The Changing Frameworks for Watershed Governance and Management in Ontario Considering Climate Change Effects

by

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Abstract

This paper analyses the evolution of provincial watershed governance in Ontario from the 1946 Conservation Authorities Act to the 2024 Provincial Policy Statement. Applying perspectives from historical institutionalism and Kingdon's Multiple Streams Framework, this study examines the critical junctures, path dependence, and policy windows that defined the Ontario government's historical approach to watershed governance and management. Twenty-six policies and laws were identified as the most significant developments in Ontario's historical watershed governance framework, divided into five policy periods that reflect significant changes in government agendas and subsequent watershed policy direction. The analysis shows that beyond immediate environmental or health crises, the Ontario government's approach to watershed governance is primarily dictated by shifting political agendas, rather than the constant presence of environmental pressures. The paper concludes with a call for provincial policymakers to consider the impacts of policies on Ontario's essential watersheds as Doug Ford assumes his third term in office.

Foreword

This Major Research Paper (MRP) is submitted in partial fulfillment of the requirements for the Master in Environmental Studies degree at York University. This research presents a historical policy analysis of the Ontario government's approach to watershed governance between 1946 and 2024 and critically examines the implications of the policy changes on watershed protections.

The completion of this work contributes to the completion of the MES III stage of the program, representing the major application of my area of concentration and learning objectives introduced in the program's Plan of Study. Specifically, my area of concentration focused on the impact of the development, implementation, and evaluation of environmental policies on Canada's watersheds. The first component of this area of concentration was based on environmental policy and policy analysis, with learning objectives dedicated to gaining valuable experience researching and analysing changing policy regimes and their effects on watershed management. This paper, by examining the changes in provincial watershed policies in Ontario over the past 78 years, fulfills this learning objective and addressed the area of concentration in my Plan of Study while providing the foundation for future research as the provincial government continues to impose changes to watershed policy frameworks into the future.

The culmination of this research paper ultimately reflects a personal academic milestone and the self-directed and interdisciplinary nature of the MES program itself, which has provided me with the opportunity to pursue in-depth studies of watershed policy relevant to my home province and my affinity for local watersheds and natural areas. It is my hope that this paper contributes to the larger field of research shining a light on the important roles watersheds serve in Ontario and beyond.

Acknowledgements

To my supervisor, Dr. Mark Winfield, thank you for your guidance and support throughout the development of this paper. Your knowledge, commentary, and coursework throughout this program supported my learning and research of environmental policies across Ontario.

To my advisor, Dr. Liette Gilbert, thank you for your kindness, support, and expertise as I developed my plan of study and research proposal. Your comments and timely meetings helped me immensely to scope my research when I had many ideas floating around my brain at once.

To my family, thank you for all your support through my time studying at York University, every day before, and every day to come.

Most importantly, to my wonderful wife Nicole, who's constant love and support never faltered through all my late nights studying, writing, and finalising this paper for submission. I am very proud to have completed this journey with you, and I am always looking forward to our many journeys ahead.

Dedication

To the memory of Dr. Sheila R. Colla, who's impressive dedication to pollinator conservation and environmental education greatly inspired my passion for interconnected ecosystems. Your legacy and work will undoubtedly inspire many more students and future researchers to advocate for healthy ecosystems that benefit all who call them home.

Table of Contents

Glossary

AMO: Association of Municipalities of Ontario

APCA: Air Control Pollution Act

CA: Conservation Authority

COA: Canada-Ontario Agreement Respecting Great Lakes Water Quality

COSSARO: Committee on the Species at Risk in Ontario

CSPS: Comprehensive Set of Policy Statements

CSR: Common Sense Revolution

CWA: Clean Water Act

EA: Environmental Assessment

EAIA: Environmental Approvals Improvement Act

EBR: Environmental Bill of Rights

EIS: Environmental Impact Study

ENGO: Environmental Non-Government Organisation

EPA: Environmental Protection Act

ESA: Endangered Species Act

GGH: Greater Golden Horseshoe

GLPA: Great Lakes Protection Act

GLWQA: Great Lakes Water Quality Agreement

GNFN: Grassy Narrows First Nation

GRCC: Grand River Conservation Commission

IJC: International Joint Committee

LSPA: Lake Simcoe Protection Act

LSPP: Lake Simcoe Protection Plan

MHMCA: More Homes, More Choice Act

MISA: Municipal-Industrial Strategy for Abatement

MMAH: Ministry of Municipal Affairs and Housing

MNR: Ministry of Natural Resources

MOEP: Made-in-Ontario Environment Plan

MZO: Minister's Zoning Order

NEC: Niagara Escarpment Commission

NEP: Niagara Escarpment Plan

NEPA: National Environmental Policy Act

NEPDA: Niagara Escarpment Planning and Development Act

OHATF: Ontario Housing Affordability Task Force

OLL: Ontario Living Legacy

OMB: Ontario Municipal Board

ORM: Oak Ridges Moraine

ORMCA: Oak Ridges Moraine Conservation Act

ORMCP: Oak Ridges Moraine Conservation Plan

OWES: Ontario Wetland Evaluation System

OWRA: Ontario Water Resources Act

PSW: Provincially Significant Wetlands

PUC: Public Utilities Commission

SARO: Species at Risk in Ontario

SCA: Strong Communities Act

SPA: Source Protection Area

SPP: Source Protection Plan

SPR: Source Protection Region

TRCA: Toronto and Region Conservation Authority

WPS: Wetland Policy Statement

1.0 Introduction

1.1 Background and Context

Ontario's watersheds are vast, interconnected systems of ecologically sensitive environments that provide many important services to Ontarians. Among these services, watershed ecosystems bring essential freshwater supply to communities across the province while supporting Ontario's biodiversity, mitigating floods, and decreasing stress on urban stormwater systems (Conservation Ontario, n.d.-b). However, the growing impacts of urbanisation, ecosystem fragmentation, and climate change render many of Ontario's watersheds increasingly vulnerable to variations in the environment (Worte, 2017). In response, Ontario's environmental policies must reflect the importance of protecting watershed ecosystems from these compounding effects.

Since the mid-20th Century, the Ontario government has introduced many policies and legislative reforms that have directly impacted the efficacy of ecosystem services and the very survival of many of the province's watersheds through either enhancing protections prohibiting destructive land uses and activities – or weakening them (Environmental Commissioner of Ontario, 2011). Despite Ontario's dynamic history of shifting political prioritisation of environmental policy, legislative reforms, and major catalysing events such as Hurricane Hazel in 1956 and the Walkerton Tragedy in 2000, there are few examples in the academic literature of updated comprehensive reviews that trace how Ontario's watershed policy frameworks have evolved since the introduction of conservation authorities in 1946 up to 2025.

During this period, the burgeoning field of academic and scientific literature has provided overwhelming evidence for the increasing risks of climate change on watershed ecosystems (Li et al., 2016; Trenholm et al., 2017; Fereshtehpour et al., 2025). The intensifying nature of climate change and the gradual incorporation of climate change terminology in the Ontario

government's approach to watershed governance are other important factors that call for an updated review of the changes in Ontario's watershed policy framework.

This research paper examines how Ontario's watershed governance and management policies have evolved in the context of anthropogenic climate change. Specifically, the research highlights the major policies that have shaped the Ontario government's management of watershed ecosystems over the past 78 years, from the 1946 Conservation Authorities Act to the recent release of the 2024 Provincial Planning Statement (PPS). Drawing from theoretical frameworks that identify moments and patterns of institutional continuity or disruption, major diversions from established policy trajectories – mainly by the Harris and Ford governments – are highlighted and discussed in depth.

By examining the changes to watershed management and governance by the Ontario government, this study presents a comprehensive analysis on Ontario's watershed governance policy evolution, and the impact policy changes may have on the contributions of watersheds – including wetlands – to Ontario's climate resilience. In this study, wetland policies are also examined in-depth given their significance in Ontario land use planning as vulnerable ecosystems largely impacted by environmental protection policies (Bradford, 2016; Aziz & Van Cappellen, 2021; Kip, 2022). Wetland policies are included under the umbrella term "watershed policies", unless otherwise specified as the target scale for the application of policy provisions.

Ultimately, this research aims to contribute to the broader understanding of how Ontario's watershed governance framework has developed across periods of reform and retrenchment by compiling an updated analysis of the major policies and laws that have driven the Ontario government's approach to watershed policies from the introduction of watershed planning in the Conservation Authorities Act.

1.2 Research Problem and Objectives

Even after 200 years of colonial settlement, wetland drainage, deforestation, and accelerating urbanisation over Ontario's vast landscape, the province's watersheds face increasingly formidable pressures from development and climate change that threaten the health of these vital ecosystems and the services they provide for Ontarians. The Ontario government holds political jurisdiction over many environmental matters within the province, including land use planning, drinking water protection, and natural resource extraction. This collection of provincial responsibilities over the province's watersheds means that the decisions made by the Ontario government have significant impacts on whether watersheds are protected and safeguarded for current and future generations, or if they are destroyed and their services are potentially lost forever.

This research paper aims to address the following questions that stem from the progression of watershed issues facing Ontario today:

1. How have major events or changes in provincial leadership affected the government's approach to watershed governance in Ontario?
2. How has the provincial government's historical approach to governing watersheds in Ontario evolved in response to environmental pressures?
3. What policies or laws have been implemented to address - or potentially undermine - environmental concerns related to watershed governance?

To frame these research questions and classify the conditions that led to the development of Ontario's major watershed policies and laws, two main theoretical frameworks are employed: John Kingdon's Multiple Streams Framework and the concept of policy windows, and Historical Institutionalism's concepts of institution-defining critical junctures and path-dependent policy trajectories. Chapter 3 provides an in-depth application of these theoretical frameworks and how they frame the analysis of this research paper.

1.3 Scope of Research

This research examines the significant policies and legislation that have driven the Ontario government's approach to watershed governance since the Conservation Authorities Act (1946). The Conservation Authorities Act was chosen as the starting point of this analysis for its foundation role supporting watershed-based environmental management jurisdiction as opposed to management based on municipal political boundaries. The analysis continues chronologically until the 2024 Provincial Planning Statement as the most recently implemented land use policy before the 2025 provincial election.

The research focuses on the first version of the major watershed policies and statutes that received Royal Assent, as many plans and laws have since undergone dozens of amendments and other minor adjustments over the years since their enactment. Using the initial releases of these policies and laws also highlights the government's decisions at key moments, either as a policy window in Kingdon's Multiple Streams Framework or as a critical juncture or path-dependent process in Historical Institutionalism. There are several exceptions found in this paper that also analyse changes to evolving policies such as the Provincial Policy/Planning Statements and major amendments to existing laws by omnibus bills, but these laws and policies have been identified through this paper's methodology as relevant to the historical evolution of Ontario's watershed governance framework.

1.4 Research Outline

There are seven chapters in this research paper:

Chapter 2 presents a literature review that contextualises the importance of watersheds and examines the impact of climate change on watershed ecosystems, reinforcing the need to establish sufficient protections to conserve these essential ecosystems. This chapter identifies a research gap in the existing literature for a comprehensive examination of Ontario's historical

approach to watershed governance in response to ongoing environmental degradation and the intensifying implications of climate change.

Chapter 3 presents the theoretical frameworks, using the concept of policy windows from John Kingdon's Multiple Streams Framework and the concepts of critical junctures and path-dependence from Historical Institutionalism to classify the nature of each policy change in Ontario's historical evolution of watershed policies.

Chapter 4 explains the methods used to conduct the historical qualitative analysis of Ontario's watershed policy development between 1946 and 2025, outlining the research approach and design, including the criteria and rationale used to identify the significant provincial policies and legislation presented in the analysis, the data sources and collection methods, and the methodology's limitations.

Chapter 5 presents the analysis of all the policies identified in the Methods chapter, organising them into their respective periods. The study examines the circumstances surrounding each policy change, provides fundamental policy analysis of significant changes in the policy document or legislation, and applies the theoretical framework to identify the change as a critical juncture, a path-dependent development, or a response to a policy window.

Chapter 6 reflects on the findings of the analysis and the broader implications that the changes to watershed policies before and after 2018 have on Ontario's watersheds. This chapter also identifies policy gaps in the research of this paper, including the lack of quantitative environmental data that may reflect the measurable impacts of the policy changes in this paper.

The final chapter summarises the research completed in the analysis, discusses the contributions of this paper to the academic literature on Ontario's watershed policies, and provides suggestions for future research that would continue the objectives of this paper.

2.0 Literature Review

Watersheds are critically important ecosystems that provide a variety of ecological, economic, and health benefits for the people of Ontario (Conservation Ontario, n.d.-b). Studies of these benefits are widespread in academic literature, government reports, and the multitudes of resources from conservation authorities and environmental non-profit organizations across the province. By reviewing existing literature on watersheds, their benefits, and the Ontario government's approach to watershed governance, this chapter highlights the importance of watersheds and emphasises the gravity of losing their services through overdevelopment and increasing fragmentation. Examining the significance of watersheds from a whole-ecosystem perspective contextualises this historical analysis of Ontario's watershed governance framework and advocates for the effective protection of these essential ecosystems.

2.1 The Benefits of Healthy Watersheds

2.1.1 Ecological Benefits

While the ecological benefits of watershed ecosystems are widely recognised (Conservation Ontario, n.d.-b; United States Environmental Protection Agency [US EPA], 2025), much of the academic literature emphasises specific components of watersheds – particularly wetlands – as focal points for ecological study. The emphasis on the ecosystem services of wetlands is likely due to the high productivity in hydrologic, carbon, and nutrient cycling while also producing other ecosystem services such as filtering pollutants and improving water quality and providing vital habitat for wildlife (Bradford, 2016; Trenholm et al., 2017; Endter-Wada et al., 2020; Penfound & Vaz, 2022; Kip 2022). Beyond the riparian environments within watershed ecosystems, Ontario's forests add to the total ecosystem services produced in watersheds through protecting water quality, reducing sedimentation, stabilising soils, providing wildlife habitat, sequestering atmospheric carbon, and preventing or mitigating floods (Dudley & Stolton, 2003). Overall, the literature supports the linkages between healthy, forested watersheds and

the ecological benefits these ecosystems provide for human habitation, including the connections between the protection of watersheds from land use variations and deforestation, the health of the watersheds, and the capacity of the watersheds to provide ecosystem services (Dudley & Stolton, 2003; Postel & Thompson, 2005; Hanna et al., 2020; Guiry et al., 2020).

2.1.2 Economic Benefits

In addition to the ecological benefits provided by healthy watershed ecosystems, economic benefits have also been identified to support the protection of watersheds around the world, primarily through reductions in capital costs for water treatment, flood and erosion damages, and restoration funding (Postal & Thompson, 2005; Pattison-Williams et al., 2017; Aziz & Van Cappellen, 2021; Kip, 2022; US EPA, 2025), and the direct economic contributions to the tourism, fisheries, forestry, and agricultural industries (Postel & Thompson, 2005; Infrastructure Canada, 2012; Conservation Ontario, n.d.-b).

With climate change impacts projected to increase the instances of extreme weather events and natural disasters such as floods and wildfires, the protection of watershed ecosystems serves as a nature-based action to reduce the impacts of these events (Endter-Wada et al., 2020). Last summer, the heavily urbanised city of Toronto experienced its “wettest summer ever”, punctuated by a flash-flooding event that cost insurers over $1 billion in insured damage in August (D’Andrea, 2024). The following month, the Insurance Bureau of Canada deemed the summer of 2024 as the most destructive season for insured losses due to severe weather in Canadian history, with a total of $7.7 billion paid out in insured damages from January to September. (D’Andrea, 2024). As climate change impacts are projected to intensify and become more frequent in Ontario in the coming years, the reviewed literature supports the protection and conservation of watersheds and wetlands as a cost-effective method of promoting the economic utility of healthy watersheds and their ecosystem services.

2.1.3 Human Health Benefits

Beyond the economic benefits that healthy watersheds present for the wellbeing of Ontarians, there is growing evidence for the impact of nature on the health and wellbeing of the people living in these watersheds. Many of the health benefits that healthy watersheds provide largely correspond with the ecological and economic values, such as reducing the risk and severity of natural disasters, providing potable water, and supporting the soils, crops, and wildlife that feed Ontario's growing population (Conservation Ontario, n.d.-b). However, natural environments offer a variety of additional health benefits beyond the basic needs of food, water, and security. A growing body of evidence suggests spending time in nature is linked to several cognitive benefits, including reductions in stress levels, decreased probabilities of anxiety and depression, and health benefits from outdoor physical activities that are promoted in sustainably managed watersheds. (Jimenez et al., 2021; Remme et al., 2021; Conservation Ontario, n.d.-b).

As the research continues to uncover the positive connections between time spent in natural areas and increases in a person's physical and mental wellbeing, it is important to acknowledge that access to natural areas depends on the sustainable management of these ecosystems and the protection of natural watershed environments against development and fragmentation. The reviewed literature supports the urgent protection of these ecosystems and their services in the face of climatic uncertainty and the historic nature of their loss in Ontario.

2.2 Climate Change and the Importance of Watershed Protections

The ecological, economic, and human health benefits of watershed ecosystems are clearly indicative of the immense value of their natural state. However, continued development, agricultural expansion, and ecosystem fragmentation have resulted in the loss of nearly 70% of Canada's wetlands and roughly 72% of the wetlands in Southern Ontario's Mixedwood Plains area (Ontario Biodiversity Council, 2021). The unsustainable loss of wetlands – and natural watershed ecosystems in general – continues to diminish the capacity of ecosystem services

these ecosystems can supply just as climate change impacts on the environment and human settlements are likely to increase in the foreseeable future (Trenholm et al., 2017). To fully understand the urgency of maintaining and reinforcing watershed protections in the context of global climate change, it is first necessary to examine how climate change is currently impacting watershed ecosystems and what available projections are suggesting about future impacts in given climate change scenarios.

2.2.1 Climate Change Impacts on Watersheds

The measured and projected impacts of climate change on watersheds are widely referenced in the academic literature and by environmental organizations around the world. Climate modelling studies for Ontario watersheds reflect an increase in annual precipitation and variations in seasonal precipitation patterns, which increases the likelihood of seasonal floods, particularly in urbanised watersheds where natural groundcover is developed over with impermeable materials associated with roads or settlement area expansions (Rahman et al., 2012; Li et al., 2016; Fereshtehpour et al., 2025).

Higher water temperatures and eutrophic conditions promote lacustrine conditions that favour the proliferation of harmful algae and cyanobacteria blooms, presenting hazards for ecosystem, animal, and human health due to the presence of cyanotoxins in the water where blooms occur (van Vliet et al., 2023; Ontario Ministry of Environment, Conservation and Parks [MECP], 2024a; Wiley & McPherson, 2024). The combination of increased runoff from urbanised nonporous surfaces and the higher frequencies and intensities of heavy rainfall events aligning with climate change projections contribute to the discharge of pollutants into urban waterbodies, further decreasing water quality and facilitating harmful cyanobacterial growth in proximity to human settlements (Wiley & McPherson, 2024).

As researchers continue to study the current and projected impacts of climate change on Ontario's watersheds, the existing literature markedly conveys the importance of the ecosystem

services provided by natural watersheds for their ecological and economic value and their essential role in mitigating the effects of climate change in the province. While it is essential to prepare for future climate scenarios using climate models and projections, reviewing the evolution of watershed management in Ontario is useful for policymakers to understand the implications of past approaches to watershed governance and stress the importance of long-term and sustainable planning to maintain the essential benefits of healthy watersheds.

2.3 Research Gaps

While the existing literature has reinforced the importance of watersheds and the growing impact of climate change on these ecosystems, there is a notable gap in the research for an updated and comprehensive examination of how the government of Ontario have addressed watershed degradation and the onset of climate change impacts through implementing watershed policies and legislation. Current literature examining historical changes in watershed policies are commonly scoped to address wetland policies leading up to a recent policy change at the time of publication (Schulte-Hostedde et al., 2007), or are designed to focus on the evolution of a major facet of Ontario's approach to integrated watershed management (IWM), largely through changes to the roles of conservation authorities throughout the province (Worte, 2017; Mitchell et al., 2021). To address this gap, this paper offers an updated examination of the evolution of Ontario's broader watershed policies within an inclusive historical timeline that encompasses periods of stability and windows for major shifts in watershed governance structures. The range of legislation and policies covered in this paper aims to provide the broader literature with a comprehensive background of Ontario's approaches to watershed governance to inform future studies and reinforce the importance of sustaining healthy watershed ecosystems in perpetuity.

3.0 Theoretical Framework

Understanding the evolution of Ontario's watershed policies requires a structured analytical approach that accounts for both periods of relative institutional continuity and watershed events that prompt significant policy changes. To analyze the periods of path-dependent, incremental policy changes along with the opportunistic shifts in environmental prioritization, this study integrates Historical Institutionalism (HI) and John Kingdon's Multiple Streams Framework (MSF) as complimentary theoretical frameworks to frame the broader historical analysis. The incorporation of both HI and MSF in this paper ensures a comprehensive examination of the policy changes that have altered Ontario's watershed governance structure since 1946.

3.1 Historical Institutionalism and Path Dependence in Ontario's Watershed Policy Evolution

In the broader study of public policy, historical institutionalism is predominantly used to examine long periods of relative institutional stability formed through path-dependent policy structures punctuated by short-term critical junctures that catalyze significant institutional changes in policy structure (Ackrén, 2024). Applying the theoretical perspective of historical institutionalism in this paper highlights the circumstances that led to the long-term entrenchment of major policies and laws in Ontario's watershed governance framework, including the critical junctures that broadened the policy options available for important actors to influence desired institutional outcomes. As critical junctures are normally succeeded by periods of lower outcome variability, decreased influence, and path-dependence, the decisions made in these junctures have fundamentally altered the course of Ontario's current watershed governing structures.

3.2 Multiple Streams Framework and the Impact of Policy Windows on Watershed Governance

While the concept of critical junctures in historical institutionalism accounts for periods of major institutional reconfiguration (Lockwood et al., 2017), these transformative events are rare in the overall development of an institution (Capoccia & Kelemen, 2007; Ackrén 2024). In the

development of the Ontario government's approach to watershed governance and management, divergent branches in provincial watershed policy have not always reflected extensive institutional alterations or reformations. In most cases, discordant shifts in policy direction comes from similarly short-term windows of opportunity characterized by increased likelihood for governments or political agents – referred to as 'policy entrepreneurs' – to influence policy options and initiate policy changes through the convergence of three streams, joining the respective political and problem streams with the policy stream that introduces potential policy options aimed at solving or mitigating the perceived problem (Michaels et al., 2006). The policy stream also contains the influence of interest groups and policy entrepreneurs, who invest their resources to advocate for a desired policy outcome in exchange for anticipated gain or future benefits (Zahariadis et al., 2023).

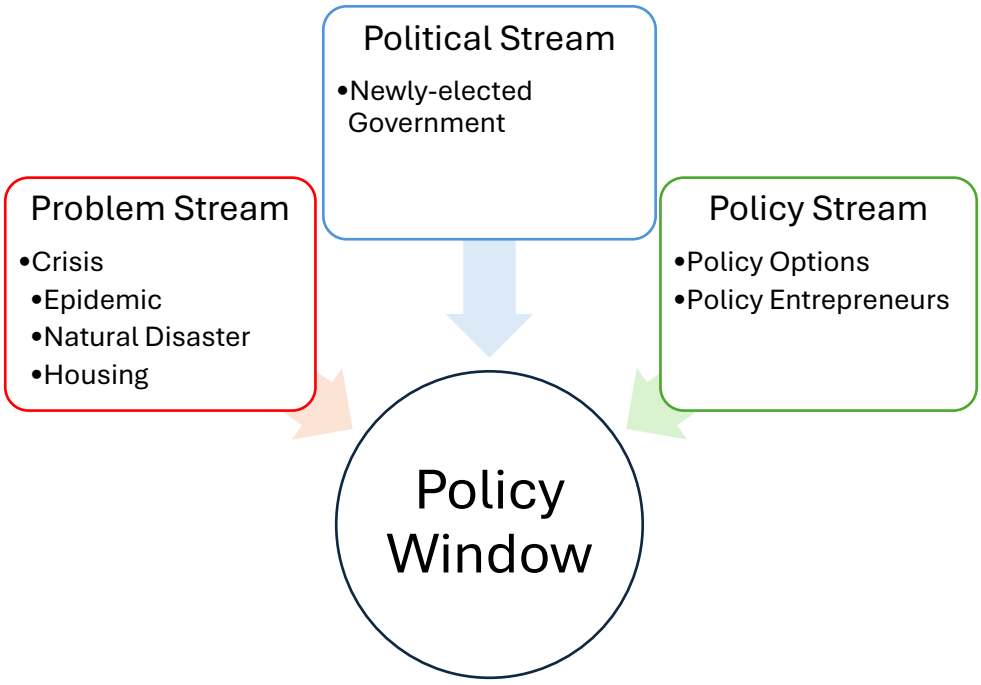

Figure 1: The formation of a policy window through the convergence of problem, political, and policy streams adapted from Kingdon (1984).

