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**Official Report  
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**Journal  
des débats  
(Hansard)**

**Tuesday 24 April 2007**

**Mardi 24 avril 2007**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Tuesday 24 April 2007

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

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*The House met at 1845.*

ORDERS OF THE DAY

TIME ALLOCATION

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 198, An Act to amend the Ontario Water Resources Act to safeguard and sustain Ontario's water, to make related amendments to the Safe Drinking Water Act, 2002, and to repeal the Water Transfer Control Act, when Bill 198 is next called as a government order the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment and at such time the bill shall be ordered referred to the standing committee on justice policy; and

That the standing committee on justice policy shall be authorized to meet, in addition to its regularly scheduled meeting times, on Wednesday, May 9, 2007 and Thursday, May 10, 2007, following routine proceedings until 6 p.m. if needed for the purpose of conducting public hearings on the bill and that the committee be further authorized to meet on May 16, 2007, following routine proceedings for the purpose of clause-by-clause consideration of the bill; and

That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 p.m. on Monday, May 14, 2007. No later than 5 p.m. on May 16, 2007, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than May 17, 2007. In the event that the committee fails to report the bill on that day, the bill shall be

deemed to be passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the standing committee on justice policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That on the day the order for third reading of the bill is called, the time available for debate up to 5:50 p.m. or 9:20 p.m., as the case may be, shall be apportioned equally among the recognized parties; and

That when the time allotted for debate has expired, the Speaker shall interrupt the proceedings and put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, except in the case of any vote deferred pursuant to standing order 28(h), the division bell shall be limited to 10 minutes.

**The Acting Speaker (Mr. Ted Arnott):** Mr. Bradley has moved government notice of motion number 343. I shall now call for debate on the motion. I recognize again the government House leader.

**1850**

**Hon. Mr. Bradley:** This is a motion allocating the specific timing for the bill to be considered. It is not something that I ever enjoy doing. I sat on the opposition benches and I gave speeches denouncing these particular motions. But I think in those days it was really reasonable to do so. I don't know if it is today.

I want to say to my colleagues in opposition that I appreciate, in all sincerity, that they are here to debate legislation, and there are times when we can't reach agreement. I have to deal with the two opposition House leaders, and I want the members of this Legislature to know that though they fight the tough battle on behalf of their parties, they are not unreasonable to deal with. They are not people who, I have noted over my time as House leader, I would refer to as engaging in unnecessary delay on legislation. I think they genuinely have a view about legislation and want to see appropriate debate take place. I know there are times when this House can become exercised over this, and I've got to say that in my dealings with the opposition House leaders, they've been good dealings. There are times when we cannot finally reach agreement, and so we have to provide an opportunity to set up a timetable for discussion of the bill.

I try to accommodate in these time allocation motions the needs of the opposition. For instance, there's an opportunity to debate this evening, but subsequent to that, you'll notice that in the time allocation motion there's a provision for committee hearings. It's not as though we've said, "This is the end of it. No committee hearings, no clause-by-clause and no third reading." I try to ensure that when our staff is working on these kinds of motions, they take into account the desires of the opposition and the public to see certain hearings take place. There is a consultation. It's not always reflected precisely as the opposition would like to see, but I try to ensure that there is an accommodation for those public hearings and for clause-by-clause.

Governments, by their nature, like to proceed with legislation as expeditiously as possible while still having an appropriate debate, and members of this House have certainly debated this bill at some length at the present time. Consultations took place with the general public before this bill and there will be consultations through the committee process as well. So this is not a motion which closes off debate; it simply is a motion which allocates a specific timing.

*Interjection.*

**Hon. Mr. Bradley:** The member for Niagara Centre—not in his own seat, I might note—is banging his chair and table in glee. It must be because of his enthusiasm for this particular resolution.

This is an important bill. It's talking about water. It's conserving and protecting the waters of the Great Lakes basin for future generations of Ontarians. The legislation will reinforce basin-wide environmental standards, improve science-based decision-making, strengthen the ban on diversions, and promote water conservation. So this government is simply doing what many jurisdictions in Canada have done: placing a regulatory charge on industrial and commercial users of water.

Let's be clear: This is a regulatory charge; it is not a tax. There is not a reason there to make a lot of money from this. It's simply to cover the costs which would be associated with the regulatory process. Revenue collected from the charge would be used to cover a portion of the province's costs for managing water resources.

This government says that it's about time private industry pays its fair share for Ontario's most precious resource. The proposed charges will be in line with what other jurisdictions in North America charge per million litres. It's important to the Great Lakes because the Great Lakes contain 95% of North America's fresh water supply; 70% of Ontario's urban residents take their water from the Great Lakes proper and 95% from the Great Lakes basin.

I suspect that the three House leaders who are here today, and some of the members of the House, in fact—my friend from Brockville and my friend from Beaches—East York are on the lake, and my friend Peter Kormos from Niagara Centre. We all rely on water from the lakes, so we know how important they are.

The Great Lakes power Canada's economic engine. They support 45% of Canada's industrial activity and 25% of Canada's agricultural production. Together, Great Lakes jurisdictions make up the third-largest economy in the world, after the United States and Japan.

So we have the motion before us tonight. We have had some significant debate on the bill. This motion will allow us whatever time is needed to consider the motion itself. I'm pleased and I welcome the input of the opposition during committee hearings, where they'll be questioning those making presentations to the committee, and during clause-by-clause when the opposition, if they feel it's appropriate, will offer amendments or speak on any government amendments that might flow from the fact that you've had a consultation through the committee process.

Then in third reading—I can remember in my earlier days in this Legislature, third reading was a rarity. But we have made provision for a third reading and the division of the time three ways so that each of the recognized parties in the House may comment, after the hearings have taken place and after the clause-by-clause, on their opinions on what the final bill brings to Ontario.

As I say, it is always with great reluctance—and I think members of this House know that—that I have a time allocation motion before us. My colleagues on the opposite side need only go to Hansard to read back my speeches on time allocation motions. Of course, then we realize that my speeches were justified because we certainly did need more time. And now we hope that we have made provision for what I consider to be and I hope most Ontarians consider to be an appropriate amount of time allocated for further discussion of this bill.

**The Acting Speaker:** Further debate on the motion?

**Mr. Robert W. Runciman (Leeds–Grenville):** I appreciate the opportunity to participate in a debate that to some degree mystifies me, in the sense that I'm not sure why we are doing this, why the government has felt it necessary to bring in time allocation on this legislation.

The government House leader has referenced the working relationship between the three House leaders in this place, and I think he was quite accurate. We do try to negotiate the business as we proceed on the legislative calendar. One of the things that I want to reference tonight is the fact that at our last meeting—we don't normally talk a great deal about what transpires in those meetings, but I think it's relevant this evening and important that I put it on the record with respect to this legislation. We share the view that we should be going to public hearings, we should be allowing public input and getting on with dealing with the legislation and perhaps modifying it, ensuring that we get it right.

