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Wednesday 19 November 2008

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des débats
(Hansard)**

Mercredi 19 novembre 2008

**Standing Committee on
General Government**

Lake Simcoe Protection Act, 2008

**Comité permanent des
affaires gouvernementales**

Loi de 2008 sur la protection
du lac Simcoe

Chair: Linda Jeffrey
Clerk: Trevor Day

Présidente : Linda Jeffrey
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 19 November 2008

Mercredi 19 novembre 2008

The committee met at 1602 in room 151.

**LAKE SIMCOE PROTECTION ACT, 2008
LOI DE 2008 SUR LA PROTECTION
DU LAC SIMCOE**

Consideration of Bill 99, An Act to protect and restore the ecological health of the Lake Simcoe watershed and to amend the Ontario Water Resources Act in respect of water quality trading / Projet de loi 99, Loi visant à protéger et à rétablir la santé écologique du bassin hydrographique du lac Simcoe et à modifier la Loi sur les ressources en eau de l'Ontario en ce qui concerne un système d'échange axé sur la qualité de l'eau.

The Chair (Mrs. Linda Jeffrey): Good afternoon. I'm going to call the Standing Committee on General Government to order.

We're here to discuss Bill 99, An Act to protect and restore the ecological health of the Lake Simcoe watershed and to amend the Ontario Water Resources Act in respect of water quality trading. We're here to resume hearing delegations.

DIETHER DABIS

The Chair (Mrs. Linda Jeffrey): Our first delegation is Diether Dabis. Welcome. We're glad you're here. Thank you for coming. If you speak for an organization, if you could identify that organization, and if you don't and it's just you, if you could say your name for Hansard. Once you begin, I'll give you 10 minutes and I'll give you a one-minute warning. Then there'll be five minutes afterwards for us to ask questions. The floor is yours.

Mr. Diether Dabis: Good afternoon, Madam Chair and honourable members of the government standing committee, ladies and gentlemen. I thank you for the privilege to address you on the Lake Simcoe Protection Act. I'm going to take you through a brief introduction, the purpose of my submission and the background and the challenges, and I'm going to finish off with some recommendations.

My name is Diether Dabis. I'm the riparian property owner of a cash crop farm located in the municipality of the township of Ramara and in the McNabb watershed. I've brought some pictures to give you an idea of where the location is. This is the McNabb watershed. The town

of Brechin is here, Lagoon City is over here, and just across the lake is Barrie.

My farming experience is derived from over 50 years of working in South America and in Canada, which includes efficient irrigation and drainage of farm lands with effective measures for erosion control of farm soil and nutrients, hence also the prevention of pollution to farmlands, waterways and the disastrous effects to water sources and lakes. I can tell you that my family, myself and many friends are advocates for a healthy Lake Simcoe.

Before I go into the purpose of my submission and the challenges, I'd like to show you that our farm is located right here and our next-door neighbours are a tourist resort. I get the impacts from all the pollution. This is some sort of an example. This is the resort here—they have a marina—this brochure gives you an idea of where they're located, and this is a kind of flume. Every time you have a strong rain, that's the pollution to Lake Simcoe, which then comes back with the wind and settles on the beaches. It certainly is not attractive for tourists.

The question is, why do I come before you? It is because I believe that with your understanding of what I am going to convey to you, eventually we will witness an efficient and cost-effective system in place to ensure the long-term health of Lake Simcoe. Therefore, my purpose is to share my experience and recommendations with the committee members, who I believe are facing a very demanding challenge to make a sound decision on the assignment to a qualified entity for the effective administration of the Lake Simcoe Protection Act.

I have attached a very interesting article, which is going to be handed out to you, that was written three years ago in the Orillia Packet and Times. The title is, "Just Who is Protecting Lake Simcoe?" You may find this very interesting for giving you some guidance on what's really happening and why there are problems, but the main aspect is, here we are, three years later—this article was written on November 11, 2005—and the negligence persists, as well as the lack of transparency and of accountability.

For that purpose, I brought some photos of the latest fiasco of this situation that is causing all the pollution to Lake Simcoe—ongoing pollution, I may add, with lots of flooding. This picks up the nutrients, and they end up in Lake Simcoe. The background, really, is that in late 1997, illegal drainage canals were installed in the McNabb award drain watershed by a local contractor

while the township council ignored the recommendations of a drainage engineer that it had to comply with the Drainage Act. They built some huge canals in here that eventually they had to close off because they were just causing too many problems. The pollution was incredible. These illegal works set a precedent that the Drainage Act can be violated without any consequences. I find this is important for you to know.

You also should know that the Drainage Act does not address environmental matters. When we went to the Ministry of the Environment or the Ministry of Natural Resources, this is the treatment we got. It's always somebody else; nobody took responsibility.

The committee may wish to take into consideration several facts for your deliberations. The February 24, 2004, statement by MOE provincial officer Scott Abernethy and the August 31, 2004, Ministry of the Environment director's order to the township states: "The McNabb municipal drain is a dysfunctional and unstable system." "Industrial development within the McNabb drain watershed has likely increased runoff (storm water flow volume and velocity) from pre-development conditions which caused stream erosion." These statements were accurate at that time and they're still accurate now.

There are several other aspects here, but I'd rather get to the conclusion so you'll hopefully get more opportunity for some questions. The conclusion is that, unfortunately, my experience over the past 10 years has been that any efforts to prevent the serious issues—and these serious issues are the ongoing environmental impacts, as you can see what's happening here to the lake and the marina, and the potential to public health as well. These are the two main issues which are caused by this dysfunctional and unstable drainage system. These have mostly been ignored, with all sorts of excuses and delegation among the different authorities, government ministries and agencies. Heaven forbid that this negligence causes a similar incident to the Walkerton experience. It's a warning.

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On Friday, November 28, I'm scheduled to come before the Lake Simcoe Regional Conservation Authority, the board of directors, to comment on the authority staff report that was crafted to respond to my September 26, 2008, deputation to the authority's board of directors. I requested the authority to act as a catalyst to solve the serious described issues. I'm going to try one last time to reason with the board of directors, and also in particular with the representative for the township, to use common sense and goodwill to solve this very serious situation with a high degree of urgency.

Provided there is interest by the committee, I can provide copies of my September 26 deputation and the ensuing authority staff report, as well as a response to my comments to the authority's board of directors on November 28. At your convenience, I'd be glad to come back if you need me for any clarification.

Now what you may be interested in is my recommendation. My recommendation is as follows. The com-

mittee may agree, from the information I provided, that the committee has a great challenge to deliver on the objective to protect the health of Lake Simcoe. It appears that there's only one option: to assign the effective administration of the Lake Simcoe Protection Act to an entity that must be completely independent and have full authority to enforce the Lake Simcoe Protection Act with punitive actions when the act is violated.

Considering that the Ontario conservation authorities—all the authorities; I'm not just talking about the Lake Simcoe conservation authority—receive nearly their entire funding from municipalities, how likely is it that the conservation authorities will find fault with their client and partner municipalities that pay their wages and for their operations?

The Chair (Mrs. Linda Jeffrey): Mr. Dabis, can you wrap up? You've got about 30 seconds left.

Mr. Diether Dabis: I'm done. The situation leads to conflict of interest and double standards. Therefore, in order for this entity to be completely independent, it must be funded by the Ontario government and perhaps also with funding from the federal government.

This is my submission, if you have any questions.

The Chair (Mrs. Linda Jeffrey): Perfect. You gave yourself 15 seconds left over. That was good.

Mr. Diether Dabis: Well, I kept my watch here.

The Chair (Mrs. Linda Jeffrey): You did good. I knew you were getting close to the end, but I wanted to make sure. Sometimes people extrapolate a little further.

Mr. Barrett, you have the floor.

Mr. Toby Barrett: Thank you, Diether. There's an awful lot of information there. You've raised a governance issue that will be dealt with through this legislation and regulation.

The problems or the impact on Lake Simcoe and the watershed: Is it specific just to this drain, which I guess is poorly designed, or—

Mr. Diether Dabis: This is the one I'm familiar with.

Mr. Toby Barrett: I'm just thinking of Bradford Marsh, Holland Marsh; they were drained years ago. Is that a problem as well, or was that done properly?

Mr. Diether Dabis: That is a serious problem because of the high level of phosphate that leaches into the lake, but they are working very hard at minimizing that. But if you have a major storm, the rain just leaches it and it goes into the canals and then into the lake, and that's why you have all the algae and all these problems in those areas.

Mr. Toby Barrett: Yes. Has this drain been dug out recently? Has that exacerbated the—

Mr. Diether Dabis: Well, what exacerbated it is, you know—it needed an improvement. But the original award drain was built in the early 1900s and it goes right up to the township here. But the township abandoned their portion along Rural Route 12, I think it is. They even built a heliport on top of it. Now this opportunity came because they built these illegal canals which they had to fill in—and pay for them to be filled in—and then a referee was appointed to try to solve the problem.

What these guys did is they built storm management facilities right here in the industrial park at Lafarge. Their intention was to ship the whole thing down. Lafarge is presently pumping their water from the quarry into the Talbot River, but their intention was to put it down here, then through the resort and into the lake. But we opposed that.

The Chair (Mrs. Linda Jeffrey): Thank you. Mr. Tabuns.

Mr. Peter Tabuns: Diether, thank you for your presentation and for these photos you brought today. The flooding of the farm fields: How common is this? How extensive is this?