3.3 Conclusion and Integration of Theoretical Frameworks

In this study, the insights and concepts provided by the theoretical frameworks of HI and MSF work collaboratively to provide a multifaceted perspective on the development of Ontario's watershed governance and management structure. By incorporating both theories, this study examines the path-dependent development of watershed policies and the rare and transformative impact of critical junctures while accounting for the significant changes in policy direction initiated through policy windows. The use of both theoretical frameworks compliments the historical analysis in this paper by exploring the chronology of policy developments and the contexts that impacted the trajectory of watershed policies in Ontario over time. The theoretical framing of this analysis is particularly useful in examining the shifting prioritization of economic and environmental considerations following the 2018 election of Doug Ford's Progressive Conservative government, ultimately concluding with a discussion on the implications that the current direction of provincial watershed governance may have on the protections of Ontario's vulnerable watershed ecosystems moving forward.

4.0 Methods

Since the 1946 Conservation Authorities Act introduced Ontario's first coordinated large-scale and watershed-based water resource management approach with partnered municipalities, the evolution of Ontario's watershed governance framework has been characterized by periods of incremental shifts interrupted by significant changes in the prioritization of environmental policy goals. To identify the legislation and policy documents that signified these periods and major changes, a historical policy analysis was chosen as the primary research approach. This historical analysis on Ontario's watershed governance structure thoroughly reviews the laws and policy documents that have shaped Ontario's contemporary watershed governance framework. Identifying and analyzing these policies in chronological order is necessary for this study to present a comprehensive timeline of the progression – and regression – of watershed protections in Ontario in the context of global climate change. To guide this historical policy analysis, this study applies two theoretical frameworks – Historical Institutionalism and the Multiple Streams Framework – to examine how each policy change emerged to either build upon an existing policy framework or capitalize on a policy window to facilitate a major shift in political direction.

This chapter outlines the design and approach for this qualitative research, the data sources and collection methods used to identify which policies are included and organized in this analysis, the analytical framework used to apply HI and MSF to Ontario's watershed governance framework, and the scope and limitations of this study.

4.1 Research Approach and Design

To examine the historical evolution of the policies with the greatest influence on the protection of Ontario's watersheds, a qualitative historical analysis was chosen to identify periods of incremental policy changes and significant shifts in the prioritization of environmental considerations in provincial policy. This approach is ideal for examining the evolution of

Ontario's watershed governance structure because of the focus on contextualizing the factors that contributed to policy changes over time, allowing for the theoretical frameworks of HI and MSF to establish whether shifts in policy likely stemmed from path-dependence or the convergence of multiple streams forming a policy window.

The following criteria and rationale were developed to identify the policies and legislative documents included in this analysis and distinguish the major decisions that fundamentally altered how the provincial government has approached watershed management:

1. **Relevance to Watershed Governance:** The policies must directly impact or cause substantial implications for the protection and conservation of Ontario's watershed ecosystems and their services through the creation, amendment, or revocation of watershed-focused policies.
2. **Historical Significance and Impact on Policy Trajectory:** The policies included in this study must demonstrate lasting impressions on the evolution of Ontario's watershed governance framework, including updates or significant amendments to existing policies or regulations such as provincial policy/planning statements and Planning Act amendments. Recent policies must demonstrate significant changes to historical policies or notable changes to the existing governance regime.
3. **Evidence of Policy Continuity or Disruption:** To reflect the theoretical frameworks of this paper, the policies considered for this study must contribute to the path-dependency of the established governance structure or signal major deviation from Ontario's existing watershed management approach through identified critical junctures or policy windows.
4. **Accessibility of Online Records:** Online records of the primary documents and sources of secondary research, including peer-reviewed academic articles and news articles, must be accessible in their entirety from a reputable source, such as government websites and online archives of academic institutions.

Using this set of criteria and rationale, 26 policies and laws were identified as core components that have shaped Ontario's watershed governance framework since the Conservation Authorities Act first initiated provincial consideration of watershed-based policies in 1946. These policies were then subdivided into five distinct policy periods, each signalling major shifts in institutional priorities and socio-political contexts. The policy periods reflect the theoretical lenses of HI and MSF by grouping watershed-impacting policies based on path-dependent political goals and similarities in the abilities of actors to influence policy decisions. Beyond the stretches of relative stability within each period, the policy periods are separated by major disruptions to established policy pathways through the onset of critical junctures such as the Walkerton Tragedy or policy windows such as the election of Doug Ford's Conservative Party in 2018. This periodisation organises the broader historical analysis to reflect policy trends in watershed governance, punctuated by significant deviations from established policy paths.

The five policy periods and the 26 policies and bills identified for this paper by their relevance to watershed governance, impact on policy trajectory, and the accessibility of their online records are as follows (also see Appendix A for the full timeline):

Policy and Policy Period		Year(s)
1. Foundational Period		**1946-1975**
i.	Conservation Authorities Act	1946
ii.	Ontario Water Resources [Commission] Act	1956
iii.	Environmental Protection Act	1971
iv.	Environmental Assessment Act	1975
2. Expansion Period		**1976-1995**
i.	Planning Act Amendments	1983
ii.	Guidelines for Wetland Management in Ontario	1984
iii.	Niagara Escarpment Plan	1985
iv.	Municipal-Industrial Strategy for Abatement	1986
v.	Wetland Policy Statement	1992
3. Environmental Policy Retrenchment Period		**1996-2000**
i.	Bill 20: Land Use Planning and Protection Act	1996
ii.	Provincial Policy Statement	1997
iii.	Bill 57: Environmental Approvals Improvement Act	1997

4. Regional Planning and Source Water Period		2001-2017
i.	Oak Ridges Moraine Conservation Act and Oak Ridges Moraine Conservation Plan	2001
ii.	Greenbelt Act and Greenbelt Plan	2005
iii.	Provincial Policy Statement	2005
iv.	Clean Water Act	2006
v.	Ontario Endangered Species Act	2007
vi.	Lake Simcoe Protection Act and Plan	2008; 2009
vii.	Great Lakes Protection Act	2015
viii.	Growth Plan for the Greater Golden Horseshoe Update	2017
5. Economic Prioritisation and Crisis Management Period		**2018-Present**
i.	Made-in-Ontario Environment Plan	2018
ii.	Bill 108: More Homes, More Choice Act	2019
iii.	Bill 197: Covid-19 Economic Recovery Act	2020
iv.	Bill 229: Protect, Support, and Recover from COVID-19 Act	2020
v.	Bill 23: More Homes Built Faster Act	2022
vi.	Provincial Policy Statement	2024

Table 1: The complete list of watershed policies identified by the given criteria and their respective policy periods.

4.2 Data Sources and Collection Methods

This study uses qualitative research from online versions of official government legislation and policies and secondary analyses from peer-reviewed scholarly articles to conduct a thorough examination of the evolution of Ontario's watershed policies prior to and post-2018. Specifically, the qualitative data for this study was gathered through three main resources: Ontario's official government policy document and legislation websites – namely Ontario e-Laws and Legislative Assembly of Ontario, secondary research in academic journals, and online archives for historical policies no longer in effect. Archival versions of repealed policies and laws were mainly found on Osgoode Hall's Digital Commons website.

The three main data sources used for this study were also supplemented with grey literature such as government reports, news articles, NGO reports, and official statements from NGOs and conservation authorities regarding changes to policies impacting watershed governance in Ontario. This grey literature is used to reinforce the support – or lack of support –

specific changes received from watershed experts and environmental interest organizations. Combining these sources provides this study with the current policies, archival data, and additional informed commentary on the policy changes that occurred over the timeline of Ontario's watershed governance framework.

4.3 Limitations

Structuring this study as an internet-based historical analysis contains inherent limitations, including the dependence on publicly available documents. Any lack of accessibility for archival information, previous versions of e-Laws, or other key documents can cause specific nuances or informal political influences to be unknowingly omitted from this study.

Additionally, this study's focus on the policy documents and laws governing watershed policy in Ontario does not incorporate quantitative ecological data on the real-world impacts of the province's watershed policies, such as additions or reductions in watershed cover and ecosystem health. It is important to acknowledge that even in policy periods identified in this study with higher prioritization of environmental considerations, wetland and watershed loss has been a constant issue in Ontario over the entire developmental timeline of the province's watershed governance framework (Ontario Biodiversity Council, 2021; Penfound & Vas, 2022).

The research scope of provincial watershed governance policies and laws may unintentionally result in the underrepresentation of Indigenous laws, governance systems, and traditional knowledge that have guided Indigenous-led environmental stewardship for generations. While these sources of invaluable knowledge are not in the intended scope of this study, it is imperative to recognize the important roles that federal environmental agencies, Indigenous communities, municipalities, conservation authorities, environmental organizations, and grassroots environmental movements serve in protecting Ontario's watersheds.

5.0 Analysis of Ontario's Watershed Policy Evolution

To understand how Ontario's watershed governance regimes have evolved over time, this chapter examines the major policies and bills implemented since the 1946 Conservation Authorities Act and analyses the political, economic, and environmental contexts that influenced their enaction. By organising the timeline of watershed governance policies into five distinct policy periods, this analysis frames the development of Ontario's watershed governance approaches based on periods of relative stability and path dependence punctuated by the emergence and political capitalisation of policy windows.

This chapter presents the analysis of the five policy periods and the major policies and legislation found therein in chronological order to create a comprehensive timeline from the inception of provincial leadership in watershed planning and protections in the mid-20th Century to the re-election of Doug Ford's Progressive Conservative government in 2025. The first section of this timeline introduces the Foundational Period, which begins with the Conservation Authorities Act from 1946 as the legislation that shifted watershed governance and planning from project-based and localised initiatives to a scalable and comprehensive strategy to conserve Ontario's watersheds and natural resources (Martin, 2014). However, several significant events and environmental concerns also prelude the creation of the Conservation Authorities Act, forming an important part of Ontario's history of watershed governance.

5.0.1 The Emergence of the Provincial Role in Watershed Governance

While the institutionalisation of the watershed as a base for land use planning and environmental governance is primarily credited to the Conservation Authorities Act of 1946 (Worte, 2017), the large-scale loss and degradation of watershed ecosystems in present-day Ontario can be traced back to the establishment and growth of European settlements throughout the 19th Century (Guiry et al., 2020; Penfound & Vaz, 2022; Grand River Conservation Authority, n.d.). Improved drainage technologies and the mass-cutting of Southern

Ontario's forests for timber harvesting and agricultural expansion increased the rate of wetland and watershed loss in the region as the population of colonial settlements rapidly increased, particularly in the mid-19th Century (Guiry et al., 2020; Penfound & Vaz, 2022).

Despite the rate of watershed destruction in the mid-to-late 19th Century, the province did not intervene until the 1932 passage of the first Grand River Conservation Commission Act. The Grand River Conservation Commission (GRCC) was authorised under the Act to provide a coordinated approach to watershed management among municipalities affected by flooding damages, water supply concerns, and increased industrial and domestic sewage disposal along the Grand River (Shrubsole, 1992). While the GRCC primarily supported the creation of reservoirs to address these environmental concerns, its formation marked a significant development as the first integrated and coordinated watershed management approach between the province and municipal governments (Shrubsole, 1992). The work of the GRCC later informed discussions on the provincial government's role in addressing watershed degradation in Ontario, including the Guelph Conference nearly a decade later.

Ontario's watersheds in the 1930s and 1940s were greatly impacted by deforestation and wetland draining due to agricultural expansion (MNR, 2001). During this period, Ontarians also experienced years of destructive flooding, wildfires, and droughts which emboldened calls for the federal and provincial governments to adopt stronger natural resource management and environmental conservation practices (Jobbitt, 2001; Martin, 2014). In 1941, attendees including doctors, academics, and government officials, among others, met to discuss the ecological and land management issues plaguing Ontario and the role of conservation in resolving these issues at the Guelph Conference (Jobbitt, 2001; Martin, 2014).

The Guelph Conference was a "landmark series of conferences, studies, and surveys which transformed the approach to conservation in Ontario" and signalled significant grassroots support for increased conservation of the province's natural resources. (Martin, 2014). The

Conference had two important implications for the future of watershed management in Ontario: the basis of environmental planning on watershed boundaries and the framing of environmental conservation as a source for employment and stability in Ontario, as thousands of soldiers were returning home following World War II (Martin, 2014). A report in 1942 titled “Conservation and Post-War Rehabilitation” supported the Guelph Conference and inspired the Federal Committee on Reconstruction to arrange a watershed survey in Ontario, so long as the survey addressed relevant applications for federal interests (Martin, 2014).

The Ganaraska River watershed was chosen as the pilot survey to build the case for watershed-based conservation programs in Ontario (Martin, 2014; Ganaraska Region Conservation Authority, 2024). The survey was led by A.H. Richardson, Chairman of Ontario’s newly formed Interdepartmental Committee on Conservation and Rehabilitation and released in 1943 under the title “The Ganaraska Watershed: A study in land use with recommendations for the rehabilitation of the area in the post-war period” (Ganaraska Conservation Authority, 2024).

The report contained recommendations pertaining to legislation, employment, surveys, and research (Richardson, 1943). Among the recommendations, the report suggested the acquisition of lands through purchase or expropriation for conservation purposes, including a twenty-thousand-acre forest that would be withdrawn from agriculture and protected from development (Richardson, 1943; Martin, 2014). The report recommended the enactment of legislation that “combines the best features of the Grand River Valley Conservation Commission and the U.S.-based Muskingum Watershed Conservancy District, so that municipalities in any part of Ontario may undertake a similar conservation programme” (Richardson, 1943). The discussions on conservation-focused environmental governance exhibited at the Guelph Conference and the recommendations from the Ganaraska Survey were instrumental to justify the need for watershed conservation in Ontario, leading to the passage of the Conservation Authorities Act in 1946 (Shrubsole, 1992; Ganaraska Region Conservation Authority, 2024).

5.1 Foundational Period (1946-1975)

The Foundational Period between 1946-1975 is characterised by the establishment of cornerstone legislation that formally institutionalised environmental oversight in Ontario. Responding to decades of flooding, erosion, and watershed degradation, the provincial government introduced novel frameworks for watershed-based environmental governance, source-point pollution control, and proactive environmental assessment that significantly influenced the evolution of watershed governance province-wide.

Beyond the foundational laws and policies introduced by the Ontario government, the province's involvement in the binational Great Lakes Water Quality Agreement (GLWQA) also introduced systems-based watershed management perspectives to address non-point sources of pollution in the Great Lakes System (United States & Canada, 1972). Specifically, Article I of the GLWQA defines the Great Lakes System to include all the bodies of water upstream or inside of the Great Lakes-St. Lawrence River drainage basin and Article V identified the sources of pollutants to be targeted by reduction programs, including pollution from agricultural, forestry, and other land use activities (United States & Canada, 1972).

These early frameworks signalled a decisive shift from localised watershed management schemes, often fragmented and led by municipalities, toward a centralised and coordinated system of conservation authorities and provincial regulation.

5.1.1 Conservation Authorities Act (1946)

Aligned with the recommendations of the Ganaraska Survey, the Ontario government passed the Conservation Authorities Act in 1946, authorising the councils of two or more municipalities "wholly or partly within any watershed" to establish a conservation authority following a request to the Minister of Public Works and approved by the Lieutenant-Governor in Council (Ontario, 1946). This partnership between municipalities and the provincial government

reflected the new bottom-up approach to watershed management from the Ontario government by providing technical support and funding allotments to conservation authorities serving communities through their shared watersheds.

The Act largely reflected three fundamental principles that led the future establishment of conservation authorities: watershed-based management jurisdiction, local initiative, and provincial-municipal partnerships (Shrubsole, 1996; Worte, 2017; Conservation Ontario, n.d.-a). Based on these principles, the Act gave Conservation Authorities a broad range of powers, including the power to plan and carry out schemes and conduct research to support the conservation, restoration, or development of a watershed to prevent floods, pollution, or similar threats to ecosystem health (Ontario, 1946). Conservation Authorities also gained the power to erect structures and create reservoirs subject to the Lakes and Rivers Improvement Act, purchase or expropriate lands, and use the lands owned or controlled by the authorities for the purposes of conservation, restoration, reforestation, or any other acts carried out in alignment with the objects and schemes of the Conservation Authority (Ontario, 1946).

Six months after the Conservation Authorities Act was passed, the Ganaraska River Conservation Authority became one of the first conservation authorities established under the new legislative framework (Ganaraska Region Conservation Authority, 2024). While the prompt formation of the Ganaraska River Conservation Authority – later renamed the Ganaraska Region Conservation Authority following an expansion – benefitted from the Ganaraska Survey's study and recommendations, the model for establishing watershed-based and collaborative water resource management organisations proved to be successful for municipalities across Ontario. Today, 36 conservation authorities across the province continue the mission of conserving, restoring, and managing many of Ontario's watersheds.

The Conservation Authorities Act represents a clear critical juncture in the trajectory of watershed governance and policy in Ontario as the introduction of watershed-based

conservation authorities established a lasting framework of provincial-municipal cooperation and watershed management. Numerous factors such as the strengthened conservation movement in Ontario throughout the 1930s and 1940s, the influence of the Guelph Conference and Ganaraska Survey, the formation of the Department of Planning and Development in 1944, and the subsequent creation of the Conservation Branch all created the conditions for a stronger likelihood that the actions of conservationists would affect the outcome of interest, being the establishment of provincial collaboration in watershed conservation efforts. Placing the watershed as the primary spatial scale of administrative jurisdiction, as opposed to political boundaries, was also an unconventional approach in Ontario that has been maintained as a core principle for every conservation authority.

The timely establishment and subsequent proliferation of conservation authorities across Ontario have engrained this watershed management structure in Ontario's broader environmental policy and firmly set path dependence for future watershed policies to incorporate – or be primarily administered by – the conservation authorities in watershed governance decisions. Major events, such as Hurricane Hazel in 1954, emboldened and expanded the role of conservation authorities in floodplain management and led to the amalgamation of four conservation authorities to form the Toronto and Region Conservation Authority (McGee, 2012). In response to the destruction of Hurricane Hazel that claimed the lives of 81 Ontarians, regulations and amendments to the Conservation Authorities Act expanded the use of flood plain mapping and the expropriation and restriction of developments in flood prone areas (Toronto and Region Conservation Authority, 2024).

The enduring role of conservation authorities in Ontario through major events and political changes supports the Conservation Authorities Act as a critical juncture in Ontario's historical timeline of watershed governance and a major part of the foundational period that

experienced major legislative changes to Ontario's approach to watershed and water resource management.

5.1.2 Ontario Water Resources Commission Act (1956)

As conservation authorities were being established to support watershed conservation and restoration initiatives throughout the early 1950s, Leslie Frost's Progressive Conservative government faced several other critical issues in Ontario's watersheds, including high levels of water pollution and significant increases in water demand due to significant population growth and industrialization, mainly in Southern Ontario (Scott, 1969; Ontario Sewer and Watermain Construction Association [OSWCA], 2001). Water pollution was a major point of ecological and economic stress in the province, as municipalities and private companies faced multiple lawsuits from landowners impacted by untreated or partially treated effluent discharge into local waterways (OSWCA, 2001; Winfield, 2012). The pollution of the Great Lakes and nearby rivers was also noted by General A.G.L. McNaughton, Chairman of the Canadian Section of the International Joint Committee (IJC), who identified six locations in Ontario as points of international concern (Scott, 1969).

In response to these issues and reports urging action to address inadequate sewage treatment and water quality issues, the provincial government passed the Ontario Water Resources Commission Act to establish an administrative body – the Water Resources Commission – to manage water resources in Ontario, including water treatment, water supply, and the financing, construction, and management of sewage disposal systems (OSWCA, 2001). The 1956 Act, which received several amendments to expand its scope in the years following enaction, also established provincial oversight for a broad range of water resource management directives including the supervision of Ontario's surface and ground waters and the prohibition of the discharge of pollutants that may impair the quality of Ontario's water resources (Ontario Water Resources Act, 1990).

While the Ontario Water Resources Commission Act did not introduce or reinforce land-use policies to further protect watersheds in Ontario, the major implications of the act on pollution control and the construction and management of sewage systems in the most urbanised and impacted areas of the province was a significant development in the province's approach to reduce environmental degradation. Like the Conservation Authorities Act, the Ontario Water Resources Commission Act established administrative organisations with jurisdiction over policy areas with major implications to Ontario's watersheds, while reporting directly to the provincial government. Although the Water Resource Commission was a centralised body compared to Ontario's eventual establishment of multiple conservation authorities, both Acts initiated programs that became world-renowned and complimentary approaches to water resource governance that presently support Ontario's watershed policies.

Although the adoption of the Ontario Water Resources Commission Act occurred a decade after the Conservation Authorities Act, the circumstances that initiated this centralised oversight of Ontario's water resources retained similar public pressure due to issues of polluted waterways and reports of degraded water quality from urbanisation and population growth near rivers and other waterbodies, mainly in Southern Ontario (Winfield, 2012). These circumstances denote an important policy window for Frost's government to address the issue of pollution and underdeveloped sewage infrastructure by aligning the problem stream containing these issues with the political and policy streams through the creation of the Water Resources Commission.

The longevity of the water resource governance framework established by this Act and its lasting influence on watershed governance in Ontario has largely institutionalised the management of water resources to the provincial government and established a path-dependent policy framework for future governments to maintain this provincial oversight in collaboration with municipalities in developing water treatment, sewage infrastructure, and pollution abatement for decades to come.

5.1.3 Environmental Protection Act (1971)

Despite section 30 of the Ontario Water Resources Commission Act prohibiting the discharge of polluting material into Ontario's waters and shores (Ontario Water Resources Act, 1990), pollution and environmental degradation continued to grow as a public issue and placed additional pressure on the Ontario government throughout the 1960s and early 1970s to address these issues (Winfield, 2012). Industrial pollution impacted many communities throughout Ontario during this time, but imposed devastating consequences on First Nations including Asubpeeschoseewagong Anishinaabek, also known as Grassy Narrows First Nation (GNFN). Throughout the 1960s, the Reed Paper mill contaminated the English-Wabigoon River system in northwestern Ontario by dumping roughly 9,000kg of mercury into the river, toxifying the water and fish that GNFN depended on as a staple of their traditional diet (Porter, n.d.). The Water Resource Commission ordered the company to halt the discharge of mercury into the environment, but the severe health effects persisted in GNFN and other communities for decades after the contamination was confirmed in the 1970s (Winfield, 2012; Portner, n.d.).

In 1971, the new Progressive Conservative leader William Davis succeeded John Robarts as party leader and Ontario premier. With an impending fall election, Davis committed the provincial government to several significant environmental initiatives aimed at alleviating public concerns, including an accord with the Canadian government to cooperate on the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA), which aimed to improve the water quality of the Great Lakes through pollution reduction initiatives (Winfield, 2012). In the same year, the Department of the Environment was formed from the Department of Energy and Resources Management, and this shift to environmental representation in the government was punctuated by the passage of the Environmental Protection Act (EPA) (Winfield, 2012).

