

**Source Protection Program Chairs' Meeting  
March 27 to 29, 2017  
Toronto**

**March 27<sup>th</sup>**

This first day involved the Chairs only and was started with a welcome from the Minister of Environment and Climate Change, Glenn Murray. The Minister acknowledged the importance of the program and the need for long-term stable funding. Also, how important it was for the Province to work with the Committees and the Conservation Authorities and to integrate Source Water Protection into other programs.

Clean Water Act 101

As there were a number of new chairs who were recently appointed, the MOECC provided an overview of the CWA and the program itself. The overview included the history of the program, Walkerton, O'Connor Inquiry, Multi-barrier approach. Also, the scope of the Act; protecting existing and future sources of drinking water, the role of SPCs and the SPAs and the key players including the municipalities and province. The process was reviewed including the Assessment Reports; watershed characterization, vulnerability assessment and threat assessment and the prescribed drinking water threats. Finally the development of the source protection plans with the various tools available to protect drinking water sources including prescribed instruments, Part IV, land use planning policies and outreach and education and the annual reporting requirements.

Chairs Roles and Responsibilities

The roles and responsibilities of the chairs were reviewed and since there have been nine new chair appointments, the MOECC decided to implement a buddy system whereby an existing chair would be paired with a new chair. This has generally been done with adjacent source protection regions. In our case I have been paired with Maria Bellantino-Perco, who is the acting chair with the Niagara Source Protection Committee.

Communications

AODA – (Accessibility for Ontarians with Disabilities Act): discussed accessible meetings and accessible documents as well as tips for providing accessibility.

French Language Services: Hamilton is in a French language services designated area; requirements under the Act with respect to meetings and documents.

Chairs Forum

The MOECC has developed what is described as a virtual meeting space for the chairs. This is a web site which can be accessed by the chairs and serves as a depository for documents, calendars, updates, questions and answers. One of the benefits is that it has all the documents such as the various acts and regulations in one place. In addition an updated orientation binder was provided to each chair on a USB.

## Training- Building Consensus

This was a training session that was provided by an outside consultant. It provided helpful information on the various techniques and dos and don'ts in consensus building and building trust with stakeholders.

## **March 28th**

### General Updates:

*PTTW –EBR Postings:* A moratorium on new or increased water takings in the water bottling industry was put in place for two years (December 31, 2016 to January 1, 2019). Recommended changes include:

- notification (min. 60 days to municipalities, CAs SPAs)
- reduce permit from 10 years to 5 years
- mandatory reductions in times of drought
- \$3000 application fee; additional monitoring and reporting requirements
- detailed hydrogeological studies to justify takings and cumulative effects assessment
- regulatory charge of \$500 per million litres taken on top of current \$3.71 per million litres (come into effect August 1, 2017)

During the moratorium, there will be additional public consultation and looking at the science relating to improve the understanding of groundwater and how future growth and climate change may impact supplies.

*Ontario Regulation 903:* This review has been looking at the construction, maintenance and abandonment of wells. It deals with licensing requirements and location of new wells; for example a fixed separation distance between new wells and a source of contaminants (yet to be defined).

*On Demand Mobile Fuel:* identifies a new emerging business of small refuelling stations. Typically have small refuelling operations; e.g. mines, quarries. Seeing more on private property and residential areas of various sizes; small (jerry cans, hand-held containers –no licence needed), medium (intermediate bulk containers, L-tanks, different fuel types, sometimes drivers trained) and large containers (highway tankers, drivers all trained, usually requested by businesses). Source water considerations include:

- Transportation: only added as local threat and quantity of fuel being transported meets modelled quantities to make it a SDWT.-
- Handling: not currently considered under Reg. 213 or 217 (definition of facility) since fuels not being stored in ODMF situation; may not meet fuel quantity thresholds in Table of DWT.
- TSSA is doing jurisdiction scan to see how others are dealing with the risks associated with ODMF and are to have a report available sometime this spring; SPPB to review and look at how it might be considered in moving forward with the source protection program.

*First Nations Engagement:* Province in cooperation with Federal government is looking at introducing source water protection planning to protect drinking water supplies. Currently there are 43 long term drinking water advisories. These advisories affect 22 First Nations in Ontario of which only two are within current source protection areas or regions. The majority are in the far north. The strategy is to implement a plan that will enable the development and implementation of source protection plans by First Nation communities. A working group has been established and training will start in the fall of 2017 with 15 First Nation participants.

## Technical Updates

*Section 60:* CWA allows persons to be excluded from source protection plan policies that rely on Part IV tools through a S60 risk assessment (to be implemented in accordance with the rules and regulations). Allows a person to reassess a risk associated with a SDWT activity at a local scale. Currently there are no rules that govern a S60 risk assessment. MOECC is developing a discussion paper that will look at technical applicability and restrictions for use of S60. Discussion paper will not include: reassessing water quantity drinking water threats; remodelling delineated vulnerable areas or triggering a change to source protection policies. Will be posted on EBR and anticipate developing rules by September 2017 and updating the technical rules by end of 2017.

