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# GREAT LAKES WATER QUALITY AGREEMENT (GLWQA) 2010

MEMOIR SENT TO THE CANADIAN AND U.S. NEGOCIATORS

IN THE CONTEXT OF THE 2010 REVISION

NATURE QUÉBEC

June 2010



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# NATURE QUÉBEC PRESENTATION

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Nature Québec est un organisme à but non lucratif œuvrant à la protection de l'environnement et à la promotion du développement durable. Travaillant au maintien de la diversité des espèces et des écosystèmes, Nature Québec souscrit, depuis 1981, aux objectifs de la Stratégie mondiale de conservation de l'Union mondiale pour la nature (UICN) :

- maintenir les processus écologiques essentiels à la vie;
- préserver la diversité biologique;
- favoriser le développement durable en veillant au respect des espèces et des écosystèmes.

Regroupant plus de 8 000 sympathisants et 80 organismes affiliés, Nature Québec travaille de plusieurs façons pour atteindre ses grands objectifs soit par l'éducation, la sensibilisation, la recherche, la participation aux consultations et les avis ou prises de position publiques, etc.

Depuis sa fondation, l'organisme s'est prononcé publiquement sur un grand nombre de questions environnementales : la *Loi québécoise des forêts*, la gestion de l'eau, la réduction de la pollution agricole, la *Loi fédérale sur la protection de l'environnement*, la *Loi provinciale sur les pesticides*, la consultation sur la gestion des matières résiduelles, la gestion de la faune, l'élargissement du réseau des aires protégées, l'Entente sur les ressources en eaux durables du bassin Saint-Laurent/Grands Lacs, etc. Nature Québec est reconnu pour ses interventions objectives, professionnelles, pertinentes, et aussi exigeantes et efficaces.

Mentionnons que Nature Québec s'intéresse depuis de nombreuses années aux aspects de la gestion de l'eau du bassin laurentien, dont la régularisation de l'eau du lac Ontario et du fleuve Saint-Laurent (LOSL), plus particulièrement via son travail de collaboration en amont dans la région des Grands Lacs auprès d'organisations comme la Commission des Grands Lacs, le Conseil des gouverneurs des Grands Lacs, l'Alliance internationale des villes des Grands Lacs et du Saint-Laurent, la Commission mixte internationale, et plusieurs ONG. Au Québec, Nature Québec est très impliqué en regard du développement de politiques sur les ressources en eau, les plans d'action Saint-Laurent, les comités consultatifs (CMAC, CCRNP), ainsi que sur l'enjeu de l'introduction des espèces exotiques envahissantes, de l'érosion des rives, du dragage d'entretien, de la vitesse des navires, de la gestion intégrée du Saint-Laurent, de la gestion de l'eau par bassin versant, etc.

Nature Québec a à cœur l'évolution des efforts conjoints des gouvernements des deux pays, des huit États des Grands Lacs, de l'Ontario et du Québec, de l'industrie, des villes et municipalités, et de la société civile en général, afin de protéger les ressources en eau. Nature Québec encourage, favorise et appuie les efforts de collaboration, de concertation et d'harmonisation des idées afin d'assurer une meilleure protection environnementale, l'égalité dans le fardeau d'adaptation aux impacts cumulatifs des activités humaines et des changements climatiques sur l'ensemble du système Saint-Laurent/Grands Lacs et une sécurité accrue pour ce vaste écosystème, sans pour autant nuire au développement économique régional.

## **CONTEXT OF THE PUBLIC CONSULTATION**

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The actual revision of the Great Lakes Water Quality Agreement (GLWQA) which is based on the Boundary Waters Treaty of 1909 between Canada and the United States (U.S) represent a truly historical event. At first, Nature Quebec was hoping to have an Ecosystem type Agreement, but after many discussions and due to the complexity and number of the Great Lakes water issues, we now feel it is best to focus on the three basic elements so as to ensure the best water quality of the lakes and St-Lawrence river. As such, the revision must cope with the previous mandate related to the physical, biological and chemical aspect of the waters of the Great Lakes and an enlarge view to take also into account new emerging and present threats like water quantities and water levels, aquatic invasive species, pharmaceuticals, air pollution, agricultural, climate change, flame retardants. A major issue to date is to ensure transparency at all steps of the negotiations. NQ is hoping governments would allow for more speaking sessions instead of the webinars and conference calls, which makes it very hard to follow conversations and be able to comment. Words exchange between parties and stakeholders amplify the value of the content on the topics covered. We are very grateful that the governments are holding two public meetings next September, we would ask that you consider holding more than that in light of the importance of the issues and expectations regarding the outcome for the years to come.

## COMMENT

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A major issue to Nature Quebec from the beginning of our involvement on the revision of the GLWQA has been the geographic scope of the Agreement. Presently, the Agreement only covers the Great Lakes and the upper section of the St-Lawrence River to the point where it ceases to be the border between Canada and the U.S. near the Ontario border. We feel this coverage inadequate and it should be extended to the Estuary, Gulf and/or at the very least to Quebec city. Some have argued that the Agreement can only apply to boundary waters and as such, once the St-Lawrence waters passes the international section near Cornwall/Massena, they then are in Canadian area only. To Nature Quebec, this argument shouldn't hold since lake Michigan is located entirely within the U.S. and has been included in the GLWQA. This demonstrates the illogic of cutting off the lower part of the St-Lawrence river from the larger ecosystem or watershed.

