

<b>To:</b>	Warden Milne and Members of Grey County Council
<b>Committee Date:</b>	March 23, 2023
<b>Subject / Report No:</b>	CAOR-CW-05-23
<b>Title:</b>	GLSCI Resolution re Great Lakes Intra-basin Transfers
<b>Prepared by:</b>	Kim Wingrove, CAO
<b>Reviewed by:</b>	Randy Scherzer, Deputy CAO
<b>Lower Tier(s) Affected:</b>	
<b>Status:</b>	Recommendation adopted by Committee as presented per Resolution CW50-23; Endorsed by County Council April 13, 2023, per Resolution CC29-23.

## Recommendation

1. That report CAOR-CW-05-23 regarding the Great Lakes and St. Lawrence Cities Initiative (GLSCI) Resolution on Intra-basin Transfers be received; and
2. That Council of the County of Grey supports a copy of the resolution therein being brought forward to the Great Lakes and St. Lawrence Cities 2023 Annual General Meeting for discussion by the membership.

## Background and Discussion

### Resolution Requesting Withdrawal of the Proposed Additional Intra-basin Transfer Pending Regional Review

Grey County as a member of the Great Lakes and St. Lawrence Cities Initiative (GLSCI) has prepared the resolution outlined below for discussion at the 2023 Great Lakes and St. Lawrence Cities Annual General Meeting in June:

WHEREAS the Province of Ontario is a signatory to the 2005 Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement that recognizes that the waters of the Basin are a shared public treasure and the States and Provinces as stewards have a shared duty to protect, conserve and manage these renewable but finite waters; and

WHEREAS Article 201 (2) c. of the Agreement states that if a proposal results in new or increased consumptive use of 19 million litres/day or greater [...] (i) The Proposal shall ensure that the Water Withdrawn shall be returned to the Source Watershed; and

WHEREAS Schedule 10, the Supporting Growth and Housing in York and Durham Regions Act, 2022 of Ontario's Bill 23 the More Homes Built Faster Act, seeks to expedite the improvement, enlargement, and extension of the York Durham Sewage System to convey sewage to the Duffin Creek Water Pollution Control Plant; and

WHEREAS this will result in an increased prohibited intra-basin transfer via increased sewage and stormwater flows from the Lake Simcoe watershed to Lake Ontario's watershed with no Environmental Assessments required; and

WHEREAS any increase beyond York's existing allowed 20 million litre/day intra-basin transfer under the GLSLRSWR Agreement Chapter 2 Article 200 Section 1) iii requires at a minimum that the proposed increase "undergoes Regional Review and approval process" by the Agreement's governing body; and

WHEREAS be it resolved that Great Lakes and St. Lawrence Cities Initiative (GLSCI) is committed to upholding the terms of the 2005 Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement and strenuously objects to the increased inter-basin transfer; and

NOW THEREFORE BE IT RESOLVED that unless this proposal to increase York Region's very significant addition to their existing intra-basin transfer is withdrawn, GLSCI will be advising the Governing Body of the Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement of Ontario's plans and requesting that a Regional Review be undertaken.

## GLSCI Mandate

Founded in 2003, the Great Lakes and St. Lawrence Cities Initiative (GLSCI) is a bi-national coalition that aims to actively work with federal, state, and provincial governments to advance the protection and restoration of the Great Lakes and St. Lawrence River Basin by developing and implementing a comprehensive Great Lakes Protection and Restoration Plan. The organization has over 200 municipal and regional U.S. and Canadian mayors and local officials working to advance the protection and restoration of the Great Lakes and St. Lawrence River.

Grey County and its local municipalities are members of the Great Lakes and St. Lawrence Cities Initiative. The Cities Initiative and local officials integrate environmental, economic, and social agendas and sustain a resource that represents approximately 20 percent of the world's surface freshwater supply, provides drinking water for 40 million people, and is the foundation upon which a strong regional economy is based. Only by working together to protect the Great Lakes and the St. Lawrence can we preserve and enhance the quality of life and economic well-being of the people of the region.

## *The Issue*

An intra-basin transfer occurs when water is taken from one watershed of the Great Lakes and moved into the watershed of another Great Lake. Bill 23 Schedule 10 would allow an increased intra-basin transfer via increased sewage and stormwater flows from the north of York Region to Lake Ontario.

York and Durham Region are among the fastest growing municipalities in Ontario. They share the Duffin Creek Water Pollution Control facility located in Durham Region. While some of York Region's water comes from Lake Simcoe, most of its wastewater is treated at Duffin Creek in the Lake Ontario watershed. This intra-basin transfer, which would not be permitted today under the terms of the Sustainable Water Resources Agreement, is longstanding and was grandfathered at a volume of 20 million litres per day. According to York Region's website as of 2019 York has increased their intra-basin transfer to 25 million litres per day

The *Supporting Growth and Housing in York and Durham Regions Act 2022* (Schedule 10 of Bill 23) purpose is to have York Region abandon the Upper York Sewage Treatment project and expedite the extension of the York Durham Sewage System to convey sewage to the Duffin Creek Water Pollution Control Plant. The Act terminates certain orders and approvals under the Environmental Assessment Act, and the projects are exempted from the Environmental Bill of Rights, 1993.

According to the Georgian Bay Great Lakes Foundation, "Instead of staying within the Lake Simcoe watershed, this plan would require twinning the Big Pipe for water and increasing significantly the intra-basin transfer of water outside of Lake Ontario's watershed across the hydrological divide in King Township just south of Hwy 9 into the Georgian Bay/Lake Simcoe watershed."

The Upper York Sewage Treatment plant was meant to set an example across Canada and includes finishing ponds and man-made wetlands so that phosphorus and contaminants would be removed before returning the water to Lake Simcoe. York Region has now spent over \$100M for the design and implementation plans for this new high level sewage treatment plant south of Lake Simcoe that would keep the water in the watershed and could reduce their existing intra-basin transfer.



## Legal and Legislated Requirements

The Great Lakes Saint Lawrence River Basin Sustainable Water Resources Agreement was signed in 2005 by the governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, Wisconsin, and the premiers of Ontario and Quebec. A companion Water Resources Compact was enacted into law in each of the states in 2008. The agreement was enacted by Ontario's legislature in 2007, and the implementing regulations came into force March 1, 2015.

The compact and the agreement were founded on the "principles of precaution, ecosystem protection, and recognition of cumulative impacts and climate change uncertainties."

Any increase beyond York's existing allowed 20 million litres/day intra-basin transfer under the GLSLRSWR Agreement Chapter 2 Article 200 Section 1) iii requires, at a minimum, that the proposed increase "undergoes Regional Review and approval process" by the Agreement's governing body.

## Financial and Resource Implications

None with this report.

## Background

[Upper York Sewage Solutions](#), [Duffin Creek Water Pollution Control Plant](#), [Georgian Bay Great Lakes Foundation](#), [York Region Bill 23 Resolution](#)

## Appendices and Attachments

[York Region Report on Bill 23, Schedule 10](#)