



Rescue Lake Simcoe Coalition
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The Honourable MPP Rod Phillips
Minister of the Environment, Conservation and Parks
Ministry of the Environment, Conservation and Parks
Ferguson Block
11th Floor
77 Wellesley St. W
Toronto, ON M7A 2T5

January 19, 2019

Dear Mr. Phillips:

Re: Comments on Ontario's Environment Plan
from Rescue Lake Simcoe Coalition
ERO #013-4208 <https://ero.ontario.ca/notice/013-4208>

The Rescue Lake Simcoe Coalition is a lake-wide member-based organization that provides leadership and inspires people to take action to protect Lake Simcoe. We represent 19 groups around the lake. Since 2003 we have helped the people of the Lake Simcoe watershed engage with broader policy issues and stewardship activities affecting the lake. We spearheaded the successful campaign for the Lake Simcoe Protection Act, 2008.

Our comments herein focus on water quality issues, specifically those affecting Lake Simcoe.

Lake Simcoe:

We agree with the threats to clean water identified on pg 12 of the Made in Ontario Environment Plan. These threats will not disappear without a commitment to upholding Ontario's excellent water policies. We see no specific commitments here to upholding those policies.

We are also pleased to see the following statement in the Made in Ontario Environment Plan: *“Build on previous successes and continue to implement the Lake Simcoe Protection Plan to protect and restore important natural areas and features of the lake. Ontario has invested annually in the implementation of the Lake Simcoe Protection Plan,”* (pg 13). However, this vague commitment and reference to investments made by previous governments does not inspire confidence given the introduction of Bill 66, just days after the Made in Ontario Environment Plan was released.

Schedule 10 of Bill 66 allows qualifying development applications to circumvent the Lake Simcoe Protection Plan’s designated policies (those with legal effect, including those that related to planning decisions.) Bill 66 defies good planning and environmental protection by over-riding all other relevant legislation, with no public consultation.

Lacking in the Made in Ontario Environment Plan is an over-riding clause that will prevent the gutting of hard-won environmental legislation, such as the Lake Simcoe Protection Act. Section 6 (Effect of Plan) of the Lake Simcoe Protection Act says,

(4) Despite any Act, but subject to a policy described in paragraph 6 of subsection 5 (2), if there is a conflict between a provision of a designated policy set out in the Lake Simcoe Protection Plan and a provision in a plan or policy that is mentioned in subsection (5), **the provision that provides the greatest protection to the ecological health of the Lake Simcoe watershed prevails.** 2008, c. 23, s. 6 (4).

This core component of the Lake Simcoe Protection Act is swept aside by Bill 66, in the event that municipalities use the Open For Business Bylaw allowed in Bill 66. Therefore, it is difficult to understand how the province will *“continue to implement the Lake Simcoe Protection Plan”*, since Bill 66 allows qualifying developments not to implement the Lake Simcoe Protection Plan.

The Lake Simcoe success story reported in the plan (pg 14) *“Celebrating recovery of freshwater fish in Lake Simcoe”* highlights successes while ignoring evidence that we have a long road to recovery at Lake Simcoe, and that the threats to the watershed’s health remain. Average phosphorus levels in Lake Simcoe are still as high as they were in 2005, nearly twice the annual phosphorus loading target level set by previous governments and scientists to keep Lake Simcoe swimmable, fishable and drinkable¹. Status quo effort is not enough to make the lake healthy again. Further effort is needed to protect this valuable watershed from increasing algal blooms, toxic drinking water, fish kills, species extirpation and extinction.

One of the few funding promises in the plan is for up to \$10 million dollars to be used to protect the Muskoka watershed. Please indicate how much funding will be available for the Lake Simcoe watershed and the implementation of the Lake Simcoe Protection Plan (LSPP). The Lake Simcoe Protection Plan should serve as a good example of a watershed based environmental protection plan for Muskoka.