Mr. Diether Dabis: The problem occurred because, before they destroyed the natural area here, which is in Lafarge, it used to act like a sponge and hold the water. They've built these stormwater management ponds, but they haven't controlled the flow out into the water, into the drain. So when you have a big rain, it just comes down and it erodes the stream banks, it picks up nutrients in the flooding and so on and it's a serious, serious matter. But as I said, when you talk to all the different ministries and so on, it goes this way.

Mr. Peter Tabuns: And the regional conservation area: Have they taken a look at this problem? Because if you're seeing flooding like that—

Mr. Diether Dabis: Yes, but they have a conflict of interest.

Mr. Peter Tabuns: Don't they have a responsibility to address flooding?

Mr. Diether Dabis: I would think so, because they call it water management. This is why I made two deputations to them, in 2003 and again on September 26.

The Chair (Mrs. Linda Jeffrey): Thank you. Mr. Flynn.

Mr. Kevin Daniel Flynn: Thank you, Mr. Dabis, for your presentation. My eyes aren't as they should be, so I was following your words and not necessarily your pictures. You're saying that there is a tourist resort that is your neighbour?

Mr. Diether Dabis: Yes.

Mr. Kevin Daniel Flynn: Were they the party that installed the drainage canals?

Mr. Diether Dabis: No. They're at the end of the drain. That's where they have the marina. This is the kind of water that they get in the marina and on the beaches. There's a danger to public health.

Mr. Kevin Daniel Flynn: So your point is that since 1997, when these were installed, you've been sort of frustrated in your efforts to deal with this?

Mr. Diether Dabis: Yes. What we accomplished is, they had to fill in these huge canals, twice the size of the original drain. That helped, but then they have not established proper controls in the stormwater management facilities.

One thing that I may say has come out of this is that from now on every drainage engineer who's going to be appointed will get a one-on-one course on environmental matters, because the Drainage Act doesn't concern itself

with environmental matters. The Drainage Act doesn't care what's happening here.

Mr. Kevin Daniel Flynn: Okay. I need to ask you one very brief question, and that is, you support the intent of the act, but your point is that there has to be an independent body that runs it.

Mr. Diether Dabis: Absolutely.

Mr. Kevin Daniel Flynn: Okay. Thank you.

The Chair (Mrs. Linda Jeffrey): Thank you very much for being here today and thank you for all your work.

Mr. Diether Dabis: Thank you. If you need me back, I'll be glad to come back. Just give me some time.

DEBORAH BEATTY

The Chair (Mrs. Linda Jeffrey): Our next deputation is Deborah Beatty.

Mr. Diether Dabis: It's nice and warm.

The Chair (Mrs. Linda Jeffrey): It's not the hot seat, but welcome. I'm glad you're here. If you could state your name at the beginning of your presentation for Hansard. If you speak for a group, mention the group. If not, once you begin you'll have 10 minutes, and I will give you a one-minute warning.

Ms. Deborah Beatty: Thank you, Madam Chair. I appreciate the opportunity of speaking today on a topic that I am quite passionate about. My name is Deborah Beatty, and although I am a past president of the Lake Simcoe Conservation Foundation and a member of the board of the Rescue Lake Simcoe Coalition, I'm speaking today as an individual, representing myself and those 100-plus other permanent and temporary residents who share a communal patch of land on Lake Simcoe at Degrassi Point in Innisfil.

I've been a summer resident at Degrassi Point since I was two years old—and you're not allowed to ask me my age. My grandchildren are sixth-generation cottagers. Each summer, as children, my generation would wait for the shadflies to appear on the window screens, so dense you could hardly see outside. That always meant the fish would be jumping and a fresh bass dinner was in sight. Today, there are no shadflies, because these small benthics breed in water and the water is no longer clean enough for them to reproduce.

Finding clams and the long trails they left behind in the sand was a daily exercise. There are no clams anymore; the zebra mussels have pretty effectively wiped them all out. Our natural sandy beaches where endless castles were constructed are now awash in piles of weeds that need to be raked up each day when the children come down to play.

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I could talk about the cold water fishery being sustainable only because it is stocked and many other issues, but my point is that all of this has happened in just one lifetime. I can only imagine what our great-grandparents would say if they could see the degradation that has occurred around this lake.

The leadership shown by this government in the creation of a Lake Simcoe act is necessary, appreciated and very much admired. I thank and I applaud each and every one who voted positively for the first and second readings of Bill 99. I hope that the good intentions of this act are carried through with some very strong legislation.

I would also like to support the efforts of the scientific advisory committee, which has been working hard to set phosphorus target loads for the lake and is asking for 100-metre buffer zones as a protection along all our river and stream banks.

I wish to bring forward four points today which I feel are vital to the success of the Lake Simcoe act.

(1) This legislation will protect the future of Lake Simcoe, but what about the past? At present, the Lake Simcoe Region Conservation Authority has estimated that the cost of restoration alone on the lake will be \$163 million. This money is for the rehabilitation of those degraded streams and rivers, the retrofitting of inefficient stormwater ponds, shoreline improvements—in other words, the repairs of all our past mistakes.

Municipal and federal governments have both made financial commitments to this work, and the private sector is donating more than ever before to this effort. What about the province? It is vital that this act provide some sustained and adequate funding support to do the necessary restoration, for without both restoration and legislation, I believe Lake Simcoe cannot be saved.

(2) Canada is famous for its good legislation, but I fear we are also famous for our negligence when it comes to enforcement. I have seen examples of people intentionally breaking the rules because they know that the only penalty will be a fine. That fine then becomes part of the overall cost of the project—or worse, enforced for some and not for others. Tough legislation will be essential. I would like to see this act have an enforcement clause which includes replacing or repairing any illegal works to their original state, as well as a hefty fine for breaking the law in the first place.

(3) About six years ago, it slowly dawned on me that the Lake Simcoe Region Conservation Authority really has no authority, yet it is looked up to by the watershed residents as the place to turn for guidance when your neighbourhood is suddenly going to be doubled in size or there are dead carp, masses of weeds or zebra mussels all along the shoreline. The LSRCA has proven to be a positive force for the lake. Last year, they were in the top three runners-up for the International Thiess Riverprize in Australia. They have completed over 800 projects on the lake, one example being Kidds Creek in Barrie, where a one-acre parking lot where the creek was buried in a culvert has turned into a one-acre park, where fish and herons are now regularly seen. I ask that the authority be given some real authority to regulate environmental sustainable standards on activities in their watershed in order to be that strong voice we need for the lake and for its future.

(4) My fourth point is my last point, but not the least. As the pending legislation reads, there is a serious poten-

tial for duplicating existing legislation and adding another level of bureaucracy. I am aware that there is a push for the province to lead the implementation of the act. Citizens who are not familiar with the Conservation Authorities Act see the board as being biased due to its councillor makeup. It is, after all, the municipal councillors who approve all of the controversial developments going on in the watershed, and there are still more planned for the future.

The other serious concern is that the Lake Simcoe Environmental Management Strategy, LSEMS, partners are all government, and the public would like to have more meaningful participation in the decision-making.

I support these concerns, but I believe these issues can be dealt with very fairly and positively within the present structure without having to create another entity, which will cause duplication, confusion, create more bureaucracy, be more expensive, create communication problems and probably be a lot slower to respond to the needs. We need legislation that complements, not duplicates, the successful systems already in place.

Thank you for allowing me to speak today. I have to say I am proud and happy that my government is showing such great leadership through the creation of this Lake Simcoe act. This will set an example for many others, not just in Ontario but across Canada, and I hope North America. As Barack Obama says, “We can do it,” but as we say, “We will do it.” Thank you very much.

The Chair (Mrs. Linda Jeffrey): Mr. Tabuns, you have the floor.

Mr. Peter Tabuns: Thank you for the presentation, and thanks for taking the time to come here today.

The whole question of the conservation authority having real authority: You note that about six years ago, you started coming to the conclusion that it wasn't in a position to actually make the differences that you wanted to see. What were the events that led you to that conclusion?

Ms. Deborah Beatty: I was on the board of the foundation, and as more and more complaints came forward I realized, of course, that the conservation authority does not have the power to respond. It can't come through as a strong voice because it hasn't really been given any powers to approve and to disapprove. It is there for the purpose of commenting on what is happening on the lake. It does not actually have a voice that has to be listened to in any stronger way.

Mr. Peter Tabuns: Do you feel that it commented appropriately?

Ms. Deborah Beatty: I'm sure it commented appropriately. Whether those comments are followed or not, they have no backup or authority to ensure that their comments are followed, unless they concern breaking the present laws or stepping outside the present rules. But we are here to create an act because we know the present situation and rules are not nearly strong enough to save the lake.

Mr. Peter Tabuns: Thank you.

Mr. Kevin Daniel Flynn: Thank you for your presentation, and thank you for your kind words about the proposed act.

I'd like to hear your comments on the ministry's intention to create a Lake Simcoe plan project team. When I was travelling through the area for a couple of days to familiarize myself with the area, a lot of people were talking about the transition period, about the implementation period, about how the public and the stakeholders can stay engaged. Do you feel that, at least for the transition period, the project team, in a temporary way, will assist in that transition?

Ms. Deborah Beatty: I hope so. Certainly, in my opinion, they should and they could.

I see, in detail, in my head a lot of ways to merge the group of transition, some of the people who have sat on the steering committee and the various ministries that are involved. I think it would be half a day of sitting down and really trying to work out the structure.

After sitting on that steering committee for months, I think what happened is, we didn't have total consensus in the end, but we had consensus about one thing and that was, we did not want any duplication.

Mr. Kevin Daniel Flynn: Thank you.

