

Water Guardians Network Terms of Reference

(Signatories current to: July 4, 2007)

NAME:

This network of individuals, environmental and citizens' groups shall be known as the Water Guardians Network.

PREAMBLE:

In 2000, the water supply for the Town of Walkerton became contaminated with *E. coli*, resulting in 7 deaths and approximately 2,300 illnesses. This tragedy was caused by a wide array of contributing factors, including the insufficient regulatory oversight of Ontario's drinking water. However, the contamination event ultimately began at the source: a poorly-protected municipal well located too close to a neighbouring farmer's field.

An Inquiry into the events at Walkerton followed shortly thereafter, and Justice O'Connor's first recommendation read as follows: "[d]rinking water sources should be protected by developing watershed-based source protection plans. Source protection plans should be required for all watersheds in Ontario." This prompted the Ontario Ministry of the Environment to consider specific legislation aimed at the protection of drinking water sources. Their work culminated with the introduction of the *Clean Water Act*, 2005 in December of that year.

The *Clean Water Act* is premised on the notion that source water protection should be a bottom-up initiative, with contributions from local governments and citizens. Indeed, environmental and citizens' groups have been active participants in the source protection campaign to date, and have provided extensive written and verbal comments at each phase of the legislation's development. Their positions, views, and value statements are summarized in the jointly prepared document entitled "A Statement of Expectations for Watershed-Based Source Protection from Ontario Non Governmental Organizations." The formalization of this Network is intended to continue and expand upon the many years of effort by these organizations.

DEFINITIONS:

"Network" means the Water Guardians Network.

"Network members" mean all general members and coordinator members of the Water Guardians Network.

"Sources" of water include surface water, groundwater, and the Great Lakes.

“Watershed” means the area that is drained by a river and its tributaries.

VISION:

Sources of drinking water are critical to human health and the environment, for both current and future generations. The quality and quantity of existing and future source waters should be safeguarded. Rivers and tributaries flow together at a watershed scale, and thus water sources should be protected at a watershed scale. The citizens within each watershed should play an active role in the decisions and activities affecting their water sources.

MISSION:

The mission of the Water Guardians Network shall be to work together as stewards for the long-term preservation, protection, and improvement of water sources across Ontario.

GOALS:

The goals of the Water Guardians Network are as follows:

- To collectively pursue equal and consistent source water protection for all watershed regions across Ontario.
 - The right to clean water should apply equally to all the citizens and ecosystems of this province. Source water protection should not be limited to municipal systems or to southern Ontario. The Network members shall promote comprehensive source protection plans for all watersheds in Ontario, while taking into account local circumstances, geographic location, and hydrogeological conditions.
- To work towards the timely implementation of source water protection and the adoption of preventative interim measures.
 - As watchdogs and stewards of local source protection initiatives, the Network members shall confirm that all deadlines are met. They shall also work with the local communities and government officials to identify vulnerable areas in need of the strongest protections. They shall also support early preventative action on significant threats which become apparent during the interim period.
- To facilitate public participation and education in source protection initiatives.
 - Public support and engagement is essential for the successful planning and implementation of source protection plans. The Network members will assist the public by enabling access to information and by conducting their activities in an inclusive manner.
- To provide a central repository of information.
 - Collectively, the Network members shall gather and share technical information such as scientific studies, best practices, watershed management techniques, and source protection measures. This repository of information

shall assist in building local capacity and promote consistency between the different regions and watersheds.

- To promote the application of the precautionary principle to decision-making processes.
 - In the Report of the Walkerton Inquiry, Justice O'Connor recognized that in light of potentially serious consequences, the precautionary principle has an integral role to play in decisions affecting the safety of drinking water. Network members shall work to ensure that where there are threats of serious or irreversible damage to an existing or future source of drinking water, lack of full scientific certainty is not used as a reason for postponing measures to prevent the threat.
- To work towards the incorporation of strong conservation measures and water quantity protections.
 - It is important that source protection plans effectively protect both water quality and quantity, and preserve environmental flow. To that end, the Network members shall work towards the adoption of water conservation measures to prevent the depletion of our water resources.
- To advance strong Great Lakes commitments and integration with Great Lakes agreements.
 - The Great Lakes supply approximately 80% of Ontario's drinking water, and serve important ecological and recreational functions as well. The Network members shall work together to ensure that this unique freshwater resource is protected and enhanced both at a local and bi-national level. The Network shall also work to safeguard other water sources which cross provincial or national borders.