Based on that, from our party's perspective, the official opposition, we indicated just last Thursday that we were quite prepared to not participate in any further debate. No member of the Progressive Conservative Party, the official opposition, would continue to speak to this legislation. We were quite prepared to see it referred to committee immediately. So you can imagine my sur-

prise, as the House leader for the official opposition, when the Clerk arrived at my door with a time allocation motion. For those folks who are viewing these proceedings tonight, what that effectively is—it's not quite the full definition of closure, but what it does is very severely restrict debate on legislation, and in many instances—most instances—restricts the committee hearings and the time allocated for third reading debate as well.

That to me is, as I said, mystifying. I'm not sure why the government is proceeding down this road. We hear speculation that they want this place to close down because of what's happening in question period on a daily basis—one scandal after another scandal. I'm not sure that's the case, but I really haven't heard an adequate or understandable explanation, given the willingness of the official opposition to proceed in a timely and, I think, responsible way to ensure that this bill was appropriately dealt with and the public had an adequate opportunity to express their views and to suggest ways in which this bill perhaps could be improved and could be the best legislation possible.

#### 1900

This is, I suppose, despite the fine words of the House leader, indicative of some of the bewildering behaviour of the government with respect to its decisions to bring in restrictions on debate in this place. We saw it, I think it was last week—correct me if I'm wrong—with respect to legislation on electoral reform. The irony of that is, here we have legislation purporting to talk about improving the election process in this province and the way the government and the Legislature operate and address the interests of Ontarians, and the government of the day brings in closure, restricts debate.

That's not a very good message if we're talking about improving the situation. It again raises a whole series of questions about the motivation of this Liberal government and what it's really attempting to achieve here, other than sending out these very politically popular messages of "We're doing this. We're doing electoral reform. We're doing legislation on water-taking. We're doing legislation on a whole range of areas." But really they're meaningless, they're red herrings, they're false fronts in terms of reality.

That's essentially what I'm concerned about. I think if you go down the road of all the Liberal promises in the last election campaign and their failure to fulfill a significant number of those—I think 50 at last count—it's something that should be worrisome, to say the least, to the good people of Ontario.

I think it would be wrong-headed on the part of the official opposition to lengthen the debate this evening. To the best of my ability, I have tried to put our position on the record in respect to an approach we took last week. We were quite prepared to move quickly on this legislation and we think that's the appropriate way to go. Based on that position, which has not changed despite the government's decision to invoke closure, we will not prolong the debate this evening. We want to see this

move along, as we indicated at the House leaders' meeting last week.

**The Acting Speaker:** Further debate on the motion?

**Mr. Michael Prue (Beaches—East York):** I hadn't anticipated speaking so early on this, but here I am. It seems that the government is more than happy to have this debate collapse, and therefore I'm going to stand up and speak, I guess, for half my time, as my colleague has just arrived, unfortunately, a minute or two too late.

Here we have the government House leader standing and making a motion of closure. I didn't think I would ever live to see the day, having heard all of his magnificent speeches against closure in the last Parliament, having heard him wax so eloquently against governments that were bound and determined not to let the members of this Legislature speak to important issues that were before us.

I cannot think of a more important issue probably than the sale of our water and other resources. But here we have a government that intends to invoke closure, and the member who is invoking it is probably the most passionate debater in the last two decades against such a measure. So it is with this delicious irony that I stand here to speak against the motion of closure. I could, of course, as he suggested, quote his many, many statements against closure. There are tomes, there are volumes built upon what Jim Bradley, in his various guises in this House, has said about the ignominious practice of closure. I will only suffice it to say that he has acknowledged himself in his own statement and his own embarrassed tone that he is very reluctant to have done what he has done here today.

I look at what the government is setting out. The government is having very limited debate in committee, is forcing the committee to report by May 17, some three weeks hence, is giving limited time for people to come forward who have complaints, and is in fact hamstringing this Legislature in looking full square at this bill.

Mr. Speaker, water is important to all of us, and if you will allow me to digress for a minute, I was downstairs, and I think all of the members who are here in the Legislature—actually, not downstairs; on this very floor—wish you were still on this very floor at the other end. The Niagara region was here talking about the wonderful products that are produced in Niagara region. There was some terrific food, there were some libations and there were many wineries from the Niagara region area, from all around southern Ontario, that were there talking about their wineries. Now I, for one, think that when we're talking about water, perhaps the minister would have been far wiser in his statements to talk about turning that water into wine. I know this is perhaps beyond his powers and perhaps this is of biblical proportion, but when you speak to the people who own those vineyards, when you speak to the people who grow the products, when you understand from them the importance of irrigation and of water and of the legacy that we have here in Ontario, you will understand that they are somewhat chagrined by what is happening here tonight.

We had the opportunity to meet some of the very best wineries of the Niagara region, and I was particularly impressed. And if you'll allow me, Mr. Speaker, just because I need to say this, I was particularly impressed by the quality of the wine that was served by those particular vineyards. They literally have turned water, which we are talking about tonight, into wine. They have used their resources—the soil, the climate, the infrastructure of the Niagara region—to produce a remarkable product. But I have to tell you, Mr. Speaker, I was particularly enamoured and absorbed by a small winery called DeMaria. They were there. They produce nothing but icewine and they have literally turned water and the soil and the fruit they grow into something that would literally be called the nectar of the gods.

Would that we were all still there, but of course this government wanted to invoke closure. I am sure that the government House leader, who seemed to be having as equally good a time as I was having there, wishes he was still there too. But instead, they chose this night of all nights to invoke closure and this night of all nights to talk about why we need to get this particular bill through. In my wildest imagination I cannot understand the rationale, given his very real reticence in doing something that he has spent decades saying we should not do, and doing that on a night when we are all there to celebrate his community and the remarkable transformation of the winery industry in the last 20 to 30 years in the Niagara region. It is something that has become world class. Instead, we are here arguing about a closure motion which he ought not to have introduced.

I am sure that if the government House leader from the Conservative Party, who spoke earlier, and the government House leader from the NDP are always equally good fellows, as he pretended they were, they could have come to some kind of conclusion that would have obviated this entire night. But instead, we have the government using its legislative might by invoking something which we all consider—and I know the House leader of the Liberal Party considers—to be wrong. It is wrong. It is morally wrong. It is legislatively wrong. It could have come to some kind of conclusion, but you chose to use your legislative might on this night and deny the members who are here this very evening an opportunity to experience Niagara, which you yourself said, Mr. House leader—you made a statement and I think it needs to be repeated: “There are two kinds of people: There are those who live in Niagara and those who wish they did.” Well, I don't live there, and perhaps I wished I was with them now, but I am not. I am here—

**Mr. Dave Levac (Brant):** Go.

1910

**Mr. Prue:** No, no, I'm not going to go. My duty requires me to speak to what you are doing, this reprehensible act that you call closure, this reprehensible act that when you were in opposition, you said you would never do and that you have literally done three or four times in the last two weeks.

