



VIA EMAIL

October 27, 2023

Legislative & Planning Services
Department
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

Elizabeth Forrest, Ministry of the Environment, Conservation and Parks
Alan Dale, Acting Chair, Lake Erie Region Source Protection Committee
Robert Edmondson, Chair, Halton-Hamilton Source Protection Committee
Behnam Doulatyari, Chair of the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Committee
Lisa Campion, Town Clerk, Town of Erin
Kevin Arjoon, City Clerk, City of Burlington
Meaghen Reid, Town Clerk, Town of Milton
Vicki Tytaneck, Town Clerk, Town of Oakville
Valerie Petryniak, Town Clerk, Town of Halton Hills

Please be advised that at its meeting held Wednesday, October 18, 2023, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: PW-38-23 - Update on Status of Establishing Risk Management Plans for Source Water Protection

THAT the Regional Clerk forward a copy of Report No. PW-38-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Town of Erin, Wellington County, the Chair of the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Committee, the Chair of the Halton-Hamilton Source Protection Committee, the Chair of the Lake Erie Source Protection Committee, and the Source Protection Liaison from the Ministry of the Environment, Conservation and Parks for their information.

Included please find a copy of Report No. PW-38-23 for your information. If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Milne", written over a light blue circular stamp.

Graham Milne
Regional Clerk
graham.milne@halton.ca

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

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The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	October 18, 2023
Report No:	PW-38-23
Re:	Update on Status of Establishing Risk Management Plans for Source Water Protection

RECOMMENDATION

THAT the Regional Clerk forward a copy of Report No. PW-38-23 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Town of Erin, Wellington County, the Chair of the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Committee, the Chair of the Halton-Hamilton Source Protection Committee, the Chair of the Lake Erie Source Protection Committee, and the Source Protection Liaison from the Ministry of the Environment, Conservation and Parks for their information.

REPORT

Executive Summary

- As noted in Report No. PW-34-15/LPS113-15 re: "Source Protection Plan Implementation Requirements under the *Clean Water Act, 2006*", Halton Region is located within three Source Protection Regions: Halton-Hamilton; Lake Erie; and Credit Valley - Toronto and Region - Central Lake Ontario (Attachment #1).
- Approximately 98 per cent of significant drinking water threat activities that were initially identified within Halton by Source Protection Authorities have been addressed to date through policy implementation.
- As noted in Report No. PW-02-21, re: "Status of Establishing Risk Management Plans for Source Water Protection", the remaining drinking water threats to be addressed by Halton Region staff will require the establishment of Risk Management Plans, which are binding agreements that are negotiated between a municipality's Risk Management Official and landowners and that identify the risk management measures to be implemented.

- Within Halton there are approximately 81 properties in the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Region and two properties in the Lake Erie Source Protection Region that require Risk Management Plans as of August 28, 2023. There are no properties remaining within the Halton-Hamilton Source Protection Region that require Risk Management Plans.
- The Lake Erie Source Protection Plan does not include a policy for deadlines for the establishment of Risk Management Plans.
- The Credit Valley - Toronto and Region - Central Lake Ontario Source Protection Committee requested that the Ministry of Environment, Conservation and Parks grant an extension to the end of 2025 for the deadline for establishing Risk Management Plans for Halton Region and the other municipalities that have not yet established all of the required Risk Management Plans.
- Staff will continue to prioritize outreach to, and voluntary negotiation with, landowners as much as possible. However, it is anticipated that staff also will need to rely on enforcement tools in order to establish all of the required Risk Management Plans by the extended deadline.

Background

As reported to Regional Council in several reports over the last decade, the Provincial Government has implemented a regulatory framework that provides a proactive, multi-barrier approach to safeguard municipal drinking water. The *Clean Water Act, 2006* provides a protective framework that focuses on protecting municipal drinking water at its source through the mandatory implementation of Source Protection Plans.

As noted in Report No. PW-34-15/LPS113-15 re: “Source Protection Plan Implementation Requirements Under the *Clean Water Act, 2006*”, the three Source Protection Plans that impact Halton were approved by the Ministry of Environment, Conservation and Parks (formerly the Ministry of Environment and Climate Change) in 2015 and came into effect between December 2015 and July 2016.

As part of the approved Source Protection Plans, Halton Region and other municipalities are mandated to implement several Source Protection Plan policies to protect municipal drinking water sources using tools such as: Risk Management Plans negotiated with landowners; land use planning policies and development application review; education and outreach; and prohibitions on a small number of activities within close proximity to municipal drinking water supplies.