The Environmental Protection Act was created to provide the legislative foundation for the Ontario government to prohibit the discharge of any contaminants into the natural

environment, including through the air, in the water, or on land (Winfield, 2012). The Environmental Protection Act allowed regulations to be made by the Lieutenant Governor in Council that established permissible limits to the discharge of contaminants into the environment (Winfield, 2012). In 1972, the responsibility and directives of the Ontario Water Commission were subsumed into the Ministry of the Environment, and the Commission was subsequently dissolved and was renamed the Ontario Water Resources Act (OWRA) (Winfield, 2012). As the Ontario Water Resources Commission Act and Environmental Protection Act both aimed to mitigate water pollution in Ontario, these acts were used in conjunction by the government to provide point-source pollution control and the general regulatory oversight to limit the discharges of pollutants into Ontario's water resources.

The role of the EPA in initiating institutional oversight of environmental pollutants province-wide represents a significant step in the Ontario government's assumption of environmental degradation as a major policy area that could not be sufficiently addressed by fragmented municipal policies. Adopting the EPA during a period of heightened ecological concern and its lasting influence in Ontario's regulatory framework for environmental pollutants signifies that the passage of the EPA was a critical juncture in Ontario's broader watershed policy timeline. The regulations and amendments facilitated by this bill since its enaction established a path-dependency for future government oversight on pollutants to be largely influenced by the foundational provisions of the EPA. For example, the Ontario government would later use the regulatory foundation of the EPA to impose regulations on o-zone depleting substances (O. Reg. 463/10), coal-generated electricity (O. Reg. 496/07), and instituting greenhouse gas reporting, verification, and quantification standards (O. Reg. 390/18). The provisions of the EPA in the early 1970s formally indicated a shift to preventative measures to curb potential sources of pollution in Ontario's watersheds through the introduction of

environmental compliance approvals in Section 9(1), which ultimately preceded the Ontario government's pioneering adoption of environmental assessments (Winfield, 2012).

5.1.4 Environmental Assessment Act (1975)

While the Ontario government's legislative approach for mitigating environmental pollution in the 1960s and 1970s was largely reactive, calls for more stringent environmental protections in the United States brought a new proactive integration of environmental consideration into public policies through the National Environmental Policy Act (NEPA) in 1969 (Bear, 1995; Winfield, 2012). Section 102(2)(C) of NEPA was the first statutory provision that required federal agencies to prepare a "detailed statement" outlining the foreseeable environmental effects of a proposed action (NEPA, 1969).

Nearly 20 years prior to federal adoption of EAs in Canada, Ontario was the first province to enact environmental assessments into provincial law in 1975 through the passage of the Environmental Assessment (EA) Act (Noble, 2021). The first iteration of the EA Act notably restricted applications of environmental assessments to "enterprises, activities, plans, or programs" by the Ontario government, municipalities, or other public bodies (EA Act, 1990, s. 3(a)). The EA Act also introduced a broader definition of the "environment", which included: air, water, and land; human life along with plant and animal life; the social, economic, and cultural conditions of an individual or community; buildings and structures made by humans; and the potential byproducts of human activity such as liquid, gas, odour, heat, sound, and radiation (1990). The expanded definition of "environment" set the criteria for the proponents required to submit environmental assessments to incorporate considerations of the ecological and human impacts of proposed projects, informing the evaluation of its net environmental impact and possible alternative methods to deliver their projects.

Requiring public sector projects with potential environmental impacts to undergo an assessment at the proposal stage marked a major shift by the Ontario government towards

proactive environmental planning. The infusion of environmental assessments into provincial law only a few years after NEPA introduced the EA concept signifies the capitalisation of a policy window by William Davis' Progressive Conservative government. In addition to strengthening pollution controls through the EPA, the Davis government aimed to respond to growing public concern about the state of Ontario's watersheds as part of a move toward a more progressive party image (Winfield, 2012).

With the political will established to address the increasingly pertinent issue of watershed degradation, the environmental assessment concept inaugurated by NEPA in 1969-1970 and re-envisioned in Canada through the Federal Environmental Assessment and Review Process provided the opportunity for the Davis government to apply a progressive approach to proactive environmental protection, even if it was only to be applied to public undertakings and proposals. The development of provincially administered EAs was also strongly influenced by the Ministry of the Environment's Green Paper on Environmental Assessment, which was released two years before the EA Act was passed into law and advocated for the establishment of a formal environmental assessment process in Ontario (Winfield, 2012).

The five-year period between NEPA and the EA Act reflected an emergence of environmental assessments as a viable and proactive option for Davis' Progressive Conservative government to mitigate environmental degradation from public sector projects. Public concern over deteriorating watershed conditions during this period increased the likelihood of policy change in Ontario, providing the necessary conditions for Davis' government to align their desired progressive image with EA integration and opening the policy window that ultimately engrained EAs in Ontario's contemporary watershed policy framework.

5.2 Expansion Period (1976-1995)

The period from the mid-1970s to the mid-1990s marked a phase of institutional expansion in Ontario's approaches to watershed governance. Building on the catalysing

legislative structures of the Foundational Period, the Expansion Period broadened the scope of watershed governance beyond natural hazard management, water quantity, and pollution control to introduce integrated land-use planning and wetland conservation to the existing suite of watershed legislation and regulations. The inclusion of land use planning measures as a response to environmental concerns, particularly in Southern Ontario, were largely influenced by public reports from the Ontario Round Table on Environment and Economy (Winfield, 2012), and the federal mandate given to the Crombie Commission, who released several interim reports throughout the late 1980s and 1990s in support of watershed planning and bioregion protection (Waterfront Regeneration Trust, n.d.).

The Expansion Period is characterised by two distinct eras of watershed governance punctuated by the election of Peterson's Liberals in 1985. The periods before and after the Liberal election win in 1985 separates the gradual expansion of watershed governance by the Davis government and the more progressive initiatives by the Peterson and Rae administrations following the end of the PC dynasty. The policies enacted during the Expansion Period, which experienced changes in provincial leadership between the three major parties, reflected nuanced approaches to watershed governance and an expansion in the policy tools available to manage environmental impacts in Ontario.

5.2.0.1 The End of the Dynasty (1976-1985)

After forming two minority governments in 1975 and 1977, Davis' Progressive Conservatives regained a majority government in 1981. An economic downturn in the early 1980s lowered the environment's status of a main public issue (Winfield, 2012), which in turn reduced the government's urgency to release legislation addressing ongoing watershed degradation in the province. The slowed environmental agenda of Davis' government still developed several key policies in the early 1980s, such as the Planning Act Amendments in 1983 that facilitated provincial policy statements and the institution of science-based wetland

management guidelines in 1984. While the Davis government never legally bound the 1984 Guidelines for Wetland Management in Ontario, this period reflected a gradually increasing consideration of watershed policies and land use planning reform as Frank Miller succeeded Davis and the Liberal/NDP accord brought the PC dynasty to an unceremonious end.

5.2.0.2 The Liberal/NDP Period (1985-1995)

The Liberal/NDP confidence and supply agreement enabled Liberal leader David Peterson to form a minority government in exchange for the advancement of NDP policy initiatives in the legislature for two years without holding another election (Bradburn, 2024). The political arrangement coincided with a period of stable economic growth and reinvigorated public concern for environmental issues, resulting in favourable sociopolitical conditions to introduce and implement a multifaceted array of watershed policies (Winfield, 2012).

Although the Niagara Escarpment Plan was approved under the Miller administration two weeks before Peterson assumed office, the Liberal government was at the forefront of several major land use planning and pollution mitigation initiatives that aimed to increase watershed protections and address water pollution in Ontario. Notably, the Municipal-Industrial Strategy for Abatement (MISA) initiative was launched under Peterson to address point-source water pollution, and the Canada-Ontario Agreement Respecting Great Lakes Water Quality (COA) was updated in response to the 1987 amendments to the Great Lakes Water Quality Agreement (GLWQA), which aimed to address non-point source pollution in the Great Lakes Basin ecosystem. The COA update was especially important for coordinating efforts with the federal government to establish and implement Remedial Action Plans (RAPs) from Annexes 2 and 13 of the GLWQA (1987) that promoted a comprehensive ecosystem approach to define issues affecting the watershed, identify the source of these issues, develop remedial measures to address the issues, and monitor the status of the remedial efforts (Canada & Ontario, 1988).

The watershed policies and initiatives implemented by Peterson's government such as MISA and the COA update were later supplemented by additional environmental policies under Rae's NDP government after the 1990 election. Significant environmental planning frameworks such as the Wetland Policy Statement were adjoined by attempts to incorporate greater public accountability for provincial environmental initiatives through the inception of the Environmental Bill of Rights in 1993, the appointment of the Environmental Commissioner, and the subsequent ideation of the Environmental Registry of Ontario to ensure public consultation in environmentally significant provincial proposals (Winfield, 2012).

The Expansion Period represents a unique period of Ontario's history of watershed planning and policy. Shifts in economic prosperity and the environment as a public issue resulted in a variety of approaches from Ontario's three main political parties during their respective terms, beginning with the Davis government's Planning Act amendments of 1983.

5.2.1 Planning Act Amendments (1983)

Following the ambitious, paradigm-shifting environmental legislation enacted in previous Progressive Conservative mandates, an economic downturn at the beginning of the 1980s largely deprioritised watershed degradation as a top political issue leading into the 1981 provincial election (Winfield, 2012). The election resulted in the re-election of Davis' PC government, whose mandate initially reflected the decreased urgency in legislating transformative environmental protections (Winfield, 2012). As opposed to direct policy changes for watershed management in the early 1980s, the government employed broader amendments to land-use planning structures, including major amendments to the 1946 Planning Act.

While the initial release of the Planning Act did not provide additional land use protections for watersheds in Ontario, it established the policy framework for land-use planning that – through key amendments – would directly influence the trajectory of watershed policies over time. One such amendment occurred in 1983, when the Davis government amended the

Planning Act to provide for the issuance of “policy statements that have been approved by the Lieutenant Governor in Council on matters related to municipal planning that in the opinion of the Minister are of provincial interest” (Planning Act, 1983). The second provision of Part 1 in the Planning Act notably assigned the Minister to have “regard to” matters of provincial interest, including the protection of the natural environment, the management of natural resources, and the protection of features of natural importance (Planning Act, 1983). The verbiage of the amendment suggested the policy statements made through these changes would be made to guide the consideration of these matters of provincial interest in land-use decisions but were not legally binding in their initial application.

The changes in the 1983 amendment to allow the issuance of non-binding policy statements were vital for the eventual release of policy statements that directly influenced watershed and wetland management in Ontario under the guidance of the Planning Act. The 1983 Planning Act amendments, though significant, followed a path-dependent shift of broader planning policies that provided the structure for future watershed governance policy instruments including the 1992 Ontario Wetland Policy Statement and each Provincial Policy Statement.

5.2.2 Guidelines for Wetland Management in Ontario (1984)

Though watershed degradation was deprioritised as a top political priority in Ontario in the early 1980s, global environmental movements continued to press the importance of watershed and wetland protection, supported by local environmental non-government organisations (ENGOs) and international organisations such as the International Union for the Conservation of Nature and the International Waterfowl and Wetlands Research Bureau (Poston & Hyslop, 1987). A wetland policy development subcommittee was created by the Ontario government in 1980 after pressure from the Federation of Ontario Naturalists, though the recommendations in the subcommittee’s final report were generally not considered in immediate provincial action (Bardecki, 1982).

In 1981, the Canadian federal government signed the protocol of the Convention on Wetlands of International Significance, better known as the Ramsar Convention, committing the country to designate wetlands of international importance and seek the wise use and conservation of wetlands across the country (Schulte-Hostedde et al., 2007). As economic conditions improved towards the mid-1980s, an environmental focus on the importance of wetlands and the necessity of their conservation once again became a major topic throughout Canada, including Ontario (Winfield, 2012).

The gradual rise of public interest and federal institutional support granted greater weight to provincial consideration of wetland policies, leading to the release of the discussion paper titled “Towards a Wetland Policy for Ontario” (MNR, 2017). While the discussion paper itself did not directly address the recommendations of the interministerial subcommittee’s report from 1980 (Bardecki, 1982), the paper influenced the government’s release of the Guidelines for Wetland Management in Ontario in 1984.

As the title suggests, the Guidelines for Wetland Management in Ontario were non-binding guidelines and did not supersede any existing provincial land-use plans or policies (MNR, 1984). The Guidelines defined wetlands as “areas with shallow standing water, (less than 2 meters deep), until about July 1, in most years. They are divided into 4 major categories: swamps, marshes, bogs and fens” (MNR, 1984). The Guidelines were meant to contextualise the importance of effective wetland management, promote wetland consideration in planning and resource management plans and programs, and supporting the government’s objective to maximise economic and social benefits while mitigating impacts to wetlands (MNR, 1984).

The most notable feature of the Guidelines for Wetland Management in Ontario was the application of a wetland evaluation system which ranked wetlands into the seven classes based on numerical scores from the second edition of MNR’s publication *An Evaluation System for Wetlands South of the Precambrian Shield* (MNR, 1984). The goal of the Wetland Evaluation

System was to provide a standardised methodology of quantifying the relative value of wetlands based on extensive and multifaceted parameters (Walters & Shrubsole, 2003). These rankings could then be used to inform the decisions of planning authorities and support the government's objective to maximise the economic and social benefits of the land while intending to limit disturbance to Ontario's remaining wetlands (MNR, 1984).

According to the Guidelines, the Evaluation System may be implemented by municipalities as part of the Municipal Planning Process, Conservation Authorities as part of a watershed management plan, or by the province to aid broad planning matters (MNR, 1984). Wetlands were ranked and categorised into one of the seven classes based on the point scores identified by the evaluation methodology. Those designated as Class 1 or 2 wetlands were initially deemed "provincially significant", while Classes 3-7 were deemed "regionally significant" (Walters & Shrubsole, 2003).

By developing the Guidelines for Wetland Management in Ontario, Davis' Conservatives established the grounds for a new science-based framework for evaluating and supporting the protection of wetlands throughout the province. Although the Guidelines were not legally-binding, the rationale and purpose behind their creation reflected a growing concern about wetlands, wetland management, and the need to include ecosystem considerations in land-use planning decisions, particularly around provincially significant wetlands (PSWs) (MNR, 1984).

The release of the Guidelines coincided with a period of increasing public and scientific support for wetland conservation, including Canada's involvement in international environmental initiatives such as the Ramsar Convention and the World Commission on Environment and Development during the first half of the 1980s (Winfield, 2012). This confluence of public and political concern over the prolonged loss and degradation of Ontario's wetlands, along with the existing institutional momentum in integrating watershed consideration in land-use planning

matters in the early 1980s opened a policy window during a period in Ontario's history when the environment began regaining its relevance as a political issue. The introduction of the Guidelines as an implementation framework for wetland evaluation, along with the broader consideration of the ecological significance of wetlands in land-use planning, signalled the Davis government's growing recognition of the need to protect wetlands and, by extension, watershed ecosystems in more complex and integrative methods.

5.2.3 Niagara Escarpment Plan (1985)

In 1985, Ontario experienced significant political change as the Liberal-NDP accord officially ended the Conservative Party's 42-year political dynasty and shifted leadership to David Peterson's Liberal Party (Winfield, 2012). In the same year, the Niagara Escarpment Commission (NEC) – which was established under the 1973 Niagara Escarpment Planning and Development Act (NEPDA) – officially released the Niagara Escarpment Plan (NEP), bringing forth the first land-use plan in Canada centred on environmental protection (Office of the Auditor General of Ontario [Auditor General], 2022).

The development of the NEP dates back to grassroots environmental movements in the early 1960s that prompted Robart's government to commission a preservation study on the Niagara Escarpment in 1967 (Whitelaw et al., 2008). This study was called the "Niagara Escarpment Conservation and Recreation Report", or the "Gertler Report" after the study's chair, Len Gertler, and informed the creation of the Niagara Escarpment Inter-Ministerial Task Force in 1971 (Whitelaw et al., 2008). The Task Force's recommendations ultimately included a provincial planning system featuring stringent land-use regulations and increased public land acquisition to create an area of protected land spanning across the Ontario portion of the Niagara Escarpment from Niagara to Tobermory (Whitelaw et al., 2008). The recommendations of the Task Force were prominent in the development and passage of NEPDA and the creation of the NEC (Whitelaw et al., 2008).

The purpose of the Niagara Escarpment Plan matches the original purpose outlined by the NEPDA, which reads: “to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment” (NEPDA, 1973; Niagara Escarpment Plan, 2025). The NEP classifies the following seven land use designations to distinguish which areas would be compatible with specific types of development:

1. **Escarpment Natural Area:** Most sensitive and relatively undisturbed natural areas of the Escarpment, providing essential ecosystem services and protected for their ecological, scenic, and cultural value.
2. **Escarpment Protection Area:** Visually prominent and environmentally significant areas with modified natural features, protected to enhance hydrologic functions and buffer natural areas while supporting climate resilience and landscape character.
3. **Escarpment Rural Area:** Rural lands that create a buffer to the more ecologically sensitive areas of the Escarpment.
4. **Minor Urban Centre:** Rural settlements, villages, and hamlets found throughout the NEP area.
5. **Urban Area:** Includes parts of the Escarpment within or adjacent to developed lands, aiming to manage areas where natural areas remain in proximity to or near urban encroachment.
6. **Escarpment Recreation Area:** Areas of existing or potential recreational development associated with the Escarpment, including permanent and seasonal residences.
7. **Mineral Resource Extraction Area:** Existing and potential aggregate extraction sites licensed under the Aggregate Resources Act, governed by specific policies in the Plan.

Notably, mineral resource extraction is not permitted in Escarpment Natural Areas and Escarpment Protected Areas, and Escarpment Rural Areas must undergo a Plan amendment to

allow for aggregate extraction (Whitelaw et al., 2008). The Escarpment Natural, Protected, and Rural Areas all prohibit subdivision development, but allow for “essential watershed management and flood and erosion control projects carried out or supervised by a public body” among other designation-specific permitted uses and development (NEP, 2025).

Although the rise of public environmental concern in the mid 1980s and the tireless work of environmental organisations were important factors in the development and release of the Niagara Escarpment Plan, the NEP represented the culmination of a process that began in the 1960s and occurred more than a decade after the NEDPA facilitated the Niagara Escarpment Plan, as opposed to the opportunistic opening of a policy window.

The implementation of the NEP marked the first use of a regional land use plan based on environmental protection and selective prohibition of large-scale development and resource extraction, representing a fundamental shift in how the Ontario government approached environmental protection across a larger region based on landform characteristics. The NEP’s integration of conservation goals and land use planning also established the policy foundations for future land use plans to emulate, including the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan. Due to these lasting impacts on provincial environmental planning, the Niagara Escarpment Plan signified a critical juncture in the evolution of Ontario’s watershed governance structure that formally coupled broader environmental conservation goals with legally binding land use policies backed by legislation.

5.2.4 Municipal-Industrial Strategy for Abatement (1986)

The Liberal Party’s minority government in 1985 in concurrence with the period’s economic prosperity and increased environmental support was a boon for government-led environmental initiatives (Winfield, 2012). Substantial increases to the Ministry of the Environment’s operating budget and assertive approach to addressing environmental issues led

to the launch of several programs aimed at intensifying pollution control in the first few years of the Liberal government's mandate (Winfield, 2012).

One of these programs was the Municipal-Industrial Strategy for Abatement (MISA), which aimed to "virtually eliminate" the discharge of toxic contaminants from municipal and industrial point sources into Ontario waterways (Ontario Ministry of the Environment, 1986). Despite the efforts to control water pollution under the Water Resources Act, Environmental Protection Act, and their respective amendments, MISA was initiated to supplement these laws and address perceived inadequacies in stopping industrial, commercial, and municipal effluent discharge in waterways and municipal waste treatment plants by implementing and enforcing effluent limits on hundreds of major industrial sources (Dupuy, 1997). However, as regulations through MISA focused on point source pollution, the province continued to lack policies that addressed non-point source pollution including the runoff of agricultural and urban waste, chemicals, and other pollutants emitted from multiple sources (Johns, 2002).

Despite the lack of focus on non-point sources of pollution, the integration that MISA displayed with the Water Resources Act and Environmental Protection Act denotes a significant degree of path dependence on the enforcement mechanisms of those foundational acts, but the opportune timing of MISA's creation and implementation clearly indicates a policy window starting from the election of Peterson's Liberals the year prior. The growing environmental movement and progressive government provided policymakers with the opportunity to address the gaps in the province's existing water quality monitoring and enforcement regime, aligning with Environment Minister Jim Bradley's vision of a ministry that assertively advocated for environmental considerations in dealings with stakeholders (Winfield, 2012). While acknowledging the context of MISA's implementation within the broader purview of the Water Resources Act and Environmental Protection Act, the policy structure introduced by MISA

represents the advantageous and timely capitalisation of strengthened public and political support for more stringent pollution controls during the mid 1980s.

5.2.5 Wetland Policy Statement (1992)

The 1990s began with considerable political upheaval in Ontario, as an early election called by Peterson's Liberal majority resulted in the surprising victory by Bob Rae's New Democratic Party, who formed a new majority government in October 1990. The NDP government's mandate included significant environmental provisions that continued – or enhanced – policies from the previous PC and Liberal governments, including MISA and other pollutant control measures (Winfield, 2012). The Rae government also continued inter-Ministerial efforts that recognised the ecological and economic importance of wetlands. These efforts to reflect the importance of wetland in provincial policy were predominantly centred in Southern Ontario, where the province experienced the most wetland loss from permitted drainage under the Drainage Act (1975) and the previous iterations of drainage laws that impacted and fragmented wetlands since the mid-1800s (Irwin, 1987; Penfound & Vaz, 2022).

Building from the previous government's work on wetland studies from the Guidelines to Wetland Management in Ontario (1984) and using the provisions provided by Section 3 of the Planning Act from the 1983 amendments, the government released the Wetlands Policy Statement (WPS) to support the protection of provincially significant wetlands (Ontario Ministry of Natural Resources [MNR] & Ontario Ministry of Municipal Affairs [MMA], 1992). The WPS aimed to fulfill two primary goals: "to ensure that wetlands are identified and adequately protected through the land use planning process" and "to achieve no loss of Provincially Significant Wetlands" (MNR & MMA, 1992; Schulte-Hostedde et al., 2007). By the release of the WPS in 1992, the classification "Provincially Significant Wetlands" expanded to include Class 3 wetlands in addition to Class 1 and 2 wetlands as outlined in the Guidelines for Wetland Management in Ontario (1984).

The general policies of the WPS highlighted strong policy language for protecting Provincially Significant Wetlands in Classes 1-3 but created a notable dichotomy for wetlands in Classes 4-7 that did not fall under this distinction. For example, Sections 1.1 and 1.2 stated that planning jurisdictions “shall protect Provincially Significant Wetlands”, but were only “encouraged to” protect wetlands not deemed as provincially significant (MNR & MMA, 1992). Despite this division, the Wetland Policy Statement, issued under the authority of Chapter 3 of the 1983 Planning Act amendments, attempted to implement wetland protections based on the classification of wetland classes from the 1984 Guidelines across all planning jurisdictions in any planning matter (MNR & MMA, 1992).

By 1993, the NDP-appointed Commission on Planning and Development Reform – also known as the Sewell Commission led by former Toronto mayor John Sewell – submitted their report on recommended planning reforms in Ontario in response to environmental concerns with the existing planning system (Gibson, 1993). These recommendations included the creation of a comprehensive set of policy statements to consolidate existing statements, including the WPS, and the requirement for planning decisions to “be consistent with” these policies (Gibson, 1993). The Sewell Commission’s report contained nearly a hundred recommendations in total, many of which were adopted into provincial planning doctrine by the NDP government, including environmental considerations and the creation of the Comprehensive Set of Policy Statements (CSPS) in 1994. The recommendation in the Sewell Commission’s Report that called for planning decisions to “be consistent with” policy statements was also adopted in 1994 through Bill 163, the Planning and Municipal Statute Law Amendment Act (Cooper, 1996).