Mr. Toby Barrett: I hear what you're saying on duplication, confusion, bureaucracy and other dangers like that. You say in your conclusion that it can be dealt with within the present structure, without having to create another entity that may lead to a lot of this stuff.

So you would go with the existing conservation authority even though, as you indicated, many of the members may well be pro-development, for example? We hear that the population of the area may double in the next 25 or 30 years. Is that the entity you look to see being developed?

Ms. Deborah Beatty: I see it changed. I see a changed version. I already see the authority has changed dramatically in the last four years because of public influence. I think there are many ways that public voices can be introduced into the authority and committees can be introduced into the authority that will ensure there is a balanced thought and process for decision-making. I don't think we have to go out and create a whole new entity to do it. I am sure that it is possible to use what we have, and obviously it needs change, but then at least it's things the lake and the functions and everything you need to really deal with the lake, from the science to the information from the output is all in one place. It only makes more sense, in my head.

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The Chair (Mrs. Linda Jeffrey): Thank you very much for being here today.

Our next delegation is Alan McLeod. Is Alan McLeod here? Okay. We'll move on to our next delegation.

ENVIRONMENTAL DEFENCE

The Chair (Mrs. Linda Jeffrey): Environmental Defence—are they here? Mr. Donnelly? Is that right?

Mr. David Donnelly: Yes.

The Chair (Mrs. Linda Jeffrey): Welcome. Thank you for stepping forward. You know that you have 10 minutes. I'll give you a one-minute warning. We're glad you're here, and thank you for coming.

Mr. David Donnelly: Thank you, Madam Chair, and thank you to all the members who are attending. This is indeed a happy day for Environmental Defence.

Environmental Defence is a cornerstone member of Campaign Lake Simcoe, and we wish to commend Premier McGuinty, Minister Gerretsen, his staff and key members of the loyal opposition and the NDP for supporting the first resolution that called for comprehensive, strategic watershed action and protection around the lake, but also the principles of this extraordinary and urgently necessary bill.

The Lake Simcoe Protection Act's chief strength is that it promises to put science first in what is now a desperate need and effort to save the lake. This bill particularly is a response to a call from a very broad consensus of citizens, municipalities, even the conservation authority, to plan for the future of this watershed using watershed boundaries as a guide. That's a critical success. Most importantly, this bill joins previous world-class, made-in-Ontario environmental protection plans like the greenbelt, the Oak Ridges moraine and Niagara Escarpment plans as an example of government and citizens working to get it together for the benefit of future generations.

I'm proud to say that I was with many of the citizens around the lake, people you've heard from already, at places like Moon Point, Bond Head and Big Bay Point. These are the people who stepped forward and challenged the existing regulatory authorities around the lake to do better, and I think that this government has put forward a bill that will do that.

But this citizens' movement to save the lake, the citizens' movement that asked that the new law be created to protect it, is now in danger of being either marginalized or silenced in this process. The bipartisan spirit that has governed this process so far is now being challenged by outside forces, primarily in the development industry, to try to silence public participation in the planning process. Many of the citizens who have been integral to the movement to create this bill are now fearful of speaking out to protect the lake they love. Strategic lawsuits against public participation are a serious and real threat—it's not academic—to the continued, citizen-led advocacy to protect the lake. I myself am a target of such a SLAPP suit. It would be a cruel and perverse outcome to launch this bill, with its new rights and responsibilities to protect the lake, in a community that is paralyzed by the sight of neighbours, friends and family having to pay millions of dollars in cost awards and legal claims.

I think that, as a companion to this bill, the government of Ontario should introduce SLAPP suit protection to protect people in this watershed and anywhere else in the province where the province is spending taxpayers' dollars to sponsor environmental approval processes,

whether it be through the Planning Act, the Environmental Assessment Act, the Ontario Water Resources Act, or any other of the world-class statutes that we have in the province that actually require public participation to be part of the process in some circumstances. You can't have it both ways. You can't create processes that encourage and promote public participation and then stay silent when the citizens who are engaging the process, at the province's request, funded by taxpayers, are too intimidated, too frightened, to even write a letter to the editor. My clients and my friends are some of those people. Without immediate action, the legacy to our children will be a lake choked with more weeds, a shoreline paved beyond a sustainable limit and advocates silenced as a growing list of species become species at risk.

I want to address a couple of particulars with respect to the bill. However, Environmental Defence echoes and supports the recommendations of Campaign Lake Simcoe, and we are a contributor to that process.

I do agree with Ms. Beatty insofar that enforcement has been critically lacking in this watershed. With the Harris cuts, the Ministry of Natural Resources and the MOE have been seriously short-staffed and unable to perform their proper regulatory functions. The county and the conservation authority simply are not resourced to carry out an effective job of enforcing existing, inadequate bylaws to protect the lake.

By way of contrast, New York City has an entire police force dedicated to monitoring and investigating activity in the watershed to ensure safe drinking water for the citizens of New York City. By way of comparison, that watershed is about 5,600 square kilometres. The Lake Simcoe watershed is about 3,300 square kilometres—smaller, yet roughly the same size. New York City employs 156 police officers who carry side arms and who drive in squad cars, and their sole function is to investigate and prosecute environmental offences. As recently as 2006, the Lake Simcoe watershed had two enforcement officers: one at the county—and he had a nickname, “Murray the County Mountie”—and one at the Lake Simcoe Region Conservation Authority.

When we were before the Ontario Municipal Board, fighting to protect one of the last natural shoreline areas around the lake, the conservation authority's contribution to that hearing was to oppose our evidence, and when we asked what bylaw enforcement capacity there was at the conservation authority, the response was, “One officer,” and he was on leave and not replaced.

For the public to have any confidence at all in this act, we have to have confidence in the enforcement capacity and the prosecution effectiveness of all levels of government around the lake. Otherwise, we are just creating an act and a plan that are fine words; without the on-the-ground enforcement, they will remain just words and the lake will not be protected.

Environmental Defence is keenly aware of the matter of the effective date of the act. We participated in both the Oak Ridges moraine conservation planning process and the greenbelt planning process. In both cases, to pre-

vent gaming of the system, two different governments imposed sensible dates. Some people call them retroactive dates; we call them the right effective date. When the government announces an environmental policy reform, if you don't make that policy or that act effective to the date that it's announced, you encourage developers to game the system by racing the clock to get in their proposals, no matter how half-baked, no matter how unsustainable, before the effective date of the act.

This is not an academic matter. In the case of north Oakville OPA 198, just before the effective introduction, or the effective date, of the new provincial policy statement, 22 development applications were filed under the wire on February 28, before the effective date of the new provincial policy statement. I know that Mr. Flynn is acutely aware of the perverse response that we got in that act to get all the development applications in under the wire before new environmental protection could be put in place. We cannot have the same episode occur in this act, and I'm sure that this government will follow the previous precedent set across many pieces of legislation, but most particularly through the Oak Ridges moraine plan and the Greenbelt Act.

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Section 14 of the bill creates an extraordinary and unprecedented, in my view, provision that hearing officers be appointed by the minister to deal with amendments to the plan.

The Chair (Mrs. Linda Jeffrey): You have one minute left.

Mr. David Donnelly: Thank you, Madam Chair.

These unelected and effectively unaccountable hearing officers should not be given authority beyond the scope of the minister, beyond the scope of the public to make changes to the plan that were never debated or contemplated by the public.

Finally, section 26: Our chief expectation through this process is that there be real shoreline protection in this plan, that we don't play favourites and allow 30-acre holes to be dug in the lake to permit the Big Bay Point mega-marina, when local residents can't move their dock or can't expand their boathouse. This is critical to the success of protecting the shoreline, but also to giving the public confidence that this bill is to be applied fairly across the watershed.

In conclusion, I'd just like to start where I began: by commending this government and in fact everyone in the Legislature who supported that resolution unanimously to get this process started. We are overjoyed that the government is going to take action, as it has done in the greenbelt and elsewhere, to create world-class legislation to protect this threatened yet still magnificent resource.

Thank you, Madam Chair.

The Chair (Mrs. Linda Jeffrey): You're welcome. Thank you. Mr. Flynn, you're first.

Mr. Kevin Daniel Flynn: Thank you, David, for the work you've done here and the work you did in my own community. I know you do a lot of other good work around the province of Ontario.

You've given us some suggestions as to how the bill could be strengthened. Item three on the vegetative buffers: Could you just expand on that a little bit? We all understand and I think we all agree that this lake's shoreline is, as you state, already hardened, unnatural and under stress. So you're suggesting that everywhere, any development be 100 metres wide. Is that right?

Mr. David Donnelly: First, we would divide the lake into two separate categories of land use. First would be approved urban growth and then there would be everything else: rural, agricultural, resort, seasonal, recreational. That way, within an urban area like the city of Barrie you would not expect to have a 100-metre vegetative buffer. You might make that a target and a guideline, and certainly you would look at surface impermeability within the approved urban area, but that wouldn't be a blanket policy across the watershed, except along streambeds and water courses. Everywhere else around the lake, if you expect that water quality to survive, the best membrane or buffer against impacts is of course at the shoreline.

So we would not prohibit, for example, someone putting a deck on their cottage or retrofitting their cottage, as long as they were done on green standards and that the net result of any kind of construction activity—obtaining a building permit along the shoreline—is that you increase the amount of permeable surface and that you improve the amount of vegetative cover on the lot, but that you could still erect, for example, a new cottage if you could obtain all the necessary approvals. But the 100-metre buffer is now the gold standard for protection.

