



**THE GREAT LAKES WATER
QUALITY AGREEMENT
REVIEW**

**GLBTS INTEGRATION WORKGROUP
MEETING**

**May 18, 2006
Toronto, Ontario**

MONICA LIM, ENVIRONMENT CANADA



OBJECTIVES

- Progress since February, 2006
- Final Agreement Review Committee and Review Working Group Structure
- Review Working Group B (Chemical Integrity/Toxics) mandate and membership
- Key deliverables and timelines
- Overview of Review Questions
 - ◆ Overarching Questions
 - ◆ Evaluation Framework
- Review Working Group progress
- Cross-over issues
- Role of GLBTS Integration Workgroup



REVIEW PROGRESS

- **Final GLWQA Review process approved by BEC, EC and EPA: early January, 2006.**
- **BEC established the Agreement Review Committee (ARC): February-March 2006.**
- **ARC meetings (via teleconference): March 23, 2006; April 19, 2006:**
 - Approved RWG structure March 23, 2006.
 - Approved RWG co-chairs and members to date, April 19, 2006.
- **IJC Synthesis of Public Comment released: April, 2006.**
- **Review “kick-off” meeting with RWGs held in Chicago: April 28, 2006.**
 - RWGs (including RWG B – Chemical Integrity/Toxics) first met at break-out sessions.
- **RWG B commences regular teleconferences: May 8th, 2006.**



FINAL ARC STRUCTURE

CANADA

Susan Nameth
Canadian Co-Chair
EC-GLBEI

Jenna MacKay-Alie
EC-International

Shawn Morton
Foreign Affairs Canada

Stephen Carty
Province of Ontario (MOE)

Louise Lapierre
Province of Quebec (MDDEP)

Chief Dean Jacobs
Aboriginal Representative

Anna Pace
Cities Representative

Vicki Thomas
U.S. Co-Chair
USEPA-GLNPO

Bert Frey
USEPA-Region 5

Nancy Nelson
US State Department

Jim Bredin
Michigan

Lori Boughton
Pennsylvania

Jim Zorn
Tribes Representative

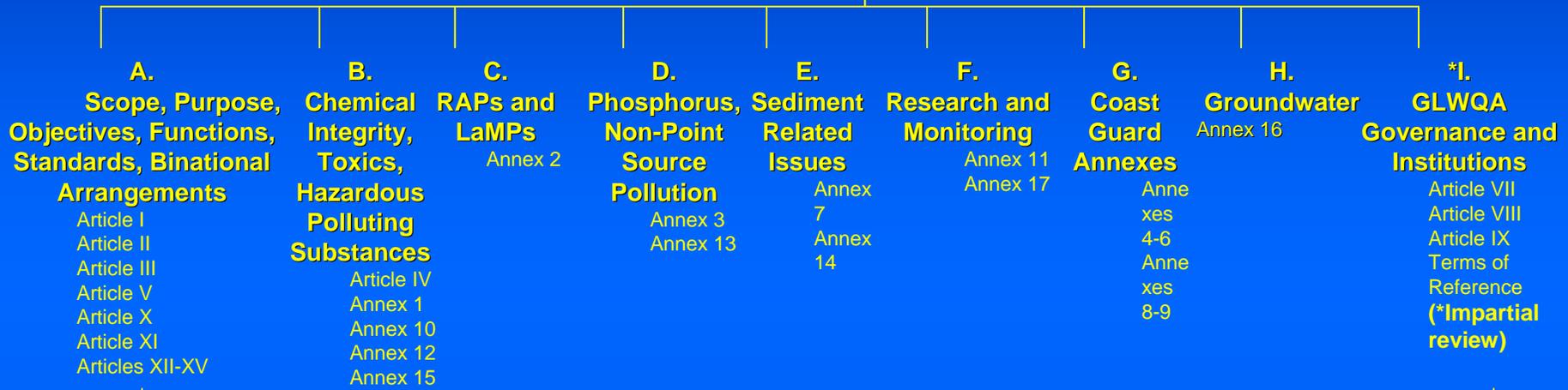
David Ullrich
Cities Representative

US



FINAL REVIEW WORKING GROUP STRUCTURE

Review Working Groups



+ See specific BEC directives for each group. Each group also to review any relevant provisions of Article IV (Programs)

