the Great Lakes-St. Lawrence Region
- The Great Lakes Water Balance Data Availability and Annotated Bibliography of Selected References and
- Annotated Bibliography of Consumptive Use in the Great Lakes region and Basin

SAC members also contributed to a workshop on defining and measuring the ecological impacts of water withdrawals on the Great Lakes ecosystem. As CELA moved its offices in September, we participated in the late summer and fall meetings to finalise this work by conference phone.

## **2. Advisory Committee to the Great Lakes Water Management Initiative of the Council of Great Lakes Governors**

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Meetings of the Advisory Committee with the Management Team representing the States and Provinces in early 2002 were held in March in Washington, D.C., and in April 2002 in Chicago, Illinois. CELA paid for the costs to attend those meetings. Your grant helped defray the costs of the November 20th and 21st meeting in Chicago, Illinois as well as a meeting with Ontario representatives on the Management team that CELA hosted in their offices. This December 9, 2002 meeting brought together Canadian water policy experts and CELA staff with members of the Ontario team to explore Annex issues from a Canadian perspective. Throughout this process CELA has focused their contribution on the deliberations of the Inter-Provincial /International Subcommittee. The efforts of this committee, chaired by Bill Carr of Ontario's Office of International Relations and Protocol, have focused on the complex challenges of how to have common legally binding systems for evaluation of water withdrawal proposals and for resolution of disputes that may arise. As well this group is evaluating how the two countries can structure Annex implementation to be compatible with constitutional and legal regimes and compact precedents in the US. See attachment # 2 for Agendas of the Great Lakes Water Management Initiative Meetings in 2002.

## **3. Basin environmental groups' collective efforts to strengthen Annex 2001 and improve public participation in sustaining the waters of the Great Lakes.**

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Your grant enabled Sarah Miller to attend the Annual Meeting of Great Lakes United (GLU) in Chicago, Illinois June 7 to 9, 2002. Sarah facilitated two sessions there of GLU's Sustainable Waters Taskforce with lawyer Andy Buchsbaum of the National Wildlife Federation. These sessions discussed and developed a long-term public action agenda for water sustainability for the Great Lakes see attachments #3).

The most in-depth work done to improve the Great Lakes Annex was done collectively by a number of US environmental groups funded by the Mott Foundation working with CELA and the Strategies Saint-Laurent to develop responses to the Annex negotiations as they developed during the fall and winter of 2002-03. Your funding enabled us to participate in over thirty conference calls in the development of these submissions (see attachment #4). The submissions from these groups were the most extensive made to the Council of Great Lakes Governors and have been the subject of further discussions with the Management Team Subcommittees. Because there was wide spread change in State leadership as a result of the November 2002 US elections, there was concern that momentum on the Annex would be lost. The considerable efforts of the environmental groups have helped to move these deliberations forward during this period.

**Indirect benefits of CELA involvement in Annex 2001 initiatives**

Our intensive involvement in the initiatives described above has given us new tools and knowledge that we have been able to apply to several other situations. CELA staff lawyer, Theresa McClenaghan is currently sitting on the group drafting the source protection framework of place based watershed management arising from the recommendations of the Walkerton Inquiry. Many of the materials from the Great Lakes Commission work and under discussion in the Annex negotiations have great relevance to policy and law reform for Ontario source protection which extends to water quantity as well as water quality. As well, as the result of this work we have collected a lot of valuable materials on water management that will be available to the public through our Resource Library for the Environment and the Law. This topic is fast becoming one of the most frequently requested by students and researchers.

In January 2003, the International Joint Commission (IJC) released a report they commissioned on progress on their 2000 reference recommendations for the protection of the waters of the Great Lakes. That report was very negative about the efforts underway on the Annex which was quite shocking to those of us involved in this work. CELA was able to respond with a submission to the January 20th hearing that was held in Toronto by Commissioners of the IJC. The CELA submission stressed of the importance of this work for the region and as a watershed protection model for others.