I can recall representing Save the Rouge in the Rouge Valley, which is of course now world-class. It's one of the world's largest natural areas within an urban context. We started out with a buffer of three metres there just 10 years ago, and we're now up to 120 in some locations. One hundred is the minimum. If you want to preserve cold water fishery, 100 metres is the bare minimum for protecting water quality.

The Chair (Mrs. Linda Jeffrey): Thank you. Mr. Barrett.

Mr. Toby Barrett: Thank you to Environmental Defence. We've heard from others that people are afraid to speak out on this subject. We've just come out of Remembrance Day, which partly marks the reason why people fought: so they had the right to speak out and to assemble and go to meetings and things like that. This committee has been asked to take a look at this in Quebec legislation that was to deal with that, and apparently it died on the order paper.

You mentioned Harris cuts to MNR and MOE. We've now had five years of McGuinty government. Has the McGuinty government not reversed those cuts? Is this still a problem? Is that what you're suggesting?

Mr. David Donnelly: I'd like to address both parts of your question because I'm personally affected by the first part.

I have personally taken statements from affiants in the Big Bay Point case.

Mr. Toby Barrett: Sorry, from who?

Mr. David Donnelly: Sorry, affiants—people who wished to participate in the Ontario Municipal Board hearing at Big Bay Point but who were too frightened to appear before the Ontario Municipal Board even though they were advised of the fact that they were protected by a privilege. Outside the privilege at the Ontario Municipal Board, there are people in that watershed who are afraid to write letters to the editor, who will not go to public meetings, who will not even speak to their neighbours about protecting the watershed for fear of being sued. In the Big Bay case alone, there are \$90 million of outstanding lawsuits across a broad spectrum of torts, including a cost award at the Ontario Municipal Board. The total value of claims and counterclaims is \$250 million. It is an extraordinary case but it is not the only case in the province where these so-called SLAPP suits are affecting public participation.

The remedy can not be just that we provide Quebec-style protection against tort claims like defamation and conspiracy. It is only logical that taxpayers do not want to fund an EA process, an environmental assessment process, that invites the public to come out, participate in a public forum and make written submissions while at the same time the developer is suing someone in the watershed for \$90 million. We need to stop these SLAPP suits, but we need to also suspend any approval process where there is outstanding SLAPP legislation. How can you claim to have an open process where people have the spectre of these lawsuits hanging over them? Now we're being expected to participate in the EA process and other environmental regulatory approval processes when half our client group is afraid to even write a letter to the editor.

The Chair (Mrs. Linda Jeffrey): Thank you. Mr. Tabuns.

Mr. Toby Barrett: David, you didn't give me my second answer.

Mr. David Donnelly: I'd like to see more funding for enforcement in the watershed, yes.

Mr. Peter Tabuns: David, thanks for your presentation and your direction on governance and enforcement. All of that makes a lot of sense to me.

In your comments you talked about the conservation authority opposing citizens. I gather this is the Moon Point project. Can you tell me what the impact was on the citizens and on the community to have the conservation authority essentially undermining what they were doing?

Mr. David Donnelly: The need for citizen participation in the governance of any protection of Lake Simcoe changed at the Moon Point hearing. The conservation authority requested an intervention into that hearing and filed an affidavit opposing the introduction of expert evidence by Bob Bowles, who appeared before this very committee, when he found salamanders breeding on an adjacent property to Moon Point. Moon Point was one of the few natural shoreline areas remaining; it's now a subdivision. At that point, the citizens around the lake

said, “We cannot rely on the conservation authority to represent our interests. We need full citizen input.” How can you have a conservation authority, a so-called scientific body, bringing non-expert evidence to contradict citizens? Those citizens paid money and hired Mr. Bowles to go out and do that survey. He got the goods, he found the evidence, and the conservation authority hired a Bay Street lawyer who intervened and tried to exclude that evidence. We lost that appeal and 40% of the Moon Point forest can now be cut, according to the decision of the Ontario Municipal Board.

That was a failure in the governance around Lake Simcoe; it was a failure on the part of the conservation authority. The way to address it is to make sure that citizens are represented on a go-forward basis on the protection of Moon Point and are part and parcel of this advisory committee and have an equal voice in the protection of the lake.

The citizens and the citizens’ groups around the lake are not funded by developers. They don’t stand for election in the way in which the election financing rules currently concern the lake. The 41 groups that are members of Campaign Lake Simcoe are volunteers. These are people who have the long-term interest of the lake at heart and not a short-term profit motive.

The Chair (Mrs. Linda Jeffrey): Thank you, Mr. Donnelly. We appreciate your being here and your thoughtful presentation.

The Chair (Mrs. Linda Jeffrey): Would Mr. Alan McLeod be here? No.

REGIONAL MUNICIPALITY OF YORK

The Chair (Mrs. Linda Jeffrey): Okay, we’re moving on to our next delegation, the regional municipality of York. Is it Ms. Mahoney?

Ms. Erin Mahoney: Yes.

The Chair (Mrs. Linda Jeffrey): Welcome. Thank you for being here. If you could state your name for Hansard and the organization you speak for. After you’ve done that you’ll have 10 minutes. I’ll give you a one-minute warning as you get close to the end.

Ms. Erin Mahoney: Mahoney, commissioner of environmental services with the regional municipality of York.

Today I’d like to leave you with three key considerations with regard to Bill 99. Overall, the region would like to commend the province for its very proactive approach to protecting Lake Simcoe.

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We have a long history of working in partnership with the Lake Simcoe Region Conservation Authority and others to study and restore the watershed while at the same time accommodating growth through the best use of technologies at our water pollution control plants in the watershed.

The region recognizes that the province and it must work together to ensure that there’s a strong collaborative

planning framework, which is necessary to ensure that a comprehensive plan is implemented.

We have proven our willingness to work with other municipal governments, the province and the federal government on many issues, and recommend that enabling legislation and the plan for Lake Simcoe must enshrine the principles of sustainability, accountability and adaptability.

On sustainability, this references that not only environmental sustainability needs to be considered, but also fiscal and social sustainability. York region recognizes the three pillars of sustainability in its recent initiatives, including:

- our 2007 adoption of the York Region sustainability strategy;

- our discussion paper on climate change;

- our Planning for Tomorrow growth management initiatives; and

- our significant Water for Tomorrow commitments.

Information relating to these initiatives has been provided to this committee today, along with council’s endorsed comments on the EBR posting of Bill 99.

We note that we have been recently recognized for our efforts by winning the first-place gold at the United Nations-endorsed International Awards for Liveable Communities. And we recognize that to remain competitive we must continue to do things differently in the future, and are working diligently to ensure this occurs. Our sustainability strategy provides a new approach to decision-making which integrates consideration of the environment, economy and community as well as emphasizing engagement, monitoring and continuous improvement.

Planning for Tomorrow, our growth management initiative, seeks to accommodate the province’s Places to Grow legislation and plan in a sustainable manner. This provincial plan, I just want to note, requires York region to accommodate 1.5 million people by 2031, which is an increase of 500,000—half a million people—from where we are today. And 69% of York region is designated within the greenbelt and the Oak Ridges moraine conservation plan, focused on protecting important natural features and agricultural lands. So future growth within these provincial plan areas is very limited. Consequently, the additional growth forecasted through the province’s Places to Grow needs to be accommodated through intensification in our existing built-up areas as well as within the three whitebelt areas, one of which is in the Lake Simcoe watershed in the town of East Gwillimbury.

The proposed Lake Simcoe Protection Act could make accommodation of the Places to Grow Act more difficult. In the eyes of some, we know, the two are mutually exclusive but, more practically, the two initiatives must co-exist. As Bill 99 is currently written, it can prevail over Places to Grow, but we believe it’s imperative that Bill 99 be amended to acknowledge the requirements of the Places to Grow Act and the fact that future growth will occur in the watershed.

York region is committed to ensuring this growth will occur in a much more sustainable way: more compact,

more energy- and water-efficient, with restoration of natural areas, and careful water management and a better live-work relationship. In this way, careful development can be a positive and powerful force in the restoration of Lake Simcoe.

Our second theme is on accountability and governance accountability.

At its meeting of September 18, 2008, York region council endorsed comments on the EBR posting of Bill 99. These comments highlighted a need to clarify the roles within the act as well as provide long-term, stable funding for this initiative.

Subsection 19(1) of the act proposes establishment of the Lake Simcoe coordinating committee, and this committee would be an entity separate from the Lake Simcoe Region Conservation Authority. We believe the authority has a strong history of ably leading conservation efforts through its programs since its inception in 1951, and through the Lake Simcoe environmental management strategy partnership since 1990. The proposed coordinating committee would comprise and represent several bodies, including municipalities, agriculture, businesses, First Nations and others represented and appointed by the Minister of the Environment. This body would include coordinating implementation of the protection plan and providing advice to the minister.

Regional council, when it met in September, went on record as opposing establishment of an additional administrative body to oversee this work. Right now, the Lake Simcoe agency is accountable to residents and governments within the watershed. We believe it delivers its programs in an efficient, cost-effective and accountable manner. The work of the authority in watershed management has been recognized worldwide, and progress has been made in efforts to protect the lake and reduce the phosphorus inputs.

We should recognize the detailed watershed and natural heritage work that has been completed and build on these past successes. York region is of the opinion that the province should support the Lake Simcoe Region Conservation Authority as the lead agency in this undertaking without creating further duplication through another agency or board. Further, the regulation should identify appropriate levels of stable, long-term funding apportioned to all levels of government and lake users.

