

FOCA Comments on Bill 6, the proposed Great Lakes Protection Act, 2012

As submitted to the Environmental Bill of Rights (EBR- 011-6461) April 26, 2013

FOCA is supportive of Bill 6, the proposed Great Lakes Protection Act.

We believe the bill introduces important new legal and policy tools to help safeguard, restore and protect the Great Lakes-St. Lawrence River Basin.

A strong and effective Great Lakes Protection Act has the potential to:

- Create the planning and regulatory tools necessary to better address the complex and intractable issues facing the Great Lakes now and into the future
- Address legislative gaps in current Great Lakes policy
- Provide mechanisms to track and measure progress on improving Great Lakes health and hold responsible authorities accountable
- Create opportunities for stronger community involvement on Great Lakes issues
- Affirm provincial commitment to meeting targets outlined in agreements with neighbouring Great Lakes-St Lawrence River states and provinces
- Focus public attention and government resources on the urgency of the issues at hand
- Align priorities and decision-making across provincial ministries by legislating principles that guide decision-making related to Great Lakes health

FOCA appreciates the complexity of this undertaking and believes it will be improved with a number of considerations and related amendments:

To ensure that real progress is made towards meeting the proposed Act's objectives, we recommend that the provincial government's responsibilities under the proposed Act be characterized as mandatory as opposed to optional.

In that regard, we suggest that tracking and monitoring action on targets defined in the proposed Act and performance measures outlined in the Great Lakes Strategy become a legislative requirement. It is also important to ensure that principles contained in the Strategy be used to guide provincial decisions affecting the lakes.

To increase transparency and ensure progress under the proposed Act, we recommend that progress reports be submitted to the legislature every three years, in addition to the public release of annual reports.

To ensure swift action on priorities, we recommend the proposed Act require the setting of clear lake-by-lake targets with associated timelines, and that initial targets be established within the first year of the proposed Act's passage.

A stronger public constituency for the Great Lakes must allow input into decisions that impact the health of the Great Lakes by allowing them to request new geographically-focussed initiatives, targets and performance measures.

Implementation of the proposed Act needs to be an open and transparent process to ensure we are monitoring the right things, collaborating effectively, taking full advantage of public capacity and knowledge, and encouraging innovative, local solutions.

As has been our contention in the past, FOCA believes that healthy Great Lakes can only be accomplished by a credible plan and actions to protect and preserve the watersheds that feed them.