The 1990 election of the NDP government, who capitalised on the perceived failure of previous government’s environmental policies during the political campaign (Winfield, 2012), also signalled a potential policy window for a new government to enact a policy solution for concerns raised by ENGOs and other stakeholders on the degradation of the province’s

wetlands (Schulte-Hostedde et al., 2007). While the limited focus of the WPS only applying to Provincially Significant wetlands and the lack of clarity and commitment in planning authorities "having regard to" the policies in the WPS likely undermined the intended degree of protection for wetlands across Ontario, the intended protection of wetlands outlined in the WPS indicated sustained political commitment to addressing watershed degradation well into the mid-1990s.

5.3 Environmental Policy Retrenchment Period (1996-2000)

Leading into the 1995 provincial election, Ontario's historical approach to watershed governance followed a general trend of increasing environmental protections in provincial policy or promoting environmental considerations in pollution control or land use planning processes (Winfield & Jenish, 1998). However, Progressive Conservative leader Mike Harris' "Common Sense Revolution" (CSR) campaign strongly resonated with voters who were discontent with the NDP's burgeoning fiscal deficit, resulting in a majority PC government and a distinctly neoliberal mandate (Norcliffe & Bates, 2018).

The Harris government's diversion from strengthening watershed protections and environmental consideration in provincial policies manifested in several significant ways. Major cuts to the operating budget, capital budget, and staffing levels of the Ministry of Natural Resources and the Ministry of the Environment and Energy impacted the abilities of these ministries to provide services to monitor and protect the environment or enforce environmental laws (Winfield & Jenish, 1998; Norcliffe & Bates, 2018). The conservation authorities were also targets of massive budget cuts and staff reductions – including a 70% reduction of the provincial contribution to the authorities' operating budgets as part of the government's first budget statement (Piatkowski, 1996). As part of the cost-cutting mandate of the Ontario government under Mike Harris, the Ministry of Health and the Ministry of the Environment and Energy offloaded drinking water testing services to the private sector; this decision, among others with

potentially significant environmental consequences, were either not posted on the ERO or were posted for an insufficient amount of time (Environmental Commissioner of Ontario, 1996).

In addition to the cuts to public service and deliberate undermining of environmental protections – as exemplified through proposed changes to ease restrictions on aggregate extraction in the Niagara Escarpment and the "Lands for Life" planning process' allowance of extractive industries (Winfield & Jenish, 1998; Norcliffe & Bates, 2018) – several major laws and policies were also introduced during this period, including the Land Use Planning and Protection Act (Bill 20), the 1997 Provincial Policy Statement, and the Environmental Approvals Improvement Act (Bill 57). These legislation and policies clearly manifested the departure of the Harris government from Ontario's historical policy trajectory on increasing protections for watersheds, each introducing major changes to land use planning and environmental assessment processes throughout the province.

5.3.1 Bill 20: Land Use Planning and Protection Act (1996)

Five months into the Harris government's first mandate, Bill 20: the Land Use Planning and Protection Act was introduced in the provincial legislature and received Royal Assent in April the following year (Legislative Assembly of Ontario, n.d.). Bill 20 proposed numerous changes to the Planning Act that impacted how land use planning processes were conducted, whether provisions required compliance from municipalities and development proponents, and even the amount of time the public had to review and respond to planning and development proposals (Cooper, 1996). Among the changes made to the Planning Act by Bill 20, two amendments greatly altered the role of land use planning in protecting watersheds in Ontario.

The first amendment weakened the policy language of section 3 of the Planning Act by reversing a previous amendment made by the NDP's 1994 Planning and Municipal Statute Law Amendment Act which determined that planning matters under the Planning Act "shall be consistent with" policy statements under subsection (1) (Cooper, 1996). The amendment

brought by Bill 163 imposed the requirement for planning decisions subject to the Planning Act to be compatible with policy statements, strengthening environmental protection provisions such as those advanced by the Wetland Policy Statement. Bill 20 rescinded these changes and reinstated the original "shall have regard to" phrasing established in the 1983 Planning Act (Cooper, 1996). The return to the phrasing "shall have regard to" presented municipalities with the opportunity to theoretically ignore the provisions of policy statements meant to protect sensitive ecosystems from development and ecosystem degradation, in the case of the Wetland Policy Statement (Cooper, 1996).

The second amendment that directly impacted the protection of watersheds in Ontario was the restriction on the participation of "public bodies" in planning matters, except for the Ministry of Municipal Affairs and Housing (MMAH) (Winfield, 2012). This provision meant that the Ministry of the Environment, the Ministry of Natural Resources, and conservation authorities, unless designated as public bodies by the Minister of Municipal Affairs and Housing through regulation, would not be able to meaningfully participate in planning decisions or appeal planning decisions to the Ontario Municipal Board (OMB) (Cooper, 1996; Winfield, 2012). In its effect, this restriction suppressed any input from the ministries and agencies with the highest degree of environmental expertise in the provincial government.

Introducing Bill 20 so rapidly in the first few months of the mandate sent a clear message that the Harris government's "Common Sense Revolution" represented a significant deviation in environmental management from past governments, even from those from the Conservative dynasty that only ended eleven years earlier. The same party whose past premiers supported the creation of conservation authorities in the 1940s and instituted the Department of the Environment in the 1970s was now deliberately undermining the effectiveness of environmental public bodies by restricting their input on development applications in subject areas under their respective purviews. Along with the legislative reduction of the powers and scope of these

ministries and agencies, budgets tabled by Harris' government cut annual provincial funding for conservation authorities by over 70% and restricted the funds to flood control and natural hazard management (Piatkowski, 1996; Mitchell et al., 2021). Decreases in operating budget also impacted provincial ministries, as the Ministry of the Environment received an approximate decrease of 35% between 1995/96 and 1996/97, and a nearly 20% decrease for the Ministry of Natural Resources during this period (Winfield & Jenish, 1998).

The ideological shift in the Ontario government's approach to watershed and environmental governance through the passage of Bill 20 was a clear indication of a policy window opened by the election of Mike Harris' Conservatives and the implementation of the "Common Sense Revolution" platform that won the majority in the 1995 election. The CSR aimed to solve the perceived issues of government overspending, overregulation, and impediments to development. Bill 20 was a significant policy tool used by Harris' government to address these perceived issues, which ultimately weakened the policy language of the Planning Act and gave municipalities the option to only "have regard to" policy statements such as the Wetland Policy Statement. The change in political direction initiated by the Conservative victory in 1995 allowed policy agents to influence the effectiveness of watershed protections through weakened policy language, which was further exemplified through the accompanying release of the 1997 Provincial Policy Statement.

5.3.2 Provincial Policy Statement (1997)

The Provincial Policy Statement (PPS) was first released in May 1996 but received minor amendments in February of 1997. Like Bill 20, the 1997 PPS followed the CSR's divergence from previous policies and laws by replacing the Comprehensive Set of Policy Statements (CSPS) released by Rae's NDP government in 1994. However, with Bill 20 removing requirements for planning authorities to be consistent with provincial policy statements, there was no legal obligation to implement the watershed or wetland protections

brought forth into the 1997 PPS. Notably, the 1997 PPS did not include references to an Environmental Impact Study (EIS) that would be required to identify and assess the impacts of a development on a specified feature or system, including provincially significant wetlands (Ontario, 1994). Provisions encouraging planning jurisdictions to protect wetlands not designated “provincially significant” were also removed in the 1997 PPS.

Despite the weakened policy language and concerns about the enforcement of environmental protections established by earlier documents such as the WPS and CSPS, the 1997 PPS did incorporate watershed and wetland protections into section 2.3, stating, “Natural Heritage areas and features will be protected from incompatible development” (Ontario, 1997). Natural Heritage was defined in the 1997 PPS to include watershed facets deemed “significant” such as wetlands, valleylands, endangered and threatened species habitat, and areas of natural and scientific interest, among others (Ontario, 1997). Even though the inclusion of this Natural Heritage section in the 1997 PPS formed the basis of environmental consideration in future iterations of the PPS, its initial implementation was undermined by the lack of clarity and commitment from Bill 20’s imposition of the phrase “shall have regard to” in the policy language that outlined the obligations planning authorities had regarding policy statements under the Planning Act (Schulte-Hostedde et al., 2007).

The 1997 PPS was released aligned with the amendments to section 3 of the Planning Act imposed by Bill 20 and was therefore influenced by the same policy window that the Harris government used to remove the obligations of planning authorities – including municipalities – to align their land use plans with the watershed protections outlined in provincial policy statements. The 1997 PPS also signalled the departure from clear watershed-sensitive planning policies from the WPS and CSPS, opting instead for generalised protections on provincially significant natural heritage features without the required evaluations for compatibility previously supported by an Environmental Impact Statement (Cooper, 1996). Removing the evaluative role of EISs

and obligatory watershed protections from the WPS and CSPS followed Premier Harris' renewed focus on decentralising the province's environmental planning leadership, indicating a new stream of path dependence that instilled the broader policy objectives of the CSR.

5.3.3 Bill 57: Environmental Approvals Improvement Act (1997)

As part of the Harris government's "red tape reduction" objective, significant amendments to environmental laws were commonly used to "streamline" approval processes or otherwise reduce regulatory burden on the provincial government, often at the cost of environmental protections (Clark & Yacoumidis, 2000). In June 1997, the Environmental Approvals Improvement Act (EAIA) initiated such amendments to the Environmental Protection Act and Ontario Water Resources Act by standardising approvals through regulations that would either grant a certificate of approval if proponents met standardised requirements, or exempt proponents from the requirement to obtain a certificate of approval, provisional certificate of approval, or permit altogether (Environmental Commissioner of Ontario, 1997). While the Ministry of the Environment asserted these amendments were environmentally insignificant, the Environmental Commissioner of Ontario concluded that the amendments "allowed Cabinet to make environmentally significant decisions without public notification or consultation" and that "standardized approvals may make consideration of cumulative impacts on the environment difficult" (Environmental Commissioner of Ontario, 1997).

Like Bill 20 and the 1997 PPS, Bill 57 was also borne from the same policy window that gave the Harris administration greater influence to invoke the "Common Sense Revolution's" deregulatory platform. Efforts to "streamline" provincial regulatory frameworks concerning the environment often resulted in significant cuts to environmental programs or reduced oversight on projects or industries with likely environmental impacts (Clark & Yacoumidis, 2000). Even in efforts to expand the protection of natural areas in Ontario, changes to the regulatory framework and the budgets of ministries in charge of managing protected areas challenged the effective

regulation of these areas. For example, the 1999 Ontario Living Legacy (OLL) Land Use Strategy identified 378 new protected areas that would protect 2.4 million hectares of Ontario's Crown forests (Ontario Nature, 2003). However, the OLL's use of the 1997 Lands for Life planning process exposed most of the proposed protected area lands to extractive forestry and mining industries, even in conservation reserves (Clark & Yacoumidis, 2000).

The flawed application of environmental protections in the Lands for Life policies and the deliberate erosion of foundational EPA and OWRA watershed protections caused by the EAIA amendments were symptomatic of the broader subversion of provincial watershed policy under the Harris administration. Budget and staffing cuts to the Ministry of Environment, the Ministry of Natural Resources, and conservation authorities exacerbated the potential risks of weakened pollution regulations, contributing to the conditions in the province that increased the likelihood of pollution-related public health concerns over the course of the CSR mandate. Despite the urgency of past administrations to create laws and policies that aimed to protect Ontario's watersheds from pollution and destructive land use practices, the Harris government continued their budget cuts and deviation from previous watershed goals into their re-election in 1999.

5.4 Regional Planning and Source Water Period (2001-2017)

The re-election of Harris' Conservative Party in 1999 gave the sitting premier his second straight majority in the legislature as support for his party was upheld following a period of economic growth in the late 1990s (Norcliffe & Bates, 2018). Harris' second mandate appeared to begin with similar hallmarks to the CSR, with planned cuts to the Ministry of the Environment and Ministry of Natural Resources and an environmental plan that focused more on promoting the Lands for Life initiative than strengthening protections for Ontario's degrading watersheds (Winfield, 2012). However, the legacy of provincial watershed governance following the Conservative majority in 1999 was irreversibly impacted by the Walkerton Tragedy in May 2000.

Between May 8th and 12th, 2000, Walkerton, Ontario – a rural agricultural area with a population of roughly 4,800 – experienced heavy rainfall which caused agricultural runoff to leach through the region's karst geology and contaminate the town's water wells with the pathogenic bacteria *Campylobacter jejuni* and the deadly O157:H7 strain of *E. Coli* (O'Connor, 2002a; Prudham, 2004; Salvadori et al., 2009; Plummer et al., 2010). The contamination resulted in seven deaths and over 2,300 people reported seriously ill, marking the Walkerton Tragedy among the worst public health disasters related to municipal water supply in Canadian history (Salvadori et al., 2009). In response to the tragedy, the Harris government appointed Justice Dennis O'Connor to lead a public inquiry into the factors that contributed to the events in Walkerton (Salvadori et al., 2009; Fuller et al., 2023). Prior to the release of Justice O'Connor's final reports, which were released in two parts in 2002, the Ontario government faced increasing public scrutiny and diminished popularity in October 2001, playing a major factor in Harris' resignation from provincial leadership after a successor would be named in the spring of 2002 (CBC, 2001; Winfield, 2012).

Justice O'Connor's first report was released in January 2002 and exposed critical failures on multiple operational and administrative levels by the Walkerton Public Utilities Commission's (PUC) operators and management, the Ministry of the Environment, and the highest echelon of the Ontario government (O'Connor, 2002a). The report connected the CSR-era budget cuts to the Ministry of Environment as contributing factors to the tragedy, stating the provincial government's budget cuts led to the cessation of provincial laboratory water quality testing services for municipalities in 1996, opting for the partial or full privatisation of municipal water testing in many areas, including Walkerton (O'Connor, 2002a; Salvadori et al., 2009). The report also noted the budget cuts to the Ministry of the Environment also impacted the ministry's ability to identify both the need for continuous monitoring of the town's primary water source and the improper operation and management of the well by Walkerton's PUC (O'Connor, 2002a).

The second report, titled “A Strategy for Safe Drinking Water”, was released in May 2002 and outlined 93 recommendations to address the deficiencies that contributed to the tragedy (O’Connor, 2002b; Fuller et al., 2023). These recommendations included stronger regulatory and legislative frameworks for water quality oversight by the provincial government and called for increased government action on source protection, water quality treatment and monitoring standards, and operator training and certification (O’Connor, 2002b; Fuller et al., 2023).

The Ontario government, now led by former Finance Minister and Deputy Premier Ernie Eaves, acted quickly to implement many of the legislative measures outlined in O’Connor’s report. First, the Nutrient Management Act was passed in June 2002 to establish binding standards on the management of nutrient-containing materials, such as fertiliser, manure, and biosolids – mostly found in agricultural settings; the Safe Drinking Water Act was passed in December the same year to address the inadequacies of provincial oversight on the treatment and distribution of drinking water in Ontario as a direct response to Recommendation 67 (O’Connor, 2002b), including the establishment a Quality Management Standard (Safe Drinking Water Act, 2002).

The third legislative enactment borne from the Walkerton Inquiry was the 2006 Clean Water Act (CWA) that aimed to address O’Connor’s recommendations on the provincial government’s implementation and oversight of watershed-based source water protection plans (O’Connor, 2002b). The CWA, enacted several years after the PC Government lost provincial leadership to Dalton McGuinty’s Liberal Party, exemplified the bipartisan commitment of the Ontario government to attend to the regulatory, legislative, and administrative failures that led to the Walkerton Tragedy and adhere provincial policy to Justice O’Connor’s recommendations.

Beyond the public health crises of the Walkerton Tragedy, this policy period was characterised by the emergence of the Ontario government’s involvement in regional land use plans that introduced significant ecological protections to areas in Southern Ontario that faced

increasing urbanisation and environmental fragmentation. Other policies, such as the Provincial Planning Statement also underwent significant changes following a change in Ontario's government in the mid-2000s. The arrival of the Liberal government contrasted the CSR-era's deregulatory approach resulted in the introduction of a new wave of regional plans and policies that aimed to deal with a variety of environmental issues, including biodiversity loss and habitat fragmentation, climate change, and a piecemeal framework for protecting Ontario's watersheds.

5.4.1 Oak Ridges Moraine Conservation Act and Conservation Plan (2001)

As the Harris government reeled to defend its public image following the Walkerton Tragedy, planning conflicts that persisted throughout the mid-1990s and early 2000s regarding development pressure along the Oak Ridges Moraine intensified between development proponents and concerned environmentalists and ENGOs (Hanna et al., 2007). The Oak Ridges Moraine (ORM) stretches 160 kilometres from the Niagara Escarpment to the Trent River and is a major landform in Southern Ontario that hosts a multitude of vulnerable natural environments, including habitats for endangered and threatened species, groundwater recharge areas, provincially significant wetlands, and headwaters for 65 streams that pass through many communities south towards Lake Ontario (Bradford 2008). Located in proximity to Toronto's northern edge and growing population centres in Richmond Hill and Aurora, the ecological integrity of the western extent of the ORM was threatened by development pressures for years while the passive policy language of the 1997 PPS did little to quell public concerns about development on such an ecologically significant landform (Baker et al., 2017).

Interest in protecting the ORM for its ecological significance dates back to the 1970s, including notable features in the 1990 Ron Kanter report and the 1992 Crombie Commission that promoted the protection of the landform as a bioregional entity to be protected from development proposals that frequently threatened the area (Sandberg et al., 2013). Additional work produced by the Oak Ridges Moraine Technical Working Committee predating Harris'

Conservative governments in the early 1990s supported this ecological perspective of the ORM as a single bioregion in provincial planning doctrine (Sandberg et al., 2013).

As conflicts grew between development proponents and ENGOs and citizens concerned about ecological protections in a rapidly urbanising landscape, grassroot campaigns from organisations such as the Save the Oak Ridges Moraine (STORM) Coalition and the Federation of Ontario Naturalists brought the matter further into the public eye. A public protest against a major subdivision development that threatened to sever the ORMs ecological corridor in Richmond Hill approved by the Ontario Municipal Board drew thousands of people and considerable media attention towards the threats against the ORM, and the issue was quickly escalated the matter to the Ministry of Municipal Affairs and Housing (Webber & Hanna, 2014).

In May 2001, the Ministry of Municipal Affairs and Housing announced the Oak Ridges Moraine Protection Act, which imposed a six-month moratorium on development within the ORM until a more substantial land use plan could be developed (Webber & Hanna, 2014). The Minister of MMAH appointed a multi-stakeholder advisory committee with representatives from the government, environmental groups, and the development industry to incorporate multiple perspectives in the plan's development (Bradford, 2008; Whitelaw et al., 2008). Within the same year, the Oak Ridges Moraine Conservation Act (ORMCA) was passed and authorised the development of the Oak Ridges Moraine Conservation Plan (ORMCP).

After a highly collaborative development process, the ORMCP was established by O. Reg. 140/02 under the ORMCA in 2002, initiating the first regional and landform-based land use planning framework since the Niagara Escarpment Plan was released in 1985. The Conservation Plan designated the lands of the Oak Ridges Moraine planning area (Figure 3) into four categories: Natural Core Areas (38%), Natural Linkage Areas (24%), Countryside Areas (30%), and Settlement Areas (8%) (O. Reg. 140/02). In a stark difference from the policy language of the 1997 PPS, s. 7(1) of ORMCA states:

> A decision that is made under the *Planning Act* or the *Condominium Act, 1998* or in relation to a prescribed matter, by a municipal council, local board, municipal planning authority, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Municipal Board, shall conform with the Oak Ridges Moraine Conservation Plan (Oak Ridges Moraine Conservation Act, 2001).

The requirement for conformity to the ORMCP was a significant step for ecological protections under a Harris-led government. Unlike the changes Bill 20 imposed on the Planning Act, planning authorities could not simply "have regard to" watershed protections under the ORMCP. In cases of conflict, s. 8(1) of ORMCA outlines the prevalence of ORMCP over official plans, zoning by-laws, or policy statements issued under section 3 of the Planning Act (2001). These provisions provided important regulatory authority for the ORMCP, and the environmental protections found therein, including impactful policies geared towards natural heritage and hydrological aspects of the ORM in addition to the prohibitions on incompatible development in the Natural Core, Natural Linkage, and Countryside Areas.

The ecological focus of the ORMCA and ORMCP were significant developments in the Ontario government's historical approach to watershed governance. The provisions that protected key natural heritage areas and vulnerable hydrological ecosystems were particularly groundbreaking in Ontario's land use planning structure under Mike Harris, as policy changes under the Planning Act and the 1997 PPS still lacked the obligation for conformity by municipal plans and increased the risk of OMB appeals by development proponents (Cooper, 1996). The enaction of the ORMCA and subsequent development of the ORMCP is best classified as a policy window, combining the problem stream of urban encroachment on ecologically sensitive areas in the ORM – whose ecological significance was supported by scientific and land use studies including the Kanter Report and the Crombie Commission – with the political stream as MMAH reacted to public protests and increasing media attention against subdivision

development in the ORM. The resulting policy stream was formed through the Oak Ridges Moraine Protection Act, which led to the development ~~and release~~ of the ORMCA and the ORMCP.

The provisions introduced in the ORMCP also contained elements that greatly influenced Ontario's approach to watershed management by institutionalising regional hydrological protection though a land use plan that required conformity from local official plans. This provincially-led institution of ecological protection against incompatible land uses in the ORM, along with those in the NEP that established a similar landform-based planning area, would provide the basis for future regional land use plans to protect vulnerable watershed ecosystems threatened by urban encroachment – especially in the Greater Golden Horseshoe.

5.4.2 Greenbelt Act and Greenbelt Plan (2005)

The aftermath of the Walkerton Tragedy and Justice O'Connor's inquiry left Ernie Eaves' Progressive Conservative government in a precarious position and decreasing popularity heading into the 2003 election, which resulted in a majority government for Dalton McGuinty's Liberal Party (Winfield, 2012). McGuinty's platform prominently featured significant land use planning reforms that featured the establishment of a "greenbelt" – a band of permanently protected land meant to manage growth and safeguard agricultural and natural areas in the Greater Golden Horseshoe (GGH) (Winfield, 2012).

Six months into the McGuinty government's first term, Bill 27, titled the Greenbelt Protection Act, received Royal Assent to establish a study area across the GGH, including lands in the Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan. Like the 2001 Oak Ridges Moraine Protection Act, the Greenbelt Protection Act also imposed a moratorium on development in the greenbelt study area, and a special task force was also appointed to conduct public consultations and make recommendations for planning the Greenbelt (Macdonald & Keil, 2012).

In February 2005, the Greenbelt Act was passed, designating the Greenbelt planning area that would include the ORMCP and NEP planning areas while maintaining the prevalence of either plan within their respective planning boundaries, barring a regulation by the Lieutenant Governor in Council (Greenbelt Act, 2005). Like the conformity requirements in the NEP and ORMCP, the Greenbelt Act maintained that planning decisions made under the Planning Act "shall conform" to Greenbelt policies (Greenbelt Act, 2005). Ontario Regulation 59/05 under the Greenbelt Act designated an additional protected area called the "Protected Countryside" which would constitute the Greenbelt Act's area of influence beyond the existing ORMCP and NEP boundaries. In total, the area covered by the Protected Countryside, Oak Ridges Moraine Conservation Plan, and Niagara Escarpment Plan was approximately 728,000 hectares (1.8 million acres) (Carter-Whitney & Esakin, 2010).

The Greenbelt Act also provided the legislative groundwork for the establishment of a Greenbelt Plan, including set objectives that promoted agricultural and ecological land preservation and protection against incompatible development (Greenbelt Act, 2005). The objectives of the Greenbelt Plan outlined in the Greenbelt Act specified the need to "provide protection to the land base needed to maintain, restore, and improve the ecological and hydrological functions of the Greenbelt area" and to "promote connections between lakes and the Oak Ridges Moraine and the Niagara Escarpment" (Greenbelt Act, 2005). Prior to the release of the Greenbelt Plan, these objectives indicated the intent of the future Greenbelt to protect watershed ecosystems and their essential hydrological functions.