The region recognizes, and I think the authority does as well, the importance of broadening representation on a governing body for the watershed to include business sectors, First Nations, members of the public and bona fide environmental groups. We believe this can be accommodated within the authority structure for this initiative.

Moving to our final theme, adaptability, a healthy, vibrant Lake Simcoe will require innovative solutions. It will require a new way of thinking and a more integrated approach regarding environmental, economic and community planning decisions. It's necessary, then, not to limit or restrict innovative solutions as a result of inflexible legislation, plans or regulations. York region believes that collaboration is key to success.

We need to work collaboratively together to deliver the phosphorus reductions by addressing and funding the largest contributors of phosphorus into the lake. We have to identify where money is best spent to deliver the greatest benefit.

Controls at municipal sewage plants alone are approaching the point of diminishing marginal returns. Put more simply, we can spend millions of dollars installing or upgrading phosphorus removal technology with a decrease in input to the lake measurable in kilograms. If we were to focus our efforts on other, more significant sources, we could save those tonnes of phosphorus and spend the same millions, so millions to remove tonnes compared to millions to remove kilograms from the sewage treatment plant. Quite simply, we're looking for the greatest and most immediate bang for the buck, something that will have enduring and sustainable benefit for Lake Simcoe.

It's important to recognize that the 15 treatment plants within the Lake Simcoe watershed represent only 7% of the total phosphorus input into the lake. Even massive cuts in discharge limits from the plants will not realize the results that we're sure the province is hoping to achieve.

We're requesting the use of jurisdiction-based permitting for effluent phosphorus loads. In the case of York region, this would permit us to use some of the reductions from the decommissioning of our Holland Landing lagoons.

Finally, while we recognize that a viable water quality offsetting program will require significant development for administration and application, we also know that the opportunity exists to build on the successes and best practices of similar programs in other jurisdictions. Bill 99 proposes enabling amendments to the Ontario Water Resources Act for these components. These should proceed without delay to start capturing important opportunities now.

With that, Madam Chair, I conclude my presentation. I would be happy to respond to any questions.

The Chair (Mrs. Linda Jeffrey): Thank you. Mr. Barrett, you have the floor.

Mr. Toby Barrett: Thank you to York region. On page 3, you recommend that "it is imperative that Bill 99 be amended to acknowledge the requirements of the Places to Grow Act and the fact that future growth will occur in the watershed." I know one of our presentations indicated that growth would double to 700,000 people by the year 2035. It seems like an awful lot of people on what I consider a fairly small watershed. I guess if you could explain further: The problem is—you talk about these three whitebelt areas. Does "whitebelt" mean a non-greenbelt? Is that what that means?

Ms. Erin Mahoney: That's right. It's an area that we've designated for future growth within the region. To achieve our growth, we've outlined two mechanisms: intensification within the existing areas and then designation of what we call whitebelt lands, a very limited amount of land supply for future growth to move from

the million, roughly, where we are today to the 1.5 million stipulated in Places to Grow.

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Mr. Toby Barrett: So a number of those people will be going to the Lake Simcoe watershed?

Ms. Erin Mahoney: Some will. Some of the whitebelt lands are in that watershed.

Mr. Toby Barrett: This legislation, if it's passed, will supersede Places to Grow. What kind of amendment would we make to try to accommodate previous legislation that may indirectly be pushing more people into the Lake Simcoe watershed?

Ms. Erin Mahoney: I think it's probably a combination of two things: one, recognizing that all three things need to happen—we need to consider accommodation of future growth, doing it wisely—and then, in developing what the future loading to Lake Simcoe should be, recognizing that additional contributions to sewage treatment plants need to be considered in setting those loadings, and then focusing on some other areas to get the tonnage reductions in the long term.

The Chair (Mrs. Linda Jeffrey): Mr. Tabuns.

Mr. Peter Tabuns: Thanks for the presentation and for the data. You note that there are other significant phosphorus sources, aside from the sewage treatment plants. Can you tell us what the most significant ones are?

Ms. Erin Mahoney: In some of the documentation summarizing the sources that I have seen, atmospheric deposition is a big source. As I've said, sewage treatment plants represent 7%. Agriculture represents another significant source. I think that more than a third is coming from atmospheric deposition, in comparison to 7% from the existing plants.

Mr. Peter Tabuns: When you talk about ensuring that there's a proper interface between this act and the Places to Grow Act, what precise amendments would you suggest to the legislation?

Ms. Erin Mahoney: Recognizing, through development of the loading limits, that the growth that's forecast to occur in the watershed is accommodated through calculation of the future loads allowed from the sewage plants.

Mr. Peter Tabuns: Thank you.

The Chair (Mrs. Linda Jeffrey): Mr. Flynn.

Mr. Kevin Daniel Flynn: Thank you for your presentation; it was certainly appreciated. This government has taken on this task, and people in the area probably wish it had started sooner. But it didn't, and this government has got it to this point. There's momentum moving forward; I think there's a very positive approach. Certainly, from my travels in the area, I don't think I found anybody who was opposed to this initiative. It's important that we keep that moving forward.

You have expressed your opinion, or the opinion of York region, as to who should lead that process. Others have obviously expressed other opinions. How do we continue to keep this moving? We talk about having a coordinating committee that still includes all stake-

holders. Could you expand on that, and maybe how the region of York would play a role in that?

Ms. Erin Mahoney: I think what we're suggesting is sort of leveraging the experience and structure within the existing Lake Simcoe conservation authority and board and, through some changes to that structure, including representation more broadly, as the Lake Simcoe act currently says for the recommended coordinating committee. If some of those same parties had representation in a revised authority board structure, the province may then achieve its objectives of broad representation from a variety of sectors while still, in our view, better leveraging the existing experience.

I know the province has a strong role in developing the act and the regulations. Our point is simply in the implementation. We think local implementation, local solutions with parties that are perhaps closer to that environment than the province, may achieve more efficient results. So there it is: using the existing structure and amending it to have broader representation than is currently on the authority board to capture some of the elements the province wants to see on a coordinating committee, and that should not stop the momentum.

The Chair (Mrs. Linda Jeffrey): Thank you, Ms. Mahoney. We appreciate your being here today.

Is Mr. Alan McLeod here? Okay, we'll move on to our next delegation, Rescue Lake Simcoe Coalition.

RESCUE LAKE SIMCOE COALITION

The Chair (Mrs. Linda Jeffrey): Welcome, gentlemen. If you're both going to speak, could you say your names and the organization you speak for. Once you've done that, you'll have 10 minutes. I'll give you a one-minute warning.

Mr. Tim Crooks: My name is Tim Crooks. I have a cottage in Shanty Bay on Lake Simcoe. I'm speaking on behalf of the Rescue Lake Simcoe Coalition, which represents 12 community groups around the lake.

Since our formation in July 2003, the coalition has been an independent, dynamic, reasonable and forceful voice for the rehabilitation and protection of Lake Simcoe. The coalition started the WAVE program, which worked with thousands of homeowners for three summers to help reduce the use of fertilizers containing phosphorus. Even the Ladies of the Lake, who have done so much to help Lake Simcoe, started as a project of the coalition.

Thank you for the opportunity to speak about Bill 99. The act is very good, but we would like to make the following suggested changes.

First, the effective date: Because the act is an environmental act, all the regulations and policies in the new act should apply to all developments in process as of the date the act is passed. We propose that the act's effective date should be December 6, 2007, the date the province introduced its interim phosphorus regulation.

The contents of the plan—I'll just quote from subsection 5(1). The plan "shall set out the following....

“3. The existing significant threats and potential significant threats to the ecological health of the Lake Simcoe watershed.”

Please take out the word “significant.” The use of “significant” implies a level of threat that is not defined clearly and is therefore open to misuse and misinterpretation.

Progress reports: In the act, required reporting on results is to be done “from time to time.” We believe that the first report should be produced within five years, and subsequent reports every three years.

I have some other suggestions.

First, the plan shall contain the same targets recommended by the Lake Simcoe Scientific Advisory Committee for shoreline buffers, phosphorus loading, dissolved oxygen natural cover and surface impermeability.

Second, the plan should set a 100-metre buffer along rivers and streams flowing into the lake. Of course, this is subject to the implementation outlined by David Donnelly earlier today.

All new houses, cottages and other developments should have a naturally vegetative wide corridor along the littoral. Existing properties without such a corridor should be given some incentives for making one.

New boathouse construction is a problem in the township of Oro-Medonte, because the township is not enforcing its own bylaws. Boathouse applicants go to the OMB to get their way. Please ensure that regulations regarding new boathouse construction are included in the plan.

The plan should prohibit developers and marinas from making new lakes and ponds on lands, rivers and marshes bordering the natural shoreline.

The plan should include policies and regulations that will force municipalities and cities to rehabilitate and restore obsolete, degraded and silted-up stormwater management ponds.

State clearly that the policies and regulations in the act should apply equally to marinas, resorts and residential developments.

Finally, please accompany the act with adequate and sustainable funding and a practical enforcement scheme.

Thank you. I’ll now ask Jon Johnson to continue with our deputation.

Mr. Jon Johnson: Thank you, Madam Chair, for giving me this opportunity.

My name is Jon Johnson. My wife and I own a house near Big Bay Point on Lake Simcoe, and I wish to address two matters. The first is a distinction in the act between “designated policies” and “other policies,” and the second is a recommendation respecting the Planning Act.

The act is an enabling piece of legislation, and the real protection of Lake Simcoe will flow from the Lake Simcoe protection plan. The policies set out in the Lake Simcoe protection plan are critical to achieving the objectives of the act.

