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WWF-Canada comments on the **Clean Water** portion of the **Protecting our Air, Lakes, and Rivers** section within the **Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan**

WWF-Canada appreciates the opportunity to provide comment on the **Made-In-Ontario Environment Plan** (ERO number 013-4208), specifically the outlined public commitment to *“reducing salt entering waterways to protect our aquatic ecosystems.”*

Road salt (sodium chloride, calcium chloride, magnesium chloride) is one of the largest threats to the health of Ontario’s freshwater and wildlife. Despite being a known toxic substance, it is not tracked or controlled. Excessive road salt application in southern Ontario has led to chronic chloride contamination of our freshwater creeks, rivers and groundwater, with many sustaining chloride levels above what is healthy for aquatic life as defined by the Canadian Council of Ministers (CCME)¹. During winter months, our waterways in cities such as Mississauga and Toronto experience ocean-level salinity readings,^{2,3} turning our freshwater to seawater.

The time to act is now. WWF-Canada is pleased to see the Government of Ontario signal its commitment to addressing the serious threat of road salt contamination and working towards solutions in new and practical ways. To get it right, Ontario needs to oversee how road salt is used as a winter safety mechanism to account for our environmental sensitivities.

WWF-Canada’s recommendations

Noting the importance of reducing road salt for the protection of our environment and economy, WWF-Canada recommends:

1. Establishing a [Provincial Water Quality Objective \(PWQO\)](#) to help identify and address the specific environmental needs of Ontario’s aquatic species at risk that are more susceptible to chloride levels as set out by the Canadian Council of Ministers for the Environment (CCME) and place Ontario as the environmental stewards of Canada’s Great Lakes. A PWQO seeks to protect the natural environment and water.
2. Regulating the activity of road salt application, including implementing a training, certification and reporting program for medium to large-scale road salt applicators. Completion of certification in approved application techniques and technologies should be a minimum for an industry applying a known environmental toxic substance at medium to large-scale for the protection of water.
3. Developing liability benefits in the province of Ontario for public and private holders of an audited training and certification in which proper winter conditions, snow and ice removal

¹ <http://ceqg-rcqe.ccme.ca/download/en/337>

² <https://cvc.ca/watershed-science/watershed-monitoring/real-time-monitoring/cooksville-creek-king-street/>

³ <https://www.ontario.ca/data/provincial-stream-water-quality-monitoring-network>



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techniques, and substance quantities are tracked and recorded as evidence for maintaining public safety and environmental health.

Understanding our unique ecosystems

The Great Lakes and their tributaries are a source of drinking water for one in four Canadians and home to over 200 species at risk, some of which are the most endangered in North America⁴. As the only province that oversees their protection, Ontario has an opportunity to manage road salt responsibly and keep it from entering our waterways.

The Government of Ontario has publicly committed to *“build on the ministry’s monitoring and drinking water source protection activities to ensure that environmental impacts from road salt use are minimized.”* WWF-Canada recommends the creation of a Provincial Water Quality Objective (PWQO) as a necessary first step in meeting this commitment, wherein a PWQO establishes goals and sets trajectories for healthy waters that are specific to the needs of the biodiversity and healthy ecosystems of our province. Refer to [WWF-Canada, Canadian Environmental Law Association and Environmental Defence Canada, request to see a Provincial Water Quality Objective \(PWQO\) set for chlorides](#)⁵ submitted in the fall of 2018.

Engaging the private sector

Canada is estimated to use approximately 5 million tonnes of road salt on roadways per annum, with Ontario being the largest user. However, this number only accounts for voluntary reporting by medium to large size municipalities and does not include road salt use by the private sector.⁶ The discrepancy of over 2 million tonnes between reported use and sales of road salt across Canada indicates that we grossly underestimate the actual amount of road salt entering our aquatic ecosystems.

WWF-Canada is encouraged to see the proposed plan prioritize the involvement of *“municipalities, conservation authorities, the private sector and other partners”* to reduce the amount of road salt entering our rivers and lakes as well a commitment to *“promote best management practices, certification and road salt alternatives.”*

To reduce excessive road salt application WWF-Canada recommends the province enact mandatory policies towards the management and reporting of road salt for medium and large-scale applicators. WWF-Canada suggests leveraging the already existing Smart About Salt® training and certification program as well as introducing an integrated auditing system to assure best management practices are being upheld for the public safety and environmental health. This would also allow for the standardization of an industry that applies a toxic substance to both public and private lands.

⁴ Williams *et al.*, 2017. A revised list of freshwater mussels (*Mollusca: Bivalvia: Unionidae*) of the United States and Canada. *Freshwater Mollusk Biology and Conservation* 20:33-58.

⁵ <http://www.cela.ca/sites/cela.ca/files/1216-PWQO%20for%20chlorides-MECP%20letter%20and%20brief.pdf>

⁶ <https://www.canada.ca/en/environment-climate-change/services/pollutants/road-salts/>



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Provide liability relief

Uncertainty over liability protection can lead contractors to over apply road salt for personal protection. With vague definitions of liability sharing, due care, and a lack of best management practices being adopted in the private sector, Ontario's snow and ice management industry is plagued with rising insurance premiums and countless small claims.

To address these concerns and, in turn, reduce the amount of salt entering our freshwater, WWF-Canada recommends providing provincially recognized liability coverage for contractors who possess and uphold valid training and certification. With an auditing program attached to training and certification, contractors can best document the weather, their application, and their timeliness. With this information they can show that they did what is reasonable to create safe conditions.

Ontario needs regulation of road salt in order to protect our ecosystems and drinking water. However, should liability relief be granted to those upholding a valid certification in road salt application best practices, training and certification could be voluntary.

This model of rewarding better business practice with a public safety and environmental conscience is in effect in jurisdictions such as New Hampshire (NH Voluntary Salt Applicator Certification & Liability Protection)⁷, Illinois (Snow Removal Services Liability Limitation Act)⁸ and Minnesota, USA (Smart Salting)⁹. Acknowledging those contractors upholding certification and environmental consciences with liability coverage is necessary to deter excessive salt application as an insurance panacea.

This submission has been endorsed by: The Canadian Environmental Law Association, Environmental Defence Canada, Dr. Claire Oswald (Ryerson University), For The Love Of Water, Grand River Environmental Network, Green Communities Canada, Lake Simcoe Region Conservation Authority, Ontario Headwaters Institute, Ontario Rivers Alliance, and Women's Healthy Environments Network

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⁷ <https://www.des.nh.gov/organization/divisions/water/wmb/was/salt-reduction-initiative/salt-applicator-certification.htm>

⁸ <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3740&ChapterID=67>

⁹ <https://www.pca.state.mn.us/water/salt-applicators>