Less than a month following the enaction of the Greenbelt Act, the Greenbelt Plan was released on February 28th, 2005 (Ontario, 2005a). While the Greenbelt Plan included many policies aimed at protecting agricultural land, it also introduced major policies designed to protect and preserve watersheds and their significant and sensitive features through the identification of the Natural System. The 2005 Greenbelt Plan's Natural System was comprised

of a Natural Heritage System that contained the Protected Countryside's highest concentration of sensitive and significant natural features, and a Water Resource System comprised of ground and surface water features and their associated functions, including primary recharge, headwater, and discharge areas, and major drinking water aquifers. (Ontario, 2005a). While the Natural Heritage System (NHS) policies integrated the protections for key natural heritage features from the ORMCP, the Greenbelt Plan also engrained watershed planning and protection considerations into a Water Resource System section that promoted a systems approach to watershed management, established the watershed as the most meaningful scale for hydrological planning, and considered cross-jurisdictional and cross-watershed impacts in the development of watershed plans (Ontario, 2005a).

These policies demonstrate the Greenbelt Plan's focus on facilitating watershed-scale planning and the incorporation of a systems approach to promote the interconnectedness of watersheds across the GGH. Even for key hydrologic features that are outside the NHS but within the Protected Countryside – including permanent and intermittent streams, lakes, seepage areas and springs, and wetlands – restrictions on development and site alterations were upheld due to the complex interconnectivity of water resource systems (Ontario, 2005a).

The development of the Greenbelt arrived at a pivotal time in Ontario, as the major cuts to environmental ministries and the deregulation of planning responsibilities of the Harris era were usurped by the Walkerton Tragedy, the sudden resignation of Mike Harris, and the election of a Liberal majority in 2003. These events contributed to a major turning point in the Ontario government's approach to watershed governance, reintroducing provincial leadership in watershed planning and protection. Building on the legacy of the NEP and the land use planning protections from the ORMCP, the Greenbelt Act and Plan both expanded the incorporation of active watershed planning and management in a broader landscape surrounding Ontario's most populous region. The circumstances of the Greenbelt's development and release exhibit

elements of a policy window, with McGuinty's Liberals displaying the political will to make the greenbelt a large part of their 2003 environmental platform and the opportunity to enact the necessary legislation early into their first term.

However, the foundation of the water resource provisions in the Greenbelt Plan were largely expanded from the hydrologic policies found in the ORMCP and NEP. Key policies and terms related to watersheds in the GGH, including key natural heritage features, compulsory watershed planning, vegetation protection zones, and hydrologically sensitive features (renamed key hydrologic features in the Greenbelt Plan) were all present in the 2001 ORMCP. While the Greenbelt Plan undoubtedly expanded on ORMCP and NEP policies, the watershed protection provisions in the Greenbelt Plan largely scaled up existing policy mechanisms from these plans, supporting the existence of a path-dependant policy trajectory that began with the ORMCP's reinstitution of provincial leadership in watershed planning and land use protections.

5.4.3 Provincial Policy Statement (2005)

Roughly a year into the McGuinty government's first term, Bill 26, titled the Strong Communities (Planning Amendment) Act, was passed in the Ontario Legislature, indicating another reversal to Harris' CSR-era policies. Section 2 of B replaced the policy language of s.3 of the Planning Act to ensure that planning decisions under the Planning Act "shall be consistent" with policy statements, including the PPS (Strong Communities Act [SCA], 2004). Prior to the effective date of the 2005 Provincial Policy Statement in March 2005, the Strong Communities Act (SCA) reestablished the legal foundations for planning authorities and proposals to conform with the PPS along with existing conformity requirements with provincial plans including the NEP, ORMCP, and Greenbelt Plan.

On March 1st, 2005, the new Provincial Policy Statement was released, now backed by the conformity requirements of the Planning Act. Apart from slight changes in policy language, the 2005 PPS introduced a revamped structure for water policies to replace the lone policy 2.4.1

from the 1997 PPS that stated, “The quality and quantity of ground water and surface water and the function of sensitive ground water recharge/discharge areas, aquifers and headwaters will be protected or enhanced” (Ontario, 1997). The new water policy section required planning authorities to protect, improve, or restore water quality and quantity by using the watershed as the ecologically meaningful scale for planning, minimising potential negative and cross-boundary impacts, and identifying the water features and hydrologic functions necessary for the hydrological integrity of the watershed (Ontario, 2005b). Planning authorities were also given the provision to implement “necessary restrictions on development and site alteration” to protect drinking water supplies and vulnerable sources, and to protect, improve, or restore designated vulnerable or sensitive water features (Ontario, 2005b). Additional policies related to linkages and related functions among water features and mitigative measures for protecting sensitive water features and their hydrologic functions were also included in section 2.2 (Ontario, 2005b).

This policy statement, working in conjunction with the Greenbelt Plan, ORMCP, and NEP, restricted development that threatened negative impacts on significant watersheds across the province. The 2005 PPS, like the Greenbelt Plan before it, was built upon and expanded existing legislative structures to protect watersheds, especially significant and vulnerable water features and endangered species habitats. The reliance on previous legislative and regulatory structures indicates that this policy statement followed a path dependent trajectory of increased watershed planning integration into Ontario’s land use planning framework. Although provincial involvement in land use planning regressed significantly during Harris’ terms as premier, the SCA returned to the verbiage of the Planning Act prior to Bill 20’s enaction that obligated planning authorities to be consistent with policy statements. Overall, the 2005 PPS strengthened land use protections for the province’s vulnerable watersheds beyond the boundaries of existing provincial plans and served an integral part of McGuinty’s land use planning reforms, which also included the Greenbelt Plan and the 2006 Growth Plan.

5.4.4 Clean Water Act (2006)

Towards the end of 2005, McGuinty's government attempted to expand the application of land use protections to address Justice O'Connor's recommendations to protect sources of drinking water in Ontario as part of a comprehensive "source to tap" policy framework (O'Connor, 2002b). The resulting legislation, tabled in the legislature as Bill 43 in December 2005 and received Royal Assent in October 2006, instituted the Clean Water Act (CWA) to deliver on several recommendations from the Walkerton Inquiry, including the initiation of an integrated and scientific watershed-based approach to source water protections (Hillier, 2020).

The Clean Water Act was developed, in part, to fulfill the first barrier in O'Connor's proposed multi-barrier approach to identify and mitigate any threat towards Ontario's drinking water, which also included treatment, monitoring, distribution, and emergency response (O'Connor, 2002b). To account for O'Connor's endorsement of a watershed-based source protection planning structure, the Clean Water Act created three source protection areas (SPA) and sixteen source protection regions (SPR) that coincided with the watershed-based jurisdictions of conservation authorities (Minnes, 2019). Since each source protection area fell within the boundary of a single conservation authority, a source protection region combined two or more areas under a lead authority (Clean Water Act, 2006). In the event a source water protection area or region was created in an area not under the jurisdiction of a conservation authority, a regulation would designate an authoritative person or body to administer the SPA/SPR (Clean Water Act, 2006). For each SPA/SPR, a Source Protection Authority and Source Protection Committee (SPC) were established as the two administrative bodies to support CWA objectives in their respective areas (Minnes, 2019; Hillier, 2020).

Source Protection Committees were established in 2007 by O. Reg. 288/07, which stated that each SPC would be made of 10-22 members equally represented by municipal, economic, and general interests (Minnes, 2019). SPCs had three primary tasks: create a Terms

of Reference; prepare a science-based Assessment Report that identifies the watersheds, vulnerable areas, and threats to drinking water sources within an SPA or SPR; and deliver a Source Protection Plan (SPP) that developed policies to mitigate or eliminate threats to source water in the watershed (Conservation Ontario, 2010; Hillier, 2020). Notably, the CWA provides the authority that any planning decision by municipalities, source protection authorities, and any application under the Planning Act shall conform with policies of SPPs that apply to significant threats to drinking water sources, including those that prohibit or regulate an activity that poses a significant threat to the vulnerable area unless a risk management plan was established and agreed upon regarding the conduct of the activity (Clean Water Act, 2006).

The implementation of the CWA and SPPs were instrumental for McGuinty's government to begin fulfilling the recommendations of Justice O'Connor's Walkerton Inquiry, particularly in setting the first of the multi-barrier approach to drinking water protection. The CWA also fulfilled O'Connor's call for a highly consultative planning process led by the Ministry of the Environment that involves multiple stakeholders across ministries, industries, and First Nations in the source protection planning process (O'Connor, 2002b). In total, the CWA implemented 12 of O'Connor's 121 recommendations and contributed to the execution of all 22 source protection recommendations (Ministry of the Environment, 2006).

Since the inception of the CWA, 19 source protection committees have developed 38 SPPs to help protect local watersheds from activities that threaten the quality of Ontario's drinking water (MECP, 2024b). The impact of SPPs on Ontario's drinking water quality has been well documented, as MECP reports that since 2004, 99.8% of water quality tests have met Ontario's stringent water quality standards (2024b). However, a lasting criticism of the CWA is the lack of application to many First Nations communities in Northern Ontario who live outside of conservation authority borders and therefore live beyond the source protection authority borders (Hillier, 2020). As of February 2025, 21 of Canada's 33 long term boil-water advisories were in

Ontario, with most cases occurring outside of SPAs/SPRs (Law, 2025). While the integration of the CWA has been successful in many aspects, it is important to acknowledge that more work must be done to ensure all drinking water sources in Ontario are adequately protected and all Ontarians have access to clean, drinkable water.

The development and ongoing implementation of the Clean Water Act is best described as a critical juncture in the context of historical institutionalism. The Ontario government's desire to implement the recommendations of the Walkerton Inquiry was a major catalyst for the institutionalisation of source water protection and watershed planning in Ontario's broader approach to watershed governance. Through the legislative authority and regulatory establishment of the CWA's Source Protection Areas and Regions, Committees, Assessment Reports, and Protection Plans, source water protection became a cornerstone of Ontario's watershed policy framework and established a new path dependence for future project proponents to consider and mitigate their impacts on protected water sources across Ontario.

5.4.5 Ontario Endangered Species Act (2007)

As the Ontario government worked to implement the source protection policies of the CWA, the Endangered Species Act (ESA) was introduced to the legislature in May 2007 to identify and protect species at risk in Ontario and their habitats in Ontario's Crown and private lands, complimenting the federal government's Species at Risk Act (2002). Subsection 10 of the ESA provided the legislative foundation for habitat protection, with the provision stating that no person shall damage or destroy the habitat of any species on the Species at Risk in Ontario List as an endangered, threatened, or extirpated species (ESA, 2007). To implement the habitat protections of the ESA, MNR guidance highlighted an adaptive management approach to leverage scientific research, monitoring, and traditional knowledge of how human activities may impact a species' habitat, and a risk management approach to determine if a proposed activity would damage or destroy a habitat (MNR, 2012).

As wetlands in Ontario are vital habitats for 20% of provincially listed species at risk and represent some of the province's most vulnerable ecosystems to fragmentation and degradation (Ontario Nature, n.d.), the automatic protections placed on the species and habitats under the ESA added an additional level of protection for many watersheds and subwatersheds across Ontario. The Endangered Species Act added to a network of land use protections for the watersheds that many of Ontario's species at risk depend on to survive.

Like other statutes introduced in the McGuinty government's first term, the Endangered Species Act (2007) exemplifies a policy window that aligned the political stream of McGuinty's focused environmental mandate with the problem stream of Ontario's long outdated and ineffective species at risk protections (Ecojustice, 2010). The policy stream was merged through the development of Bill 184 that was supported by opposition parties and influenced by the public support from proponents for increased protections for species at risk, including ENGOs (Olive & Penton, 2018). Despite the various exemptions provided by the Minister to extractive industries following the implementation of the ESA (Blaise, 2019), the potential for the ESA to protect species at risk and their habitats – including highly vulnerable wetlands and watersheds – across the province depending the species was a significant addition to Ontario's broader framework of watershed protections and all who depend on these essential ecosystems.

5.4.6 Lake Simcoe Protection Act (2008)

As the McGuinty government continued to address threats to drinking water sources across Ontario through the CWA, concerns regarding the environmental degradation of prominent Ontario watersheds continued to grow within the province. One major site for these concerns was in the Lake Simcoe watershed, which experienced a wide range of pressures over many years from development and ecosystem fragmentation, pollutants, excessive nutrients, invasive species, and climate change (Lake Simcoe Protection Plan, 2009). The impact of these pressures – particularly the excessive loading of phosphorus and other nutrients

tied to agricultural activity throughout the watershed – along with campaigns from ENGOs including as the Rescue Lake Simcoe Coalition, prompted the McGuinty government to implement a legislative framework to protect and restore the ecological functions of the Lake Simcoe watershed (Rescue Lake Simcoe Coalition [RLSC], n.d.).

The resulting legislation was passed in 2008 as the Lake Simcoe Protection Act (LSPA). The LSPA facilitated the establishment of a Lake Simcoe Protection Plan (LSPP), which would identify the environmental conditions of the watershed, develop indicators of the ecological health of the watershed, identify threats to the ecological health of the watershed, establish targets for the aforementioned indicators to reach based on the LSPP's objectives, and inform research and monitoring regarding the implementation of the LSPP (Lake Simcoe Protection Act, 2008). Notably, the LSPA provided provisions for the LSPP to contain policies that prohibited or restricted land uses or the erection of structures that did not comply with the LSPP's objectives to protect and restore the watershed's key natural heritage and hydrologic features (Lake Simcoe Protection Act, 2008).

These provisions, in addition to those requiring conformity from municipal official plans in the Lake Simcoe watershed, provided the legal foundation for watershed protections previously reserved for landform protections such as the NEP and ORMCP, or broader land use protections such as the Greenbelt Plan. The Lake Simcoe Protection Plan contains a coding system that defines policies containing legal effect, including designated policies (DP) that applicable policies – such as those under the Planning Act, Condominium Act, Water Resources Act, and Public Lands Act – must conform with; "Have Regard To" (HR) policies that require consideration in decisions under applicable policies in the Lake Simcoe watershed; and monitoring (M) policies. The final designation of policies under the LSPP refers to strategic action (SA) policies that public bodies should take to meet the objectives of the LSPP (Lake Simcoe Protection Plan, 2009).

Released in 2009, the Lake Simcoe Protection Plan contains dozens of policies, many of which are DP that aim to address threats to aquatic life, water quality, water quantity, shorelines and natural heritage, subwatershed management, and other threats to the Lake Simcoe Watershed. A monitoring update from the Ministry of Environment, Conservation and Parks in 2020 yielded positive indications of the impact of the LSPP, stating an approximate 50% decrease in phosphorus loading from sewage treatment plants since 2009 and a stable decrease in spring and ice-free phosphorus concentrations and the quantity of algae in the watershed since 2015 (MECP, 2021). Dissolved oxygen levels have also increased in the habitat of cold-water fish species including lake trout and lake whitefish, supporting the successful natural reproduction of fish populations in the lake. Although wild populations are still below historical averages, increasing wild populations of these fish species is a notable indicator of increasing water quality for these habitat-sensitive species (MECP, 2021).

As part of the McGuinty government's approach to use land use planning frameworks to protect vulnerable ecological systems from further degradation, the Lake Simcoe Protection Act and Plan provided watershed-scale land use considerations to a significant part of Ontario's natural heritage system, including sections located in the Greenbelt and Oak Ridges Moraine. The legal authority dedicated to the LSPA and LSPP reflects a policy window that stemmed from the problem stream of significant environmental degradation in the Lake Simcoe watershed merging with the political stream guided by the McGuinty government's land use planning overhaul. The policy window opened by the McGuinty government's willingness and propensity to incorporate watershed or ecological-based planning structures was advanced by the support of ENGOs, local conservation authorities, and the Ontario government's own agenda promoting ecological connections beyond the boundaries of existing land use plans in alignment with common watershed planning principles. The resulting policies from this window implanted

protections for the Lake Simcoe watershed and directly led to the progression publicised in MECP's latest review (2021).

5.4.7 Great Lakes Protection Act (2015)

Encompassing the Lake Simcoe watershed and most of Southern Ontario, the Great Lakes-St. Lawrence River Basin [hereby referred to as 'the Basin'] is home to 98% of Ontario's population and provides the primary source of drinking water for 80% of Ontarians (MECP, 2023). Despite the range of existing Great Lake agreements established to protect and improve the water quality of the Basin, including the binational Great Lakes Water Quality Agreement of 1978, the Great Lakes Charter of 1985, the Canada-Ontario Agreement Respecting Great Lakes Water Quality (COA) of 1988, and the considerations of these Agreements in the CWA, the ecological conditions in the Great Lakes watersheds continued to decline into the 2010s (MECP, 2023). The Ontario Great Lakes Strategy was introduced in 2012 to facilitate inter-ministerial cooperation on issues facing the Great Lakes and set goals to protect the Great Lakes and improve the conditions of these vital watersheds (MECP, 2023). Three years later, under the leadership of Liberal premier Kathleen Wynne, the Great Lakes Strategy received legislative support from the passing of the Great Lakes Protection Act (GLPA).

The development of the Great Lakes Protection Act was a unique scenario in Ontario's historical approach to watershed governance, as the Act primarily legislated the continuation of the existing Great Lakes Strategy, strengthened by the legal foundation for municipalities to conform to the initiatives facilitated by the GLPA. Additionally, several provisions in the GLPA addressed growing public concerns regarding climate change, ensuring that monitoring and reporting efforts under the GLPA studied the impacts of climate change on the Great Lakes to improve scientific understanding and management of the Basin and its watersheds (Great Lakes Protection Act, 2015). By covering multiple secondary and smaller scale watersheds across the Great Lakes-St. Lawrence Basin, the GLPA was introduced as a compliment to

Ontario's existing suite of ecosystem-based watershed governance mechanisms to promote localised and engaging initiatives to protect the ecological conditions of the Great Lakes.

Despite the election of Kathleen Wynne in 2014 and the Liberal government's inclusion of climate change considerations in their environmental platform, the Great Lakes Protection Act was built on an existing foundation of the Great Lakes Strategy and decades of provincial involvement in Great Lake-related partnerships and initiatives. The re-election of Wynne's government is unlikely to catalyse a short-term policy window that the proponents of Great Lakes ecological protection would capitalise on, as opposed to a continuation of existing Liberal governance paradigms. Ultimately, the GLPA represents the continuation of a path-dependant policy trajectory, establishing a legal foundation for the Great Lakes Strategy and related Great Lakes agreements to continue supporting the research, monitoring, and initiatives aiming to protect and restore Ontario's most populated primary watershed.

5.4.8 A Place to Grow: Growth Plan for the Greater Golden Horseshoe Update (2017)

In conjunction with the Greenbelt Act and Greenbelt Plan, the McGuinty government continued their land use planning reforms by introducing the Places to Grow Act (2005), which directed the Minister of Public Infrastructure Renewal to designate a growth plan area and prepare a growth plan that "reflects a broad geographical perspective and is integrated across natural and municipal boundaries" (Places to Grow Act, 2005). Section 6 of the Places to Grow Act listed the policies, goals, and criteria that may be included in the growth plan, which specifically mentioned "the protection of sensitive and significant lands, including agricultural lands and water resources" (2005).

The first Growth Plan for the Greater Golden Horseshoe [hereby referred to as the Growth Plan] was declared in effect on June 16, 2006. While the 2006 Growth Plan did not contain specific policies that instituted new land use protections for watersheds, it contained a

policy section on Natural Systems that encouraged planning authorities to identify natural heritage features and a Water Systems section that encouraged municipalities to develop and coordinate watershed plans with local conservation authorities and use the plans to guide development decisions (2006). Notwithstanding the lack of land use protections implemented in the 2006 Growth Plan, these sections formed the basis for natural heritage and water resource systems in future reviews and revisions of the Growth Plan, which under the Places to Grow Act, would take place at least every 10 years.

In May 2017, the reviewed and revised Growth Plan for the Greater Golden Horseshoe – now administered by the Ministry of Municipal Affairs and Housing – was published in a coordinated effort along with revised versions of the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan, and the Greenbelt Plan (2017). The 2017 Growth Plan greatly expanded on the Natural Heritage policies from the 2006 original and provided stronger policy language that aimed to ensure the incorporation of watershed planning in the Growth Plan area beyond the Greenbelt:

Growth Plan Policies (2006)	Growth Plan Policies (2017)
3.2.5.7 Municipalities, in conjunction with conservation authorities, <u>are encouraged to</u> prepare watershed plans and use such plans to guide development decisions and water and wastewater servicing decisions.	**4.2.1.1** Municipalities, partnering with conservation authorities as appropriate, <u>will ensure that</u> watershed planning is undertaken to support a comprehensive, integrated, and long-term approach to the protection, enhancement, or restoration of the quality and quantity of water within a watershed.

Table 2: Example of strengthened policy language in the original Growth Plan (2006) and the revised Growth Plan (2017) for integrating watershed planning into the provincial land use planning framework. Underlines were added for emphasis and were not in the original policies.

In addition to adding a new subsection 4.2.1 on Water Resource Systems policies and subsection 4.2.2 that expanded Natural Heritage policies in the Growth Plan, subsection 4.2.3 on Key Hydrologic Features Key Hydrologic Areas, and Key Natural Heritage Features was added to restrict or otherwise prohibit development along the following features and areas:

Key Hydrologic Areas

Significant groundwater recharge areas, *highly vulnerable aquifers*, and *significant surface water contribution areas* that are necessary for the ecological and hydrologic integrity of a *watershed*.

Key Hydrologic Features

Permanent streams, *intermittent streams*, inland lakes and their littoral zones, *seepage areas and springs*, and *wetlands*.

Key Natural Heritage Features

Habitat of endangered species and threatened species; *fish habitat*; *wetlands*; *life science areas of natural and scientific interest* (ANSIs), *significant valleylands*, *significant woodlands*; *significant wildlife habitat* (including habitat of special concern species); *sand barrens*, *savannahs*, and *tallgrass prairies*; and *alvars*.

Notably, exceptions to the protections given to these vulnerable features included extractive mineral aggregate operations and large-scale development in key hydrologic areas where it is demonstrated that the hydrological functions of the feature would be protected or enhanced (Growth Plan, 2017). Despite these allowances, the natural heritage and water resource policies, in addition to the recognition of planning for adjacent lands in subsection 4.2.4, all contributed to the Growth Plan's guiding principle to "protect and enhance natural heritage, hydrologic, and landform systems features, and functions" (Growth Plan, 2017). The

consideration of the interconnectivity of ecological systems beyond political borders and the boundaries of the Greenbelt Plan clearly factored into the Growth Plan revisions. By mapping an extended Natural Heritage System across the GGH, the Growth Plan meant to provide similar protections to natural heritage and hydrologic features as those in the Greenbelt Plan, reflecting large-scale, long-term, and systems-level planning in one of North America's fastest growing regions (2017). The Natural Heritage System mapped by the province extended far beyond the features covered in the NEP, ORMCP, and Greenbelt Plan, significantly extending the reach of restrictive land use planning policies in watersheds vulnerable to development pressures.

The extension of the protections for natural heritage and water resource systems proposed by the 2017 revisions to the Growth Plan was a significant endeavour to manage urbanisation in the Greater Golden Horseshoe. Although the Growth Plan still maintained some exemptions for infrastructure and drainage activities in the definition of "development", in addition to the allowance of mineral aggregate operations in key hydrological areas, the Ontario government's direction to enhance the connectivity of the watersheds and ecosystems of the Natural Heritage System displayed a clear attempt to balance the reality of high growth in Southern Ontario growth with environmentally sensitive planning frameworks.

An update for the award-winning 2006 Growth Plan, the 2017 version of Growth Plan for the Greater Golden Horseshoe is an example of a path-dependent policy development that expanded and reinforced integrated watershed planning elements into the province's broader planning frameworks. The designation of a path-dependent policy development is also aided by section 9 of the Places to Grow Act that directed the Minister – for whichever ministry held responsibility of the Growth Plan – to ensure an update to the Growth Plan is carried out at least every ten years (2005). Heading into the 2018 election, the expansion of the Natural Heritage System showed the continuation of the Liberal government's integration of environmental planning principles into Ontario's approach to watershed governance.

