

**Halton-Hamilton Source Protection Region (HHSR)
Public Consultation Comments and Responses March 15, 2022**

Table 1: Comments on the Assessment Reports

No.	Commenter	Comments	HHSR Response (edits made in the report are in yellow highlight and page numbers are approximate)
Hamilton Region Assessment Report			
1	Hamilton Conservation Authority Staff	From Figure 1 in Appendix E it is not clear whether WC-13 is part of the Hamilton-Halton Source Water Protection Area. If the Source Water Protection Area matches our watershed boundary, this watercourse should be included in Table 2.3 and in discussion in Section 3.6 of the Hamilton-Halton Source Protection Plan update.	<p>Addressed. Editorial updates are made to: Table 2.3 (page 36), Section 3.6 (page 50) and Appendix H Figure 2.8 to mention watercourse WC-13.</p> <p>Note that the watercourse WC-13 (a roadside ditch) was previously named WC-12 and a portion of it is within the SPA boundary.</p> <p>As already noted in chapter 2, the Hamilton Source Protection Area is slightly smaller than the watershed managed by Hamilton Conservation Authority due to a realignment of the boundaries between Conservation Authorities. This realignment was necessary to reflect better the drainage patterns and the extension of the in-water area to the international boundary in Lake Ontario. This realignment has been in place since the first round of source protection planning which began in 2005.</p>
2	Glenn Meldrum, Greenville	I live at 3 Birch Crescent in Greenville. I have a question in regard to "Prescribed Drinking Water Threat Activities," items 19 and 20. North of the Greenville Wellhead Protection Area but south of Hwy.# 5, lies the Lafarge Quarry pond. The pond level is lowered by diesel pump 24 hours per day and 365 days per year. The water from the pond is pumped into a channel which flows	<p>Addressed through the response below. No change needed to the Assessment Report.</p> <p>Response: The Lafarge quarry pond located in the processing area is fed by both surface water and groundwater. Mainly by groundwater and surface water collected in the sump pumps of</p>

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		<p>over Tew Falls. Is this pond fed by surface water or an aquifer? What is the quality of water in this pond and should it be covered by the Greenville Wellhead Protection Area? Thank you.</p>	<p>the South and North quarry which is directed to the quarry pond to be discharged off-site (into a channel flowing into Logie’s Creek and over Tews Falls).</p> <p>The "Prescribed Drinking Water Threat Activities," items 19 and 20 deal with water quantity threats. Based on the results of Tier 3 Water Budget undertaken for the source protection region, the risk level to the Greenville well supply was low and therefore no water quantity threats were identified. In terms of water quality, the Lafarge processing area pond is outside of water quality wellhead protection area (as there is a groundwater divide between where the Greenville municipal wells are located and the quarry pond). It means that it is not possible for water from the quarry pond to reach the municipal wells. HHSPR does not have information about the pond water quality.</p>
Halton Region Assessment Report			
3.	Jennifer Minogue, Nassagaweya	<p>I have looked through the report and while comprehensive, I find it is not detailed about individual well protection. My comments at this time are:</p> <p>1. more information about geothermal system impacts as these may be installed more often in the future as there will be a transition to renewable energy heating systems (electricity). There are 2 systems installed by my immediate neighbors, one being a well and one a horizontal loop system so they are getting more popular.</p>	<p>Addressed through the response below. No change needed to the Assessment Report.</p> <p>The scope of the Halton-Hamilton Region source water protection program is municipal residential drinking water systems as specified in the <i>Clean Water Act, 2006</i>. Geothermal systems are considered in the municipal wellhead protection areas through the contaminant transport pathways analysis.</p>