*Interjection.*

**Mr. Prue:** No. Three or four times in the last two weeks, and you're going to continue to do this. That is the sad tale. It may not have been done much in the past, but here we are coming to the end of the legislative session, and here we are with a government in crisis that is literally, on every single bill, whether it is contentious or not, invoking closure so that the opposition cannot speak to it, so that no one can voice their legitimate concerns, and so that it is rammed through in a day or two of public hearings that are generally outside of the purview of those who have the most to talk about. In this case, water, it will be people around the Great Lakes basin; in the case of endangered species, a night or two ago, it was the people in northern Ontario. They literally have no opportunity whatsoever to debate the merits or demerits of this particular bill. So here we have the government House leader standing here telling us that he's sorry, that he shouldn't do it, that we should perhaps quote him from all the times in the past when he said how wrong it was, but he does it anyway.

I have to ask the government House leader and I have to ask everybody on the government bench—which is probably going to, at some point, applaud what you're doing, because that's what government backbenchers do. There are three potential real problems with this bill, three questions that each of you should be asking yourselves. The first one is, what is the potential negative outcome of the extensive and vague exceptions that you have made? I'm going to go into those. This is a bill that has potential negative outcomes and extensive and vague exceptions. It is built within the body of the bill. It is arcane in some places. It is so difficult to understand. It is written in the language of bureaucratise, so that even the people, I'm sure, who work for the government can't really understand it. The lawyers must have had a field day going through it line by line and making the most obtuse legal language in order to present a bill that is so incredibly difficult for ordinary people to understand.

I have to ask the government, when you were producing this bill, did you ask the question why the water fee is not specified? Did you at all stop and wonder why the water fee is not specified? We have heard over the last number of months of debate on this the figure of \$3.71 per million litres of water. When I first looked at this, I started to laugh. I could not understand why this government would produce a bill and ram it through the Legislature so that they could recoup the magnificent sum of \$3.71 for a million litres.

Just so that people understand how much this is, how much a million litres of water is, how much it costs for the average citizen in a city like Toronto to purchase a million litres—and I know for a fact how much is involved; at least, I think I have a pretty good idea. I am fortunate enough to have a small swimming pool in my backyard. It is a pool that holds 80,000 litres of water. I know that 12 swimming pools like my own would equal a million litres of water. If I could buy 12 swimming pools full of water to fill my swimming pool each year before the swimming pool season for \$3.71, I would

think that I had died and gone to heaven, because in the city of Toronto, paying ordinary water rates to fill the pool when it is empty, from the bottom to the top, costs me a couple of hundred dollars. If I were to buy 12 swimming pools of that water, it would cost me literally thousands of dollars for the water that would fill those pools. Yet here is a government that seems to be hell-bent to sell it for \$3.71 per million litres to some of the largest conglomerates on the face of this planet. I don't understand what this is all about. I read this bill and I think this is a giveaway of our natural resources here in Canada. I have to question that. I'm going to come back to that, but that's the second question: that I don't understand the rush and I don't understand why the water fee is not specified and why it may be as low as \$3.71 for a million litres.

There is no mention whatsoever within the body of this bill about small and medium water takers, those who would take amounts of water significantly less than a million litres of water a day: nothing about the small ones at less than 50,000 or the medium ones at less than 329,000. None of it is mentioned: how they're going to take the water, the fee they're going to take.

I looked at the problems with this bill. If you will bear with me, the problems that are contained in this bill have not been answered. They've not been answered adequately at all. I know this will go to committee and I know that some people will come forward and will talk about the problems, and I can only hope in my fondest hope that the Liberal government, in invoking closure, will have answers to some of these and will put forward a whole plethora of amendments, dozens and dozens and dozens of amendments, to their seriously flawed bill that will try to assuage some of the fears that ordinary Canadians have.

Just to read some of those, and I've tried to go through them, there is no definition of "consumptive use" with respect to diversions that could mean removal of water from the watershed alone or the water that was used from removal. There is absolutely no definition of this consumptive use, and I wonder why the government chose not to put that in the bill itself. "Consumptive use" is used many, many times throughout the bill, but there is no definition of it. I quote from the bill: "It has been demonstrated that conservation of existing water supplies is not a feasible, environmentally sound and cost effective alternative...." This is found in 34.6, subsection (2)2, (iii) and (v). I mean, this is how arcane it gets when you're starting to read all of this.

I have to ask, who determines the feasibility? Is it an internal or an external authority? What is the standard or the benchmark of the feasibility? These are difficult questions. I have not heard any debate. This has only been the subject of debate for a number of hours. No one has talked, on the government side, about what this is all about. And yet they use closure to ram it through without answering these very key and poignant questions. They use closure to stifle anyone asking this and asking what is going to happen. It is not nearly so important that I ask

these questions, although I have ample opportunity to do so in this Legislature, but it is the environmental groups that have been denied this. It is the environmental groups and the people across this province who are the most concerned who will be denied an opportunity because of this closure motion, because it in fact limits the amount of debate and the number of people who will be allowed to come before the committee at that stage.

I turn my attention to the omissions from the bill.

There is no guideline for the quality of water that is to be returned to the basin from whence it has been taken. So people can take the water out and there is no guideline as to how the quality of the water is to be monitored when it is returned. As an example, if it goes through a large factory and it contains contaminants on the way out, there is no guideline that the water must be returned in a better condition than when it was taken.

#### 1920

Now, we know that when water is taken from Lake Ontario and when that water goes through the system in the towns and villages and cities around Lake Ontario—or Lake Erie or Lake Huron or Lake Superior or the Niagara River or the St. Lawrence River—those towns and cities have an obligation under law to take the water, to use it for all good purpose, whether that be for consumption, whether it be for industrial use, whether it be for farming or whether it be for any use whatsoever—for watering lawns—but when it returns through the sewer systems and back into the water stream, before that happens, it must be treated, and when it is returned to the water stream, in literally every case it is required that it be in the same or better condition than it was before it was taken out. There is nothing in this bill that has a guideline for the quality of water that is to be returned to the system. We have had laws in this province for years, for decades, perhaps for a century, that require that water be returned in the same or better condition, and this bill omits that.

