

Working with Other Government Agencies

Working with Other Jurisdictions (Quebec/United States)

This information sheet serves to provide guidance and advice to Source Protection Committee (SPC) Chairs on working with other government agencies. There are information sheets for each level of government -municipal, provincial government, federal government, First Nations and other jurisdictions (Quebec/United States). Each information sheet offers direction/advice on working with different government agencies in relation to preparing the terms of reference (TOR), the assessment report (AR) and the source protection plan (SPP).

Introduction

Some of the Source Protection Areas and Regions share drinking water sources with Quebec and the United States. Therefore, it is expected that some drinking water threats and issues may be identified in Quebec and the United States. The province has started working with local Source Protection Authorities (SPAs) to establish protocols for working with these other jurisdictions.

Quebec

In relation to the Ottawa River, the Ministry of the Environment along with the impacted SPAs and the City of Ottawa have met with Quebec's Regional Office in Gatineau on how to work together on data sharing and identifying threats and dealing with source protection issues.

Terms of Reference

During the TOR phase, the committee should be identifying who will lead the work that involves Quebec's jurisdiction.

Assessment Report

It was agreed that Ontario will inventory and evaluate drinking water threats on Intake Protection Zones that extend into Quebec. Representatives from Ontario and Quebec will meet on a regular basis to update and share information / data and collaborate to address and resolve source protection planning issues.

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Source Protection Plan

Based on the results from the AR, designated provincial Quebec representatives will help identify and jointly work with local planning groups in Quebec to address and resolve source protection planning issues.

United States and the Great Lakes

Guidance and advice on issues affecting intakes on the Great Lakes and connecting channels, and that fall within the jurisdiction of the United States, are still being developed. Activities on the U.S. side that impact Ontario drinking water sources are not bound by Ontario laws such as the Clean Water Act. However, the 1909 boundary waters treaty between Canada and the U.S. stipulates that boundary waters and waters flowing across the international boundary should not be polluted on one side “to the injury of health or property” on the other side.

Contact the Source Protection Programs Branch at the Ministry of the Environment (Tab 2.6 in the SPC Chair orientation binder) if the Assessment Report indicates that an issue may come from across the Canada-U.S. border, to discuss whether consideration of existing agreements indicate that one or more of these agreements could be a vehicle for addressing the issue, and to obtain further direction and assistance.

Terms of Reference

During the TOR phase, you should be identifying who will lead the work that involves the United States’ jurisdiction, including the responsibility to read and consider the implications of existing agreements.

Assessment Report

Where Intake Protection Zones (IPZs) have the possibility of being affected by activities in the United States, assistance at a federal or state level may be required to inventory activities that may pose risk to drinking water. The province is in the process of establishing protocols for working with other jurisdictions but the sharing of information with municipal officials is encouraged.

Source Protection Plan

If the AR indicates that there are significant threats to drinking water that originate in the United States, you should be contacting the Source Protection Programs Branch (Tab 2.6 in your binder) for advice on how to move forward.

The CWA requires that SPPs consider several Great Lakes agreements; relevant agreements (involving the U.S.) include the Canada-United States Great Lakes Water Quality Agreement (GLWQA) and the Great Lakes Charter implementing agreement (Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement). MOE intends to provide more specific guidance on how agreements should be considered.