5.5 The State of Watershed Governance in Ontario: Pre-2018

Between 1946 and 2018, the Ontario government took an increasingly active role in watershed governance as pressures on the environment from human activity related to agricultural drainage, population growth, pollution, and increasing urbanisation resulted in alarming levels of watershed degradation. Recognition of the degraded state of Ontario's watersheds and calls for increased provincial involvement in environmental governance resulted in the creation of institutional and legislative frameworks that, over time, constituted a layered governance structure integrated with watershed-based planning strategies, public and stakeholder engagement, and increased consideration of ecological impacts in the provincial policymaking process.

The evolution of Ontario's approach to watershed governance between 1946-2018 can be summarised in two broad categories: Legislative and Planning Integration, which is defined by the adoption of statutes that institutionalised the watershed as an ecologically meaningful scale in the Ontario government's approach to manage land use, mitigate pollution, and maintain or increase water quality; and Institutional and Stakeholder Reinforcement, which is defined by the creation of institutions within or partnered with the provincial government to effectively manage watersheds and increase stakeholder and public engagement in the policymaking process. The combination of these categories outlines the complex interrelationships between the legislative foundation of Ontario's gradual adoption of watershed protections and the role that public institutions and stakeholders have in supporting the environmental initiatives established by provincial considerations of watershed health.

5.5.1 Legislative and Planning Integration

In the 72 years between the passing of the Conservation Authorities Act and the election of Doug Ford's Progressive Conservative government, administrations led by each of the three major provincial parties had contributed to the development and implementation of

environmental statutes and planning policies that applied the watershed as an ecologically relevant scale. The Conservative Dynasty of the 1940s-1980s introduced foundational legislation aimed at addressing pollution concerns in Ontario waterways that would shape the future of environmental legislation for decades to come with the Water Resources Act (1956), the Environmental Protection Act (1971), and the Environmental Assessment Act (1975).

The foundations for land use planning regulations supporting landform-based ecological protection and the introduction of wetland-specific policies were passed during the mid 1980s when the Conservative Dynasty was ended by the Liberal-NDP coalition. The Niagara Escarpment Planning and Development Act and subsequent Niagara Escarpment Plan established the role of statutorily supported regional or landform-based land use restrictions based on potential impacts to the region's most vulnerable ecosystems. The ideation of "Escarpment Natural Areas" and other ecologically protective concepts introduced in the NEP undoubtedly influenced later iterations of regional and environmentally sensitive land use plans including the "Natural Core Areas" of the ORMCP, and the Natural Heritage Systems of the Greenbelt Plan (2005) and Growth Plan (2006). The legislative authority provided for watershed-based land use plans were also instrumental in the formation of the Lake Simcoe Protection Act and Plan (2008; 2009), and the Great Lakes Protection Act and Plan (2015).

The evolution of Ontario's approach to watershed governance was irreversibly altered by the Walkerton Tragedy in the spring of 2000. Weaknesses in the provincial system for drinking water monitoring and protection was exposed by the Walkerton Tragedy, which directly led to Justice O'Connor's Inquiry and the enaction of the Clean Drinking Water Act in 2002 and the Clean Water Act in 2006. The CWA was a landmark statute that introduced a novel legal framework for protecting sources of drinking water in Southern Ontario through the creation of Source Protection Plans based on localised watershed conditions and significant threats to sources of drinking water (Hillier, 2020). Importantly, the CWA instituted another watershed-

based framework in Ontario for ecosystem protections to serve a prominent role in maintaining stringent drinking water standards and local water quality in SPAs/SPRs (Hillier, 2020).

Underpinning the regional and watershed-based land use plans in provincial legislation were the updates to the Provincial Policy Statements in 2005 and 2014. These province-wide planning policies further integrated watershed-scale ecological factors in planning decisions across Ontario and introduced the consideration of the cumulative impacts of development and the impacts of climate change on natural hazard risks in Ontario's broader planning framework (Ontario, 2005b; Ontario, 2014). The PPS' released in this timeframe – apart from the 1997 version that did not, by law, require conformity from development proponents or municipalities – provided the policy foundation for existing land use plans such as the Greenbelt and Growth Plan to promote the sustainable use of Ontario's resources and lands with watersheds being the ecologically meaningful scale for long-term planning (Ontario, 2014). Updates in 2017 to the NEP, ORMCP, Greenbelt Plan, and Growth Plan augmented the environmental considerations of Ontario's suite of land use planning frameworks, introducing innovative changes including the Urban River Valley (URV) protections in the Greenbelt Plan (2017) and the extension of the Natural Heritage System through the 2017 Growth Plan revisions.

With the positive steps considered, there were also statutes and amendments that caused concern for environmental groups and concerned Ontarians. The environmentally regressive policies of the "Common Sense Revolution" and wide breadths of exceptions to environmental assessments for major public and private sector projects were examples of the duality that often beset the Ontario government when balancing environmental and economic priorities (Auditor General, 2016). Over time, the signs and effects of environmental degradation became increasingly difficult for the Ontario government to ignore, as the Walkerton Tragedy exposed weaknesses in Ontario's approach to source water protection and was a major factor in Mike Harris' resignation, and the continued work of ENGOs, the Auditor General's office and

concerned Ontarians pressured the government into deeper considerations of cumulative effects and climate change into environmental assessment processes (Auditor General, 2016).

Between the regional and watershed-based land use plans, province-wide planning statements promoting watershed connectivity and natural heritage protections, and other legislation historically produced by the Ontario government to mitigate pollution, habitat fragmentation, and ecological degradation of Ontario's watersheds, the period between 1946-2018 is ultimately defined by the actions of provincial governments of all parties that contributed meaningful incremental steps to mitigate the continued loss of watershed ecosystems under the pressures of continued population growth, urbanisation, and pollution.

5.5.2 Institutional and Stakeholder Reinforcement

In addition to the legislative foundation of the many statutes passed by Ontario governments between 1946-2018, it is also important to acknowledge the impact that institutions and stakeholders have on watershed management in Ontario. First, the conservation authorities serve a foundational role in monitoring host watersheds and reporting on flood and erosion control, ecosystem restoration, providing technical studies, and leading watershed and subwatershed planning efforts in partnership with local municipalities (Toronto and Region Conservation Authority, n.d.). Under the Clean Water Act, conservation authorities also manage source protection areas as designated Source Protection Authorities (2006). Given the many roles of conservation authorities and their frequently variable – and often decreasing – funding from the Ontario government, the partnerships facilitated by these institutions is another important aspect of watershed governance that evolved prior to 2018.

The period from 1946 to Doug Ford's election in 2018 experienced notable growth in the collaborative networks and partnerships between the province and municipalities, ENGOs, Indigenous Nations, agricultural stakeholders, and members of the public concerned with the state of Ontario's watersheds. While Ontario's watershed governance and participatory

frameworks were far from perfect leading to and including the Wynne government, the gradual advancement of watershed considerations in the provincial legislature, planning structure, and stakeholder consultations was a defining feature of the Ontario government's approach to watershed governance heading into the 2018 election.

5.6 Economic Prioritisation and Crisis Management Period (2018-Present)

Since 2018, there have been three provincial elections in Ontario, all resulting in Progressive Conservative majority governments under premier Doug Ford. In each of the elections, environmental issues were far from the focal points of the PC platform, which instead outlined promises to end the Ontario cap and trade program in 2018 (Zochodne, 2018), build the controversial highway 413 through Greenbelt lands in 2022 (CBC, 2022), and "unleash Ontario's economy" by expediting mining projects in Ontario's vaunted "Ring of Fire" critical mineral reserve (Wilson, 2025). The resulting provincial mandate following each election also responded to perceived crises that overshadowed the urgency of environmental issues in the PC's voting base. These crises were predominantly based on climbing housing prices and cost of living from 2018-2020, the economic impact of the COVID-19 pandemic and its multiple lockdowns from 2020-2022, and the tariff threat from new U.S. president Donald Trump in 2025.

Since Ford assumed office in 2018, his government has received public backlash over several attempts to undermine several decades' worth of land use protections established in Ontario, including a failed endeavour to pass Schedule 10 of Bill 66, the Restoring Ontario's Competitiveness Act (2019). Bill 66 was an omnibus bill that proposed amendments to several statutes, including the Planning Act. Schedule 10 contained provisions to override conformity requirements under the Planning Act so municipal "open-for-business" planning bylaws would not require conformity to provincial statutes and plans such as the Clean Water Act and associated SPPs, the ORMCA and ORMCP, and the Greenbelt Act and Plan (Restoring Ontario's Competitiveness Act, 2019). Ultimately, the public response to Schedule 10 resulted in

the successful removal of the provision from Bill 66, though Schedule 5 remained in the final version of the bill that resulted in the repeal of the 2009 Toxics Reduction Act (Heron, 2019b).

A few years later, the Ford government received more public backlash regarding the planned removal of Greenbelt lands for housing development in the form of the controversial Greenbelt Plan amendments in 2022. The amendment aimed to remove approximately 7,000 acres from the Greenbelt for housing development – including nearly 1,000 acres of wetlands and woodlands from the Greenbelt – while adding over 7,000 acres in parts of the Paris Galt Moraine and additional designated Urban River Valleys (URVs) (Auditor General, 2023). These removals would have potentially led to the degradation of the lands released from Greenbelt protections (Auditor General, 2023). Public outrage at the removals of Greenbelt lands and the repealing of the 2005 Duffins Rouge Agricultural Preserve Act followed by inquiries about the questionable decision-making behind the removals influenced the government to rescind the removals and enshrine the Greenbelt boundaries through the Greenbelt Statue Law Amendment Act in 2023.

The Greenbelt controversy exemplified the vulnerability of environmental protections under the Ford government between 2018-2025. The prioritisation of economic interests and infrastructure expansion, in addition to government response to crises including the COVID-19 pandemic, largely defines the current era of provincial watershed governance under the Ford administration. Beyond the initial 2018 Made-in-Ontario Environment Plan and the PPS updates of 2020 and 2024, the statutes reflected in this period are not environmentally focused at their cores. Regardless of their primary objectives, these plans, statements, and statutes all impact Ontario's watersheds and the institutions that manage and protect them in a critical time as the intensifying effects of climate change are experienced across the province.

5.6.1 Made-in-Ontario Environment Plan (2018)

Despite the lack of focus on watershed issues in the 2018 election campaign, the Ford government released the Made-in-Ontario Environment Plan (MOEP) in November 2018, which MECP minister Rod Phillips framed as “a clean break from the status quo” that aimed to balance environmental and economic concerns while denouncing the cap and trade and carbon tax programs (2018). The document features climate change as a present and future challenge for Ontario’s economic and environmental security, claiming the environment plan reflects the government’s commitment to protect Ontario’s land, water, and air, and “help communities and families prepare for climate change” (Made-in-Ontario Environment Plan, 2018).

The plan outlined key approaches that the Ford government committed to uphold in protecting Ontario’s watersheds, such as the promise to instill climate change considerations into Ontario’s land use planning framework, in addition to further commitments to continue and increase funds to existing programs such as the LSPP and COA. As a non-binding document, the MOEP was up to the government’s prerogative to ultimately deliver on these commitments and report their implementation and progress with transparency and scientific rigour.

One month following the release of MOEP, Bill 57, the Restoring Trust, Transparency, and Accountability Act effectively eliminated the office of the Environmental Commissioner created through the Environmental Bill of Rights (1993). The curtailment of the Environmental Commissioner’s reporting and the transfer of duties to the Auditor General and Environment Minister received backlash from ENGOs and environmental stakeholders as “short-sighted” and an overall loss of transparency and independent environmental oversight (Beaudoin, 2018; Winfield, 2018). The timing of Bill 57, which was introduced and passed within weeks of the Ford government’s environmental plan, cast doubt on the Ford government’s intent to prioritise environmental issues such as climate change and watershed protections (Heron, 2019a).

In 2018, the Made-in-Ontario Environmental Plan represented the first look at the Ford government's approach to environmental governance following campaign promises to repeal Ontario's cap and trade program and resist any implementation of a federal carbon tax. The promises made in the MOEP that later influenced contributions to watershed initiatives signified a policy window opened by the new mandate of Ford's PC government following 15 years of Liberal leadership. The problem stream that influenced the content of the MOEP primarily focused on the threat of climate change and the necessity to continue and build upon existing plans that contributed to improving the health and water quality of prominent Ontario watersheds including the Lake Simcoe and Great Lakes watersheds. The problem stream was met with the political stream consisting of the Ford government's political will to justify the repeal of the cap-and-trade program by establishing commitments to meet Ontario's climate goals. The Made-in-Ontario Environment Plan was relevant in setting the PC government's mandate to form a "clean break from the status quo" of the Liberal government's environmental policy.

5.6.2 Bill 108: More Homes, More Choice Act (2019)

Two months after the omnibus Bill 66 was passed – without the open-for-business planning bylaw provisions – another omnibus statute, Bill 108, received Royal Assent that imposed significant changes to existing environmental laws in ways that aligned with the Ford government's platform to expedite development approvals and build housing faster in response to Ontario's housing crisis (2019). Bill 108, titled the More Homes, More Choice Act (MHMCA) initiated minor amendments for statutes including the Ontario Water Resources Act (R.S.O. 1990), Environmental Protection Act (R.S.O. 1990), and the Ontario Environmental Assessment Act (R.S.O. 1990). The significance of Bill 108 in Ontario's historical approach to watershed governance is attributed to the major amendments made to the Conservation Authorities Act (R.S.O. 1990) and the Endangered Species Act (2007) that directly altered the ability for those statutes and their respective institutions to protect and manage watersheds in Ontario.

5.6.2.1 Conservation Authorities Act Amendments

The amendments to the Conservation Authorities Act initiated under the MHMCA were largely based on the reduction of the programs and services offered by CAs down to those relevant to the following four core mandates: reducing the risk of natural hazards; the conservation and management of lands owned or controlled by the authority; the duties, functions, and responsibilities as a source protection authority under the Clean Water Act; and the authority's duties, functions, and responsibilities under any Act as prescribed by regulations. The amendments would also allow CAs to provide a program or service other than those under these core mandates, but only as prescribed by provincial regulation (Mitchell et al., 2021). The amendments would also authorise the minister to appoint one or more investigators to investigate and report on the conservation authority's operations (More Homes, More Choice Act [MHMCA], 2019). The adverse impact of the MHMCA on the ability for conservation authorities to continue providing expertise and programs in watershed protection and integrated watershed management was a sentiment shared by many Ontario ENGOs (Lintner & Scarfone, 2019). For non-core programs and services, CAs would have to enter into agreements with municipalities or would lose the funding necessary to provide the services allowed by the agreement. As the boundaries of conservation authorities – and watersheds in general – are not defined by political municipal boundaries, a possible consequence of the necessity for these agreements is the variance of programs offered across watersheds due to differences in the preferences of participating municipalities (Mitchell et al., 2021). Both ENGOs and municipal representatives with the Association of Municipalities of Ontario (AMO) also expressed concern with the reduced funding that Ford government provided for conservation authorities, even to fulfill their core duties under Bill 108 (Lintner & Scarfone, 2019; Association of Municipalities of Ontario [AMO], 2019).

5.6.2.2 Amendments to the Endangered Species Act (2007)

Considering the changes to a range of environmental statutes by Bill 108, the implications of the MHMCA on watershed policies were the most severe for the Endangered Species Act (2007). The ESA's protection of endangered species habitat, including wetlands and other connected watershed ecosystems that contain high levels of biodiversity, was found in subsection 10, which prohibited activities that damaged or destroyed sensitive habitat areas of a species listed in the Species at Risk in Ontario (SARO) List, unless authorised by regulation (2007). The MHMCA introduced several amendments that were detrimental to the ESA's fundamental purpose of protecting species at risk in Ontario and their habitats. First, the required timeline for the Minister of Natural Resources to make a regulation adding a species to the SARO List following a classification report by the Committee on Species at Risk in Ontario (COSSARO) was extended from three months to a maximum of twelve-months (MHMCA, 2019). The Minister can also request a reconsideration of a classification by COSSARO, which would then have to send a second report in an indeterminate amount of time. The 12-month period to add that species to the SARO List would only begin after the Minister received the second report (MHMCA, 2019).

The MHMCA also provides the Minister with significant new regulatory powers, including the ability to make an order that when a species is added to the SARO List for the first time, the order suspends all or some of the prohibitions listed in the ESA under subsections 9 and 10 for a period of up to three years (MHMCA, 2019). The Minister was also granted the power to enter a "landscape agreement" that authorises a person or party to conduct an activity normally prohibited under s.9 or s.10 of the ESA, granted they also execute beneficial actions to assist in the protection or recovery of a species at risk within the geographic area specified in the agreement (MHMCA, 2019). The Minister would only be able to enter into a landscape agreement if the Minister, without any requirements to consult with an expert, is of the opinion

that the survival or recovery of one or more “impacted species” in the specified geographical area covered by the agreement would not be jeopardised by the proposed activity. The shift from expert-sought advice to increased ministerial powers were major hallmarks of the changes to the ESA brought by the MHMCA in addition to the deliberate postponement of the automatic protections for species at risk and their habitats.

5.6.2.3 Conclusion

Following the attempt at passing the “open-for-business” provisions of Bill 66, Bill 108 was another statute by the Ford government that aimed to curtail the protective breadth of existing watershed policy frameworks under the guise of “reducing red tape” and accelerating housing development. The amendments made to multiple environmental statutes, particularly the Conservation Authorities Act (R.S.O. 1990) and the Endangered Species Act (2007), reflected the Ford government’s early legislative reforms by removing perceived barriers to rapid housing development. The political will to reduce the scope and effectiveness of habitat protections in Ontario, combined with the problem of the housing/housing affordability crisis and the policy entrepreneurship of development industry lobbyists opened the policy window for the Ford government to implement these amendments through the MHMCA. This statute continued the Ford administration’s divergence from the previous government’s strengthening of land use protections and watershed management policies. The issue of Ontario’s housing crisis formed the primary rationale for the Ford regime’s deliberate cuts to the role of conservation authorities in watershed conservation and integrated management right up until the first case of COVID-19 arrived in the province in March 2020.

5.6.3 Bill 197: Covid-19 Economic Recovery Act (2020)

In July 2020, four months after COVID-19 began spreading throughout Ontario, the Ford government introduced and passed Bill 197, the COVID-19 Recovery Act after three readings in less than two weeks and without public consultation through the ERO (2020). Bill 197, another

omnibus legislation that proposed multiple amendments to several existing statutes across 20 schedules introduced major overhauls of Ontario's Environmental Assessment processes and expanded the power of the Minister of Municipal Affairs and Housing to make Minister's Zoning Orders (MZOs) to overrule local planning decisions without being subjected to public scrutiny or appeal (Ontario Nature, 2020).

The Ford government's decision to fast-track the omnibus bill through the legislature as the public confronted waves of COVID-19 infections revealed the opportunistic nature of the regime's political approach to pass environmentally regressive policies with as minimal public input as possible. The process of pushing Bill 197 through the legislature in less than two weeks was made possible by circumventing the legal requirement of the Environmental Bill of Rights (EBR) to provide a minimum 30-day public consultation on the changes to the EA Act and Planning Act (Ontario Nature, 2020). The illegal nature of the circumvention of the EBR in the amendments to the Planning Act was confirmed in a September 2021 decision in the Ontario Divisional Court, which determined that the Minister of Municipal Affairs and Housing acted "unreasonably and unlawfully" in avoiding public consultation specifically when making the changes to the Planning Act (CELA, 2021). The Court found that the changes to the EA Act in Bill 197 without public consultation as mandated by the EBR was lawful due to a "statutory exemption" included in Bill 197 that retroactively exempted the changes from consultation under the EBR (CELA, 2021).

Bill 197 proposed almost 80 pages of amendments to the Environmental Assessment Act, including the removal of automatic EA requirements for public sector – including infrastructure projects such as highways, industrial, or development projects and provided the Lieutenant Governor in Council with the power to, "make regulations designated the enterprises, activities, and proposals, plans and programs in respect to enterprises and activities as projects to which the [EA] Act applies" (COVID-19 Economic Recovery Act, 2020; Lindgren, 2020). Amendments

under Bill 197 replaced the class environmental assessments with this regulation-based list under the tutelage of the Lieutenant Governor in Council. S. 13 under Part II.1 of the Environmental Assessment Act was replaced with the following:

> On and after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent, no application for approval of a class environmental assessment shall be submitted and any application in respect of which no approval has been given under this Part before that day shall be terminated. (2020, c. 18, Sched. 6, s. 21 (1)).

Environmental organisations noted that the amended provisions provided no criteria to determine which projects would be subject to an assessment given these new powers (Ontario Nature, 2020). The amendments also restricted the grounds for non-Indigenous residents of Ontario to request the elevation of an environmental assessment from a streamlined – formerly class – EA to a "comprehensive" EA that replaced the individual EA (Lindgren, 2020). Even in the case of a comprehensive EA, the environment minister would still be allowed to scope key environmental planning matters from consideration in the EA process, including the need and alternatives to the project (Lindgren, 2020).

The changes that Bill 197 imposed on the Planning Act, which drew the legal challenges from ENGOs in the 2021 Divisional Court ruling, strengthened the powers of the Minister of Municipal Affairs and Housing to unilaterally issue MZOs that would not require public participation in land use planning decisions, would override local land use planning processes, and would not be subject to appeals in the Local Planning Appeal Tribunal (LPAT). Given the prioritisation of streamlined development and environmentally regressive policies without public consultation by the Ford administration, the power to bypass local planning, public consultation and appeal rights, and environmental considerations through MZOs represented a major threat to the watershed protections that took decades to put in place. The threat of increased Ministerial powers regarding MZOs was realised in October 2020, when an MZO was

authorised on a parcel of land that contained a provincially significant wetland in Pickering that was part of the lower Duffin's Creek wetland complex (Crawley, 2023). The land, which was under the jurisdiction of the Toronto and Region Conservation Authority (TRCA), received an MZO approval to destroy the wetland to facilitate the construction of an Amazon warehouse. Under the provisions provided by Bill 229 in December of 2020, the Ford administration ordered the TRCA to approve the development permit for the destruction of the provincially significant wetland (Crawley, 2021). While Amazon Canada ultimately pulled out of the development and the MZO was revoked days before the wetland was set to be destroyed, the use of the MZO to pave over a provincially significant wetland is a prime case study to the destructive influence the expansion of Ministerial powers allowed through Bill 197 has on the governance of watersheds in Ontario and the willingness of the Ford government to use them to further their agenda.

Bill 197 follows the opening of a policy window created by the prioritisation of economic considerations in response to the COVID-19 pandemic. The political stream was clearly represented by the Ford government's propensity to undermine environmental protections in favour of development and economic potential, which combined with the problem stream manifested in the urgent response of the government to the economic impacts of COVID-19.

Bill 197's amendments to the EA Act and the expansion of MZO powers in the Planning Act represent a significant development in the province's evolution of watershed governance. The use of MZOs to override public consultation and local planning processes to rezone a provincially significant wetland for development clearly marks a regression in environmental policies and the application of statutes originally meant to facilitate the protection of these sensitive ecosystems. The combined use of provisions under Bill 229 showed the burgeoning framework of policies under the Ford administration that threatened to undermine decades of watershed policies in Ontario.

5.6.4 Bill 229: Protect, Support, and Recover from COVID-19 Act (2020)

By November 2020, the COVID-19 pandemic fueled devastating economic and public health impacts around the world, including in Ontario. Complete shutdowns of non-frontline industries prompted the second public crisis of Doug Ford's first term as premier and the government responded to the ongoing economic crisis with another omnibus budget measures bill titled the Protect, Support, and Recover from COVID-19 Act, or Bill 229 (2020).

Bill 229 contained 44 schedules each containing multiple amendments of statutes across industries and ministries. From an environmental standpoint, the changes outlined to the Conservation Authorities Act (R.S.O 1990) in Schedule 6 and consequential amendments to the Planning Act (R.S.O 1990) exhibited the biggest impacts to Ontario's approach to watershed governance. By many accounts, including that of the Canadian Environmental Law Association (CELA), one immediate issue with Bill 229 is that it bypassed important stages for public input, including through the Environmental Registry of Ontario, and missed appropriate engagement with Indigenous communities (Lintner & Blaise, 2020). In terms of the content of the amendments, the following changes represent a sample list of the amendments that Bill 229 proposed to the CA Act and Planning Act:

Act and Section Amended	General Description
CA Act: s.23.2, 23.3	Grants the Minister powers to act on reports by investigators (allowed under Bill 108) concerning the operations of a conservation authority. The Minister may order the authority to halt any non-compliance with the CA Act, and recommend to the Lieutenant Governor in Council to appoint an administrator to take control of the operations of the authority.