I don't know why the government has done this. I don't know why you've done it. I don't know why it's not here. All I'm asking is, why are you invoking closure before you have answered this question? If you're going to fix it up, then whoever stands up next on the government side, tell me that you have a plan and tell me you have an amendment. At least assuage my fears, if not the fears of those people in the environmental movement who look upon this and wonder what this government is doing.

There's no mention of adaptation to permits and transfers with respect to the current science on climate change and the effects on water levels. In fact, this bill will force Ontario again to lag behind other jurisdictions on adaptation or even consideration for climate change.

Now, if this was a landmark bill, if this government could stand up and say that this was going to put Toronto—not Toronto; Ontario—on the map—see, sometimes I become self-centric here because I've lived here my whole life. If this is going to put Ontario on the map, if we are going to have a water bill that is going to really do

something about climate change, if we're going to be a world leader, even a North American leader, even a Canadian leader, even a central east leader or a central west leader, whatever Ontario wants to be, I would gladly say that this was a sign forward, but in fact what is happening here will produce laws in Ontario which will not put us to the forefront, but will actually make us lag behind literally every other jurisdiction around the Great Lakes, whether those be Canadian jurisdictions or American ones.

I don't know why the government wants to force this through. I don't know why you planned this. I don't know what you have in mind. But I have to tell you that people who are watching this, far more knowledgeable on this than I, have some very real concerns about this.

There's no mention in your bill of the phased-in conservation charges for small and medium industries that make up over 95% of the businesses in Ontario. You've dealt with the really big guys in a small way, you've dealt with the really small people in a way, but you haven't dealt with the 95% of the small businesses, and they seem to be singularly left out of your bill. I don't know why you've done this, and I don't know why you're forcing it through closure.

So I have to ask again of the government House leader, who is so reluctant to do this and so embarrassed almost when he has to stand up here and do it, why he is doing it when the bill is this severely flawed.

We go on to the next one. There is no mention of the standards for consumptive use and no indication of how average consumption will be calculated. Will it be an industry average or will it be a regional average? There's nothing in there. We don't know. Will this be left to regulation? Will this be changed in committee? Will you ignore it altogether? We don't know.

This is where the bill resides at this point, and it is a seriously flawed portion of the bill when you leave out those basic questions that I think almost any municipal politician can ask and will ask and also which every environmentalist who is concerned about water quality and the sale of water in this province will be hot on their heels to ask you. I hope you have an answer.

I hope there are 15 amendments to this when the government sits down over the one or two days that you've set aside for committee debate. I hope you listen to the opposition and to the people who come there and not just do what usually happens: The government produces three or four amendments which make the backbenchers happy and ignores everything else that is said either by the opposition or, more importantly than the opposition, by the people of Ontario who are directly affected. I have no guarantee, nor do they, when you have limited the scope of the committee in such a way, that this will actually be done.

I go down and there's no indication of the funding structure for the implementation of this framework. You have not set aside any funds to implement the framework that you have set up in the bill.

This goes down to the whole thing. Here we are. What is going to happen at the end of the night, when this bill is ordered to committee? When the closure motion is successful, when the government uses its massive majority in this House—its 69 seats—when all the backbenchers run in here at 9:20 and vote for the bill, and it is ordered, this is what's going to happen. Anyone who watches the legislative channel knows that this happens literally every night. The government doesn't allow these bills not to proceed. They order closure, they get closure. The backbenchers vote for closure, oftentimes—and I mean no disrespect to them—having not heard the debate and oftentimes not even knowing, really, what is contained within the body of the bill. They will vote for the closure and I will watch it unfold tonight at 9:21. It will happen.

But in doing so, do they have the kind of knowledge, do they have the understanding that in the actions that will take place at 9:21 tonight, they are in fact, through this bill, discouraging water conservation? Do they have the knowledge and do they have the will, in passing this bill, to approve and to promulgate and to make important things like the big pipe diversion? Because that's going to happen too as a result of this bill.

We know that all the communities around Toronto are very upset about the big pipe diversion and what that is causing: the drying up of the wells, the drying up of the streams, the caving in, in some places, of the land. It's all there. Do the government backbenchers who are going to be here at 9:21 understand that this bill is going to allow this to happen?

I have to add, do they understand that instead of conserving, municipalities will pipe in water from elsewhere? Because of this bill, if they cannot conserve the water, there are always alternatives, whether that means piping in the water from a distant lake or another of the Great Lakes—if that means bringing the water over hundreds of kilometres—then that will be an option that municipalities will start to explore. This government is forcing the transfer of water from long distances through the passage of this bill. I have to ask if the government backbenchers understand that this will set a precedent for municipalities to divert waste water. Because we expect that to happen as a result as well.

We're looking also at moving water from one lake to another to service sprawl, and it does not speak to increased water protection. I don't know what is contained in the body of this bill—

*Interjection.*

**Mr. Prue:** —because that's what I see is in there now. I don't know what's going to happen in committee.

I can see my good friend Gilles Bisson telling me that he wants to keep at least 20 minutes for him. I will conclude this in about three minutes.

I don't know what is contained in the body of this bill that will allow me or those who are concerned about this to feel any better. Quite literally, there are many problems with this bill. Quite literally, the government feels very uneasy about it. Quite literally, the government



House leader, in invoking closure here tonight, feels very uneasy about what he is doing.

I have to ask the government backbenchers who are here listening tonight whether you feel uneasy, whether you have asked any of these same questions that I have posed to you tonight, whether or not you feel totally comfortable that this bill will not sell out the birthright of Ontario to those large bottlers of water, whether you feel that it will allow the municipalities an opportunity to pipe in water from elsewhere, whether you feel that the waste water that is returned to the system will be as clean as or cleaner than what it is.

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We know that we've had many, many people speak against this. We have had Mary Muter, a spokesperson for the Georgian Bay Association—and I'm not going to quote them all because I'm mindful of the time—who is very upset about this bill. We know that we have Tim Morris in the *Toronto Star*—"Great Lakes Agreement Could Spring a Leak" in April of 2007—who outlines his concerns. We know that the Ontario Greenbelt Alliance has outlined their concerns and quoted the Biodiversity Project, 2001. We know that the Sierra Club of Canada—"Sprawl Hurts Us All," February 2003—has talked about what this bill will or will not do. We know that the whole diversion from Lake Simcoe/Georgian Bay/Lake Huron has been talked about many times. These are many experts who know far more about it than I.

I am so severely disappointed at the government House leader in his statement here tonight because I know he is severely disappointed in what he has done. I know that in invoking this closure, he has gone against everything he has said in this House about this process for the last 30 years. In invoking this closure, he is ashamed of what his government is doing. He is doing it because, as the government House leader, he is required to do it, because a decision has been made in cabinet and perhaps in caucus to do it. But in the end, the only real losers in Ontario will be the people who rely on this water, and the only real losers will be the people of Ontario who expected so much more from this government.

