

Lakewide Management Annex to the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem



DRAFT FOR PUBLIC COMMENT

Canada  Ontario

BETWEEN

HER MAJESTY THE QUEEN IN RIGHT OF CANADA (CANADA)

AND

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO (ONTARIO)

WHEREAS the Governor in Council, by Order in Council No. P.C. _____, dated the _____ day of _____, 200____ has authorized the Canada Minister(s) _____ to execute and deliver this Annex on behalf of Her Majesty;

WHEREAS the Lieutenant Governor in Council, by Order in Council No. O.C. _____, dated the _____ day of _____, 200____ has authorized the Ontario Minister(s) _____ to execute and deliver this Annex on behalf of ;

I Preamble

To achieve the Canada-Ontario Agreement's (COA) vision of a *healthy, prosperous and sustainable Great Lakes Basin ecosystem* it is necessary to establish collaborative management and decision-making processes in both Canada and the United States that address lake-specific ecological impairments.

Although they form an interconnected system, the Great Lakes and Lake St. Clair each have their own unique physical, biological, chemical, geographical and surrounding land use characteristics, which are reflected in their ecosystem management challenges.

Binational federal-provincial-state collaborative management among jurisdictions is the means by which lakewide challenges are addressed. The ultimate goal is to "restore the chemical, physical and biological integrity of the Great Lakes ecosystem", or more specifically, to address a variety of ecological and human use impairments caused by stresses such as harmful pollutants, habitat loss, nutrient loadings and nuisance invasive species.

The management programs for each of the lakes are in different stages of development, but they generally share the same methodology.

Human health risks transcend all the lakes and are addressed in the Harmful Pollutants Annex.

II Goals

Canada and Ontario have identified three goals for the next five years, which demonstrate progress towards establishing collaborative management and decision-making processes on planning and decision-making in both Canada and the United States that address lake-specific ecological impairments. They are:

1. Clearly understanding the environmental problems and causes of ecological impairment;
2. Reaching consensus on and having broad-based support for direction and priority actions for environmental restoration, protection and conservation; and,
3. Making progress on habitat restoration/protection and reducing the impact of harmful pollutants with a lake-by-lake focus.

III Results

Taking Action

Canada and Ontario will address lake-specific ecosystem quality and beneficial use impairments by achieving:

Result 1

Reductions in the release of the most harmful pollutants on a lake-by-lake basis.

Canada and Ontario will:

- Implement actions called for in the binational Lakewide Management Plans (LaMPs) for Lakes Superior, Ontario and Erie;
- Identify point and non-point sources of pollution to each lake;
- Identify sites outside Areas of Concern (AOCs) that have contaminated sediments that act as sources of harmful pollutants and develop sediment management strategies;
- Develop methods and provide support for watershed management
- Provide financial assistance for the adoption of environmentally sound farm management practices;
- Conduct specific watershed investigations focussed on identifying sources of LaMP critical pollutants in Lakes Ontario, Erie, Huron, St. Clair and Superior;
- Lead the development of binational Lakewide Management Plans for Lakes Superior, Erie and Ontario and develop initiatives for Lakes Huron and St. Clair; and,
- Promote achievement of Binational Toxics Strategy targets.

Canada will:

- Undertake education and public outreach campaigns to engage local communities/ municipalities in reducing emissions of contaminants to air.

Ontario will:

- Use regulatory and voluntary measures to reduce the use, discharge or emission of LaMP critical pollutants by key facilities in each lake; and,
- Develop a nutrient management policy framework and a monitoring program to control land application of sewage biosolids, septage and pulp and paper biosolids.

Result 2

Rehabilitated, conserved and protected fish and wildlife habitats.

Canada and Ontario will:

- Advance implementation efforts related to fish and wildlife habitats identified in Lakewide Management Plans;
- Develop and implement habitat restoration, protection and conservation strategies for Lakes Ontario, Erie, St. Clair, and Huron, and implement Lake Superior's habitat strategy;
- Implement measures to address erosion and pesticide use in priority watersheds;
- Use conservation easements and other tools to secure ecologically significant lands and areas requiring protection;
- Implement the Great Lakes Coastal Wetlands Conservation Action Plan;
- Monitor water quantity changes in the Great Lakes to determine their ecological impact;
- Develop technologies to rehabilitate habitat and remediate sediment; and,
- Begin to establish a Great Lakes protected areas network.

Canada will:

- Expand capability and develop new collaborative arrangements to protect fish habitat; and,
- Work towards identifying and designating National Marine Conservation Areas along with other stakeholders in the Great Lakes.

Ontario will:

- Incorporate lake objectives for fish and wildlife beneficial uses into other initiatives such as Great Lakes Heritage Coast and Fisheries Plans.

Result 3

Reduced entry and spread of non-native invasive species.

Canada and Ontario will:

- Research the impacts of non-native invasive species;
- Implement the Sea Lamprey Control Program; and
- Research alternative technologies to lampricide;

Canada will:

- Research new methods for treating ballast water residues; and,
- Develop a Canada/U.S. harmonized regulation for the management of ballast water.

Ontario will:

- Develop educational materials aimed at reducing the risk of spreading non-native invasive species.

Sharing Responsibility

Canada and Ontario will foster a culture of shared responsibility by achieving:

Result 4

Reduced human health risk from contaminants in the Great Lakes.

Canada and Ontario will:

- Develop and deliver education and outreach materials to communicate to the public, especially high-risk populations, methods of minimizing exposure to harmful pollutants.

Canada will:

- Establish and facilitate the work for a Public Health Network in the Great Lakes basin.

Result 5

Collaboration between government, organizations and basin residents.