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		<p>2. I live in Nassagaweya where everyone is on well and septic. We are all sitting on bedrock in my area and there is concern about contamination from septic systems. Houses are being built that are massive (15,000 - 20 000 sq ft) and the lot can be small in proportion to the house and number of occupants in a 7 bedroom house. The rock is permeable and there have been well contamination issues in the recent past from even a small manure pile.</p> <p>3. Wells are drilled but there is no follow-up to see if they are maintained in any way. I know of one example where the well owner chopped off the wellhead because it interfered with landscaping. Another one was paved over. I don't know how long it takes for water to move to an adjacent well if the water has been contaminated by improper actions by a neighbor.</p> <p>4. My last comment is that I hope you don't rely on the well record data base because it is extremely inaccurate. Locations seem to be almost random, if the well is on there at all. It seems like it wouldn't be too hard to tag them with a serial number when they are drilled. That is a go-forward initiative.</p>	<p>Septic systems are considered in the municipal wellhead protection areas through the risk assessment.</p> <p>Other types of drinking water systems have not been included in the source protection plan at this time, and they can be included through a separate process described in the legislation (for example, through municipal council resolution). The MECP plans on releasing a best practices guidance for drinking water systems that are not included in source protection plans across Ontario. This guidance may support the review of geothermal, septic system and other activities as it relates to source water protection by those system owners.</p> <p>The Ontario Regulation 903 – Wells (under the Ontario Water Resources Act) lays out well construction methods and specifications. It also requires the well owner to maintain the well at all times after construction. MECP district offices can be contacted for pollution complaints etc.</p> <p>The provincial Water Well Information System (WWIS) database includes “location confidence indices”, which provide estimated margins of error for each well location. To assess wells as potential contaminant transport pathways</p>

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			<p>in municipal wellhead protection areas delineated under the <i>Clean Water Act, 2006</i>, HHSPR only selected wells with a reported margin of error of less than 30 metres.</p> <p>The WWIS database supplemented by other data sources was used to develop groundwater flow models, groundwater level maps, assess preferential transport pathways, etc.</p>

Table 2: Comments on the Source Protection Plan and Explanatory Document

No.	Commenter	Comments	HHSPR Response (edits made in the Plan and Document are in yellow highlight and page numbers are approximate)
1	Erin Harkins, Program Analyst, Ministry of the Environment, Conservation and Parks (MECP)	<p><u>Comment on monitoring policy T-52-C (part b) directed at MECP (EAPD)</u> MECP appreciates the revisions to the policy based on our pre-consultation comments provided on October 5, 2021. While all monitoring and reporting requirements are made publicly available on Access Environment, the site only hosts the most current permissions and does not include a record of previously issued versions or revoked ECAs. Given this, we suggest the following revision to the monitoring policy for clarity: <i>By February 1st each year, the Ministry of Environment, Conservation and Parks shall make all monitoring and reporting requirements available at Access Environment to determine if any changes were made to effluent limits and monitoring requirements for access to current monitoring and effluent limits.</i></p> <p>If there are sites of interest, it is recommended that members of the public or the SPA download the current version of an approval. A periodic check of these locations would indicate if a new permission or approval had been issued or if an amendment occurred for comparison between documents.</p> <p><u>Summary of consultation activities (plan) versus summary of comments (explanatory document)</u> We note that a full summary of the <i>comments</i> received during pre-consultation has been included in <i>Appendix B: Collaboration and Consultation</i> in the updated source protection plan. While a summary of all <i>consultation activities</i> undertaken during the preparation of the plan must be</p>	<p>Addressed.</p> <p><u>Comment on monitoring policy T-52-C (part b)</u> Policy T-52-C part b (Source Protection Plan page 100-101) are updated per the edit provided by MECP. As well, the notes section accompanying the policy (page 101) explain what Access Environment is. Lastly, the Explanatory Document is updated (page 69) to explain the change.</p> <p>The task of periodically checking for changes involves downloading all current and requesting MECP for previous versions of an environmental compliance approval (ECA) and conducting a comparison. If funding is provided by MECP to undertake this work, it may be considered by HHSPR.</p> <p><u>Summary of consultation activities (plan) versus summary of comments (explanatory document)</u> The summary of the comments and responses is added to the Explanatory Document Section 2 (pages 11-65) and the Source Protection Plan (pages 183-200).</p>