I thank those who listened for their attention, and I leave the balance of time for my good friend from Timmins—James Bay.

**Mr. Gilles Bisson (Timmins—James Bay):** I can't believe that government members would not want to get up and speak on one of their own time allocation motions. I would think that you probably have reams to say about the need to invoke closure on yet another piece of legislation. I am just shocked. I would have thought that members of the government reigning party would have run to their mikes, they would have been standing here and saying, "We have to do time allocation for the following reasons," but not a whimper from this government. I'm just saying: I am shocked. I'm very surprised.

I want to take this opportunity in this closure motion to talk about water, because this is about a water bill. I just want to say that I had a bit of a chance to talk about this a little earlier today, but it's a fresh crew, and maybe

I'm going to be able to convince more members of the assembly now that we have a different crew than was here this afternoon, and maybe I can work you all over and make you think about what it is that the Environmental Commissioner had to say. You get that warm, fuzzy feeling when I say that, don't you, Mr. Whip? That's great. I love that.

I just have to say I was in Sudbury earlier this morning. The Environmental Commissioner gave a report in regard to the state of both the Ministry of Natural Resources and the Ministry of the Environment. It was interesting, what he had to say, because what he said is what we've been saying in this House for some time on the opposition benches, and certainly what OPSEU has been saying for some time—the union that represents the workers—and certainly what a lot of the public have been saying for a long time in regard to both the Ministry of Natural Resources and the Ministry of the Environment having a hard time trying to deliver the mandated services that they've been given to deliver by this assembly.

Let me explain. This assembly from time to time—as we are tonight—decides on a new initiative. We say, "We're going to make water regulations better for the people of Ontario." So we go out and we draft legislation. In this legislation, we figure out better ways of being able to ensure that drinking water is safer for the people of Ontario. And there's hardly a member of this assembly who has a problem with that; there's hardly a member of the public who has a problem with that. But I'll tell you where the problem lies: We pass a law here at Queen's Park and then we pass it onto somebody else to foot the bill, and the Ministry of the Environment is not given additional dollars to do what we're telling them to do through this assembly. It's a huge problem.

We take a look at what the Environmental Commissioner said today. The Environmental Commissioner was very direct. He talked about, for example, that at the Ministry of Natural Resources over the past number of years the funding has not kept up with the mandated services they've been given to carry out by this assembly. He's saying, "Listen, you, as legislators, have gone and said to the Ministry of Natural Resources, 'Here is another new initiative that you have to put in place.'" For example, we've done a whole bunch of work under the last couple of governments—under the Harris government, under the Liberals and under the NDP, to a certain degree—to expand our park services. But since 1994 we've not seen commensurate increases in budgets to give the Ministry of Natural Resources the dollars it needs to carry out that new responsibility.

The Conservative government came to power and under Lands for Life created a whole bunch of protected spaces in our natural environment—not a bad initiative, but again, without any way of making sure that the ministry is able to deal with that and to properly care for those set-asides. The ministry, for example, currently has endangered species legislation no longer in this House because it was time-allocated into committee last night.

Again, I don't see anybody at the OFIA, I don't see anybody in the agricultural community, I don't see members in this House opposed to the principle. We all say we need to do more to make sure that we protect endangered species. You'd be crazy to argue otherwise. However, we're not giving the Ministry of Natural Resources the dollars to make sure that it's able to carry through the mandate that we're giving them by legislation through this assembly.

That's what the Environmental Commissioner was saying today. He's basically saying that this assembly more and more gives ministries like MOE and MNR additional responsibilities to carry out but doesn't give them the dollars by which to do it. As a result, the ministries are not able to do what they were mandated to do.

A good example of that at the Ministry of Natural Resources is exactly what's happening with the endangered species legislation. Here we are passing legislation that most people can support, and then at the end of the day we don't have the dollars to compensate people who are going to lose access to their lands, either in the forest industry, the mining industry or in the agricultural industry, or the private property that could be impacted by allowing habitat to be defined under the endangered species legislation. What do you do if, let's say, you have private property—and your private property has to be either a farm, a cottage or whatever it might be—and all of a sudden you're told that you can't do certain activities on that property because it's been declared under this legislation to be endangered habitat? That should be compensated in some way. Do we see a commensurate amount of money given by this government to make sure that we compensate those people who have bought land under the understanding of the law of the day and all of a sudden they find out they're being expropriated by the back door? No, there is none of that.

Are we going to give the Ministry of Natural Resources the dollars it needs to enforce endangered species legislation, to do the scientific work that needs to be done to determine if a species is at risk and to what degree and what needs to be done to make sure that we can help that species repopulate and become strong again? There's no money being tied to the legislation.

If the law was broken, what money do we have to make sure that conservation officers and others are able to go out and enforce the legislation that we pass in this House? Members will know that this last winter, enforcement officers of the Ministry of Natural Resources had to hold bake sales in order to—

**Mr. Peter Kormos (Niagara Centre):** Gilles, it's five minutes to the motion for adjournment.

**Mr. Bisson:** Oh no, really? I only count four here, Peter. I'm just reminding you of the numbers.

I just say to the members of this assembly that you've got in this particular situation the ministry being given responsibilities it can't fulfill. I just go back to the point I was making before the suggestion of the bells, and that is that last winter, the Ministry of Natural Resources con-

servation officers held bake sales in communities like Hearst, Kapuskasing and Timmins and across northern Ontario and said, "Let's raise dollars in order to have money so we can buy gas and put it in our trucks so, as conservation officers, we can go out and do our job that we were mandated by this Legislature to do." Now if you want an MNR conservation officer to go out and do patrols in the bush, you've got to dial 1-800-I've-got-a-problem-in-the-bush-come-and-check-me. That's how it basically works now. It's a snitch line.

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I'm just saying, as I said earlier in debate this afternoon, that what stops people from breaking the law is the fear of being caught. If you don't have conservation officers in the bush, then the laws will be broken. How do you expect endangered species legislation to be enforced if you don't have the dollars to support the conservation officers and others who are going to have to police this legislation?

This assembly has a really bad track record of passing legislation that is well-intended but not giving the ministries whose legislation it is that's being passed the ability to enforce or do what the legislation says it should do. I'm just saying, it's high time that this government understands to what degree we are not supporting our civil servants and others who are supposedly doing a job. It brings you to the debate of: What is it that the government should be doing?

