



# The Ontario Headwaters Institute

June 29, 2019

To: Premier Ford  
cc Selected Members of Cabinet  
Flooding Reform, Ministry of Natural Resources and Forestry and  
Others, including selected senior agency staff  
PDF via E-mail

## **RE: Supplementary Comments on the Province's Resilience to Flooding and Aligned Issues**

Dear Premier Ford,

The Ontario Headwaters Institute (OHI) -- a registered charity working to protect Ontario's headwaters, natural heritage, watersheds, and receiving waters such as the Great Lakes, -- is a signatory to a joint letter from the Canadian Environmental Law Association and Environmental Defence and supports the submission from Conservation Ontario on this issue.

We take the step of sending these supplementary comments directly to you as Premier as we are deeply concerned about the rhetoric and actions being taken by you and your government, exemplified in part by the survey on the flooding issue.

That rhetoric and actions include describing many environmental policies and programs as red tape; that they present a both a duplication and unacceptable cost to business and families; and that, rather than amend, refine, or offer an alternative means of achieving environmental goals, in many cases your government has simply slashed environmental protection,

**Let us be clear: the OHI has no problem with the identification and reduction of red tape and duplication, nor efforts to encourage and reward entrepreneurialism. But such efforts need to be based on sound information, meaningful consultation, balanced decision-making, and transparent and accountable implementation.**

Unfortunately, many of your initiatives lack in one or more of these aspects.

Issues of concern to us include:

- Seeking to suspend the Clean Water Act for special areas under Bill 66;
- Refusing to ensure meaningful public participation in a secretive aggregate summit;
- Introducing a mechanism allowing development proponents to pay a fee rather than adhere to protective measures under the Endangered Species Act;
- Not inviting Conservation Ontario to the meetings on flood resiliency; and,
- Mis-representing the historic role of conservation authorities for watershed management in Bill 108.

With respect to flooding resilience and the highest level of aligned issues, we offer the following recommendations:

1. Recognize that, while flooding can be caused by natural conditions and that some increased municipal flood preparedness and defences can help protect people and property, flooding can be significantly amplified or avoided by sound upstream practices, especially related to headwater catchments, wetlands, and sustainable agriculture.
2. Re-affirm the role of conservation authorities in watershed management as a core agency responsibility; keep the existing definition of a watercourse in the conservation authority act; harmonize the proposed provincial standard to replace O. Reg. 97/04 with the Ontario Natural Heritage Reference Manual; restore the revoked conservation authority funding for flooding; and direct the Ministry of Natural Resources and Forestry to return to performing flood plain mapping in jurisdictions without conservation authorities;
3. Establish a multi-agency task force, to be co-led by Conservation Ontario, to transition the province to Integrated Watershed Management;
4. Ontario should develop a provincial guideline similar to the federal publication How Much Habitat is Enough, identifying key ecological targets for watershed health;
5. In pursuing potential changes to the Provincial Policy Statement under the housing action plan, we strongly advise that you retain section 2.2.1 a, which currently reads:  
Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
  - a. using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; and,
6. Rather than sunset the work of source protection authorities and committees, we urge the Province to transform that reservoir of multi-stakeholder goodwill and expertise into regional water boards. Regional water boards could help drive multi-agency collaboration in the transition to Integrated Watershed Management and address huge gaps in the current framework for water management in Ontario. Those gaps include the identification of Priority Watersheds under the Canada Ontario Agreement; collective actions that might be implemented following water quality and quantity reports, watershed report cards, and natural heritage report cards; and unfinished business under the Low Water Plan. Regional water boards could also even preform a needed role with respect to nominating and/or co-managing possible Geographically Focused Initiatives under the Great Lakes Protection Act.

Mr Premier, most of the recommendations above are not recent OHI inventions, but items we have been working on for up to ten years. We believe they would help Ontario address flood resilience and improve its framework systems for land use planning, watershed management, and ecological integrity, and we stand ready to assist the Province in any way that might be helpful.

Sincerely,

*Andrew McCammon*

Executive Director