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		<p>included in the <i>plan</i> (as per section 28 of O.Reg. 287/07) (e.g., a description of who was consulted, how they were consulted, and when - including dates, locations), as per section 40(1) subparagraph 3 of O.Reg. 287/07, the updated <i>explanatory document</i> must contain a summary of the <i>comments</i> received during <i>pre-consultation</i>, including how the comments affected the development of the policies set out in the plan. As per the above, we suggest moving the summary of comments included in Appendix B of the plan to an appropriate section in the explanatory document.</p>	
2	Sara Yonson Environmental Manager Hamilton- Oshawa Port Authority (HOPA)	<p>Please note that the Hamilton-Oshawa Port Authority is a landlord port. While we maintain certain infrastructure, operations are conducted by port tenants. These tenants make up some but definitely not all of the industrial tenants operating out of Hamilton’s north end. It feels that the proposed policy is singling out port tenants while not addressing their neighbours. For a reference of port landholdings, please refer to the following map: https://www.hopaports.ca/locations/port-of-hamilton/port-of-hamilton-directory/ Port tenants in Hamilton obtain environmental permits with the MECP, if the concern is with companies adjacent to Hamilton Harbour it would be more effective for the MECP to lead the land portion of O-6-S to get a wider roll out. MECP could also interface with tenants that are on the Lake Ontario side of the Burlington lift bridge and in closer proximity to the drinking water intake.</p> <p>Any event that is likely to affect the water quality at the drinking water intake in Lake Ontario is also very likely to intersect with mandatory reporting clauses in legislation</p>	<p>Addressed.</p> <p>Transport Canada enforces pollution prevention and response in the marine environment under the Canada Shipping Act, 2001 and other national laws and international conventions and standards. This includes marine safety, pollution prevention, enforcement, and oil spill preparedness and response programs.</p> <p>Policy O-6-S (Source Protection Plan page 127) is updated as follows: HOPA is requested to include information on the local sourcewater protection programs and relevant vulnerable area maps in their internal emergency response plans and notify the local municipality of known spill events.</p> <p>Transport Canada is requested to advise vessel operators using Hamilton Harbour and western Lake Ontario shipping lanes, and</p>

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		<p>(Fisheries Act, Canada Shipping Act, E2 Regulations, Ontario EPA, etc). Given there are legal requirements to report a spill large enough to affect drinking water intakes, a non-binding policy on a subset of industry does not seem to add value.</p> <p>The port also does not have any jurisdiction over vessels on the Lake Ontario side of the canal. The vessels that do come into the port often only visit us once or twice a season and travel through many sensitive areas, it would not be viable to include the location of all municipal drinking water intakes along their route.</p> <p>What would be viable for HOPA to implement and would promote the goals of the program is for HOPA to continue including and referencing the local sourcewater protection programs and maps in our internal emergency response plans. Our Harbour Master's Office is staffed 24/7 and is generally notified of all major events. If a major spill to water is reported, HOPA staff would be aware of the source water concerns and could ask the appropriate questions to ensure the local municipality was notified.</p> <p>Also a note – when rolling this out HOPA attempted to call the Halton line and was unsuccessful in reaching an appropriate individual. Hopefully this has been rectified.</p> <p>Please feel free to get in touch with any questions or clarifications.</p>	<p>MECP is requested to advise the companies in the vicinity of the port to update their spill control plans to include:</p> <ul style="list-style-type: none"> i. the location of the municipal drinking water intakes, ii. best practices for spill containment and cleanup to protect drinking water supplies, and iii. the City of Hamilton, and Halton Region and Ontario Spills Action Centre emergency contact information. <p>The phrase “enhanced best practices” is changed to “best practices” for clarity. The correct phone number was obtained from Halton Region and provided to HOPA.</p> <p>The Explanatory Document is updated accordingly (pages 314-315).</p>