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For reasons that are not clear, the act creates two classes of policies.

The first class is designated policies that are given real legal effect through the “conform with” and “no conflict” requirement. The second class are other policies. These are policies that are not designated, and in the bill as drafted, they really have no legal effect. Just one example is in subsection 6(1) of the act, which requires that decisions made by municipal councils and other bodies under the Planning Act or the Condominium Act relating to the Lake Simcoe watershed conform with designated policies. Such decisions must merely have regard to other policies.

The “conform with” requirement provides real protection by giving legal effect to designated policies, because these bodies have to comply with them. The “have regard to” requirement, with respect to other policies, does not confer any legal effect because a body can conform with it or not conform with it, as it sees fit.

Legal effect is also given to designated policies through “no conflict” requirements. One example, subsection 6(3), provides that in case of a conflict between a designated policy in the Lake Simcoe protection plan and an official plan or zoning bylaw, the plan prevails. Another example, subsection 6(6), prohibits municipalities from undertaking improvements in the Lake Simcoe watershed that conflict with a designated policy. No mention is made, in any of these sections, to other policies.

If the plan consists of policies that are designated policies, the plan will protect Lake Simcoe and its watershed, because these policies will have legal effect. However, if the policies in the plan are not designated, the plan will be meaningless because the policies upon which it is based will not have legal effect.

The act is based on the Oak Ridges Moraine Conservation Act and the Greenbelt Act. These two acts protect environmentally sensitive areas of Ontario by establishing plans containing policies with which various government actions must conform or must not conflict. Neither the Oak Ridges moraine act nor the Greenbelt Act distinguishes between designated policies and other policies, and all policies have equal legal effect. The distinction between designated policies and other policies is unique to the Lake Simcoe Protection Act and makes a potentially much weaker instrument for environmental protection than the Oak Ridges moraine act or the Greenbelt Act.

With very few exceptions, the power to designate policies in the act is permissive. The government will have it within its power to make the Lake Simcoe protection plan an effective instrument for protecting and restoring the ecological health of Lake Simcoe by designating all key policies as designated policies. However, the act leaves an opening for the government to water down its promise to protect Lake Simcoe by reducing the plan to mere environmental window dressing by not designating key policies as designated policies.

We do not doubt the government’s sincerity in bringing the Lake Simcoe Protection Act forward and its

stated desire to provide meaningful protection to Lake Simcoe and the Lake Simcoe watershed; however, power to cherry-pick protection through designating policies or not designating policies leaves a government vulnerable to pressure from groups whose interests are economic rather than ecological. We respectfully submit that the distinction between designated policies and other policies should be eliminated and that all policies in the Lake Simcoe protection plan should be given legal effect in the manner that designated policies are given legal effect in the current bill.

Alternatively, we propose that the act require that all policies in the act relevant to furthering the purpose of the act and the objectives of the plan be designated policies. Now several examples—

The Chair (Mrs. Linda Jeffrey): Mr. Johnson, you have one minute.

Mr. Jon Johnson: One minute. Several examples are found in the Campaign Lake Simcoe submission.

The other point I want to make relates to the Planning Act. I invite you to read the submission. There is a conforming requirement. There's a definition of "provincial plans" in the Planning Act—it includes the Oak Ridges moraine conservation plan and also the greenbelt plan—and that should be amended to also include the Lake Simcoe protection plan.

I'd like to make one final point. As I noted, our house is near Big Bay Point, and all parts of the Lake Simcoe watershed have an equal interest in the protection of Lake Simcoe, but Big Bay Point has received higher profile because of the controversy over the Big Bay Point development. I would like to support the recommendation made by Campaign Lake Simcoe that there be no grandfathering in the act. All developments lacking final permits or regulatory approvals must comply with the act and the plan.

Again, Tim and I commend the government on the initiative of bringing forward this very valuable piece of legislation. We both thank you for the opportunity to make our presentation.

The Chair (Mrs. Linda Jeffrey): Great. There are six seconds left. You did that really well. Mr. Tabuns.

Mr. Peter Tabuns: You're a very good Chair, Madam Chair.

Thank you for the presentation. We've had the conservation authority speak to us about their vision, their view, of this act. Were you consulted, as a stakeholder, by the conservation authority before they came forward?

Mr. Tim Crooks: I wasn't personally, no.

Mr. Peter Tabuns: Was your organization consulted?

Mr. Tim Crooks: I don't believe so.

Mr. Peter Tabuns: If, in fact, grandfathering is allowed, what do you think the impact will be on the protection of Lake Simcoe?

Mr. Jon Johnson: We obviously think it's negative. Basically, grandfathering is appropriate in things like the Income Tax Act, where you grandfather certain practices when you bring in a new tax policy; and in zoning, when you have an area that previously permitted spot com-

mercial operations and you change the zoning to make it solely residential. You grandfather those. But with environmental legislation, it's not really appropriate to have one set of rules for one group of people and another set of rules for another group of people, which is what would happen with grandfathering.

The Chair (Mrs. Linda Jeffrey): Mr. Flynn.

Mr. Kevin Daniel Flynn: Thank you very much for your presentation. I enjoyed it.

I spent a few days up in the area, as you know, and as a person from Oakville I was able to find out some things about the area that I hadn't known previously. One of the things I saw on a tour of the lake when I was looking toward the shoreline was that there were a lot of green lawns that you could tell were maintained by the use of fertilizer. I know that your group has done quite a lot of work trying to limit the home use of fertilizer and that you had a project going. Is there any quantifiable measurement to determine whether that plan has been a success, and what advice would you give to the average homeowner, moving forward?

Mr. Tim Crooks: One of the issues was how we would measure our success. We did the WAVE program in Shanty Bay and we gave people lawn signs to say that they didn't use fertilizer. Actually, if you go to Shanty Bay, you can still see some of the lawn signs that we gave out. In the end, we decided that there was some success, but it was very hard to measure.

Mr. Kevin Daniel Flynn: As a result of what I heard about your program, I consulted with the lawn care industry, and they tell me that the use of phosphorus is not really necessary in fertilizer. It's necessary for the establishment of seed, but after that it's really—

Mr. Tim Crooks: It isn't necessary. You can get all the phosphorus you need just from lawn clippings. We used to measure the amount of phosphorus. We had a kit and the WAVE team would go around measuring the amount of phosphorus in lawns. Usually, they found that every lot had enough phosphorus to last for years.

The Chair (Mrs. Linda Jeffrey): Mr. Barrett.

Mr. Toby Barrett: Thank you to the coalition. Kudos for the work on fertilizing lawns. I find if you do that, it just grows more. I don't know why anybody would want to do that.

You indicate that neither the Oak Ridges moraine act nor the Greenbelt Act makes this distinction between a designated policy and another policy, and that if it's not designated, then it's meaningless. For example, the greenbelt boundaries don't follow the watershed boundaries. They were done under a different regimen. So have we brought in the wrong legislation? Should we have brought in something closer to Oak Ridges moraine or something closer to the greenbelt-type legislation? We know those certainly have an influence on the overpopulation problem that is at Lake Simcoe now and is coming to the watershed. Is this going to be ineffective?

Mr. Jon Johnson: That's a big concern. You've got to ask to yourself, how does the plan become enforceable? The plan has a bunch of policies in it. The act really

doesn't set out hard requirements; that's not the way it's structured. It basically enables the creation of a plan. The plan sets out requirements in the form of policies and other requirements, but then you have to ask, "Okay, that's fine. You have a plan. How does that become effective?" The way, for example, the Greenbelt Act does it, and also the Lake Simcoe Protection Act does it, is it says that certain actions of governmental bodies, decisions by municipal councils, whatever, will conform with, or not conflict with, policies.

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In the Greenbelt Act, there's no distinction made between designated policies and other policies. But when you track through the sections of the Lake Simcoe Protection Act that give effect to the plan through, say, "municipal councils must conform with," and so on and so on, you find it only applies to designated policies. You ask yourself then, "What about the other policies?"

The best you get with the other policies is that some of the sections have this "have regard to" thing, which is not very effective. I think that doesn't require a whole lot of explanation. In a number of other enabling sections, they're not even referred to. Only designated policies have status. If all the key policies are designated policies, fine, that's not a problem. But if only the bare minimum of policies are designated policies, and there are a few that must be, but they're very limited, then the act really is not effective.

The Chair (Mrs. Linda Jeffrey): Thank you very much, gentlemen, for being here today. We appreciate it. Is Mr. Alan McLeod here yet? No? Okay.

ALISON COLLINS-MRAKAS

The Chair (Mrs. Linda Jeffrey): Is Alison Collins-Mrakas here? Could you come forward? I hope I pronounced your name right. Is that right?

Ms. Alison Collins-Mrakas: You did, actually.

The Chair (Mrs. Linda Jeffrey): Excellent. Welcome. Thank you for being here. We're a little ahead of schedule. We're glad you're here. If you could state your name and if you speak for your municipality or not; if you could just clarify that at the beginning, and you'll have 10 minutes. I'll give you a one-minute warning as you get close to the end of your time.

Ms. Alison Collins-Mrakas: Right. Thank you very much.

The Chair (Mrs. Linda Jeffrey): The floor is yours.

Ms. Alison Collins-Mrakas: Good afternoon. My name is Alison Collins-Mrakas and I am a councillor with the town of Aurora. I'd like to preface my comments today by stating that the statements I make today are entirely my own and do not reflect the position of the town of Aurora. I don't speak for the municipality. I'm sure there are many who wish to speak today, so I'm going to keep my comments very brief. I believe you've been provided with my notes so you can follow along.