I think this is a little bit political. Quite frankly, we've got ministers of the crown who stand and introduce legislation in this House in order to have a great big press conference to say, "Look at me. I'm great for endangered species. I'm the best thing since sliced bread." But at the end of the day, it doesn't mean anything. Why? Because you'll never be able to enforce it. There aren't the dollars at the MNR to give the staff the ability to enforce the legislation. There isn't the capacity within the ministry to do what it is that the legislation says you should do. So I guess we're just going to leave people up to their own—can you imagine driving down the highway and we don't have OPP officers, and we say, "Next time you see somebody speeding, pull them over and give them a ticket"? This would not be a very good thing, would it? At the end of the day, you have to have the people in the field who are able to do what needs to be done when it comes to enforcement.

So I just say to members of this assembly: You're going to have to give your heads a shake. I know I'm there and I know my caucus colleagues are there, but if we're going to give the ministries a responsibility—

**Mr. Kormos:** Why don't the Liberals want to work tonight?

**Mr. Bisson:** I don't know. That's a good question, why they don't want to work.

**Mr. Kormos:** Why don't the Liberals want to work tonight?

**Mr. Bisson:** I can give you 10 minutes of time if you want it.

**Mr. Kormos:** How come the Liberals aren't—

**Mr. Bisson:** I take it this is a call for time on the clock, Mr. Kormos.

**Mr. Kormos:** How come the Liberals don't want to work tonight?

**Mr. Bisson:** I'm being heckled by my own; this is terrible. I felt it last week, but it was through the media. That's a different story.

**Mr. Kormos:** How many Liberals are here?

**Mr. Bisson:** I would just say that—

**Mr. Kormos:** Are there any Liberals here?

**Hon. Mr. Bradley:** Doesn't he like sports or something?

**Mr. Bisson:** I don't know what he likes, but he's heckling me right now.

**Mr. Kormos:** Are there any Liberals here even in the Legislature? Let's hear from them.

**Interjection:** You will.

**Mr. Kormos:** Okay.

**The Acting Speaker:** The member for Timmins—James Bay actually has the floor.

I'll return it to the member for Timmins—James Bay.

**Mr. Bisson:** I was wondering when I was going to get it back. It took about five minutes. Pretty good; you did well on that one.

I would just say to my friends across the way that you need to make sure that in the end, if you mandate action by a ministry to do what has to be done, you need to make sure that at the end of the day you give them the resources to do it.

The next thing I want to talk about, which is a little bit related—well, it's time allocation, right? So it's very related—is how we draft legislation in this House. It really irks me, because the way we do legislation in this House is somewhat backwards. It would seem to me that if a government or a member has a great idea—let's use endangered species legislation as a good example. Let's say that we or a member or a caucus or whoever decides that endangered species legislation is the way to go. Wouldn't it be a lot better if, as a Legislature, we were to say, "Okay, let's take our time and do this right"? Rather than the government going out on its own and consulting whom it wants—in other words, not consulting people who may not agree with it—let's have a public process that's transparent. So what we do is we charge a committee of this assembly to go out after first reading, where we would table a motion or a bill that sets the direction that we want to go and we say to the committee, "Take a couple of weeks, take a month, whatever it takes, to go out and consult with the broader public and those who are knowledgeable in the environmental movement and other movements, the forestry sector etc., about what endangered species legislation should look like," that we charge ourselves, as an assembly—and I would say, it would have to be by proportion, so that we don't end up in a situation where, at the end of the day, a party that's elected with 43% is able to go in and charge a committee with a majority. It should be that everybody has a bit of an equal say so that we can actually go out and do our jobs as legislators and say, "We have, as a principle, the

want to develop legislation to protect endangered species." We say, "How are we able to do that so that it makes some sense?" Then we can talk about legislation that's workable, first of all. We can talk about how we properly resource the Ministry of Natural Resources and others to police the legislation, and then bring that all back in legislation for second reading when we've had a chance to vet it.

Instead, what we do in this place is, the minister says, "Oh, I've got a great idea." Normally it's politically driven. Normally it's about developing wedge issues against one party or another. That's what happened with endangered species. The government figured, "Oh, what a great way to introduce legislation where we can wedge the Tories and the New Democrats on one side of the issue and us on the other side." I guess the problem is, they didn't realize that both New Democrats and Tories are not opposed to endangered species legislation. I guess that plan didn't work so well. But what it's done is created bad legislation.

I don't mean to take any exception with any of my friends in the environmental movement, but what this government has done is, it has gone out and consulted for a year, yes; it has talked to lots of people, yes. But it has talked mostly to people it wanted to talk to, who were in support of the legislation. I believe that you have to listen to both sides. All I'm saying is, a more sane way of developing legislation so that you don't end up in time allocation, as we are now, is to charge the assembly with the responsibility of referring a matter to committee where there's no clear majority by the government to control it so that we can actually go out and do a decent job of discussing with the public what it is that we're trying to do and bring back some product at the end of the day that makes sense and is able to go as far as the public is prepared to go, so that we have legislation that's workable, that's not going to be before the courts for another 10 or 15 years. That's my prediction. I say it here tonight: Endangered species legislation will cause litigation for 10 to 15 years—again, not because I'm opposed, but because the legislation is flawed. Because of the way we draft legislation, we do a very bad job of taking into account how we're able to develop legislation so that it's balanced.

Mr. Speaker, my time is coming to an end. I know that you and other members of this assembly would like me to go on longer and I know that you are just feeling so hurt inside that I'm not going to take my full time, but I just want to make sure that I leave this last time as an opportunity for government members and the Conservative Party to get up and speak on time allocation because I know the government feels very strongly about its need to time-allocate, and I'm going to make sure I give them some time to be able to speak on that matter.

**Mr. David Oraziotti (Sault Ste. Marie):** It's a pleasure to speak this evening and support my colleague the Minister of the Environment and speak on behalf of the Minister of Natural Resources in support of Safeguarding and Sustaining Ontario's Water Act, 2007, Bill 198.

First of all, I want to say that I appreciate the official opposition being prepared to deal with this bill, but it appears again that we don't have the co-operation of the third party. As Ontarians are aware, it takes everybody's co-operation to make this process work. But I do want to say that, despite this closure motion now, we will be having committee hearings. We will be going through that process.

I want to talk specifically about Bill 198, to highlight some of the important aspects and features of this bill. The proposed legislation to amend the Ontario Water Resources Act is another major step forward in conserving and protecting the waters of the Great Lakes basin for future generations of Ontarians. If passed, the legislation would implement the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, an agreement signed 16 months ago in Milwaukee, Wisconsin, by Premier McGuinty and representatives from Quebec and eight Great Lakes US states.

In the Great Lakes agreement, 10 jurisdictions in the Great Lakes-St. Lawrence River basin agreed to protect one of the continent's most precious natural resources. They agreed to do that by prohibiting water diversions out of the basin, subject to rare, strictly regulated exceptions promoting water conservation, reinforcing basin-wide environmental standards for water-takings and improving science-based decision-making.

