

July 4, 2000 -- Toronto

*For immediate release*

## **What Needs to be Done to Prevent Another Disaster The Walkerton E. Coli Outbreak**

### ***Analysis from the Canadian Institute for Environmental Law and Policy***

A number of immediate steps need to be taken by the Government of Ontario to prevent another public health disaster.

#### **1. Re-invest in the core capacity of the Ministry of the Environment, particularly in the areas of Drinking Water Protection and Groundwater Protection.**

This will require the immediate addition of \$15 million/yr. to the operating budget of the Ministry of the Environment, with additional increases in future years to restore capacity in the areas of land-use planning, and the environmental impacts of agricultural operations.

#### **2. Restore provincial laboratory drinking water testing services to municipalities.**

This will require expansion of the Ministry's capital budget to finance the re-establishment of this capacity.

#### **3. Provide immediate legal protection for drinking water quality in Ontario**

This will include:

- converting the Ontario Drinking Water Guidelines to enforceable regulations.
- revise the guidelines to ensure that the standards they contain are fully protective of human health and the environment, including vulnerable populations, such as children and the elderly.
- the review of existing certificates of approval for water works to establish enforceable requirements regarding the frequency and scope of testing, and the reporting of test results to the Ministry of the Environment, Ministry of Health and local Medical Officer or Health.

#### **4. Enact a Safe Drinking Water Protection Act.**

This legislation should:

- establish monitoring, testing and reporting requirements for drinking water;
- make it an offence to release into the environment a contaminant that may adversely affect drinking water quality; and
- require that municipalities provide regular reports to their residents regarding the presence of contaminants in drinking water with their water bills.

#### **5. Develop and Implement a Groundwater Protection Strategy.**

This measure has been recommended repeatedly by the Environmental Commission and Provincial Auditor. The strategy should include:

- a policy of not permitting groundwater takings at a rate higher than the recharge rate for the groundwater source concerned.
- monitoring and reporting of commercial, industrial and large-scale agricultural water takings.
- the introduction of charges for commercial, industrial and large-scale agricultural water takings, with the revenues dedicated to a provincial groundwater protection fund.
- provision of provincial funding (\$10 million/yr.) to Conservation Authorities for groundwater protection activities, particularly with respect to agricultural operations and run-off.
- strengthening of groundwater protection requirements under Provincial land-use Policy Statements under the Planning Act, and making municipal compliance with the Policy Statements mandatory.
- amendment of the Municipal Act to permit municipalities to enact by-laws to protect the quality and quantity of groundwater resources, including the control of agricultural operations.

## **6. Repeal the Farming and Food Production Protection Act (Bill 146-May 1998)**

This right-to-pollute legislation, which sets aside the normal common law property rights of the owners and occupiers of neighbouring lands adversely affected by agricultural activities, and permits the 'Normal' Farm Practices Protection Board to override municipal by-laws, should be repealed.

The existing exemptions from environmental protection legislation for agricultural activities should be removed for intensive livestock operations. These operations should be required to obtain certificates of approval under the Environmental Protection and Ontario Water Resources Acts, and comply with all provisions of these statutes, including the general prohibitions on the release of contaminants into the environment.

The Farming and Food Production Protection Act should be replaced with new legislation for the fair and effective resolution of disputes over the impacts of smaller agricultural operations on neighbouring properties. This legislation should in no way limit or constrain the ability of municipalities to adopt by-laws to control the environmental and health impacts of agricultural operations.

## **7. Provide long-term Provincial Funding to Municipalities for the maintenance and upgrading of Water and Sewer Infrastructure.**

The Municipal Assistance Program should be restored for the maintenance and upgrading of existing Water and Sewer systems, so that municipalities can make long-term plans for the maintenance of this basic infrastructure.

### **For more information contact:**

Anne Mitchell  
 Executive Director  
 (416)-923-3529 ext 25  
[info@cielap.org](mailto:info@cielap.org)

*The Canadian Institute for Environmental Law and Policy has for been commenting on and monitoring policy and regulatory changes related to the environment for 30 years.*