GUIDING PRINCIPLES:

The Water Guardians Network shall conduct its activities according to the following principles:

- **Inclusive:** Network members shall undertake to consult and cooperate with other groups and individuals who are involved with, or affected by, water initiatives in the source protection region or watershed. Network members shall be respectful of the values and opinions held by others.
- **Transparent:** The Network members shall carry out their activities in a transparent fashion. Information about their activities shall be made readily available to the public, and shall be actively communicated to other network members.
- **Commitment:** The Network members shall aim to provide long-term continuity of effort in their region or watershed. While recognizing the capacity challenges which are faced by many non-profit and volunteer groups, the Network's goals are long-term in nature and shall benefit from a prolonged commitment by its members.

- Consistency and collaboration: While recognizing that unique features exist within each region and watershed, the Network members shall strive to achieve consistency in both approach and result. Network members shall actively gather and disseminate information relating to their local source protection activities, and shall work together to promote a consistent level of protection across all the regions and watersheds.

GEOGRAPHIC AREA:

The Water Guardians Network shall address source protection and other water-related issues in the province of Ontario. The Network may also consider other geographic areas so far as they pertain to cross-border water issues, impacts, agreements, or legal institutions.

ROLES and RESPONSIBILITIES:

- All Network members shall accept and sign their names to this Terms of Reference document.
- The goals of Network will primarily be pursued through education, outreach, information-sharing, and participation on committees and working groups. However, from time to time, one or more members may distribute media releases, letters, or submissions and request that other Network members provide comments and/or sign on. No member is obligated to comment or sign on to such advocacy-oriented documents.
- Network members may be asked to participate in workshops or conference calls pertaining to Network activities.
- Where there are multiple network members in a single source protection region or watershed, all members shall work together in a collaborative and cooperative fashion. One member shall be selected to be a 'coordinator member' and the remaining members shall be 'general members'. The selection process for coordinator and general members shall be outlined in the operating procedures.
- Network members shall aim to participate in events, committees, working groups, information sessions, and other initiatives related to source water protection in their region or watershed.
- Network members shall assemble information relating to these local initiatives, source protection plans, and risk management activities.
- Once assembled, information on local initiatives shall be communicated to the rest of the Network members in a consistent format. Where there are multiple network members in a single source protection region or watershed, the coordinator member shall assume primary responsibility for communicating this information.

- In order to promote consistency and assist in building capacity, Network members shall endeavour to share their insights, expertise, and technical information with others in the Network.
- There shall be a category of members known as ‘honorary members’. Honorary members shall accept and sign their names to this Terms of Reference document, and shall support the vision and goals of the Network. However, the honorary members shall be not be subject to the same type of responsibilities as the coordinator and general members. The interaction between the honorary members and the coordinator and general members shall be described in the operating procedures.

REPRESENTATION:

Additional members may be added to the Network at a later date. Any additional members must accept and sign their names to this Terms of Reference document.

AMENDMENT:

These Terms of Reference may be amended by the Network.

OPERATING PROCEDURES:

The Network or a committee of its members shall establish operating procedures at a later date.

EFFECTIVE DATE:

These Terms of Reference become effective on the 25th day of October, 2006.

SIGNATORIES:

Association of Iroquois and Allied Indians*
Bruce Peninsula Environment Group
Canadian Environmental Law Association
Canadian Federation of University Women / Ontario Council
Canadian Institute for Environmental Law and Policy
Citizens Environment Alliance of Southwestern Ontario
Concerned Walkerton Citizens
Conservation Ontario*
Environmental Defence
Federation of Ontario Cottagers' Association
Federation of Urban Neighbourhoods of Ontario
Friends of East Lake
Friends of the Earth Canada
Friends of the Tay Watershed
Great Lakes United
Green Communities Canada*
Mississippi Valley Field Naturalists
Ontario Headwaters Institute
Protect Our Water and Environmental Resources (P.O.W.E.R.)
RiverSides
Sierra Club of Canada / Ontario Chapter
Sierra Legal Defence Fund
Waterfront Regeneration Trust
Waterlooians.ca
Wellington Water Watchers

*Honorary members

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