

## FEDERAL AND PROVINCIAL WATER QUALITY AND QUANTITY LEGISLATION

Table 1: Key Federal Water Quality and Quantity Legislation

Key Federal Water Quality and Quantity Legislation	Administering Agency	Purpose
Canada Water Act	Environment Canada	Provides the framework for joint federal-provincial management of Canada's water resources.
Canadian Environmental Protection Act, 2000	Environment Canada	Provides pollution prevention and the protection of the environment and human health in order to contribute to sustainable development.
Oceans Act	Department of Fisheries and Oceans (DFO)	Outlines Canada's duties and responsibilities in its oceans territory and introduces a new oceans management model which promotes sustainable development of Canada's oceans and their resources.
Environmental Contaminants Act	Environment Canada and Health Canada	Prevents dangerous contaminants from entering the environment.
International River Improvements Act	Environment Canada	Provides for licensing of activities that may alter the flow of rivers flowing into the United States.
International Boundary Waters Treaty Act	Department of Foreign Affairs and International Trade	Outlines principles and guidelines for the management of boundary and transboundary waters by Canada and the United States, with the primary objective of preventing or resolving disputes regarding the water quality and quantity of shared water resources. The Treaty establishes the <i>International Joint Commission</i> (IJC), an independent bi-national body with a regulatory, investigative and adjudicative role. In its regulatory capacity, the IJC's approval is required for any works in boundary waters and certain transboundary waters that may affect levels or flows at the boundary. Its investigative role is initiated by the submission of a reference from one or both governments; and it has not yet arbitrated a dispute.
Fisheries Act	Department of Fisheries and Oceans (DFO) Environment Canada administers the pollution prevention provisions of the Act.	Regulates the harvesting of fish, protects fish habitat, prevents pollution of fishery waters, and ensures safe human use of fish.
Canada Shipping Act	Transport Canada	Provides for the Governor in Council to make regulations with respect to prohibiting the discharge from ships of pollutants and prescribing substances and classes of substances that are pollutants.
Navigable Waters Protection Act	Transport Canada	Ensures public access to, and efficient use of, our waterways.
<b>Related Agreements/Guidelines</b>		
Great Lakes Water Quality Agreement	Environment Canada	Restores and maintains the chemical, physical and biological integrity of the Great Lakes Basin Ecosystem and includes a number of objectives and guidelines to achieve these goals.
The Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem, 1994	Environment Canada/DFO/Agriculture and Agri-Food Canada/Health Canada Ontario Ministry of the Environment/Ontario Ministry of Agriculture and Agri-Food, Ontario Ministry of Natural Resources	Renews and strengthens planning co-operation and co-ordination in implementing actions to restore and protect the ecosystem, to prevent and control pollution in the ecosystem and to conserve species, populations, and habitats in the Grand Lakes Basin.
Federal Drinking Water Guidelines	Department of Health	Identifies substances that have been found in drinking water and are known, or suspected to be harmful and establishes the maximum acceptable concentration of the substance that can be permitted in water used for drinking. To date, guidelines have been established for microbiological, radiological and more than 85 physical chemical parameters.
Federal Water Policy	Environment Canada, 1987	Provides a statement of the federal government's philosophy and goals for the nation's freshwater resource and of the proposed ways of achieving them. It recognizes that water is, at present, Canada's most undervalued and neglected natural resource – the underlying philosophy is that Canadians must start to view water as a key to environmental health and as a scarce commodity having real value.

**Table 2: Key Provincial Water Quality and Quantity Legislation**

Key Provincial Water Quality Legislation	Administering Agency	Purpose
Ontario Water Resources Act	Ministry of the Environment	Provides for the conservation, protection and wise use and management of Ontario's surface and groundwater.
Provincial Safe Drinking Water Act	Ministry of the Environment	Gathers all legislation and regulations relating to the treatment and distribution of drinking water in one place. Purpose is to recognize that the people of Ontario are entitled to expect their drinking water to be safe, and to provide for the protection of human health and the prevention of drinking-water health hazards through the control and regulation of drinking-water systems and drinking-water testing.
Environmental Assessment Act	Ministry of the Environment	Provides protection, conservation and wise management of the environment. This act applies to government and municipal activities as well as commercial or business activities. An environmental assessment must be performed for a proposed area of undertaking. The Ministry of the Environment along with the Environmental Assessment Board may approve or deny the proposal to allow the undertaking to proceed.
Environmental Protection Act	Ministry of the Environment	Provides protection and conservation for the natural environment. There are points on general provisions, motors and motor vehicles, water, waste management, vehicle permits (hauling waste), abandoned motor vehicles, sewage system, litter, spills and control and stop orders. In order to deal with the many aspects of this act and assist the Ministry of the Environment, there are provincial officers (to enforce), an appeal board and an environmental council.
Pesticides Act	Ministry of the Environment	Ensures the safe use, management and storage of pesticides.
Conservation Authorities Act	Ministry of Natural Resources/Conservation Authorities	Permits Conservation Authorities to establish and undertake a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals in the areas over which they have jurisdiction. Permits Conservation Authorities to administer the Fill, Construction and Alteration to Waterways Regulation that prohibits construction in floodplains and wetlands, filling in scheduled areas, and the alternation of waterways.
Lakes and Rivers Improvement Act	Ministry of Natural Resources	Ensures flow and water level characteristics of lakes and rivers are not altered to the point of disadvantaging other water users.
Beds of Navigable Waters Act	Ministry of Natural Resources	Declares the beds of navigable waters as the responsibility of the crown.
Public Lands Act	Ministry of Natural Resources	Authorizes MNR to construct and operate dams and acquire land for their purposes. Also authorizes power generation projects on crown land.
Aggregate Resources Act	Ministry of Natural Resources	Provides for the management of aggregate resources, controls and regulates aggregate operations, rehabilitates land that has been excavated, and minimizes adverse impacts on the environment when performing aggregate operations. There are statutes on licenses, permits, abandoned pits and quarries, rehabilitation, offences and penalties and areas without municipal organization.
Planning Act	Ministry of Municipal Affairs and Housing	Sets ground rules for land use planning in Ontario and establishes how lands may be controlled and who may control them. The Act allows the province to manage broad provincial interests such as the protection of farmland, floodplains or wetlands and empowers municipalities to create zoning bylaws to control the use of land and regulate the location, type and dimensions of buildings and structures.
Municipal Act		Outlines the powers and authority of Ontario's municipalities. Local municipalities are authorized to provide water and sewage under the Act. Municipalities derive all of their powers through statutory delegation of the provinces.
Public Utilities Act		Permits a local municipality to acquire, establish, maintain and operate waterworks. It may also acquire by purchase or otherwise and may enter on and expropriate land, waters and water privileges and the right to divert any lake, river, pond, spring or stream of water, within or without the municipality, as may be considered necessary for waterworks purposes, or for protecting the waterworks or preserving the purity of the water supply.
Drainage Act	Ministry of Agriculture, Food and Rural Affairs	Provides for the establishment of municipal drains which may allow landowners to obtain an outlet for land drainage.
Agriculture Code of Practice (Certificate of Compliance)	Ministry of Agriculture, Food and Rural Affairs, Ministry of Municipal Affairs and Housing, Ministry of Environment	Provides guidelines for livestock operations to minimize land, water and air pollution potential.
Nutrient Management Act	Ministry of Agriculture, Food and Rural Affairs	Provide for the management of materials containing nutrients in ways that will enhance protection of the natural environment and provide a sustainable future for agricultural operations and rural development.