



**Lake Erie Region Source Protection Committee
Agenda**

Thursday, February 7, 2019

1:00 pm

Auditorium

Grand River Conservation Authority

400 Clyde Road, Box 729

Cambridge, ON N1R 5W6

	Pages
1. Call to Order	
2. Roll Call and Certification of Quorum – 17 Members Constitute a Quorum (2/3 of Members plus Chair)	
3. Chair's Remarks	
4. Review of Agenda	
5. Declarations of Pecuniary Interest	
6. Minutes of the Previous Meeting	
7. Hearing of Delegations	
8. Presentations	
9. Correspondence	
10. Reports	
a. SPC-19-02-01 Source Protection Program Update	1
b. SPC-19-02-02 Progress Report Grand River	7
c. SPC-19-02-03 Draft Updated Bundled Grand River Assessment Report and Source Protection Plan: Municipal and Non-municipal Sections	11

- | | | |
|----|---|----|
| d. | SPC-19-02-04 Proposed Open-For-Business Planning By-law (ERO #013-4125) | 19 |
| e. | SPC-19-02-05 A Made In Ontario Environment Plan (ERO #013-4208) | 23 |

11. Business Arising from Previous Meetings

- a. Lake Erie Region Source Protection Committee request under Technical Rule 119, from February 3, 2011, Re: rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system that allows ponding of water.

12. Other Business

13. Closed Meeting

14. Next SPC Meeting

April 4, 2019 at 1:00pm, Grand River Conservation Authority, 400 Clyde Rd., Cambridge.

15. Adjourn

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-19-02-01

DATE: February 7, 2019

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Source Protection Program Update

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-02-01 – Source Protection Program Update – for information.

REPORT:

Section 36 Workplans for Long Point Region and Grand River Source Protection Areas

At the time of approval for each Lake Erie Region Source Protection Plan, the Minister specified the timeline and process for the comprehensive review and update of the respective Assessment Report and Source Protection Plan under Section 36 of the Act. The Kettle Creek and Catfish Creek workplans were submitted to the MECP on October 24 and November 2, 2018 respectively; Grand River and Long Point Region will follow in November 2019.

A section 36 workplan development timeline for Long Point Region and Grand River has been established and workplan discussions are ongoing in consultation with the Lake Erie Region Implementation Working Group (IWG). It is anticipated that the Source Protection Committee will receive draft Long Point Region and Grand River workplans for comments in early fall 2019 with submission to the Ministry of the Environment, Conservation and Parks (MECP) in November 2019.

2019/2020 Financial Update

The MECP has not yet released or shared any information regarding the 2019/2020 Grant Funding Application or eligible activities. It is expected that the grant funding application process will be managed through the Grants Ontario Portal.

Annual Reporting

Lake Erie Region has joined the Electronic Annual Reporting (EAR) system developed by Upper Thames River Conservation Authority staff to facilitate the collection of annual reporting information from municipalities. Development of the EAR system will continue throughout 2019 and is expected to be used exclusively to collect annual reporting information for the next annual reporting cycle.

In accordance with the legislation, implementing bodies are required to submit annual reporting information to the source protection authority by February 1 annually. Lake Erie Region staff will analyze the information collected, produce and submit Annual Progress Reports and

Supplemental Forms for all four source protection areas, as required. This will be the first Annual Progress Report for the Long Point Region and Grand River Source Protection Areas. The reports are due to be submitted to the MECP by May 1, 2019. The committee will receive the draft annual reports and forms on April 4, 2019 prior to submission.

Long Point Region Technical Work: Otterville-Springford Water System

Technical work is ongoing to complete updated WHPA delineation, Issue Contributing Area (ICA) delineation and threats assessment for the existing groundwater supply wells. The study is expected to be complete by March 31, 2019 and results to be presented to the SPC at a later date. The work undertaken will lead to a further S.34 update for the Long Point Region Source Protection Plan.

