



***Coming Down the Pipe:
Water Opportunities and Conservation Act, 2010***

Forum on Provincial Ministries and Wastewater Issues:

Water Environment Association of Ontario

January 20, 2011

Overview

Context for Action

Ontario's Situation

Overview of the Water Opportunities and Water Conservation Act

Complementary Measures to Support the Act

Next Steps

Context

Ontarians have access to a clean, safe and abundant supply of water:

- Custodians of abundant fresh water: 4 Great Lakes, 225,000 inland lakes, 500,000 km of rivers and streams

Ontarians have faced water pollution and supply issues:

- Great Lakes contamination, Walkerton, and some municipalities have experienced water scarcity

Context

Threats to water sustainability are increasing:

- Climate change expected to affect water availability, especially in Southern Ontario
- Only 1% of the Great Lakes is renewable

Water resources are limited in many parts of the world:

- 1 billion people worldwide lack access to clean water
- 47% of OECD countries are approaching unsustainable water use levels
- 47% of world's population will live in water scarce areas by 2025

Context

Demand for solutions to water quality and quantity problems is growing

- The water sector is valued at more than \$400 billion worldwide, doubling every five to six years.
- New technologies can be used here in Ontario to showcase the successful innovation for marketing worldwide and create jobs.

Context

- Water conservation protects scarce water resources, achieves reductions in greenhouse gas emissions, reduces energy needed to treat and pump water and reduces the chemicals needed to treat water.



Ontario's Situation

- Ontarians are stewards of this valuable resource and will manage it for the benefit of current and future generations
- There is a an opportunity to build on Ontario's expertise in water protection services and technology and create clean water jobs and strengthen local economies
- Opportunity to build on the foundation of the Green Energy Act to grow Ontario's water industry

Ontario's Situation

What is happening now?

- Ontario has progressive policies on water quality (e.g., drinking water protection)
- Challenges in conservation – Canadians use 2 to 3 times the amount used by western Europeans. Ontarians use 267 litres of water per capita per day (lcpd), which is significantly higher than many European countries e.g., France, Germany and Netherlands, who use 150 lcpd.
- Need for sustainable water, wastewater, and stormwater infrastructure
- Ontario's water technology and services sector small and fragmented with large potential – no coherent industry strategy

Ontario's Situation

How do we compare?

- European countries have used their water policies to grow strong partnerships between industry, academics and government to enhance economic opportunities in domestic and export markets

Overview of *Water Opportunities and Water Conservation Act, 2010*

- As part of its Open Ontario Plan, the province is taking steps to build on Ontario's expertise in clean water technology and make the province a world leader in water innovation to help address global water challenges.
- The Ontario government introduced the Water Opportunities and Water Conservation Act, 2010 (Bill 72) on May 18, 2010. It received Royal Assent on November 29, 2010.
- The Act will create more jobs in the growing global market for clean water technology and services and support business development in Ontario.

Overview of *Water Opportunities and Water Conservation Act, 2010*

The new Act sets the framework to:

- Make Ontario a North American leader in developing water technologies and services and making our expertise available to the world through the creation of the Water Technology Acceleration Project
- Encourage Ontarians to use water more efficiently by creating and implementing innovative approaches to protect water resources
- Strengthen sustainable municipal water infrastructure planning by helping municipalities identify and plan for long term infrastructure needs

Key Elements of the *Water Opportunities and Water Conservation Act, 2010*

- The *Water Opportunities and Water Conservation Act, 2010* is largely enabling legislation and contains five schedules
 - Schedule 1 enacts a stand-alone act, the *Water Opportunities Act, 2010*
 - Schedules 2-5 amends existing legislation



Schedule 1: *Water Opportunities Act, 2010*

Part I: Purpose and Targets

Purposes of the Act:

- To foster innovative water, wastewater and stormwater technologies, services and practices in the private and public sectors
- To create opportunities for economic development and clean-technology and service jobs in Ontario
- To conserve and sustain water resources for present and future generations

Schedule 1: *Water Opportunities Act, 2010*

Part I: Purpose and Targets

Purposes of the Act:

- The purpose of Act does not include privatization of publicly owned water, wastewater and stormwater services
- Provides that the Minister of the Environment may set aspirational targets in relation to the conservation of water and other targets the Minister considers appropriate

Schedule 1: *Water Opportunities Act, 2010*

Part II: Water Technology Acceleration Project (WaterTAP)

- Establishes a WaterTAP to help grow globally competitive companies, and provide high value jobs in Ontario's water and wastewater sector.



- WaterTAP will be a non-crown corporation governed by a board of directors representing a broad range of stakeholders and report annually to the Minister of Research and Innovation.

Schedule 1: *Water Opportunities Act, 2010*

Part II: Water Technology Acceleration Project (WaterTAP)

The WaterTAP will:

- Become a trusted source of information about Ontario's water sector by creating an asset map of Ontario's water companies, technologies, researchers, users and needs
- Be a source of credible advice and guidance to large industrial and municipal water users and governments on emerging technologies, and their applications to conservation efforts

Schedule 1: *Water Opportunities Act, 2010*

Part II: Water Technology Acceleration Project (WaterTAP)

The WaterTAP will:

- Help identify opportunities for co-operation, co-ordination and growth within the industry
- Help identify research, commercialization and demonstration opportunities, and
- Develop international market intelligence.