#### 1950

We all know the Great Lakes and the rivers and underground waters that flow into them are vital to Ontario's economy, environment and to our culture. We also know we in Ontario are stewards of only part of the Great Lakes-St. Lawrence River basin, and Ontarians share this responsibility for the basin with Quebec and eight US states, as well as our respective federal governments. At the same time, we face a number of challenges in sustainably managing Ontario's waters.

Climate change is resulting in unpredictable shifts in temperature and weather. Next door in the United States, we have more people moving to the arid southwestern US, making it more likely that those states will be seeking new sources of water supply. And we know the global population continues to grow, increasing the demand for water worldwide. More than one commentator has certainly predicted that water will become the oil of the 21st century.

Ontario's strong controls on water use have already made it a leader in water management in the Great Lakes region. This province banned diversions out of the Great Lakes basin and Ontario's other water basins years before the Great Lakes agreement was even signed. But Ontario laws only apply to water within Ontario's borders, and water obviously doesn't respect political boundaries. Yet existing international laws, while important, don't give us all the protection we need. For example, the Boundary Waters Treaty of 1909 between Canada and the United States applies to the Great Lakes and other boundary waters, but not to other water in the

basin or other lakes and rivers or underground waterways.

It's clear that effective protection for the waters of the Great Lakes-St. Lawrence River basin requires action from all 10 jurisdictions in the basin. That's why Ontario has deeply committed to negotiating a set of rules on water use and transfer for all provinces and states in the basin. When it became clear that other jurisdictions were willing to negotiate a basin-wide agreement, this province recognized it as a rare, even once-in-a-lifetime opportunity to achieve regional co-operation in managing these interconnected waters. Such an agreement would have substantial long-term benefits for all Ontarians. The positive result was the signing in 2005 of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. The agreement commits each of the provinces and states to seek and adopt—to implement, as well, terms of the agreement within their own borders—this particular law. Ontario has begun the process through the legislation introduced by Minister Broten and Minister Ramsay which was recently announced.

The introduction of this act is an important milestone in a long and challenging journey, involving years of work by many parties.

I'd like to take a few minutes to comment on the historic perspective of this legislation. In the early 1980s, the provinces of Ontario and Quebec, and the eight Great Lakes states of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, became concerned about threats to Great Lakes waters from proposals to divert large quantities of water out of the Great Lakes basin.

At the same time, concerns were being raised by the International Joint Commission. The IJC is an international and independent bi-national organization established by the Boundary Waters Treaty of 1909. Its purpose is to help prevent or resolve disputes relating to the use and quality of boundary waters, and to advise Canada and the United States on related questions. The IJC and other organizations had conducted studies showing that without careful and prudent management, the future development of diversions and consumptive uses of water resources of the Great Lakes basin could significantly damage the environment, economy and welfare of the Great Lakes region.

In response to those concerns, in 1985 the two Premiers and eight governors signed the Great Lakes Charter. The charter is a good-faith agreement that aims to protect and conserve Great Lakes basin waters. It sets out important principles shared by the 10 jurisdictions; for example, the recognition that the waters of the Great Lakes basin are interconnected and part of a single hydrologic system.

The Great Lakes Charter also recognizes, "The most effective means of protecting, conserving and managing the water resources of the Great Lakes is through the joint pursuit of unified and co-operative principles, policies and programs mutually agreed upon, enacted and

adhered to by each and every Great Lakes state and province” involved.

As a result of the charter, the Great Lakes states and provinces have consulted with each other on significant water use proposals and shared information on water use to assist in decision-making.

The Great Lakes Charter was a significant achievement, but it was a broad and general agreement, and that became a concern in the late 1990s. At that time, the Great Lakes provinces and states developed renewed concerns about proposals to export water in bulk. In 2000, the IJC issued a report stating that removals and diversions of water from the Great Lakes basin represent a permanent loss of water from the basin. The report called for stronger protections against removals and diversions and consumptive water uses as well as better conservation practices.

These events led the provinces and states to develop a supplementary agreement, known as the Great Lakes Charter Annex. Signed in 2001, the charter annex reinforced and built upon the principles of the Great Lakes Charter. But it stated outright that, in spite of the voluntary principles agreed to by the 10 jurisdictions in the Great Lakes, the waters of the basin remained at risk of damage from environmental disruptions and unsustainable practices in water resource management. It committed the provinces and states to work out more comprehensive protections for Great Lakes basin waters within three years. The charter annex was specific, and protection measures were to include an environmental standard to guide decisions about proposed water uses.

To carry out the commitments made in the Great Lakes Charter Annex, the provinces and states set up a water management working group. The working group was instructed to negotiate draft agreements to implement measures that would offer more binding protections for Great Lakes basin waters. Those measures were to include a new common, resource-based conservation standard that would apply to new proposals for water withdrawals, and increases in existing withdrawals, from the waters of the Great Lakes basin. The group included representatives from each jurisdiction and was supported by an advisory committee of stakeholders. The Ontario government Ministries of Natural Resources and Inter-governmental Affairs represented the province on the charter annex working group, in consultation with other key ministries, including the Ministries of Environment, Agriculture and Food, and Municipal Affairs and Housing.

Work on developing and implementing the agreement began in 2001, and it certainly wasn't easy. The working group was simultaneously developing two agreements: a good faith agreement among all provinces and states to implement the agreement in their own laws and an interstate compact that would legally bind the eight US states once it was approved by the US Congress. Two agreements were required because the two provinces and eight states by themselves could not sign a treaty across international borders.

Another difficulty in successfully negotiating agreements was the major difference among the laws of the 10 states and the provinces on the use and transfer of water. Ontario, with some of the toughest rules in the region, persuaded the other jurisdictions to significantly strengthen protection measures in the draft agreements. By the time the three years allowed for negotiation were up, Ontario was still not satisfied that the measures in the agreement were in fact strong enough. Although they were not in accord, the 10 jurisdictions decided to release drafts of the agreement for public comment and discussion.

That was when Ontario citizens, stakeholders and First Nations did their part. At public meetings held by the Ministry of Natural Resources and through letters and other communications, Ontarians told us loud and clear that they wanted a ban on diversions of water out of the Great Lakes basin. They knew this province already banned diversions of water out of the basin and they wanted the US states to meet the same high standard that we were meeting. If I could use this expression, it was a watershed moment in negotiations of the Great Lakes agreement.

In November 2004, the Minister of Natural Resources announced that Ontario would not sign the Great Lakes agreement unless changes were made to enhance the level of protection for the waters of the Great Lakes basin. Our negotiators returned to the table with the message that the Ontario public was demanding more, and we fully supported this position.