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3	Joe Muller, Senior Strategic Advisor, Niagara Escarpment Commission	<p>On review, the proposed amendments to the Halton-Hamilton Source Protection Plan conform to the prior pre-circulation I examined and responded to last fall, essentially comprising a reformatting of existing policy in the plan. As such, since there is no effective change in policy outside of how it is presented in the Plan, we continue to have no formal comment on this component of the Plan.</p> <p>In references, I note that the NEP was updated in 2017, so that should be the formal date of the NEP that is being cited (undergoing a formal and major update every 10 years). There are housekeeping updates that address amendments and corrections to the Plan on an ongoing basis (Office Consolidations), but these do not reflect significant NEP updates.</p>	<p>Addressed.</p> <p>The Source Protection Plan (SPP) and Explanatory Document (ED) are updated to indicate the most recent formal year (2017) of the Niagara Escarpment Plan (SPP page 131 and ED page 100). Where appropriate it is explained that the Niagara Escarpment Plan undergoes a formal and major update every 10 years, and minor amendments and corrections on an ongoing basis (called Office Consolidations).</p>
4	Kyle Davis, Risk Management Official, Wellington Source Water Protection	<p>As noted in our SPP comments prior to approval, this policy (O-2-S) should be directed at Conservation Authorities or Provincial Ministries. The County does collect data on a site by site basis.</p>	<p>Addressed. County of Wellington is now excluded from the Policy O-2-S by noting the same in the Source Protection Plan (page 123). In the Explanatory Document, an update is made accordingly (page 304-305).</p>
5	Conservation Halton Staff	<p>In the Source Protection Plan on page 272, correct the typo implantation to implementation and update the port authority name throughout the document.</p>	<p>Addressed.</p> <p>Spelling corrected in the Source Protection Plan (page 314). Port authority name changed from Hamilton Port Authority to Hamilton-Oshawa Port Authority throughout the Plan and Explanatory Document.</p>
6	Conservation Halton Staff	<p>Policy T-18-C: "Municipalities responsible for wastewater services" should be replaced with municipality names.</p>	<p>Addressed. Additional information accompanying the Policy is updated. RMOH, City of Hamilton.</p>

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7	Conservation Halton Staff	Policy T-19-C: “the municipalities responsible for stormwater systems” are single and lower tiers in HHSPR. Remove Halton Region municipality from preamble (policy implementer) and add single and lower tier names.	Addressed. Additional information accompanying the Policy is updated. The policy is directed to municipalities responsible for wastewater and stormwater systems - where potential future sewage treatment plant bypasses would be significant threats. Therefore Halton Region municipality is not deleted. Burlington and Oakville are added.
8	Conservation Halton Staff	Review all policies with CH and HCA as implementing bodies/collaborators or as monitoring policy implementers and check feasibility of implementation, in relation to factors such as funding and eligible activities considerations.	<p>Addressed. As discussed and endorsed at the SPC meeting on March 15, 2022, an overarching new Policy G-5 is added to address the comment. The new policy utilizes Section 97 of the <i>Clean Water Act, 2006</i> (Ontario Drinking Water Stewardship Program). The new Policy G-5 is noted on page 38 and provided on page 44 of the SPP. It is relevant to SPP Policies T-13-C, T-23-C, T-27-C, T-31-C, T-36-C, T-43-C, T-46-C, T-54-C, O-1-S, O-2-S, O-4-S.</p> <p>The new Policy G-5 is included in List K in Appendix C (Compliance Lists) on page 210.</p> <p>For policy T-49-C part b, a practical implementation challenge is addressed by utilising existing organizations who liaise with road salt contractors.</p> <p>Reference to the Halton and Hamilton Stewardship Programs is removed throughout.</p> <p>An update is made accordingly to the Explanatory document accordingly (page 72 and 77-78).</p>

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9	Elizabeth Forrest, Liaison Officer, Ministry of the Environment, Conservation and Parks	<p>A few years ago, changes were made to the regulatory requirement for the septic systems approved under Ontario's Building Code. As you are aware, the Building Code Act, 1992 and the Building Code regulate the design, construction and renovation of small on-site sewage systems up to a daily design sewage flow of 10,000 litres per day. As of January 1, 2017, the reference to the Ministry of Municipal Affairs and Housing Supplementary Standard SB-5 was removed from the Building Code. This means that a treatment unit will only be deemed to comply with the effluent quality criteria set out in Building Code if it has been certified to the CAN/BNQ 3680-600 certification standard. Additionally, the reference to 'tertiary' treatment has now been renamed in the latest Building Code, as 'Level IV' quality effluent.</p> <p>For more information you can check out section 8.6.2.2. Other Treatment Units in Regulation 332/12.</p>	<p>Addressed.</p> <p>The comment is a response to HHSPR's request in Dec. 2021 for an update on the outcome of a consultation in 2015-2016 to make changes to the Ontario Building Code relevant to septic systems. Based on MECP's response, an update is made to the Explanatory Document (page 89).</p>