Model Management Study Update

Following the completed first phase of developing a model management governance framework for managing Tier 3 water quantity numerical models in the Lake Erie Region, GRCA together with the Region of Waterloo and City of Guelph developed pilot projects to explore the details of the suggested governance framework. The GRCA is building the information technology infrastructure (e.g. web servers) needed to host the Tier 3 water budget models and data sets, using the Whitemans Tier 3 as an example, the Region of Waterloo is evaluating and documenting the necessary steps to incorporate the Region's Tier 3s into their corporate databases and from their into GRCA's IT infrastructure, and the City of Guelph pilot project is documenting the steps and processes needed to apply the Guelph-Guelph/Eramosa Tier 3 model to a Permit to Take Water (PTTW) application. Insights from these pilot studies will inform decisions around a governance framework for managing the Tier 3 water budget studies and data sets in the Lake Erie Region.

Whitemans Creek Tier 3 Model Training Session

On January 17, 2019, the GRCA hosted a training session to review the models developed for the Whitemans Creek Tier 3 water budget study. The study's consultants, Earthfx, led GRCA staff through the process on how to access and view the model results and use the model for other applications, e.g., water budgets and scenario comparisons.

SPC Meeting Outlook

Lake Erie Region is planning to complete three S.34 updates of the Grand River Source Protection Plan in the coming year.

The first update is for the County of Grey, Township of Southgate (Dundalk), City of Hamilton (Lynden), and County of Brant (Airport, St. George, Bethel, and Mt. Pleasant) municipal water supply systems. These updates are accelerated to support earlier approval of the Grand River Source Protection Plan and Assessment Report that includes these updates.

The Grey/Hamilton/Brant draft updated assessment report and source protection plan is scheduled for release for public consultation on February 12, 2019. See SPC-19-02-02 for details about the public consultation process.

The second, larger, "bundled" update to the Grand River Source Protection Plan and Assessment Report will include water quality updates for all other municipal water supply

systems, with the exclusion of Wellington County.

Pre-consultation with municipalities and ministry agencies for the “bundled” update is scheduled to start February 11, 2019. The anticipated timeline for presenting the complete updated assessment report and source protection plan to the SPC remains unchanged and is scheduled for April 4, 2019, at which time the draft updated assessment report and plan would be released for formal public consultation on April 8, 2019. Any comments will be brought back to the SPC on June 20, 2019 with additional proposed revisions, as necessary. The Grand River Source Protection Authority is expected to submit the amended assessment report and source protection plan to the MECP at its meeting on June 28, 2019.

The third update will include the addition of new water quantity policies in the City of Guelph, Halton Region, Region of Waterloo and Wellington County source protection plan sections, as well as water quality updates to the Wellington County assessment report and source protection plan sections. The separation of Wellington County sections and water quantity policies from the “bundled” update will provide the Guelph-Guelph/Eramosa Water Quantity Policy Development Study Project Team additional time to develop water quantity policies and Lake Erie Region and Wellington Source Water Protection staff additional time to incorporate Wellington County water quality technical study results into the assessment report and update source protection plan water quality policies.

The draft water quantity policies are anticipated to be presented to the SPC on June 20, 2019 and the updated Wellington sections of the assessment report and source protection plan on September 5, 2019. Pre-consultation is scheduled to begin on September 9 and close on October 28, 2019. It is anticipated that the committee will receive the complete S.34 draft updated Wellington/water quantity draft updated assessment report and source protection plan on December 5, 2019 for consideration and release for public consultation on January 2, 2020.

Updates to the Grand River Assessment Report and Source Protection Plan sections will continue to be presented to the Source Protection Committee (SPC) as work is completed over the next four (4) committee meetings. The next four committee meetings are scheduled for June 20, 2019, September 5, 2019, December 5, 2019 and March 12, 2020.

The following table provides an overview of the next few SPC meetings and anticipated agenda items related to the S.34 Grey/Hamilton/Brant, S.34 “bundled” Grand River and S.34 Wellington/water quantity updates.

SPC Meeting Date	Agenda Items		
	S. 34 Grey/Hamilton/Brant Update	S.34 “bundled” Grand River Update (all other sections)	S. 34 Wellington/Water Quantity Update
Feb 7, 2019		<ul style="list-style-type: none">• Draft updated AR and SPP sections; release for pre-consultation process	