It was around that time that Ontario decided to form its own advisory panel. Its members included environmental, industrial and agricultural groups, municipalities, academics as well as other experts. As it turned out, the support and advice of the annex advisory panel during the negotiations was vital to Ontario in our pursuit of stronger agreements. This government continues to be grateful for the time and effort each of these individuals and organizations have contributed. We couldn't have negotiated as well as we did without their ongoing involvement, so we want to thank them for that.

The province also conducted meetings with First Nations communities and political organizations in the basin, and representatives of those groups participated in basin-wide meetings of First Nations to discuss these agreements.

When we returned to the negotiations, we did not back down on what we knew was very important to Ontarians. By June 2005, we had succeeded in negotiating stronger agreements. The new draft agreements would provide a virtual ban on diversions of water from the basin, with very limited exceptions that would be very strictly regulated.

#### **2000**

However, the 10 jurisdictions had not reached consensus on some key and critical issues. Again, we released the draft agreements and held meetings with the public and First Nations to allow members of the public, stakeholders and other First Nation groups to express

their opinions on this issue. This time, I'm pleased to say, the reaction was much more positive, and after a final round of negotiations, we achieved consensus among the 10 provinces and states. We released the final agreement and compact in November 2005, and Premier McGuinty signed the agreement the following month.

I was certainly very pleased, as was the Minister of Natural Resources, that this long and arduous process came to a successful conclusion, and I know Ontario's negotiating team from the Ministry of Natural Resources and the Ministry of Intergovernmental Affairs shares those feelings.

I'd like to just briefly outline some of the key elements of the final Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. Through the agreement, the 10 provinces and states agreed to provide strong new protections for the Great Lakes-St. Lawrence River basin waters. They agreed to ban diversions, with rare, strictly regulated exceptions such as for communities that straddle the Great Lakes-St. Lawrence River basin boundary, or boundaries between Great Lakes watersheds. They agreed to strengthen water conservation through programs in each state and province. They also agreed to establish a stronger new environmental standard for regulating water uses across the Great Lakes and St. Lawrence River basin states and provinces, and build the information and science needed to support sound decision-making. They agreed to build regional collaboration, for example in the review of water management and conservation programs. To oversee water uses across the basin, the 10 provinces and states agreed to create a regional body made up of representatives from each jurisdiction. They agreed to provide a stronger voice for Ontario, its citizens and First Nations in the regional review of water use proposals and other jurisdictions for exceptions to the prohibition against diversions. And finally, they agreed to recognize the principles of precaution, ecosystem protection and the consideration of cumulative impacts and climate change uncertainties.

These are significant commitments that will protect the integrity of the Great Lakes basin for future generations. In the 16 months since the Minister of Natural Resources stood in the House and informed the members that the Premier had signed this historic agreement, this government has been working hard to develop legislation that, if passed, will enable the implementation of this agreement in Ontario.

The proposed legislation is now before the House, and it is the critical next step in conserving and protecting the waters of the Great Lakes basin and all of our water resources for the long-term environmental, social and economic well-being of Ontario.

If passed, Bill 198 would elevate Ontario's ban on diversions out of the Great Lakes-St. Lawrence River basin, the Nelson River basin, the Hudson Bay basin, from a regulation to part of an act, to emphasize the importance of the prohibition. Bill 198 would also introduce a ban on new and increased diversions of water

from one Great Lakes watershed to another, known as intra-basin transfers, unless strict environmental criteria are in fact met. And to give the government more latitude to control intra-basin transfers, the proposed legislation would enable the government to further restrict such transfers. Bill 198 would allow Ontario to pass regulations that, for example, could lower the threshold at which water transferred between two Great Lakes watersheds must be returned to a source of watershed, or introduce additional environmental criteria to respond to cumulative impacts and the effects of climate change.

If Bill 198 is passed, the government also proposes to hold discussions with stakeholders on interim control measures as the legislative framework is put in place—

*Interjection.*

**Mr. Oraziotti:**—and any such measures would involve full public consultation, as the member from Peterborough is indicating.

In addition, Bill 198 would permit Quebec and the eight Great Lakes states to appeal to the Environmental Review Tribunal or seek judicial review of Ontario decisions on water withdrawals and diversions subject to the agreement. This section would not come into force until other Great Lakes jurisdictions provide Ontario with a similar right of access in their court system.

Bill 198 would create authority to pass regulations to support the implementation of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. For example, additional regulations would require measures to promote water conservation and water use efficiency, and introduce an environmental decision-making standard for the review of proposed water withdrawals. Bill 198 would create authority to prescribe additional criteria to respond to periodic assessments of cumulative impacts, including criteria relating to climate change or other significant threats to the Great Lakes basin. And Bill 198 would enable Ontario, for the first time, to charge for water taken or used for industrial or commercial purposes and extend the requirements for permits to take water.

In December 2006, Premier McGuinty became chair of the Great Lakes regional body for 2007—making this a highly appropriate time to pass this legislation.

It's also very good news that on March 27, the Minister of Natural Resources signed a memorandum of understanding with Grand Council Chief John Beaucage, on behalf of 42 Anishinabek nations that will assist Ontario as it implements the agreement.

Throughout the process of negotiating the Great Lakes agreement, we have been diligent in working with our First Nations—including the Anishinabek Nation—the public and representatives of different interest groups.

As we move ahead with this important initiative, we need to build stronger relationships with First Nations and their political organizations, and the memorandum of understanding will help make that a reality. This memorandum will build on the momentum we have already achieved, ensure that traditional Anishinabek principles

and perspectives are considered, and enhance the implementation process.

In closing, I want to say that Bill 198, the proposed Safeguarding and Sustaining Ontario's Water Act, 2007, will continue Ontario's leadership role in protecting Great Lakes basin waters. If passed, it will represent significant progress toward the implementation of Ontario's commitments under the Great Lakes agreement

But there is more to do. This government will continue to engage the annex advisory panel and Ontario's First Nations and to consult with the public, as we work to develop the regulations and policies to support this very important piece of legislation.

Through it all, we'll remain diligent in protecting Ontario's interests in the waters of the Great Lakes basin and the waters all across the province of Ontario. It's a task that promises to remain a significant challenge in the years ahead, but by introducing legislation that will implement the historic Great Lakes agreement, we are continuing to move forward to meet that challenge and to

protect the waters that are central to the history and to the future of all Ontarians.

I just want to recognize a couple of folks from Sault Ste. Marie who are in the members' east gallery: Dr. Arthur Perlini and David Marasco, who work at Algoma University College.

**The Acting Speaker:** Further debate?

Mr. Bradley has moved government notice of motion number 343. Is it the pleasure of the House that the motion carry?

Those in favour of the motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.  
Orders of the day.

**Hon. Steve Peters (Minister of Labour):** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until tomorrow at 1:30 of the clock.

*The House adjourned at 2008.*

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