# RECOMMANDATIONS

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- R-1 Nature Québec recommend to change Art 1, section « G » and « H » of the Agreement and include the entire St-Lawrence river ecosystem. Section « S » should add Quebec province.
- R-2 Nature Québec recommend that the common water issues regarding the Great Lakes and St-Lawrence River be addressed thru existing mechanisms like the Canada-Ontario Agreement and the St-Lawrence River Plan. Such mechanisms would go a long way in addressing actual common water issues that are addressed independently by jurisdictions. As another possibility, develop agreements between governments departments with formal goals and objectives to achieve within specific timeframes.
- R-3 Nature Québec recommend that the network of Conservation Authorities in Ontario, be extended by governments so as to facilitate connection with the ZIP committees on the St-Lawrence river and some of the Quebec watershed organisations that share a transboundary watershed like on the Chateauguay river or St-François river, etc; working together, these organisations would help tremendously in harmonizing actions on common issues, sensitizing people and municipalities in solving problems better than currently.
- R-4 Nature Québec recommend that climate change be address as a major issue and that work be done thru a working committee to be put in place to address cumulative impacts from climate change affecting the Great Lakes and St-Lawrence river; this group should look into the U.S report: *National Water Program Strategy - Response to Climate Change and the OURANOS* report for the impacts on the Canadian side. The working committee should also consult cities and municipalities and other water users to make sure their management plan are updated on these issues;
- R-5 Nature Québec recommend that some relevant work covered Under the GLWQA be addressed also thru the GLRI which is getting major funding support from the U.S government;
- R-6 Nature Québec recommend that the Canadian government be as proactive as the U.S government in funding actions programs on Great Lakes and St-Lawrence water issues ;
- R-7 Nature Quebec recommend that both governments find ways to facilitate the population's long term involvement in the RAPs and LaMPs process thru adequate funding support and likewise for the ZIP Program in Quebec;
- R-8 Nature Québec recommend that both federal government, innovate in this revision of the G LWQA so as to instaure a signature block for the States and provinces as partners in the venture.

- R-9 Toxic substances should not be tolerated in any situations in the Great lakes and St-Lawrence river waters. Instaure a zero tolerance.
- R-10 Beaches are very important public access points to the general public, the Agreement should ensure the best quality in these areas, by enforcing laws and regulation in place to protect the water quality.
- R-11 In regards to ship source pollution, the air quality in ports should be a much higher priority for the industry to ameliorate their air emissions. For the eventuality of oil and gaz exploration, we ask that the public be fully engaged in the project requirements and impacts, mitigation and emergency measures before any project proposal are in place. Public consultation must be in place and used for all projects. In any oil drilling project, a relief well must be in place first.



## CONCLUSION

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Climate change is a real threat to the ecosystem as we know it. It also represents a major threat to water users across the Great Lakes and St-Lawrence river Basin. It is predicted that we will very much suffer from extreme weather events. People are not adequately prepared as we speak on this matter. Governments should take all measures to protect the resilience of the ecosystem and promote integration adaptation into municipalities urbanism plans. Science must interact between the GLWQA and the Great Lakes and St-Lawrence river Basin Sustainable Water Agreement. Likewise, follow-up on climate monitoring must be done on a regular basis and adjustment in water management made with public involvement.

Water conservation should be a priority for all jurisdictions as water is becoming scarce in many places and ever so polluted in others. Too many people still think we are in abundance of water, no matter where they are located.



Fondée en 1981, Nature Québec est un organisme à but non lucratif qui œuvre à la conservation et à la protection de l'environnement, ainsi qu'à la promotion du développement durable.

Nature Québec souscrit aux trois objectifs principaux de la Stratégie mondiale de conservation :

- maintenir les processus écologiques essentiels et les écosystèmes entretenant la vie;
- préserver la diversité génétique de toutes les espèces biologiques;
- favoriser le développement durable en veillant au respect des espèces et des écosystèmes.

Nature Québec réfléchit sur l'utilisation de la nature dans l'aménagement du territoire agricole et forestier, dans la gestion du Saint-Laurent et dans la réalisation de projets de développement urbain, routier, industriel, et énergétique. Les experts des commissions Agriculture, Aires protégées, Biodiversité, Eau, Énergie et Forêt, au cœur du fonctionnement de Nature Québec, cherchent à établir les bases des conditions écologiques du développement durable.

Résolument engagé dans un processus qui vise à limiter l'empreinte écologique causée par les usages abusifs, Nature Québec participe aux consultations publiques, prend position et intervient pour protéger l'intégrité biologique et la diversité des espèces sur le territoire québécois lorsque des projets de développement fragilisent les écosystèmes et les espèces biologiques.

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