SPC Meeting Date	Agenda Items		
	S. 34 Grey/Hamilton/Brant Update	S.34 “bundled” Grand River Update (all other sections)	S. 34 Wellington/Water Quantity Update
Feb 11 – Mar 25, 2019		Municipal and ministry pre-consultation period (6 weeks)	
Feb 12 – Mar 18, 2019	Formal public consultation period (36 days)		
Apr 4, 2019	<ul style="list-style-type: none"> Revised draft updated AR and SPP (Grey, Hamilton, Brant): receive public comments for consideration; release the document to the Grand River Source Protection Authority for submission to the Ministry 	<ul style="list-style-type: none"> Complete draft updated “bundled” AR and SPP 	<ul style="list-style-type: none"> Progress report on AR and SPP updates
Apr 8 – May 21, 2019		Formal public consultation period (44 days)	
June 20, 2019		<ul style="list-style-type: none"> Revised draft updated AR and SPP: receive public comments for consideration; release the document to the Grand River Source Protection Authority for submission to the Ministry 	<ul style="list-style-type: none"> Draft water quantity policies (Guelph-Guelph/Eramosa)

SPC Meeting Date	Agenda Items		
	S. 34 Grey/Hamilton/Brant Update	S.34 “bundled” Grand River Update (all other sections)	S. 34 Wellington/Water Quantity Update
Sept 5, 2019			<ul style="list-style-type: none"> • Revised water quantity policies (Guelph-Guelph/Eramosa) and updated municipal SPP sections (Guelph, Halton, Waterloo and Wellington) • Updated AR and SPP sections; release for pre-consultation
Sept 9 – Oct 28, 2019			Municipal and ministry pre-consultation period (7 weeks)
Dec 5, 2019			<ul style="list-style-type: none"> • Complete draft updated Wellington/water quantity update
Jan 2 – Feb 16, 2020			Formal public consultation period (46 days)

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-19-02-02

DATE: February 7, 2019

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Progress Report Grand River Assessment Report and Source Protection Plan Update

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-02-02 – Progress Report Grand River Assessment Report and Source Protection Plan Update – for information.

REPORT:

This report provides an update on progress of technical studies in the Grand River watershed. Progress reports and results of technical studies will be presented to the Source Protection Committee as they are completed with recommendations to update the Grand River Assessment Report and Source Protection Plan. Once the technical studies are presented, complete municipal sections of the Assessment Report and Plan will be presented to the Source Protection Committee.

Technical Studies

Centre Wellington Scoped Tier 3 Water Budget study

The Centre Wellington Scoped Tier 3 Water Budget Study began in August 2016 to assess potential water quantity risks to the Centre Wellington municipal drinking water system. The project is managed by the GRCA on behalf of the Township of Centre Wellington. The study is being completed in coordination with the Township's Water Supply Master Plan which began in early 2018.

The draft Groundwater Flow Model Development and Calibration Report is currently undergoing final revisions based on input from the Community Liaison Group. Stakeholder meetings with members from the CLG (Nestle Waters and Save Our Water) were held this past fall to discuss comments provided on the draft modelling report. Comments provided by the CLG and meeting summaries are posted on the project web page.

The risk assessment phase of the project has recently started with input provided by the Township's draft Water Supply Master Plan.

Information about the Centre Wellington study including reports, CLG presentations, and meeting summaries are available at www.sourcewater.ca/CW-Scoped-Tier3

Guelph-Guelph/Eramosa Water Quantity Policy Development Study

Over the summer and early fall, the Project Team developed a policy framework and a list of policy approaches.

Under the *Clean Water Act, 2006* (CWA), policies need to be developed for areas where activities are identified as significant threat activities. For water quantity, the prescribed drinking water threats are consumptive water takings and recharge reduction. Source protection policies must protect current and future drinking water supplies, i.e., policies must ensure that an existing activity identified as a significant drinking water threat ceases to be a significant threat, and future activities never become a significant drinking water threat.

On December 6, 2018 (report SPC-18-12-05), staff presented the policy framework and list of policy approaches informed by the Risk Management Measures (RMMs) in the TMS and the insights from the Policy Discussion Paper. Policy approaches identify the intent, i.e., what is aimed to be achieved with the policy. The policy approaches presented were high-level, draft, and subject to change.