Special Issue Working Group

One group to examine scope/specific issues

ARC
(approved structure on 23 March 2006)

Communications and Outreach Team





RWG B MANDATE

- **Article IV: Specific Objectives**
- **Article VI: Programs & Other Measures**
(those related to chemical integrity/toxics only)
- **Annex 1: Specific Objectives**
- **Annex 10: Hazardous Polluting Substances**
- **Annex 12: Persistent Toxic Substances**
- **Annex 15: Airborne Toxic Substances**



RWG B MEMBERS

- **Co-chairs:** Alan Waffle (EC), Ted Smith (EPA)
- **Members:** 52 US members, 40 Canadian members (5 additional Canadians provided with information only):
 - ◆ **Government:** 16 US, 19 Canadian
 - ◆ **NGO:** 7 US, 7 Canadian
 - ◆ **Conservation Authorities:** 1 Canadian
 - ◆ **Industry (includes law firms and consultants):** 27 US, 5 Canadian
 - ◆ **Academia:** 1 US, 3 Canadian
 - ◆ **Aboriginal:** 1 US, 2 Canadian
 - ◆ **Other:** 3 Canadian
- **Additional resources:** one person from ARC Secretariat and four IJC representatives.
- **Note:** Co-chairs are charged with bringing the group to consensus positions, where possible; where there are significant divergences in opinion, they must bring these forward in their group's reports.



TIMELINES AND KEY DELIVERABLES

- **Review Objective:** To provide the governments of Canada and the U.S. with recommendations on the operation and effectiveness of the current GLWQA.
- **The Review spans 18 months (ending Fall 2007):**
 - **April-December 2006:** RWG analysis:
 - ◆ September 25: Submit preliminary evaluations & recommendations to ARC
 - ◆ October 16: ARC & RWG in-person meeting (Canada)
 - ◆ November 6: ARC & RWG co-chair meeting
 - ◆ December 31: Submit final evaluations & recommendations to ARC
 - **January-April 2007:** ARC develops draft Agreement Review Report and obtains BEC approval
 - **May-June 2007:** Public consultations on draft Agreement Review Report
 - **Fall 2007:** BEC transmits final Agreement Review Report with recommendations to Foreign Affairs Canada and U.S. Department of State



OVERVIEW OF REVIEW QUESTIONS

- Questions to be considered by RWGs were developed as part of the GLWQA Review Process in 2005 by the Agreement Review Scoping Committee.
- The questions provide a systematic and comprehensive approach to reviewing the Agreement:
 - **Overarching Questions** – general questions regarding the Agreement and its implementation, relative to overall goals/objectives in the Great Lakes Basin.
 - **Evaluation Framework** - sets out specific questions within various review themes to elicit the information required from RWGs.
- Note: The Special Issues Working Group uses an alternative “step-wise” approach in considering issues which are not addressed, or are inadequately addressed, by the GLWQA.



OVERARCHING QUESTIONS

- Is the Agreement's purpose statement still valid and relevant and does it reflect what should be the purpose of an international agreement for the Great Lakes?
- Does the Agreement, and its implementation, achieve the desired effect of restoring and maintaining the chemical, physical and biological integrity of the waters of the Great Lakes Basin Ecosystem?
- Is the Agreement, and its implementation, sufficient to protect and restore the Great Lakes, or does it fail to address critical issues? If so, what are they?
- In what situation/cases does the Agreement successfully fulfil its intended purpose and current goals and where does it fall short? Are there common features that characterize successes or best practices, and are there areas needing improvement?
- What new approaches, if any, should be instituted to improve the operation and effectiveness of the Agreement?