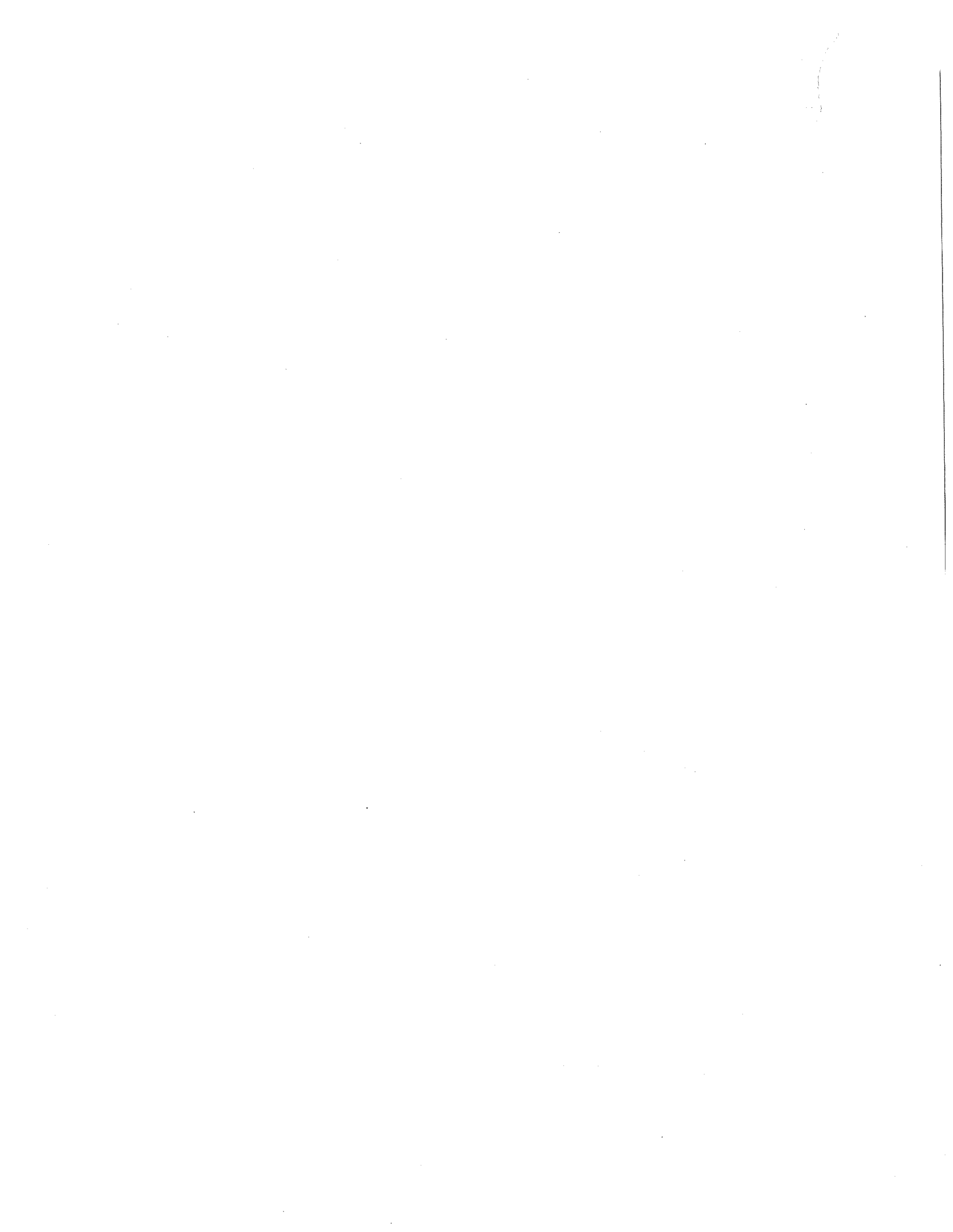
As we write this report, another Annex negotiation meeting has been scheduled for the end of April 2003. The Council of Great Lakes Governors are now seeking funding to ensure attendance of Advisory Committee members from both countries so we hope to be able to continue our capacity to be involved in this process.

We understand that Great Lakes United has met with your Foundation Staff recently to discuss a proposal to further public participation in Great Lakes water protection in Canada. CELA has committed to continue to work with GLU on this effort.

We have attached a financial statement detailing our expenditures of your grant. Thank you for your willingness to support us with this emergency grant. We hope you will agree with us that it has gone a long ways to advancing our work on this issue.