Thank you, first of all, for providing the opportunity for direct public input into this very important bill, the

Lake Simcoe Protection Act. I don't think it's mere hyperbole to state that the Lake Simcoe watershed is of vital importance to York region, within which my municipality resides, a growing region that's soon to be home to over 1.5 million residents. Indeed, York region is the fastest-growing region in the entire country. As you know, with growth come demands on infrastructure, services and employment. It's necessary, then, that in planning for growth, we consider the availability and sustainability of the resources our citizens need to live, work and play.

Of greatest concern, to my mind, is access to, preservation and protection of our water, and the implications of growth on our environment and water resources. It's in this context that I provide my comments on Bill 99. The Lake Simcoe watershed provides the necessary water resources either directly to many communities or indirectly to virtually all the communities within which it resides. It is a source of tremendous economic, environmental and indeed social importance to our communities and thus, I think that the creation and implementation of this act is indeed welcome news.

There are many strengths in the draft legislation. It is clearly informed by current ecological, environmental and social data. I think it's responsive and forward-thinking. It demonstrates a depth of understanding of ecological principles and their implications for applicable and relevant legislation. In this regard, speaking to section 24 of the act, I think it's an important step in protecting the watershed as a whole. The provision, as outlined in section 24 of the proposed act, affords the Lake Simcoe Region Conservation Authority the authority to review development plans from outside its jurisdiction. Specifically, it gives the LSRCA the authority to apply regulations made under section 28 of the Conservation Authorities Act to areas that are outside of its area of jurisdiction but within the Lake Simcoe watershed. This extrajurisdictional regulatory power is an important step forward in protecting our watershed as it finally recognizes that the environmental impacts do not stop at an imaginary geographic border. To my mind, LSRCA plays a very important role in promoting and protecting the environmental health of our watershed, so I think that this provision is a key strength of the legislation, just to my own opinion.

As with any document, though, there are always ways that it can be strengthened. My following comments are provided in that spirit.

I think there are three areas of concern and they can be summarized as follows: the financial viability and sustainability re the implementation of the plan, enforcement of municipal bylaws—and I understand others have raised a similar concern—and water extraction.

With regard to funding of the Lake Simcoe protection plan—and as someone who is going into budget season in my municipality, this is a serious concern for me—I noted with some concern that, listed under the objectives of the plan, I believe in paragraph 11 of subsection 5(1), is the development of "a strategy for financing the im-

plementation of the plan.” This is an extensive, comprehensive and clearly necessary plan, but it’s also, let’s be honest, a costly plan, or could be costly, and it will require considerable resources. Thus, I have serious concerns, as we head into what many feel is a pending economic downturn, with regard to, how is this going to be funded? How long will it be funded? In the event that obtaining full long-term funding for this cannot be guaranteed, have those elements of the plan that should be considered essential been identified? Will the very important work of the scientific advisory committee continue ad infinitum? My concern is that the financing of this plan should be of foremost consideration, not buried in one of the plan’s many objectives. Quite frankly, the other objectives of the plan are moot if there’s no financing in place to implement it.

My second concern, I believe, is echoed in the comments made by others, that municipal bylaws should not be constrained or limited by the act when such bylaws seek to preserve and protect the watershed. I’m speaking in reference to paragraph 5 of subsection 5(2) with regard to the prohibition of official plans and zoning bylaws containing provisions that are more restrictive than the provisions of the plan. I believe that should a municipality wish to enact a bylaw that is more stringent than the act, it should be able to. We’ve had a similar debate about the pesticide bylaw within our own municipality.

The expressed purpose of Bill 99 is to “protect and restore the ecological health of the Lake Simcoe watershed.” Thus, it is unclear why, when given the choice of a regulatory measure that is more stringent than another in protecting the watershed, the act would specifically limit the ability of the municipalities to take such actions.

Further, the specific limitation for municipal bylaws seems to be at odds with a later provision in the act, which gives precedence to regulatory measures that provide the greatest protection. I speak to section 25, wherein it states: “If there is a conflict between a provision of this act and a provision of another act ... the provision that provides the greatest protection to the ecological health of the Lake Simcoe watershed prevails.”

The question, then, is why does the same not hold true for conflicts with municipal bylaws? This provision of the act should, in the greatest respect, perhaps be reconsidered. The provision that provides the greatest protection, be it a municipal bylaw, a specific provision of the act, or any act, should be the regulatory measure that takes precedence.

My final concern is with regard to the issue of water extraction. In the very extensive report of the science advisory committee of June 17, 2008, the committee noted that water extraction was a stressor on the watershed. It stated, specifically, that “the amount of water-taking and its effect on the hydrology in the watershed is expected to increase and requires more study.” Though it was noted that, “at present, water extraction for water bottling does not appear to be an issue, future demands are expected to increase and, taking into account the

variability resulting from climate change and other stressors, we can anticipate a supply-and-demand conflict with demand exceeding supply.”

I have very serious concerns about water extractions, and bulk water exports are a completely separate matter but sort of inform my comments. I have serious concerns especially with regard to commercial water-bottling enterprises. Therefore, as the act stipulates that the precautionary principle will be universally applied, and given that the impacts of water extraction for bottling water are not known, I would ask respectfully that the committee consider strengthening the language in the act surrounding the objectives of the plan and speak specifically to a limit, or perhaps even a moratorium, on water extraction for the purposes of bottling water. Access to potable water and access to water for industry, farming and municipal services is a significant and looming challenge. Our municipality, for example, is under a phase 2 water ban as of May that doesn’t end until October. Access to water is a significant concern.

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Maude Barlow, the UN’s senior adviser on water, has noted that water is a scarce resource globally and that it is only a matter of time before Canada finds itself under considerable pressure to export its water. Thus, I think whatever measures we can take today to strengthen the protections afforded our water resources, the better.

In conclusion, I thank you once again for providing the opportunity to speak today, and I look forward to the enactment of Bill 99 and the enhanced protection it will afford the Lake Simcoe watershed.

The Chair (Mrs. Linda Jeffrey): Mr. Flynn, you have the floor.

Mr. Kevin Daniel Flynn: Thank you, Alison, for your presentation.

To date, the initiative appears to have drawn about \$30 million from the federal government and about \$20 million more from the province. We had quite a thorough presentation today from the region of York. I don’t think you’re on the York council, but you’re on the Aurora council. Is that right?

Ms. Alison Collins-Mrakas: Right.

Mr. Kevin Daniel Flynn: But you’re not here on their behalf.

Ms. Alison Collins-Mrakas: No.

Mr. Kevin Daniel Flynn: You made that clear. The region of York says that this act will be able to prevail over the Places to Grow Act and a number of other provincial statutes. The region seemed to have some problems with that. From your comments on municipal bylaws, I could assume that you have a different opinion?

Ms. Alison Collins-Mrakas: The region was—I’m sorry?

Mr. Kevin Daniel Flynn: The region had said, “As Bill 99 is currently written, it can prevail over Places to Grow and a number of other provincial statutes. We believe that it is imperative that Bill 99 be amended to acknowledge the requirements of the Places to Grow Act and the fact that future growth will” take place. Would

you agree with that statement, or would you have a different opinion?

Ms. Alison Collins-Mrakas: Speaking only for myself and not my municipality, I would disagree.

Mr. Kevin Daniel Flynn: Right, I understand that. Thank you.

The Chair (Mrs. Linda Jeffrey): Mr. Barrett.

Mr. Toby Barrett: Councillor, you indicate that York region is the fastest-growing region in Canada, and you talk about demands on water, water extraction and a future concern that demand would exceed supply. We had a previous presentation from York region where part of this watershed, in contrast to further south, I guess, is not covered by greenbelt, so there would be more people going into this watershed, perhaps. The intention may be good overall, but people leapfrog into this watershed. This legislation won't be able to do anything about that, as I understand. Is that your understanding? This is an environmental bill; it doesn't have the power of, say, the Oak Ridges moraine or the greenbelt legislation.

Ms. Alison Collins-Mrakas: I would agree with what you're saying. It is an environmental bill, but my understanding is that part of the objectives of the plan is to look at water balance and stresses on the hydrological environment. It could be conflated to encompass planning aspects.

Mr. Toby Barrett: It looks like the population is going to double in this watershed.

Ms. Alison Collins-Mrakas: I think it's by 2030 that we're supposed to have 1.5 million people, and we currently have just under a million.

Mr. Toby Barrett: So I don't know whether this environmental legislation can deal with the doubling of the population in the watershed.

Ms. Alison Collins-Mrakas: I'm not quite sure if it could, but it will at least protect the resources that we have.

Mr. Toby Barrett: Okay.

The Chair (Mrs. Linda Jeffrey): Ms. DiNovo.

Ms. Cheri DiNovo: No questions from me, but thank you very much for this. This is a wonderful presentation, and it certainly fits with what we feel in the New Democratic Party.

Ms. Alison Collins-Mrakas: Thank you.

The Chair (Mrs. Linda Jeffrey): Thank you very much for being here today.

HOLLAND MARSH GROWERS' ASSOCIATION

The Chair (Mrs. Linda Jeffrey): Our next delegation is the Holland Marsh Growers' Association. Are they here? Great. Welcome. Thank you for being here. If you could get yourself settled, and when you do, if you could say your name and the organization you speak for, and you'll have 10 minutes after that. I'll give you a one-minute warning as you get close to the end if I think you're going to exceed your time.