EVALUATION FRAMEWORK

- Questions were developed as a guide only to the RWGs and are not intended to be exhaustive.
- Five themes:
 - **Clarity:** Do the Parties have a common interpretation of the provisions of the Agreement?
 - **Relevancy:** Are the provisions still relevant to ongoing management activities?
 - **Achieving Results:** Have appropriate environmental improvements occurred?
 - **Management Framework:** Are the institutional structures set out in the Agreement effective?
 - **Accountability:** Can progress be tracked and were appropriate corrective actions identified?



RWG PROGRESS

- RWGs first met during break-out sessions at the Review “kick-off” meeting on April 28th.
- Most RWGs have now started meeting via teleconference on a regular basis; RWG B’s meetings occur approx. every two weeks:
 - ◆ May 8, 26
 - ◆ June 5, 19, 30
 - ◆ July 10, 24
 - ◆ August 4, 14/15, 28
 - ◆ September 11, 25.
- The majority of meetings are via teleconference , and RWGs have access to a “sharepoint” site, an on-line document management tool.



CROSS-OVER ISSUES (1)

- Many provisions being reviewed by a particular RWG are also relevant to other RWGs.
- For example, in addition to RWG B's provisions, RWG B is also concerned with provisions falling under the mandate of other RWGs such as:
 - Virtual elimination of toxic loads under Article II (RWG A) and Annex 2 (RWG C)
 - Annex 17 Research and Development (RWG F)
- Where there are cross-cutting issues, RWG co-chairs should speak with each other to ensure that the issues are being dealt with appropriately and in a non-duplicative manner.
- Regular teleconferences between RWG co-chairs have been suggested and will be organised by the ARC Secretariat.



CROSS-OVER ISSUES (2)

To date, some RWGs have identified cross-over issues for RWG B to consider:

- **RWG A (Scope/Purpose, Goals/Objectives, Function):**
 - How/whether the BTS should/could be referenced or otherwise covered by the GLWQA.
 - Relevant changes to definitions.
 - Recommendations as to purpose/scope as it relates to chemical integrity.

- **RWG H (Groundwater):**
 - Release of toxic substances to pumped water when the water level is drawn down below a certain level, introducing oxygen to the groundwater system (i.e. arsenic and radium).
 - Poor water quality which may contain toxic substances being introduced to a well bore when water levels are lowered too much.
 - Contamination of ground water with toxic chemicals from a surface spill or migration down a borehole.

- **RWG F (Research and Monitoring):**
 - Use of chemicals-related research and monitoring data and information.



CROSS-OVER ISSUES (3)

- The **Special Issues Working Group (SIWG)** is in the process of developing a list of issues for consideration, which are currently not addressed, or are inadequately addressed, by the GLWQA.
- 28 issues have been identified, and the SIWG is undertaking a survey within its group to see if any should be added or deleted.
- A revised draft list will be presented in the SIWG's first interim report to the ARC on June 2nd.
- The SIWG has identified the following issues to date which are relevant to RWG B:
 - **Emerging chemicals, pharmaceuticals, new toxics**
 - **Precautionary Principle**
 - **Sustainable development/sustainability**
 - **Ecosystem approach, ecosystem management**
- **Some other issues identified by the SIWG:** Aquatic invasive species, Climate Change impacts, Habitat conservation and species management, source water protection, economic benefits of water quality and ecosystems, public education and engagement....



ROLE OF GLBTS INTEGRATION WORKGROUP IN THE REVIEW

- **Many GLBTS Integration Workgroup members participate on RWG B.**
- **Through consideration of the Review's Overarching Questions and Evaluation Framework Questions, the Review can benefit from GLBTS work on:**
 - ◆ **Review of Level 1 chemicals**
 - ◆ **Review of new and emerging chemicals.**



CONTACT INFORMATION

MONICA LIM

SENIOR POLICY ADVISOR

ENVIRONMENT CANADA – ONTARIO REGION

GREAT LAKES ENVIRONMENT OFFICE

4905 DUFFERIN STREET, TORONTO, ON M3H 5T4

T: (416) 739-4787

F: (416) 739-4804

Monica.lim@ec.gc.ca