*Road Salt:* Road salt was not identified as a significant threat for drinking water systems despite fact that systems are impacted by high sodium and chloride relating to road salt. Current approach does not identify road salt as significant risk due to high impervious surface thresholds within vulnerable area. Most have used issue contributing area approach to identify significant risk but MOECC has allowed the use of alternative approaches to determine level of risk. Waterloo has used a salt loading factor to determine risk levels. It may result in a difference in the size of the area affected by various threat levels. The SPAs are not obligated to update their plans but if they decide to use an alternative approach, a request would have to be made to the Director. Looking at finalizing guidance by end of summer after meetings with SPAs. Considering guidance as part of Phase 2 amendments for end of year.

## Program Design Updates

*Introduction:* SPPB looking at improving program for increased efficiencies and effectiveness, long-term sustainability and increased local accountability. Have undertaken engagements with municipalities, provincial ministries and other stakeholders. Considering focussed SPC engagement after discussion paper released sometime in fall.

*Program Framework:* Encouraging principles of source water protection outside of areas covered by source protection plans. Recognize technical expertise, funding and liability are issues. Under CWA; finding efficiencies in approvals e.g. local approvals rather than provincial; looking at how technical works are completed and incorporated into SPP for new or expanded systems.

*Policy Development and Implementation:* Considering standardizing Provincial Instrument Policies in that standard language would be developed and SPC selects to manage or prohibit threats. Where use "manage" option, Ministry would have to ensure that threat ceases to be or never become significant through specific conditions or terms for the site. Some consider this might be a softening of the policies while others thought it would be realistic. Recognize that SPC needs to be engaged further on the proposal. Transportation of substances are currently identified as local threats but considering adding as a prescribed threat. To some extent most actions are already being done and additional policies would probably fall under federal jurisdiction. Are looking to discuss with Emergency Management Ontario. Other matters discussed included transport pathway policies; policies vs. recommendations and a number of housekeeping items.

*Technical Framework:* Discussed the areas of technical review for Phase 2. Included details as to how engaging specific threats. For water quality this included vulnerable area delineation and scoring for surface water and groundwater sources. Looked at definitions for existing threats and new threats to be added. For water quantity primarily focused on reviewing Tier 3 water budget approach. Regulatory changes may be

required to support some technical changes. Also discussed including climate change impacts on vulnerability assessments and scoring of vulnerable areas. Questioned whether technical rules should include a requirement to include climate change impacts. Felt that provincial leadership is needed on this rather than determining at the local level. Final recommendations are ready for surface water quality but need feedback and discussion on other technical matters. This still may require creating working groups for discussion. Are looking at consulting with SPC/As on final recommendations for feedback prior to finalizing for Phase 2 amendment package.

### Annual Reporting and Tracking

Discussed the customized reporting forms, supplemental forms and annual progress report template. MOECC will include a summary of the implementation progress in the Minister's Annual Report. Only the Niagara, Lakehead and Mattagami were required to submit their annual reports by May 1<sup>st</sup> of this year while other SPAs had the option of a trial run. SPPB was looking at convening the Project Managers working group to look at improvements to the Annual Report and Supplemental Form.

### Plan Implementation

Highlighted provincial ministry implementation of source protection plan policies by different ministries. Included progress on screening of existing and new prescribed instrument approval applications. Also actions undertaken by various ministries to ensure compliance with source protection plans and review of official plan amendments to ensure conformity with source protection plan policies.

### SPP Amendments

Discussed details concerning S36 amendments; need for work plans and recommendations for engagement and consultation. Our workplan submission is required by November 30, 2018.

### SP Funding Updates

*SPMIF*: Designed to provide funding to small rural municipalities in fulfilling policy obligations for significant drinking water threats. Initiated in 2013 with \$13.5m available to municipalities for the next three year period. Various issues with uptake to the extent that by March of 2017 only \$8.5m spent. Deadline now extended to end of December 2017.

*CA Capacity*: Information provided on development of capacity within conservation authorities to deal with source protection program and significance of knowledge base that has been created.

### Information Management

*Source Protection Information Atlas (SPIA)*: Improved current interactive mapping tool to support source protection planning. Added property boundaries (Ontario Parcel Layers), improved access to policies and water budget information. Also allows for mobile access; phones and tablets. Allows for ability to quickly determine a property's relationship to a source water vulnerable area and where source protection policies could apply. Offers roadmap and satellite imagery. Displays information relating to WHPAs, IPZs, Significant Ground Water Recharge Areas, and Highly Vulnerable Aquifers and includes Event-Based Areas and Issue Contributing Areas. The SPIA was launched on March 31, 2017.

*SGBLS*: The South Georgian Bay Lake Simcoe Source Protection Region reported on an Annual Reporting Tool that they have developed for the collection of information for their annual report from the various bodies reporting back on the progress of the plan implementation.

## **March 29<sup>th</sup>**

### Knowledge Management Retention Strategy

A presentation was provided on succession planning and knowledge transfer strategies to keep critical knowledge in an organization. It included recommendations for knowledge transfer and record information management. A Working Group has been proposed consisting of representatives from the conservation authorities and project managers and facilitated by MOECC to develop a high level plan that will help all SPAs with an appropriate knowledge transfer strategy at the local level.