Schedule 1: *Water Opportunities Act, 2010*

Part III: Municipal Water Sustainability Plans and Performance Indicators and Targets

- Regulation-making authority to require municipal water sustainability plans and allows the Minister of the Environment to establish performance indicators and targets for municipal water, wastewater and stormwater services
- Prescribed entities will prepare a municipal water sustainability plan which will include:
 - an asset management plan
 - a financial plan
 - a water conservation plan

Schedule 1: *Water Opportunities Act, 2010*

Part III: Municipal Water Sustainability Plans and Performance Indicators and Targets

- Prescribed entities will prepare a municipal water sustainability plan which will include:
 - strategies for maintaining and improving the service
 - » including technologies, services and practices that promote the efficient use of water and reduce negative impacts on Ontario's water resources
 - a risk assessment
 - other prescribed information

Schedule 1: *Water Opportunities Act, 2010*

Part III: Municipal Water Sustainability Plans and Performance Indicators and Targets

- Regulations will prescribe details of municipal water sustainability plans, set timing and reporting requirements, and other actions as necessary
- The Act allows for phasing of components of the municipal water sustainability plans and for joint plans

Schedule 1: *Water Opportunities Act, 2010*

Part IV: Public Sector Requirements

- Regulation-making authority to require prescribed public agencies to prepare water conservation plans and to achieve specified water conservation targets
 - Regulations may require that plan preparation and implementation be coordinated with energy conservation plans under Part II of the *Green Energy Act, 2009*

Schedule 1: *Water Opportunities Act, 2010*

Part IV: Public Sector Requirements

- Regulation making authority to require public agencies when purchasing goods and services or when making capital investments to consider technologies, services and practices that promote the efficient use of water and reduce negative impacts on Ontario's water resources



Schedule 1: *Water Opportunities Act, 2010*

Part V: Municipal Water Bills

- Regulation-making authority for the Minister of the Environment to require prescribed information on or with municipal water bills to promote transparency

Part VI: Triennial Reports

- Minister will communicate progress made on provisions in the Act and other matters by preparing and releasing a report at least every three years

Schedule 2: Amendments to the *Building Code Act, 1992*

- Require the Minister of Municipal Affairs and Housing to initiate reviews of the **building code with reference to standards for water conservation**
 - Review will be required within 6 months of these provisions coming into force and subsequently every five years
- Change the name of the Building Code Energy Advisory Council to the **Building Code Conservation Advisory Council** and expand mandate to include advising the Minister on the building code with reference to standards for water conservation

Schedule 3: Amendments to the *Capital Investment Plan Act, 1993*

Expand the objects of the **Ontario Clean Water Agency** to allow it to:

- Finance and promote the development, testing, demonstration and commercialization of technologies and services for the treatment and management of water, wastewater and stormwater



- Conduct business outside of Ontario
- Provide regulation-making authority to constitute subsidiary corporations of Ontario Clean Water Agency

Schedule 4: Amendments to the *Green Energy Act, 2009*

- Expand the guiding principles for the **Government of Ontario** to consider technologies, services, and practices that promote the efficient and wise use of water when constructing, acquiring, operating and managing government facilities



- Regulation making authority for **water efficiency standards or requirements** for prescribed appliances and products moved from the *Green Energy Act, 2009* to the *Ontario Water Resources Act*

Schedule 5: Amendments to the *Ontario Water Resources Act*

- Establishes regulation making authority for **water efficiency standards or requirements** for prescribed appliances and products from the *Green Energy Act, 2009* to the *Ontario Water Resources Act*



- No person will be permitted to offer for sale, sell or lease a prescribed appliance or product unless it meets the water efficiency standard or requirement set out in the regulations

Examples of Complementary Measures to Support the Act

Water efficiency labeling

- The province will consider opportunities to bring a water efficiency labeling program to Ontario, making it easier for Ontarians to identify high-performance, water-efficient products

Best management practices

- The Ministry of the Environment is proposing to undertake best management practices to support municipal water sustainability plans

Examples of Complementary Measures to Support the Act

Research funding

- Ontario Research Fund-Research Excellence program, focusing on research in water and wastewater technologies
- New one-time Water Innovation Award category for the 2011 Premier's Catalyst Awards - the \$200,000 award recognizes and promotes Ontario's expertise in clean-water technology
- Ontario has introduced the third phase of the Ontario Small Waterworks Assistance Program (OSWAP-3). This program will help small rural and northern communities receive clean, safe and affordable water and wastewater services.

Next Steps

- Please visit the Legislative Assembly of Ontario website at: <http://www.ontla.on.ca/web/home.do> for a copy of the Act
- The government will continue to consult widely on the development of any new regulations