As you are aware, the Lake Simcoe Protection Plan is up for its statutory 10-year review in 2019. **The key areas that need to be improved in the Lake Simcoe Protection Plan are:**

1. Define concrete ways for sectors responsible for the implementation of the LSPP to achieve the phosphorus loading target of 44 tonnes per year through the Phosphorus Reduction Strategy

(PRS). The PRS is but one of many tools that could be used to lower phosphorus loads. We would hope to see specific actions listed in the Made in Ontario Environment Plan that would help achieve this target, but we see none. Continued investment in research, application, monitoring, and refining implementation actions that address phosphorus pollution would help many water bodies in Ontario struggling with the impacts of phosphorus pollution (ie. Lake of the Woods, Muskoka, Lake Erie, Muskrat Lake, etc.)

2. The second key target of the LSPP that currently lacks an implementation mechanism is the protection of green space. The LSPP identifies that 40% of the watershed should be “high quality natural cover”. High quality natural cover has been defined and research is being undertaken to identify what percentage of the watershed is currently in this category. We encourage you to continue this research in order to work towards achieving this target.

The Made in Ontario Environment Plan does not include policies to protect wetlands and woodlands. It promotes greater access and public use of existing parks but promises no funding or targets to increase public parklands or wild lands to meet the United Nations and Canada’s target of 17% in protected lands, a target that many in Ontario have embraced.

Climate Change:

Climate change is a major stressor to Lake Simcoe. Shorter winters, less ice cover, and hotter summers mean that water temperatures rise, which stresses aquatic life in streams and lakes. More common flooding events mean more scouring of the shoreline, streams and rivers, and thus more sediment (containing phosphorus) flowing into the lake.ⁱⁱ Mitigating and adapting to climate change are essential components of saving Lake Simcoe.

It is disappointing that the plan’s climate change section presents less aggressive greenhouse gas targets than Ontario’s previous climate plan. The document refers to “the policies within this plan” (pg 22), but there are no specified policies contained in the plan.

The plan is oddly silent on renewable energy sources such as wind, and Quebec water power that can keep our lights on at a lower cost than re-building our aging nuclear reactors. The plan is very clear that provincial incentives or rebates will not be forthcoming for low-carbon refueling infrastructure (pg 33). In addition, select industrial polluters will be granted provincial exemptions from accounting for the carbon emissions they produce (pg 25).

Furthermore, the implementation section does not mention any policies to be brought forward in the future. Please confirm that policy will be developed for this plan and that the public will have the opportunity to review and comment and therefore better understand the impact and context of this plan. Without it, this plan is ambiguous and lacking vital implementation detail and clarity.

Drinking Water:

The following statement from the Made in Ontario Environment Plan is a good start: “*Ensure the knowledge gained through the Drinking Water Source Protection Program helps inform our management programs,*” (pg 14). In the past, the Drinking Water Source Protection program, developed by Conservation Authorities and Province of Ontario under the Clean Water Act, 2006, was highly respected and worked to protect vulnerable aquifers from incompatible development

and practices. Likewise, the current government should be clear that the development community must protect these vulnerable areas in their development activities, not just use the information "to inform our management programs".

The people of Ontario are worried about clean drinking water and having a healthy environment for our children and generations to come. Make no mistake, we in Ontario love our parks, wildlands, forests, lakes, rivers and clean drinking water. Please put actions behind the words in the Made in Ontario Environment Plan and secure a healthy future that Ontarians can be proud of.

Yours sincerely,



Claire Malcolmson

Executive Director
Rescue Lake Simcoe Coalition

Member groups of the Rescue Lake Simcoe Coalition:

Carden Field Naturalists
Chippewas of Georgina Island First Nation
Concerned Citizens of King Township
Couchiching Conservancy
Crescent Harbour Association
DeGrassi Cove Association
Friends of Strawberry Island
Innisfil District Association
Innisfree Ltd. DeGrassi Point
Lake Simcoe Association
Nature Barrie
North Gwillimbury Forest Alliance
North Mara Beach Residents Association
Ontario Water Centre
Simcoe County Greenbelt Coalition
South Lake Simcoe Naturalists
Snake Island Cottagers Association
Windfall Ecology Centre
York Simcoe Nature Club

ⁱ Lake Simcoe Phosphorus Load Update Bulletin 2012/13-2014/15, Lake Simcoe Region Conservation Authority, 2017

ⁱⁱ Lake Simcoe Climate Change Adaptation Strategy, <https://www.ontario.ca/page/lake-simcoe-climate-change-adaptation-strategy#section-0>