CA Act: s.28.1	If a conservation authority denies a permit for an activity that would otherwise be prohibited under s.28, the applicant can ask the Minister to review the decision or appeal directly to the Local Planning Appeal Tribunal (LPAT).
CA Act: s.28.1.1	Allows the Minister to order a conservation authority not to issue a permit for an activity that would otherwise be prohibited under s.28 of the CA Act. After making the order, the Minister may issue the permit instead of the conservation authority.
Planning Act: s.1(2)	Subject to regulation, Conservation Authorities are no longer considered public bodies who can independently appeal any planning decisions under the Planning Act to the LPAT, unless the appeal is made regarding a prescribed natural hazard risk.

Table 3: Table of sample amendments to the Conservation Authorities Act (R.S.O 1990) and the Planning Act (R.S.O. 1990) by Bill 229. Adapted from Conservation Ontario (2020).

In their letter to the Standing Committee, CELA maintained that the "package of amendments as proposed are likely to set back watershed planning and implementation of an ecosystem-based approach by decades" (Lintner & Blaise, 2020). The decision for Bill 229 to bring conservation authorities under the "one window" approach to planning matters through the Ministry of Municipal Affairs and Housing was reminiscent of Bill 20's amendments to the definition of "public body" during Mike Harris' "Common Sense Revolution" planning reforms (1996). Kim Gavine, the General Manager of Conservation Ontario also expressed concern at the government's use of Minister's Zoning Orders (MZOs) – and likely, by extension, the changes to s.28.1.1 allowing the Minister the power to grant permits in place of a conservation authority – and seconded the opinion that Bill 229 would "hurt Ontario's environment and our unique watershed approach" (Ausable Bayfield Conservation Authority, n.d.).

The passage of Schedule 6 of the Protect, Support, and Recover from COVID-19 Act also prompted farther reaching impacts than even the Ford government intended regarding Ontario's watershed management institutions. In a clear response to the Ford's weakening of watershed planning in Bill 229, David Crombie, former Progressive Conservative federal cabinet member and architect of the Royal Commission on the Future of the Toronto Waterfront – also referred to as the Crombie Commission, resigned from his position as Greenbelt Council Chair (CBC, 2020). Six other members of the council also stepped down, marking an exodus of roughly half of the Council over the proposed amendments to Ontario's watershed governance structure. In his resignation letter, Crombie stated that the government's direction "disastrously assaults" the primary values and benefits of the Greenbelt, which included, "the effectiveness of watershed planning, the strength and resilience of the conservation authorities, and the power of public participation and open debate" (CBC, 2020).

Considering the designation of Bill 229 as a budget measure, the provisions that allowed the Minister to override permit decisions by CAs and alter the abilities of conservation authorities to act as a public body in planning appeals were passed without the necessary public consultation that would have been required under the EBR in any other circumstance. The onset of COVID-19 earlier in the year provided the opportunistic Ford regime with a means to pass regressive environmental policy under the guise of a bill responding to pandemic-era economic impacts without requiring the necessary public or Indigenous consultation. The government's willingness to capitalise on the COVID-19 pandemic by introducing an omnibus bill containing changes to environmental policies that, according to Tim Gray, the executive director of Environmental Defence, are predominantly only supported by developers (CBC, 2020), signalled a policy window that combined the existing political stream with a new problem stream of economic stability amid the coronavirus outbreak. The policy stream, influenced by earlier provisions in Bill 108 to reduce the role of CAs in planning decisions lobbied for years by

development lobbyists, also joined in the formation of this policy window. While this policy window differed from the one that was used to pass Bill 108's restrictions on the scope of conservation authorities, the actions by the Ford government signalled the emergence of an internal watershed policy path dependence centred on the reduced ability for CAs to continue advocating for watershed planning in the province's development appeals processes.

5.6.5 Bill 23: More Homes Built Faster Act (2022)

Two years after the onset of the COVID-19 pandemic, the Ford government won its second consecutive majority government in the June 2022 election amid a historically low voter turnout. With a new mandate in place and a plan to stay open despite the COVID-19 still lingering in the populace, the Ford government returned to the issue of housing development in Ontario. The Minister of Municipal Affairs and Housing tabled Bill 23, More Homes Built Faster Act (2022) in October, and it received Royal Assent roughly a month later in November 2022. The Bill was developed following a February report by the Ontario Housing Affordability Task Force (OHATF) that recommended a goal to build 1.5 million homes over the next decade.

Like Bill 108 (2019), Bill 197 (2020), and Bill 229 before it, Bill 23 also drew the concern of environmental groups, conservation authorities, and municipalities due to the amendments the bill proposed for the Conservation Authorities Act and the Planning Act that favoured development over environmental protection. The following list presents a sample of the policy changes influenced by Bill 23, including the amendments directly passed through the More Homes Built Faster Act (2022):

General Description of Policy Change	Implications on Watershed Governance
Conservation Authorities can only focus on natural hazards when commenting	Conservation authorities lose the ability to reference broader environmental issues (impact on wetlands and groundwater, resource conservation, etc.) when commenting on a

on development proposals. (Mitchell et al., 2024)	development proposal. Potentially impactful developments may be permitted without the consideration of broader environmental impacts, especially those that contribute to environmental degradation.
Conservation Authorities are required identify any lands under its ownership or control that could support housing development. (Credit Valley Conservation [CVC], 2022)	Lands owned or controlled by conservation authorities were acquired for many purposes, including the purpose of restricting development in areas where natural hazards may occur or for the protection of vulnerable natural heritage features. Identifying lands that may support housing developments may expose those previously protected lands to zoning orders by the Minister or the ordered approval of a development permit on those lands. The resulting development may significantly impact and degrade the local watersheds.
Regarding land use planning matters under the Planning Act, CAs can only appeal matters on lands they own, matters in which they are the applicant, or matters relating to natural hazard policies in the PPS. (Mitchell et al., 2024)	Restrictions to the conservation authority's ability to appeal planning matters, even at the request of a municipality, significantly reduces their ability to contribute their expertise in watershed management, planning, and ecological protection. Without the valuable input of conservation authorities, municipalities may not have the ecological and conservation knowledge to effectively appeal developments that may be harmful to local watersheds and natural heritage features.
"Pollution" and "Conservation of Land" tests are removed from the review and decision-making process for permit applications. (CVC, 2022)	If conservation authorities are not allowed to test for pollution and the conservation of lands when permitting an activity or development, applications that may have considerable levels of pollution or disruptive land uses may be permitted if the remaining tests are met during the application process.
The Minister of Natural Resources may direct conservation authorities to	Further reduction of funding for conservation authorities may impact the ability of the authorities to conduct their core services and provide services for watershed-based management and conservation.

maintain their fee amounts for programs and services. (CVC, 2022)	

Table 4: Sample list of policy changes brought by Bill 23 and their potential implications on watershed governance in Ontario.

These policy changes creating significant implications for watershed governance in Ontario and the capacity of conservation authorities to effectively maintain their watershed-based management directives that influenced their creation in 1946. The continued reduction of their appeal rights and ability to comment on development applications beyond considerations for natural hazards are testaments to the Ford government's commitment to prioritise economic factors over environmental concerns entering his second term as Ontario's premier. The implications of the changes made by Bill 23 on Ontario's watersheds and the ability of conservation authorities to provide expert advice on watershed management when municipalities are inundated with development applications have likely not been fully realised as the More Homes Built Faster Act enters its third year in effect and Ontario continues to strive towards the goal of building 1.5 million homes in the next decade.

Bill 23 and its many amendments fit the model of a policy window due to the capitalisation of the Ford government and development interests on the problem stream shifting back from the COVID-19 pandemic back to the housing crisis Ford began to address as he began his first term as premier. The re-election of the Progressive Conservative Party also provided Ford with a strong mandate to pursue his party's pro-development platform, which formed the political stream of the Multiple Streams Framework. The policy stream built upon the reduction of CA powers and environmental oversight from Bill 108, Bill 197, and Bill 229, among others, signalling the continuation of the path-dependent agenda of pro-development policy changes. The removal of planning authority for seven upper tier regional municipalities across the GGH – namely Simcoe County and the Durham, Halton, Peel, Niagara, Waterloo, and York regions – also increased the risk for piecemeal lower-tier municipal plans that do not sufficiently

cover intermunicipal and regional watershed planning considerations in the Greater Golden Horseshoe. The implications of reduced regional watershed planning considerations were also heightened when the provincial government began developing a new provincial planning statement to replace the existing PPS in the next few years.

5.6.6 Provincial Planning Statement (2024)

As part of the response to the Ontario Housing Affordability Task Force's 2022 report, the Ford government continued making changes to the province's planning framework to "reduce red tape" and implement many of the report's proposals. A major part of this planning overhaul was the development of the 2024 Provincial Planning Statement, which aimed to streamline and replace the planning structures of the 2020 consolidated Growth Plan update and the 2020 Provincial Policy Statement.

According to the OHATF report, one of the key issues in Ontario's development approvals process was "too much complexity in the planning process, with the page count in legislation, regulation, policies, plans, and by-laws growing every year" (Lawrence et al, 2022). This rationale prompted Recommendation 22 of the OHATF report that called for the Ontario government to "simplify planning legislation and policy documents" (Lawrence et al, 2022). By attempting to streamline the policies of the Growth Plan, which contained approximately 55 pages of policies, and the 2020 PPS, which dedicated 28 pages to policies, the 2024 Provincial Planning Statement reduced the page count of provincial planning policies by over 50 pages. However, due to the integrated development of the Growth Plan with the Greenbelt Plan and the NEP and ORMCP planning areas, the revocation of the Growth Plan for the Greater Golden Horseshoe had the potential to initiate far-reaching repercussions across Ontario's planning and watershed governance landscape.

To avoid major implementation issues with the Greenbelt Plan policies established “in accordance with” Growth Plan policies, the Ontario government amended the Greenbelt Plan by issuing Order in Council 1101/2024 as follows:

Section 1.4.1 General is amended by adding the following new paragraph after the 2nd paragraph of that section:

> “A reference in this Plan to the PPS is a reference to the Provincial Policy Statement, 2020 as it read immediately before it was revoked and a reference in this Plan to the Growth Plan is a reference to the Growth Plan for the Greater Golden Horseshoe 2019 as it read immediately before it was revoked” (MMAH, 2024).

This amendment to the Greenbelt Plan, proclaimed in effect on the same day the Growth Plan was revoked, served as a stopgap measure to ensure the policies of the Greenbelt Plan with references to the 2020 PPS and Growth Plan were still implementable following the revocation. However, the changes from the 2020 PPS to the 2024 Provincial Planning Statement created inconsistencies in many planning areas for municipalities inside the Greenbelt area compared to those outside the Greenbelt. As the Greenbelt Plan’s latest 10-year review is set to begin in 2025, these inconsistencies will have to be addressed to decouple the Greenbelt policies from the Growth Plan and 2020 PPS and better align with the policies of the new Provincial Planning Statement.

From an environmental standpoint, the 2020 PPS’ Natural Heritage policies were all carried over into the 2024 Provincial Planning Statement. The water policy section eliminated the requirement for “planning authorities to evaluate and plan for the impacts of a changing climate to water resource systems at the watershed level” and the requirement to “ensure stormwater management practices minimised stormwater volume and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces” (MMAH, 2020, 2.2.1).

The revocation of the Growth Plan and partial incorporation into the streamlined 2024 Provincial Planning Statement also eliminated the provincial mapping of the Natural Heritage System for the Growth Plan. This change effectively removed protections of key natural heritage and hydrologic features in areas beyond the Greenbelt boundaries and scoped wetland protections outside the Greenbelt to only those designated as “Provincially Significant”. However, the determination and management of provincially significant wetlands were significantly altered due to the 4th Edition updates to the OWES Southern Manual in 2023 in advance of Bill 23. The 4th Edition updates to the OWES Manual did little to calm concerns from ENGOs about the Ford government’s weakening of wetland protections beyond the Greenbelt area, even for wetlands deemed “Provincially Significant”. In particular, the privatisation of provincial oversight in wetland evaluation, the undermined valuation of threatened and endangered species in scoring the significance of wetlands, and the potential to re-evaluate and reclassify individual wetlands previously classified as part of a significant wetland complex in the 2023 OWES updates are the main points of contention from ENGOs and conservation authorities (Bell, 2022; MacKenzie, 2024).

Overall, while the 2024 Provincial Policy Statement mostly maintained the Natural Heritage and Water Resource policies of the 2020 PPS, the subsequent revocation of the Growth Plan initiated seismic shifts in the provincial oversight and management of watersheds and their wetlands across Southern Ontario. Revoking the Growth Plan increased the reliance of watershed and wetland protections beyond the Greenbelt on the PPS and the 4th Edition of the OWES Manual, despite their perceived weaknesses by environmental groups, and amidst a major push by the Ford government to increase housing development across the GGH.

The release of the 2024 Provincial Planning Statement and the subsequent revocation of the Growth Plan represent the Ford government’s response to a policy window according to Kingdon’s Multiple Streams Framework. The policy window was facilitated by the Ford

government's political will to address the housing crisis in Ontario, especially after the call to increase housing supply by 1.5 million homes following the OHATF report in 2022. The problem stream was consistent from the government's response to Ontario's housing crisis that informed Bill 108, Bill 197, and Bill 23's reduction of conservation authority powers and the curtailment of environmental standards in the Planning Act, ESA, and the EA Act. During this period of development-friendly policy implementation, the development industry's close ties with Ford and other contacts within Ford's staff resulted in the increased influence of policy entrepreneurs that publicly – and infamously during the Greenbelt Scandal – attempted to secure lucrative land deals as the government prepared to release additional land supply for housing development. Despite the OHATF report explicitly stating that a shortage of land was not a cause of Ontario's housing woes, the Ford government's policy changes reflected an openness to the demands of developers rather than maintaining the delicate balance between development and environmental protection that previous governments strove for decades to stabilise.

5.7 The State of Watershed Governance in Ontario: Post-2018

The Ford government's seven years holding Ontario's provincial office exhibited a stark deviation from the watershed policies implemented by the Liberals, NDP, and even the Progressive Conservative governments of the Dynasty era. Instead, the environmentally regressive policies of legislation such as the COVID-19 Economic Recovery Act (2020) and the More Homes Built Faster Act (2022) are more reminiscent of Mike Harris' policies of the "Common Sense Revolution" that weakened watershed policies in the 1997 PPS, weakened established environmental protections in the Environmental Assessment Act, and weakened the funding and role of conservation authorities in the province's planning processes.

In February 2025, the Ford government was re-elected with their third straight majority government, providing the legislative power to continue their path of environmental policy reform and erosion of watershed protections in Ontario. Apart from the major policies explicitly outlined

in the Economic Prioritization and Crisis Management Period, other legislation enacted by the Ford government also contributed to the regression of environmental protections in Ontario. For example, Bill 212, Reducing Gridlock, Saving You Time Act (2024) exempts the Highway 413 Project from environmental assessments under the EA Act, opting to establish an "environmental impact assessment report" that is not subject to be externally reviewed or approved, and does not appear to contain any provisions that would suspend the development of Highway 413 if significant environmental degradation occurs or is expected to occur during the highway's construction (Morris et al., 2024). According to Ontario Nature, Highway 413 would cross through 162 hectares of Greenbelt land and destroy or partially destroy 75 wetlands, 28 of which are designated as "Provincially Significant". The environmental impacts proposed by Highway 413 and imperil endangered and other species at risk, and – by legislation – would be allowed to exempt Highway 413 from the requirement to conform with any policy statement under the Planning Act, including the 2024 Provincial Planning Statement (Morris et al., 2024).

Since 2018, the environmental policies under the Ford government have followed a regressive path largely based on allowing more environmentally degrading development and activities even on Ontario's most vulnerable watersheds. Without the public outcry against the Greenbelt land swap scandal, the Ford government would have undermined more of the province's most celebrated environmental policies that protect watersheds across the GGH – despite the OHATF report stating that Greenbelt land is not needed to meet the province's housing goals (2022). With the recent election win in February 2025, the Ford government has been given another four years – at minimum – to continue this trajectory of watershed-degrading environmental policies or to change course and protect the multitude of ecosystem services and climate change mitigating effects that well-protected watersheds offer Ontario in an ongoing period of record-breaking heatwaves and broader climate risks.

6.0 Discussion

This discussion chapter interprets the analysis of Chapter 5 through the research questions and theoretical frameworks that guided this study. Specifically, this chapter examines:

- How major events or changes in provincial leadership have affected the government's approach to watershed governance in Ontario
- How the provincial government's historical approach to governing watersheds in Ontario evolved in response to environmental pressures
- Which policies or laws have been implemented to address - or potentially undermine - environmental concerns related to watershed governance

The examination of these research questions in this chapter incorporates the theoretical lenses of Historical Institutionalism and the Multiple Streams Framework to evaluate when legislative or policy changes reflected long-term path-dependent processes, critical junctures in policy development, or the opening of opportunistic policy windows. This discussion aims to provide insights into how the Ontario government has historically responded to environmental and development pressures, and how it may continue to respond to these pressures in the future as the Ford government begins its third term holding provincial power. This discussion also aims to serve as a foundation to future updates as the province's approach to watershed governance continues to evolve either proactively or in response to future catalysing events.

6.1 The Impact of External and Institutional Changes on Watershed Governance in Ontario

Perhaps unsurprisingly, major events and changes in provincial leadership have instituted some of the most distinct shifts in the provincial prioritisation of watershed policy over the 78 years covered in this analysis. Prior to 2018, the two most significant events that altered the course of watershed governance in Ontario were the arrival of Hurricane Hazel in 1956 and the Walkerton Tragedy in 2000.

The damage and loss of life caused by Hurricane Hazel caused the expansion in the roles of conservation authorities in natural hazard management and floodplain mapping, along with reinforced expropriation efforts by the Frost government to restrict housing in floodplains and direct municipalities to repurpose those lands for parks or flood management (Robinson & Cruikshank, 2006). Implemented after a sudden natural disaster, the efforts of the provincial government to increase floodplain management efforts were a reactive shift in policies that, while focusing more on the use of dams and water-based infrastructure to mitigate future flood damage, also represented an early acknowledgement of the need for restrictive development and housing policies in floodplain areas (Robinson & Cruikshank, 2006).

Even in provincial governments famously resistant to increasing considerations for watershed management, such as the Harris administration, the impact of exogenous events caused major shifts in the government's watershed and source water strategies. The events of the Walkerton Tragedy in 2000 initiated perhaps the largest institutional pivot in Ontario's history of watershed governance. After years of cutting funding to environmental programs as part of the "Common Sense Revolution" platform, the Harris government committed to implement every one of Justice O'Connor's 122 recommendations of the Walkerton Inquiry (Sims, 2020). According to the Canadian Environmental Law Association, over half of the applicable recommendations have been completed as of August 2022. After Mike Harris resigned as premier in 2002 and Eaves was defeated in the 2003 election, McGuinty's government continued the work to implement the recommendations of Justice O'Connor's inquiry, resulting in the development of the Clean Water Act in 2006. The Inquiry resulted in the development and release of three statutes, 12 regulations, and more guidelines and policy tools to improve the protection of source water and drinking water quality in Ontario (Fuller et al., 2023).

Changes in provincial leadership also facilitated major shifts in the province's methods of addressing watershed governance, as exemplified by the variance of watershed management

strategies between the early 1990s and 2018, and following the start of the Ford administration after the political collapse of the Wynne government in the 2018 election. During the Expansion Period, the Progressive Conservative Davis, Liberal Peterson, and NDP Rae governments all contributed to increased government commitments towards a science-based influx of watershed and wetland integration into Ontario's environmental governance structure.

However, the trajectory of environmental policy drastically changed with the election of Mike Harris and the ideological shift towards deregulation and fiscal austerity in the "Common Sense Revolution". The retrenchment of environmental funding and oversight in the Harris era was significant enough to designate in a new era of Ontario's watershed policies, as statutes like Bill 20 effectively removed the requirement for municipalities to abide by provincial policy statements, including the Comprehensive Set of Policy Statements introduced by the NDP government in 1994 (Cooper, 1996). The Environmental Policy Retrenchment Period also saw the drastic reduction of the operating budgets for conservation authorities and the narrowing of their mandates through the release of provincial funding for natural hazards (Piatkowski, 1996).

The arrival of the McGuinty government following Harris' resignation and Eaves' defeat in 2003 saw a similar diversion from previous government mandates by significantly increasing the government's role in watershed protections and land use planning, instituting the Greenbelt (2005), returning the legal standing of the PPS through revisions in 2005, initiating the Growth Plan (2006), and creating source protection areas through the Clean Water Act (2006). The Wynne government continued this new trajectory of generally strengthened watershed protections, developing the 2017 Growth Plan's Natural Heritage System to expand protections for wetlands beyond the Greenbelt boundaries.

The election of Doug Ford's government has been another stark example of the impact of changes in provincial leadership on watershed policy frameworks in Ontario. The renewed mandate focus on the housing crisis and the economic prioritisation of the pandemic era

resulted in significantly regressive environmental policy reforms reminiscent of Harris' reductions for conservation authorities and the deregulation of environmental oversight. Statutes including Bill 108, Bill 229, Bill 23, and policy changes such as the changes to the OWES Manual and the Provincial Planning Statement represent clear departures from nearly 20 years of government leadership in environmental planning.

From the perspective of Kingdon's Multiple Streams Framework, successions in government and the subsequent shift of political priorities demonstrate the coupling of the political and problem streams as the incoming regime aims to fulfill the terms promised in their election platforms to voters who frame these promises as solutions to a significant problem. In the case of the Ford government, this meant the prioritisation of infrastructure projects and housing developments while "streamlining" environmental processes under the visage of resolving the housing crisis. Although critical path-dependent environmental institutions such as conservation authorities have remained throughout these changes in provincial leadership, their diminished roles and budgets have constrained them from receiving provincial funding for initiatives in line with broader watershed protection and conservation goals (Lintner & Scarfone, 2019). Overall, these examples support the influence of exogenous events and political leadership in the province as a central factor to the extent of watershed governance in Ontario.

6.2 Responses in Watershed Governance to Environmental Pressures

Beyond single external events and political changes, environmental issues have been a constant in the background of provincial watershed governance. Throughout the 20th and 21st Centuries, environmental risks from flooding, pollution, water quality and harmful algal blooms, biodiversity loss, and the intensifying effects of climate change have all placed additional importance on the government's management of watersheds in Ontario. However, the government's responses to these pressures have been varied due to the state of political climates, even more than the state of the Earth's physical climate.

In many cases, including the formation of conservation authorities, the introduction of MISA (Dupuy, 1997), and the aftermath of Walkerton that resulted in the Clean Water Act (2006), government action on reducing pollutants were primarily reactive and based on opportunistic policy windows that either stemmed from the actions of ENGOs and public concern over environmental degradation and pollution, or followed public outcry against highly visible impacts of pollution such as Grassy Narrows and Walkerton. The institution of source water protection authorities and the completion of the Clean Water Act represented a critical juncture that fundamentally changed how source water areas were protected in the province.

Other environmental issues, such as climate change and biodiversity loss, have not received the same urgency of the government's responsiveness as the immediate threat of water pollution – though it is important to note that many First Nations to this day do not have access to clean drinking water, which necessitates the continued implementation of Justice O'Connor's recommendations from the Walkerton Inquiry (Barnes, 2022). While the impact of climate change on Ontario's watersheds has received increasing mention in provincial statutes, policies, and plans such as the Lake Simcoe Protection Act (2008) and Great Lakes Protection Act (2015), the prioritisation of housing development over the climate-mitigating services of wetlands by the Ford government have suggested a growing disconnect between the Ontario government's responsiveness to climate change and the significant risk that climate change is already imposing on the province's watersheds. Current environmental policies under the Ford administration showcase the depth of this disconnect, revoking the ecosystem connectivity from the Growth Plan's Natural Heritage System and weakening the Ontario Wetland Evaluation System to facilitate the destruction of some of nature's most effective carbon sinks.

