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HISTORY OF THE GREAT LAKES CHARTER ANNEX IMPLEMENTING AGREEMENTS *Fact Sheet*

The waters of the Great Lakes Basin are a precious natural resource. Together, the lakes, rivers, streams, wetlands and underground waters of the basin make up a single, interconnected system.

Protecting and managing the shared waters of the Great Lakes Basin involves all levels of government as well as agencies like the International Joint Commission (IJC) that are run jointly by Canada and the United States (U.S.).

Threats to basin waters led to the 1985 Great Lakes Basin Charter

In the early 1980s, the provinces of Ontario and Quebec and the eight Great Lakes states (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin) became concerned about threats to Great Lakes waters from proposals to divert large quantities of water out of the Great Lakes Basin.

In 1985, the two premiers and eight governors signed the *Great Lakes Charter: Principles for the Management of Great Lakes Water Resources*.

The charter is a good-faith agreement that aims to protect and conserve Great Lakes Basin waters. Through the charter, the Great Lakes states and provinces have consulted with each other on proposals for major diversions of water or uses that consume large amounts of water. They have also shared information on water use to assist in decision-making.

New concerns led to the 2001 Great Lakes Charter Annex

Renewed concerns about proposals to export water in bulk led the provinces and states to develop a supplementary agreement known as the Great Lakes Charter Annex. Signed in 2001, the annex reinforced and built upon the principles of the Great Lakes Charter.

The Charter Annex committed the provinces and states to work out more binding protections for Great Lakes Basin waters within three years. Protection measures were to include a minimum standard to guide decisions about proposed water uses, based on four principles:

- preventing or minimizing basin water loss through conservation and return flow

- no significant adverse impacts to water quality or quantity

- improvements to basin waters and natural resources that depend on water, and compliance with applicable laws and agreements.

Working Group negotiated draft implementing agreements

To carry out the commitments made in the Great Lakes Charter Annex, the provinces and states set up a water management working group. The working group was instructed to negotiate draft implementing agreements that would offer more binding protections for Great Lakes waters.

The Ontario ministries of Natural Resources and Intergovernmental Affairs represent the province on the working group, in consultation with other key provincial ministries, including the ministries of the Environment, Agriculture and Food, and Municipal Affairs.

Since the Charter Annex was signed in 2001, the working group negotiating the agreements has sought the advice and input of key stakeholder groups through a regional Advisory Committee. Ontario established its own advisory panel, made up of stakeholder groups, experts and First Nations peoples.

The province has conducted information meetings with First Nations communities in the basin and has participated in basin-wide meetings of First Nations and Tribes to discuss the agreements.

U.S. and Canadian federal governments and agencies such as the International Joint Commission and the Great Lakes Commission have been consulted and kept informed.

The negotiation has been assisted by the Council of Great Lakes Governors, a partnership of the eight Great Lakes governors set up to tackle common environmental and economic challenges. The premiers of Ontario and Quebec are associate members of the Council's board of directors.

Agreements released for public comment

On July 19, 2004, the two provinces and eight states released two draft agreements for a 90-day period of public comment.

The Great Lakes Basin Sustainable Water Resources Agreement - a good-faith agreement among the two provinces and eight states. Provinces and states by themselves are unable to sign treaties, which are binding international agreements between countries.

The Great Lakes Basin Water Resources Compact - a binding agreement among the eight U.S. states in the Great Lakes Basin.

Ontario announced it would not sign the draft agreements

After listening to feedback from stakeholders, First Nations and the general public, the Ontario government announced in November 2004 that it would not sign the draft agreements unless changes were made to enhance the level of protection for the waters of the Great Lakes Basin.

Further negotiations led to new draft agreements

The two provinces and eight states resumed negotiations in January 2005.

Next steps

Comments received from the public will be considered in finalizing the agreements. Once they are signed, each province or state will seek to implement them by developing or modifying applicable legislation and regulations. In Ontario, any changes to laws will be posted on the Environmental Bill of Rights Registry at a later date.