With direction from the committee in December, and following the feedback received from the Implementing Municipalities Group (IMG) and Community Liaison Group (CLG), the Project Team has been working on developing draft policy text with the goal of striving towards consistent policy outcomes wherever possible. A main focus of the Project Team has been developing consistency among policies addressing aggregate quarry activities. City of Guelph and County of Wellington draft policies addressing aggregate quarry activities have been submitted to the Ministry of the Environment, Conservation and Parks (MECP) and the Ministry of Natural Resources and Forestry (MNR) for their input. It is hoped that feedback from the ministries will provide context and help bring policy outcomes closer together. Work also continues with Region of Waterloo and Halton Region staff as part of the Project Team discussions to develop policies applicable to their jurisdiction for the areas within WHPA-Q. To reflect the need for additional time to develop policies and the respective changes in the policy development process, the Guelph-Guelph/Eramosa Water Quantity Policy Development Process Timeline has been updated (**Table 1**).

Table 1: Guelph-Guelph/Eramosa Water Quantity Policy Development Process Timeline

Task	Date
RMMEP and TMS presented to SPC	June 21, 2018
RMMEP and TMS presented to CLG	June 26, 2018
Project Team developing draft policy approaches	July to October 2018
Draft policy approaches presented to IMG/CLG	November 7/8, 2018
Draft policy approaches presented to SPC	December 6, 2018
Draft policy text presented to SPC	June 20, 2019
Draft policy text presented to IMG/CLG	Late June 2019
Revised policies presented to SPC	September 5, 2019
Revised policy pre-consultation with agencies and municipalities	September 9 – October 28, 2019
Updated AR/SPP (includes revised policies) presented to SPC	December 5, 2019
Formal Public consultation of updated AR/SPP	January 2 – February 16, 2020
Revised AR/SPP presented to SPC and released to SPA	March 12, 2020
SPA submits updated AR/SPP to MECP	March, 2020

Next Steps

In the coming months, the Project Team will continue working on developing municipal-specific water quantity policy text. Lake Erie Region is committed to a collaborative process for policy development, with municipal and stakeholder engagement through the Project Team, Implementing Municipalities Group (IMG), and CLG. Draft water quantity policy text will be presented to the Source Protection Committee on June 20, 2019. The CLG and IMG will receive the draft water quantity policy text in late June, 2019.

S.34 Draft Updated Grand River Source Protection Plan: City of Hamilton, County of Brant, Grey County

The draft updated Grand River Source Protection Plan pre-consultation period ended on February 5, 2019. Any comments received will be incorporated into the draft updated plan.

Section 34 of the CWA requires that source protection authorities obtain a municipal council resolution from each municipality affected by the amendments. A council resolution has been received from Grey County endorsing the amendments; it is anticipated that City of Hamilton and County of Brant council resolutions will be provided by the end of February 2019.

The public consultation period (35 days) begins on February 12, 2019 and closes on March 18, 2019. During this time, the proposed amendments will be published on [Lake Erie Source Protection Region's website](#), and hard copies will be made available at locations in the City of Hamilton, County of Brant and Grey County. Additionally, a public meeting has been scheduled in Brant County on February 21, 2019 at the Brant Sports Complex, Paris. Meeting details can be found in Lake Erie Region's [meeting calendar](#). Comments received during the public consultation period will be reviewed and the plan updated where appropriate. The revised draft updated Grand River Source Protection Plan will be brought to the committee on April 4, 2019, and is expected to be submitted to the MECP by the Grand River Source Protection Authority at its meeting on April 26, 2019.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Prepared by:



Sonja Strynatka, P.Geo.
Senior Hydrogeologist

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-19-02-03

DATE: February 7, 2019

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: S.34 Draft Updated Bundled Grand River Assessment Report and Source Protection Plan: Municipal and Non-municipal Sections

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-02-03 – S.34 Draft Updated Bundled Grand River Assessment Report and Source Protection Plan: Municipal and Non-municipal Sections – for information.

REPORT:

Updates to the Assessment Report

General drinking water quality threats assessment methodology moved to new assessment report section 3 for all municipal sections.