The history of Ontario's approach to watershed governance has shown that, while environmental pressures have served as catalysts for institutional reform and increased considerations of climate change, they are not always sufficient or immediate enough to

guarantee meaningful change under certain government agendas. Significant policy shifts, such as the one exemplified by the Clean Water Act (2006), have often required a catalysing event to instigate a problem stream and reposition government priorities on environmental issues in the resulting policy window. Since the issues presented by declining biodiversity and climate change are not always centred in the public eye of political priorities outside of a major crisis event, this discussion underscores the importance of environmental awareness and the work of ENGOs and concerned Ontarians in maintaining pressure on the government to act on environmental pressures before a crisis arrives to initiate meaningful action.

6.3 The Role of Law and Policy in Watershed Governance

Given the Ontario government's jurisdiction over natural resource and land use planning in the province, the success of the government's strategies for watershed governance is ultimately determined by the capacity for provincial laws and policies to strengthen or weaken watershed governance frameworks. Over the past 70+ years, the enaction of watershed statutes and policies have reflected a wide range of intentions, from the creation of a Wetlands Policy Statement in 1992 to Bill 20's Planning Act amendments that removed the requirement of municipalities to conform to such policy statements only four years later. The shift in legislation and policy intent from the Regional Planning and Source Water Period to the Economic Prioritisation and Crises Management Period also shows this dichotomy of watershed policies that intended to strengthen or weaken protections and land use considerations of watershed ecosystems. These periods saw the development and expansion of the Growth Plan and its Natural Heritage System in 2006 and 2017 respectively, and the revocation by the Ford government's attempts to "streamline" planning policies viewed as a hindrance to housing development. The Ford government's restructuring of the conservation authorities' ability to comment and appeal development decisions follows this recent pattern of the weakening of watershed policies, even during a time when ENGOs, academic and scientific literature, and

even government reports acknowledge the risk of climate change and the necessity of effective environmental policies (Trenholm et al., 2017; MNR, 2024a).

The legislative history of Ontario's watershed governance policy framework reveals the shifting tides of environmental and economic prioritisation and their impacts on the permanence of protective watershed policies. While Ontario hosts several world-renowned watershed-based institutions and policies including conservation authorities and source water protection, even these critical services are made vulnerable by the erosion of checks and balances imposed by more progressive environmental mandates. The role of law and policy in watershed governance and the effective regulation and enforcement of these policies, whether they strengthen or weaken watershed protections, are ultimately determined by the political motivations of the government in power to address pressing political issues. In turn, these political motivations are greatly influenced by policy actors and the circumstances that create strong institutional and public support for change, either by an opportunistic policy window or an institution-defining critical juncture in watershed policy.

7.0 Conclusion and Future Implications

This research paper examined the historical evolution of Ontario's watershed governance framework from the mid-20th Century to the 2025 re-election of Doug Ford's Progressive Conservative government. Through the application of Historical Institutionalism (HI) and the Multiple Streams Framework (MSF), this study identified distinct periods where watershed policies expanded, regressed, or followed path-dependent processes and examined the circumstances behind these changes in watershed policy frameworks.

The analysis addressed three central research questions that guided the paper's examination of the impacts of major events and leadership changes, environmental issues, and the laws and policies on Ontario's historical approaches to watershed governance. The findings from the analysis demonstrate that beyond the immediate government responses to major exogenous events like Hurricane Hazel or the Walkerton Tragedy, the trajectory of watershed policies have been shown to be malleable to distinct shifts in political ideologies in the ruling government despite the persistence of watershed-based institutions. For example, the Ford and Harris PC governments deliberately reduced the scope of watershed policies established in the Foundational Period by the Progressive Conservative dynasty from the mid-1940s to the mid-1980s, including the Conservation Authorities Act (1946) and the Ontario Environmental Assessment Act (1975). Conversely, periods of environmental policy expansion such as the Expansion Period and the Regionalisation and Source Water Period showcased the influence of political motivations that prioritised environmental protections. These periods oversaw the creation of the Niagara Escarpment Plan and the McGuinty government's overhaul of land use planning without the requirement of a catalysing event to necessitate change.

The constant presence of environmental pressures has shown to be less impactful than immediate political circumstance, though incorporations of climate change considerations have been increasingly common in Ontario's environmental policy landscape. While climate change

policies may be a mainstay in the Provincial Planning Statement 2024 and future iterations of the Ford government policies, the efficacy of these policies will still be dependent on the protections of the province's watersheds and wetlands that play a critical role in mitigating the impacts of climate change in Ontario (Trenholm et al., 2017).

Lastly, the role of the legislation and policies as enacted by the Ontario government has shown similar dependency on the political will to introduce watershed-based land use protections or even maintain the institutional role in managing watersheds across the province. Statutes that promote watershed management principles such as the Conservation Authorities Act (1946), the Greenbelt Act (2005), and the Clean Water Act (2006) demonstrate the potential for watershed-protective legislation to be maintained despite the pressures of urbanisation and population growth in Southern Ontario. However, governments that prioritise development and economic growth often do so by weakening the watershed protections offered by these critical statutes and expose their vulnerability to changing political priorities. Even the Greenbelt, following the public outcry at the Ford government's proposal for land removals in 2022, is still threatened by the Ford government's mandate to expand infrastructure projects like Highway 413 without hindrance from environmental assessment processes.

7.1 Future Implications

As the Ford government begins its third term in provincial power, the influence of political priorities will continue to guide the evolution of Ontario's watershed governance framework through new periods of emerging threats and increasing climate change impacts. The decentralisation of watershed expertise from provincial institutions like conservation authorities onto municipalities risks fragmenting the province's effective management of watersheds, particularly as watersheds do not often follow the political boundaries of Ontario's municipalities.

The passage of Bill 5, Protecting Ontario by Unleashing Our Economy Act, which has the potential to facilitate unchecked provincial discretion over environmental laws through the

enactment of the Special Economic Zones Act, appears to signify the continuation of the Ford government's destabilisation of watershed governance frameworks (2025). This statute provides the Minister the power to exempt any "trusted proponent" and "designated projects" within special economic zones from needing to comply with existing municipal and provincial policies (Ontario Nature, 2025). For example, mining projects in the "Ring of Fire" area can be exempted from environmental assessments, meaning a highly extractive activity from an industry known for water pollution would not require provincially mandated environmental oversight through the very legislation meant to identify and reduce the impact of major projects on the environment. Bill 5 also repeals the Endangered Species Act (2007), replacing it with a legislation that gives the Lieutenant Governor in Council additional power over whether a species designated by COSSARO is added to the Protected Species in Ontario List (Protecting Ontario by Unleashing Our Economy Act, 2025). The nature of Bill 5 indicated that instead of heeding the warnings of environmental organisations, the scientific community, and concerned Ontarians, the government is continuing the destabilisation of Ontario's watershed governance framework. If the history of Ontario's watershed governance is any indication, the reduction of conservation authority powers, environmental oversight, and the protection of source water areas may expose vulnerabilities in flood management and heighten the potential for environmental risk.

The history of Ontario's watershed governance framework can be aptly compared to the ebbs and flows of the waters it's meant to manage. As political priorities change, so do the directions of the policies and laws that mean the difference between a wetland being protected and preserved – or destroyed for an unsustainable economic boost. Understanding the historical conditions that facilitated progress in protecting watersheds or undermined their protections is essential for policymakers, researchers, and concerned members of the public to recognise the importance of these ecosystems and continue to pressure the government to safeguard them for generations to come.

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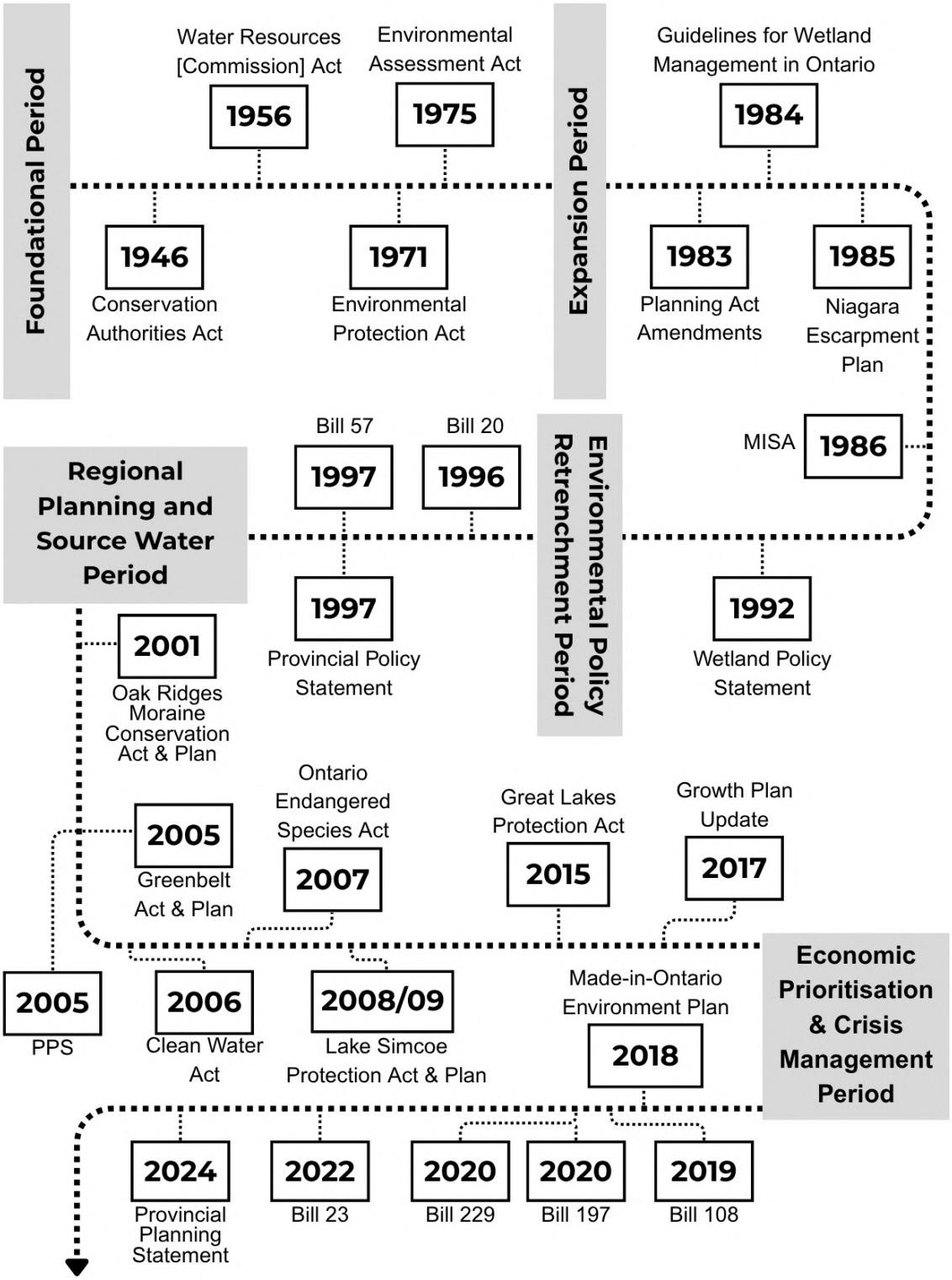
Appendix A

Timeline of the Ontario Government's Approach to Watershed Governance



Appendix B

Map of the Niagara Escarpment Plan Area

Figure 2: Map of Niagara Escarpment Plan boundary. GIS layer provided by Land Information Ontario (2025).

Appendix C

Map of the Oak Ridges Moraine Conservation Plan (ORMCP) Area and Niagara Escarpment Plan (NEP) Area

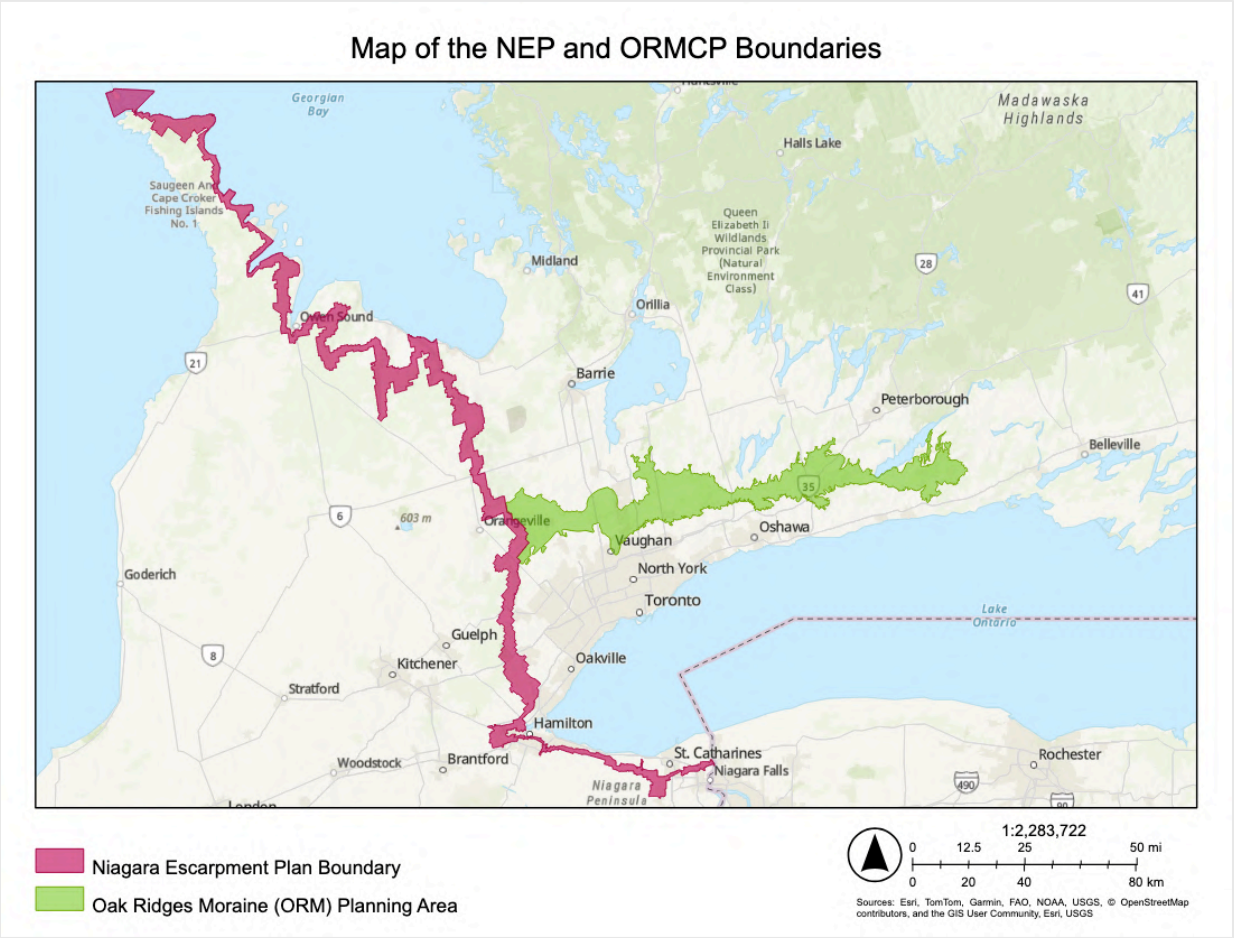


Figure 3: Map of the Niagara Escarpment Plan and Oak Ridges Moraine (ORM) planning areas. GIS layers provided by Land Information Ontario (2025).

Appendix D

Maps of the Greenbelt Plan Area in Conjunction with ORMCP and NEP Areas

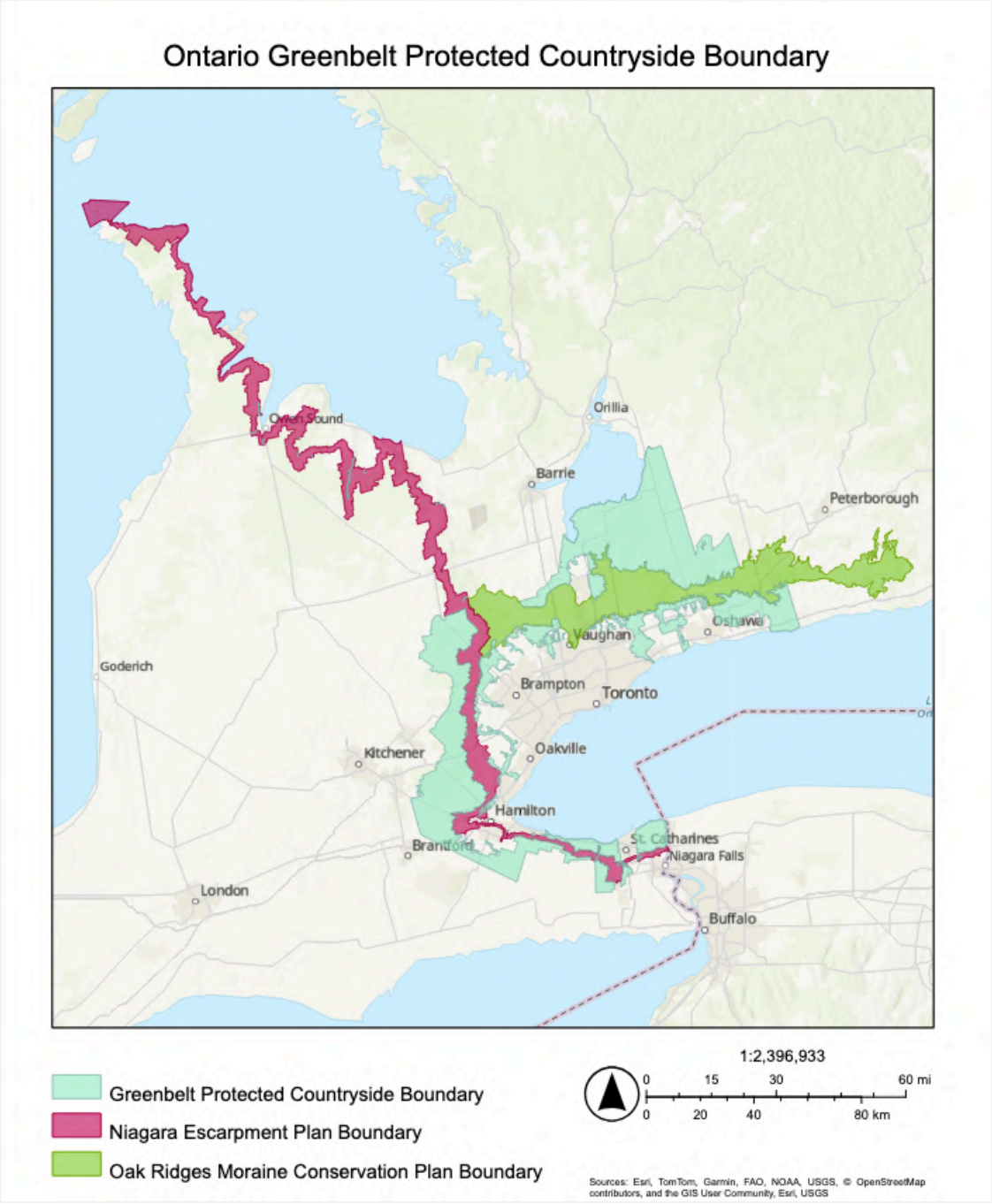


Figure 4: Map of the Greenbelt Plan's Protected Countryside boundary. GIS layer provided by DufferinGIS (2025).

Appendix E

Map of the Growth Plan Area and Growth Plan Natural Heritage System (2017) in Conjunction with the Greenbelt Plan Area (2017)

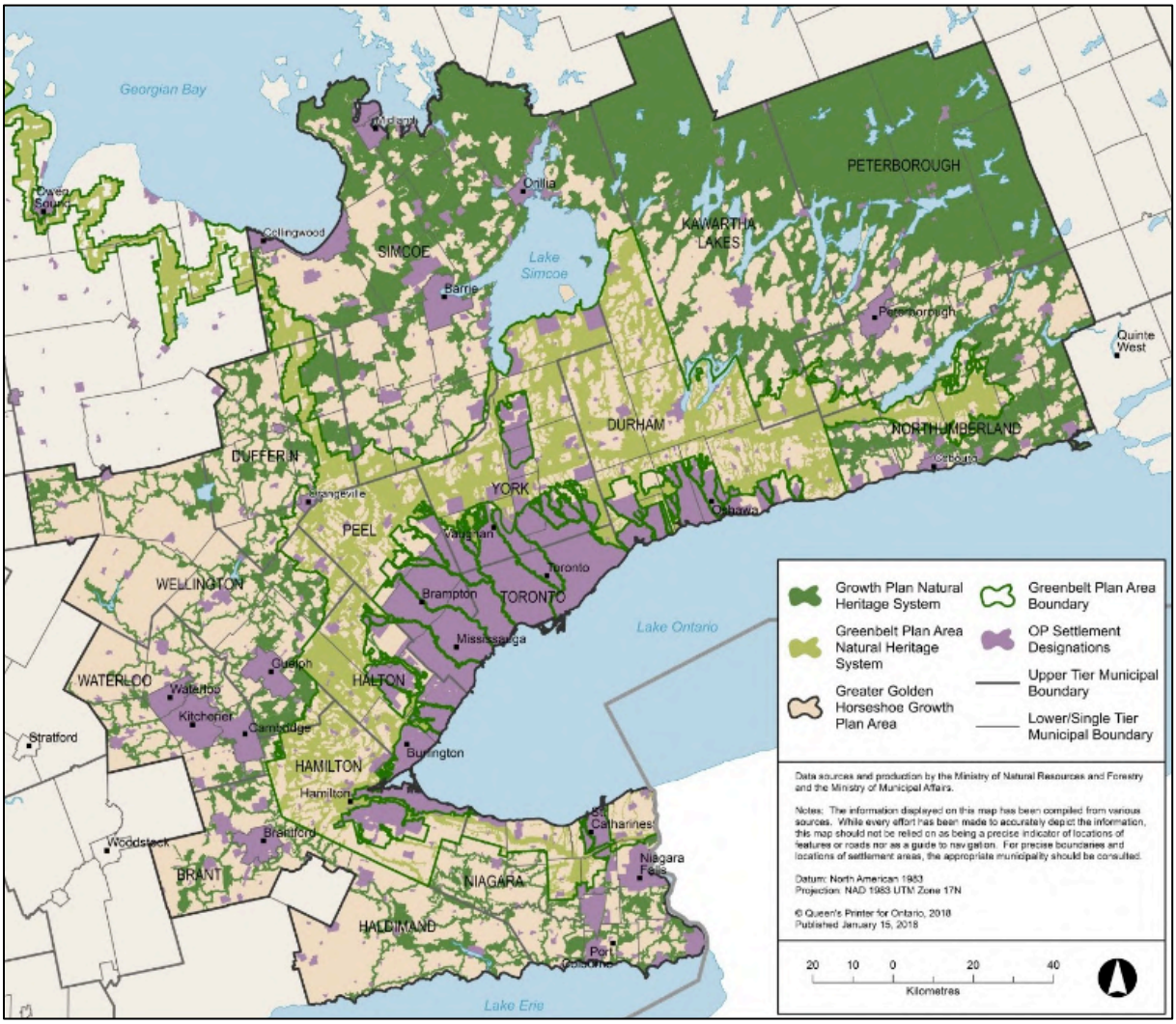


Figure 5: Map of Regional Natural Heritage System - Growth Plan for the Greater Golden Horseshoe (Ontario Ministry of Natural Resources, 2018). Reproduced from Growth Plan Regional Natural Heritage System Mapping - Technical Report by Ontario Ministry of Natural Resources, 2018, King's Printer for Ontario. Reproduction permitted for non-commercial use under Ontario government copyright terms.