Canada and Ontario will:

- Provide technical support to improve stormwater management and nutrient management;
- Provide funding and consultation opportunities to enhance the implementation of LaMPs;
- Produce outreach materials and use technology transfer tools to encourage environmental citizenship initiatives such as rehabilitating fish and wildlife habitats, establishing protected areas networks, and, pollution prevention;
- Develop and implement pollution prevention plans and performance-based agreements with industry and municipalities;
- Provide technical support to the Ontario agricultural and rural community to implement sustainable farm practices; and,
- Strengthen binational collaboration for implementing cooperative programs and other measures that facilitate meeting the desired outcomes of the GLWQA.

Enhancing Knowledge

Canada and Ontario will ensure that essential knowledge is available to make informed decisions in each lake by achieving:

Result 6

Improved scientific understanding of the fate and effects of harmful pollutants and the causes of ecological impairments for each lake.

Canada and Ontario will:

- Provide financial assistance for research by academia.

Canada will:

- Research the sources of contamination including contaminated sediments;
- Develop scientifically defensible indicators for measuring progress;
- Develop methods to classify habitats and evaluate their quality;
- Research the sources, fate, effects and response of the ecosystem to contaminants including in-use pesticides;
- Research the effects of endocrine disrupting substances on environmental health; and
- Research the effects of pesticides on biodiversity in agricultural and forestry systems.

Ontario will:

- Undertake and encourage research in support of LaMP information needs, including food web modeling, habitat supply analysis, understanding the impacts of non-native invasive species and watershed ecosystems.

Result 7

Coordinated and integrated monitoring for scientific interpretative reporting, decision-making and reporting on progress under COA.

Canada and Ontario will:

- Participate in the LaMP working groups to develop and implement a monitoring and reporting strategy that enables lakewide federal and provincial working groups to report on progress and determine the effectiveness of related management and partner actions.

Canada will:

- Lead the development of binational monitoring plans for Lakes Ontario, Erie, Superior and Huron;
- Monitor ambient environmental quality in open waters and connecting channels including Lake St. Clair;
- Monitor precipitation for contaminants and conventional pollutants at selected locations;
- Monitor the health of coastal wetlands;
- Monitor trends in contaminants in selected wildlife populations (e.g. Herring Gull Monitoring Program); and,
- Monitor contaminant trends in the Great Lakes' fish.

Ontario will:

- Provide technical support for binational monitoring on Lakes Ontario, Erie and Superior;
- Monitor water and sediment quality nearshore areas, connecting channels and tributaries;
- Monitor contaminants in nearshore biota; and,
- Ensure monitoring of point source air emissions and water discharges.
- Monitor population status of fish and wildlife;
- Monitor the impact and status of non-native invasive species; and,
- Monitor natural heritage systems.

IV Management and Administration

This Annex will remain in effect for five years, after which time it may be considered for renegotiation and/or renewal by Canada and Ontario.

Renegotiation, renewal or amendments to this Annex will include public consultation, in accordance with the Canada-Ontario Agreement. Upon mutual agreement, the Parties may amend this Annex at any time.

Effective implementation and management of this Annex will ensure progress and consistency in decision making, monitoring, communications and reporting, as well as clarity in government leadership pursuant to this Annex.

To manage the delivery of the results and commitments under this Annex, the Parties will establish an AOC/Lakewide Annex Subcommittee. The Subcommittee will report to, and receive direction from, the COA Management Committee.

The Subcommittee will be co-chaired by a director-level representative of the Government of Ontario and a director-level representative of the Government of Canada. It will be comprised of representatives of those departments and ministries of the Governments of Canada and Ontario responsible for the delivery of commitments and the achievement of the Annex Goals.

Canada and Ontario will provide resources for the operation of the AOC/Lakewide Annex Subcommittee jointly and equally.

The AOC/Lakewide Annex Subcommittee will:

- Develop and coordinate implementation of a multi-year Work Plan within 12 months of this Annex coming into effect. The work-plan will be submitted to the COA Management Committee for review and approval. The Work Plan will describe the activities and deliverables of each contributing agency in relation to the specific results and commitments articulated within the Annex. In preparing COA Work Plans, every effort will be made to maximize the integration of activities of contributing departments and ministries in order to ensure a coordinated and cooperative approach;
- Annually, by June 1, submit the multi-year Work Plan and prepare Progress Reports for review and approval by the COA Management Committee; and,
- Establish issue teams, as needed, (e.g., sediment, habitat, non point source) that serve the AOCs or Lakewide needs. These issue teams will report to the AOC/Lakewide Management Committee.

V Definitions

Beneficial Use

The ability of living organisms to use the Great Lakes Basin Ecosystem without adverse consequence (includes the 14 uses identified in Annex 2 of the GLWQA).

Great Lakes Coastal Wetlands Conservation Action Plan

The Great Lakes Wetlands Conservation Action Plan (GLWCAP) was established to protect and rehabilitate coastal wetlands in the lower Great Lakes. The Action Plan is a collaborative plan among federal and provincial governments and non-governmental organizations.

Habitat Strategy

A strategy to assure the long-term sustainability of habitat necessary to support Great Lakes fish communities as well as healthy aquatic ecosystems overall.

Party

means either the Government of Canada or the Government of Ontario

Sea Lamprey Control Program

Sea lampreys are a parasitic non-native invasive species that has had an enormous negative impact on the Great Lakes fishery. Integrated sea lamprey management includes lampricide control, construction of barriers in streams to deny sea lampreys' entry, and an experimental program to reduce spawning success by releasing sterilized male sea lampreys.

IN WITNESS WHEREOF, this Annex has been executed on the _____ day of _____, 2001.

Her Majesty The Queen in Right of Canada

Witness

Her Majesty The Queen in Right of Ontario

Witness