As noted in Report No. PW-02-21, more than 4,400 properties within Halton were initially identified to have potential drinking water threat activities based on the technical work that was completed by the three Source Protection Authorities in Halton. Through threat verification work (e.g., site visits), collaboration with Local Municipal staff, and ongoing implementation of Source Protection Plan policies, staff have confirmed that

approximately 98 per cent of the identified threat activities within Halton have been addressed. This has been achieved through the establishment of Risk Management Plans, education and outreach and confirmation that current activities on-site do not warrant the establishment of Risk Management Plans.

As of August 28, 2023, there are a total of 83 properties with significant drinking water threat activities remaining in the Lake Erie and the Credit Valley - Toronto and Region - Central Lake Ontario Source Protection regions that the Risk Management Official must address by establishing Risk Management Plans with the affected landowners.

Risk Management Plans document best management practices and risk management measures that landowners are required to implement to ensure that activities undertaken at the property cease to be significant drinking water threats. Landowners are invited to provide their input on the measures that will be required by the Risk Management Plans and in most cases Risk Management Plans do not require landowners to significantly alter their practices.

The majority of the properties identified are either located in Georgetown where winter salt application in parking lots constitutes a significant threat due to the potential increase to chloride concentration in groundwater, or in the agricultural areas north of Acton where the majority of identified threats are related to fertilizer and pesticide application.

The overall progress towards addressing the significant drinking water threat activities in Halton is summarized in Table 1 below.

Table #1: Status of Development of Risk Management Plans for Properties with Significant Drinking Water Threat Activities (as of August 28, 2023)

Source Protection Region	Initial Number of Properties with Identified Threats (2015)	Estimated Number of Remaining Properties with Threats – To Be Addressed by Halton Region with Risk Management Plans)
Credit Valley – Toronto and Region – Central Lake Ontario	4,392	81
Lake Erie	16	2
Halton-Hamilton	40	0
Total	4,448	83

Discussion

As noted in Report No. PW-02-21, staff have been working with landowners to negotiate and establish Risk Management Plans. Towards this objective, staff have been using outreach letters, phone calls, emails, and in-person visits to notify landowners of the Source Protection Plan policies that apply to their properties and activities, and to offer assistance towards establishing Risk Management Plans.

Additional resources were retained to expedite the establishment of the remaining Risk Management Plans through successful collaboration with affected landowners; however, in some cases, despite these outreach efforts, landowners remain hesitant to initiate discussions about a Risk Management Plan. Staff will continue outreach and discussion opportunities with landowners towards collaborative establishment of Risk Management Plans.

The deadline to establish Risk Management Plans in the Credit Valley – Toronto and Region – Central Lake Ontario Source Protection Region is anticipated to be extended by the Ministry of Environment, Conservation and Parks from December 31, 2023 to December 31, 2025; however, this will likely be the last extension of the deadline. The Credit Valley – Toronto and Region – Central Lake Ontario Source Protection Committee has directed Halton Region and other municipalities with Risk Management Plans yet to be established to submit a work plan outlining the steps and timing to complete the remaining Risk Management Plans.

The required work plan and forecast to completion, based on the 95 properties remaining at the time, was submitted to the Credit Valley – Toronto and Region – Central Lake Ontario Source Protection Region Source Protection Committee on June 30, 2023. The forecasted progress towards completing the establishment of Risk Management Plans is summarized in Table #2 below.

Table #2: Estimated Number of Risk Management Plans to be Established per Year to Meet Deadline of December 31, 2025

Year	2023	2024	2025
Estimated Number of Risk Management Plans to be Completed	25	30	40

Since the work plan was submitted, several of the identified properties have established Risk Management Plans, or additional information has been obtained through engagement with the landowner that has ruled out the need to establish a Risk Management Plan. For the remaining properties, staff will continue to assist landowners through outreach, education and negotiation to voluntarily establish Risk Management Plans.

Where repeated outreach efforts are not successful at establishing Risk Management Plans for identified properties, it is anticipated that staff will then need to rely on enforcement tools so that all of the required Risk Management Plans are established by the deadline. In collaboration with Legal Services staff, Notices will be issued to these landowners of the Risk Management Official's intent to establish a Risk Management Plan for their property but will still allow for a period of several months during which discussion and negotiations with the landowners can continue to occur. Where an Order from the Risk Management Official is required to establish a Risk Management Plan, staff will

monitor compliance through the annual inspection program and be available to answer any questions that landowners may continue to have. Initial use of Orders, when required, will begin in September/October 2023.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial impacts arising from this report. Costs associated with the establishment of Risk Management Plans for Source Water Protection are included in the rate-supported operating budget.

Respectfully submitted,



Lee Anne Jones
Director, Infrastructure Planning and Policy



Andrew Farr
Commissioner, Public Works

Approved by



Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

Lee Anne Jones

Tel. # 7547

Attachments: Attachment #1 – Map of Source Protection Regions within Halton Region