Yours truly,  
Canadian Environmental Law Association

Sarah Miller  
Co-ordinator  
Phone: 416) 960-2284 ex 213  
millers@lao.on.ca





CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

March 20, 2003

**Final Financial Statement**  
**Travel Grant to the Canadian Environmental Law Association**  
**For Participation in the Development of the Great Lakes Annex 2001**

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**Revenues**

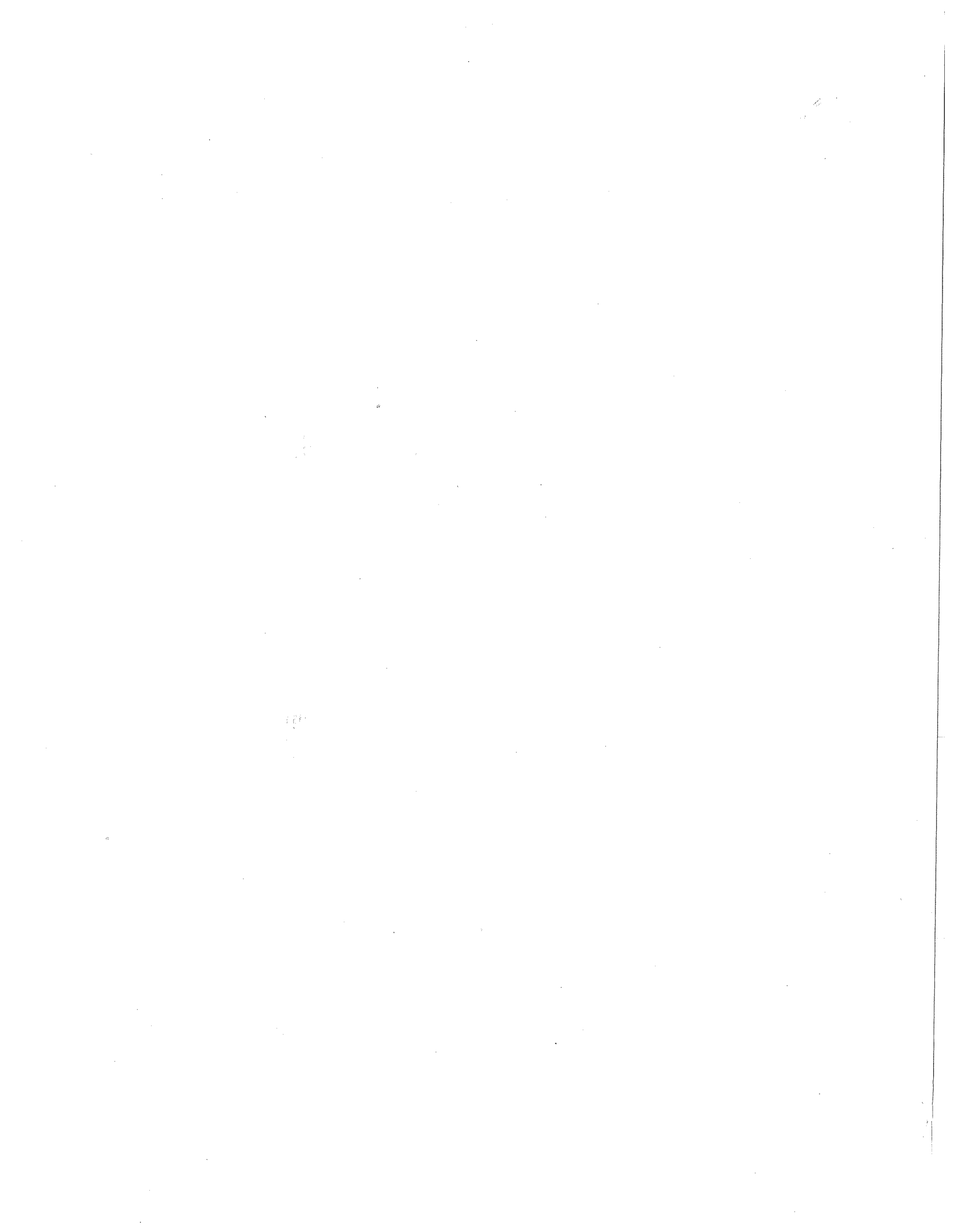
Original proposal submitted April 15, 2002  
Revised proposal submitted April 29, 2002  
Grant received July 1, 2002  
from Walter & Duncan Gordon Foundation \$ 4,000.00

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**Expenditures**

Charged against Walter & Duncan Gordon Grant  
Actual accommodation, travel and meeting costs (see attached)  
from July 1, 2002 to December 31, 2002 3,697.86  
Phone conferences in lieu of meetings for the same period 302.14  
Total expenses applied to travel grant \$ 4,000.00

CELA expenses  
Staff time 3,000.00  
Travel and accommodation expenses for Annex work  
From April 1, 2002 to June 31, 2002 1,293.19  
Additional Phone conference calls in lieu of meetings 347.86  
\$ 4,641.05  
**Total value Annex work during 2002 \$ 8,641.19**



**Indirect benefits of CELA involvement in Annex 2001 initiatives**

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