Table 3: Other Comments

No.	Commenter	Comments	HHSPR Response
1	ACTION Milton community group, by email to a Source Protection Committee member	<p>We are once again concerned regarding the future of the Old Milton ground water source that has come traditionally from the Kelso well. Daniel Banks, the Acting Manager of Water & Wastewater Planning for Halton Region provided a copy of the Staff Report PW-07-21 dated February 17, 2021 from Andrew Farr, Commissioner, Public Works. In this report 3 options were presented to provide future capacity related to the groundwater system.</p> <p>The First Option is that the Region modify the Town of Milton's existing groundwater supply, treatment, and distribution system through increased capacity. This could involve keeping the Kelso well-based system, and adding additional groundwater sources and wells located by the Region. The Second Option was to modify the Town of Milton's existing groundwater supply, treatment, and distribution system, through modifying or reducing the groundwater service area, and increasing the lake-based service area. This option could include blending of lake and groundwater and/or taking certain areas off the groundwater source, and replacing it with lake-based water.</p> <p>The Third Option was to convert the Town of Milton's existing groundwater serviced area to lake-based servicing, and decommission the groundwater supply system.</p> <p>We would like the Region to follow the First Option, and modify the Town of Milton's existing groundwater supply, treatment and distribution system through increased capacity.</p>	<p>Acknowledged. The proposed Reid Road, Campbellville quarry is not located within a wellhead protection area delineated under the <i>Clean Water Act, 2006</i>. HHSPR will continue to monitor the proposal.</p> <p>Municipal drinking water treatment and supply to the Town of Milton area is the purview of the Regional Municipality of Halton (RMOH). HHSPR contacted RMOH staff who indicated that they are starting the next Regional Infrastructure Master Plan later in 2022. RMOH will keep HHSPR informed accordingly, to also ensure municipal drinking water source protection under the <i>Clean Water Act, 2006</i>.</p>

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		<p>In terms of history, in 1999 we had formed a group SOS (Save Our Source) when the Region of Halton was planning to take Milton off the groundwater based water system, and replace it, or blend it with Lake Ontario water. The Region decided to keep us on the groundwater system after an investigation revealed that blending the two water systems which were at different temperatures and different degrees of hardness would result in fluctuations in quality that could affect some industries.</p> <p>In 2011 the Region of Halton was again considering the groundwater based system, and they wanted to take the Timberlea region of Old Milton off the groundwater system, and then Dorset Park if they felt it to be necessary in terms of population growth in the area. We approached the Region with the request that areas of industry within Old Milton be taken off the groundwater source instead, and they decided in favour of that option.</p> <p>Now the Region of Halton is considering removing the groundwater source for Old Milton going forward. Our group has begun a process where we would like to proceed with a letter writing campaign, a petition, and a delegation to Regional Council in order to advocate for keeping, and expanding our groundwater service. We anticipate public hearings will take place sometime in February, 2022.</p> <p>We are hopeful that members of ACTION Milton and other community residents might support us in our endeavour, and send the message to others concerned with keeping our ground water source. We are wondering if any ACTION Milton</p>	

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		<p>members or other residents would like to help us in joining our campaign by letter writing, or gathering signatures on a petition, or phoning potential supporters. There is a caution that we feel is necessary to provide in that if the Campbellville Quarry is approved, it could adversely affect Milton's ground water.</p> <p>We would also like to find people who are willing to sign our petition. An on-line petition is available through change.org.https://chnng.it/QtyKKSjSrZ</p> <p>Thank you for your interest and support.</p>	