Mr. Jamie Reaume: I won't take all 10 minutes. I know the last name is tough.

My name is Jamie Reaume. I'm the executive director of the Holland Marsh Growers' Association. I've listened to several of the comments. I know most of what was probably said, so my presentation won't take a great amount of time. I'm speaking on behalf of the farmers of the Holland Marsh.

When we talk about municipal issues and how they aren't addressed within the act, it's because, for the most part, I've found the Holland Marsh to be extremely schizophrenic as far as municipalities go. The marsh and its outlying muck crop areas are covered by three municipalities, one county and one region, and they all have differing points of view on what is taking place with it.

As far as the act itself goes, I don't think it goes far enough to address what Ontario really does have with the Holland Marsh. It truly is the crown jewel of agriculture in this province. It is Ontario's salad bowl. Consumers now demand food security and food safety and they want to have assurances about where their food comes from. That's what the Holland Marsh provides.

Historically, I would hazard to say that if the marsh was being presented today, we wouldn't have the Holland Marsh. Constructed in 1923, the marsh was actually remarkable for what took place at the time. There was full implementation in 1928. Up to 10,000 acres are being farmed now, agriculturally speaking. Were this to take place today, I don't believe that it would—not under the political climate or the conditions that exist within the marsh.

My farmers have been very proactive. We're a new organization, just three months old. We were left on the outside, so to speak, when it came to stakeholder meetings and having a real voice as to what's going on.

The association has been working with other partners in order to address some of the concerns that were expressed, i.e., the phosphorus. From the MOE's standpoint, 30% is agriculturally related. From our standpoint, we're trying to address that by working with OMAFRA and the University of Guelph on a project that we're presenting to the Lake Simcoe cleanup fund. The November 3 announcement of funds to be made available to help farmers with their fight with phosphorus is gratefully acknowledged, and the funds will be used by my association. The farmers are trying to make a difference.

Let's not kid ourselves, it's going to be an uphill battle to clean up the lake. It's not going to happen overnight. It's going to require the co-operation of not just the parties gathered here at the table, not just the legislation, not just the House, not the municipalities; it's also going to require the federal government to believe that Lake Simcoe can be returned to, as Minister Gerretsen referred to it, "beautiful waters." It's an awful lot of work.

The marsh itself, while never in danger of being developed, is in the unique, almost dubious, position of being probably the only land in Ontario that will face urban development like nothing that has ever been seen.

Our biggest concern is what others have mentioned: Which legislative act is going to take precedence over the

Holland Marsh? If it's going to be the Greenbelt Act, then it doesn't include all of it. If it's going to be Places to Grow, then there are some stipulations that need to be met. If it's going to be Lake Simcoe, then obviously our concerns are, where is the override, who has the authority, and where is the action plan going to take place?

The ministerial silos that we see are very much evident when we talk about agencies like the OPA, which is currently investigating six locations for a peaker plant that will be located within five kilometres of the Holland Marsh. This is why we have questions about what the act will entail. Obviously, a peaker plant doesn't conform with the Greenbelt Act, and it doesn't conform with the specialized crop act that was established for the Holland Marsh.

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If we had one request from this committee, it would be that we would like to be recognized, in our entirety, as a very specialized area, unique to Ontario, unique to Canada and world-renowned for what we are, which is probably the richest organic-based soil in North America. We have that distinction and we'd like it to remain. We want there to be future generations for food security and we want people to know that farmers, the original stewards of the land and the original environmentalists, are doing what they can to clean up a situation that they know was acknowledged as best management practices years ago.

But as anything with a best management practice, things tend to change. Times have changed. At one time, we used to bury our chemicals, or cast-offs, if you would. Uniroyal is a perfect example of that because they did nothing wrong by burying it in the 1950s and 1960s, yet it came back to haunt them later on in the 1980s.

We'd like to ensure that the marsh remains as an agricultural landscape. We'd like the farmers to be able to continue farming and we'd like to work with government in order to ensure that agriculture does have a sustainable future, not just now, but for generations to come. This land is very unique and I think it deserves to be protected and, quite frankly, it should be protected by this government. My comments, by the way, are a little off-page.

The Chair (Mrs. Linda Jeffrey): Have you concluded?

Mr. Jamie Reaume: Thank you. Sorry.

The Chair (Mrs. Linda Jeffrey): Our first speaker is Mr. Barrett.

Mr. Toby Barrett: Thank you, Jamie. With this new legislation, and certainly, you have the fairly recent legislation, the Clean Water Act and the nutrient management legislation—that was only a few years ago. You indicate cutting back on pesticide use by 50%, things like that. Is something missing in that? The Nutrient Management Act really was first developed to deal with farm issues, nutrients on farms. Is there something lacking in the Nutrient Management Act or the Clean Water Act that doesn't cover farms, as far as environmental degradation? I guess what I'm asking is, how would this new

piece of legislation impact farmers in the Holland Marsh or Bradford Marsh?

Mr. Jamie Reaume: In all honesty, Mr. Barrett, what it would boil down to is yet another compounded set of regulations that we're trying to understand. Nutrient management was originally deemed for livestock and moved into farming as a whole.

The Clean Water Act, which is out of essentially the same issue that cropped up, is about maintaining and correcting problems that have been existing for years, even decades. We'd like to see some acknowledgment that we are trying to do it, but as we move forward, it seems rather difficult that this is actually going to take place, unless we can show measurable differences ourselves. That's what we're trying to do: incorporate some research that shows that there is a measurable difference into what's taking place.

There is an awful lot of activity around the Holland Marsh right now. The canal project is one. We are looking at how to improve drainage. We're looking at how to improve the water. We actually agree with the Phoslock and would like to see it moved one step further by having almost a sluice or a damming system before it enters into Lake Simcoe, for the assurance not only for our farmers, but also for the people using the Lake Simcoe watershed, that we are doing everything that we can with the best of our abilities to clean up a situation that has, as I indicated, been a best management practice for years.

Unfortunately, the downfall may be that we'll look at having to absorb the costs again for a societal good. What we're trying to do is make sure that if it is a societal good, that we're doing the best that we can for it.

The Chair (Mrs. Linda Jeffrey): Ms. DiNovo.

Ms. Cheri DiNovo: Thank you for the presentation. I have no questions.

The Chair (Mrs. Linda Jeffrey): Mrs. Mitchell.

Mrs. Carol Mitchell: Hi, Jamie. Thank you for your presentation. I have a couple of questions. When you talk about the Holland Marsh, the salad bowl of Ontario, are you looking for a branding exercise? Is that what you were thinking of?

Mr. Jamie Reaume: Actually, we've already branded the marsh.

Mrs. Carol Mitchell: I thought so. Are you looking for an expansion of that, then?

Mr. Jamie Reaume: No. If I may have one minute, Madam Chair?

The Chair (Mrs. Linda Jeffrey): Yes.

Mr. Jamie Reaume: The Holland Marsh association came about because we are trying to brand the Holland Marsh. We have this mythological location located north of Toronto that exists on no map of Ontario. What we've done is we've decided to brand products out of the Holland Marsh to provide consumers with a local assurance that they are getting safe, healthy, fresh, nutritious products. All the products that come out of the Holland Marsh, and that would be the muck crops and some of the highlands that are surrounding it, will be branded under this logo so that they know it's going to exist. It's

called “Holland Marsh Gold.” We’ve already put that in place.

What we’re trying to do is work on behalf of the farmers up there who for years have been, at best—I want to say “disjointed,” but that’s probably not the right word; “disorganized” is maybe a better word—where it’s easy to pick them off. And that’s what we’ve tried to do: work collectively for the best benefits of farmers. That’s what we’re attempting to do. The branding is just part of what we’re looking at.

Mrs. Carol Mitchell: So would the environmental farm plans be an appropriate vehicle to address decreasing the phosphorus load?

Mr. Jamie Reaume: Actually, the project that we’re working on is an innovative one, because we’re working with both the University of Guelph and OMAFRA. We are looking at being able to not just extend the farm plan but go beyond the farm plan. One of the things that we’re looking for—in future it would be under the Growing Forward document—is tapping into their environmental pillar. Most people aren’t aware, when you drive through the marsh, that the land itself is of value, so everything is situated in the very front of the properties. We’re going to attempt to clean up the entire marsh, because it’s not just the look, the aesthetics, but also because we’d like to see the farmers have their properties clean and clear. Some of the municipal regulations don’t allow them to be able to stack, store and get rid of unwanted junk, shall we say, in an easily accessible manner. So we’re going to be

doing that as well, and that plays in with what the Lake Simcoe cleanup is about.

Mrs. Carol Mitchell: If you’re the salad bowl, we’re the bread basket in my riding.

Mr. Jamie Reaume: Oh, we could debate that one, because it—

The Chair (Mrs. Linda Jeffrey): No arguing with the witness.

Mr. Jamie Reaume: It was a good year.

The Chair (Mrs. Linda Jeffrey): Thank you very much, Mr. Reaume. We appreciate your being here today.

Mr. Jamie Reaume: Thank you so much.

The Chair (Mrs. Linda Jeffrey): Committee, this concludes the public portion of our hearings. Just to remind you, you have a summary of recommendations in front of you. You also have a few letters that were received during the course of the last couple of days, as well as some materials from the Trent-Severn Waterway group that we asked for some background material on. I would remind members that for administrative purposes, the amendments must be filed by Thursday, November 20, and that this committee will meet for the purpose of clause-by-clause consideration of the bill on Monday, November 24.

We’re adjourned.

The committee adjourned at 1748.

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