Section 7 – City of Guelph:

- Revision to Guelph Waterworks system description
- New Wellhead Protection Area-A (WHPA) delineated around Glen Collector System (infiltration gallery)
- Update of maps to reflect Glen Collector System WHPA and updated Region of Waterloo WHPAs extending close to the City of Guelph municipal boundaries

Section 8 – Region of Waterloo:

- Update of all 24 municipal drinking water systems including WHPAs, vulnerability scoring, threats and issues assessment
- All transport pathway and area of influence maps for each municipal system to be added prior to public consultation period

Section 10 – Perth County:

- Minor editorial changes

Section 14 – City of Brantford:

- Revision to Brant Water Treatment Plant system description
- Update of maps to reflect boundary changes

Section 16 – Haldimand County:

- Minor editorial changes

Section 22 Orangeville and Amaranth Tier 3:

- Editorial changes to improve consistency and readability

Section 23 Halton Hills Tier 3:

- A new section that describes the Tier 3 Water Budget and Risk Assessment completed for the municipal drinking water systems in the communities of Acton and Georgetown, including the delineation of a new WHPA-Q

Sections 24 and 26 State of Climate Change Research in Lake Erie Region and Conclusions:

- Minor update to subsection 24.3 Effect of Projected Climate Changes on Assessment Report Conclusions
- Conclusions section updated to reflect changes to municipal systems

Section 27 References:

- Updated to reflect changes in content referenced in the body of the assessment report

Updates to the Source Protection Plan

The Grand River Source Protection Plan was amended as follows. Updates that do not affect policy intent are not included in the table.

General Updates Across All Sections

- Minor revision to Implementation and Timing Policies to clarify that policies are applicable once plan amendments are approved
- Local threat: The Conveyance of Oil by way of Underground Pipelines changed to Prescribed Drinking Water Threat #22: The Establishment and Operation of a Liquid Hydrocarbon Pipeline
- Prescribed Drinking Water Threats short form names amended to reflect Tables of Threats and Circumstances amendments, 2017

Municipal-specific

City of Brantford		
Prescribed Drinking Water Threat Activity	Proposed Change	Rationale
Application of commercial fertilizer to land	Policy CB-CW-7.1 removed	Does not pose a Significant Drinking Water Threat (SDWT) in any IPZs as per the Table of Threats and Circumstances 2017
Handling and storage of commercial fertilizer	Application of commercial fertilizer removed from policies CB-MC-7.2 and CB-CW-7.3	See above rationale

Application of road salt	New policy CB-CW-10.5	To align with Tables of Threats and Circumstances amendments, 2017
Handling and storage of fuel	New policy CB-CW-12.1.1	<ul style="list-style-type: none"> • Necessary to cover, in combination with other fuel policies, future and existing SDWTS in IPZs • To align with Tables of Threats and Circumstances amendments, 2017
Region of Waterloo		
Definitions	Definition of storm water management facility added	Definition added to clarify expanded scope of this activity to be consistent with Tables of Threats and Circumstances amendments, 2017
Conditions Incentive	Policy RW-CW-1.19 removed	While effective for re-urbanization goals, this grant program is not effective for groundwater remediation. The current Ontario brownfield redevelopment regulatory regime does not require groundwater clean-up in order to redevelop a brownfield site
Establishment, Operation or Maintenance of a Waste Disposal Site, within the Meaning of Part V of the Environmental Protection Act	Changed vulnerability score threshold for IPZ-3 and WHPA-E, and included IPZ-2, in policies RW-MC-2, RW-CW-3, and RW-CW-4	Changed vulnerability scores from eight to nine in WHPA-E and IPZ-3, and included IPZ-2, for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
	Removed clause iii from policy RW-MC-7, clause ii from RW-CW-8, and clause iii from RW-CW-8.1	Removed Branchton Meadows Chloride Issue Contributing Area clauses to reflect that chloride is no longer listed as a chemical circumstance for on-site septic systems as per Tables of Threats and Circumstances amendments, 2017
	Removed Chloride and/or Sodium Issues from policies RW-MC-9 and RW-MC-10	Removed Chloride and/or Sodium Issues to reflect that chloride and sodium are no longer listed as a chemical circumstances for on-site septic systems as per Tables of Threats and Circumstances

		amendments, 2017
	Removed clauses a-iv-iv and a-v-iv from policy RW-MC-11.1	Removed prescribed instrument clause for existing industrial effluent discharge and sewer treatment plant bypass discharge in Nitrate Issue Contributing Areas where vulnerability is less than six as per Tables of Threats and Circumstances amendments, 2017
Establishment, Operation or Maintenance of a Waste Disposal Site, within the Meaning of Part V of the Environmental Protection Act	Added clauses b-v-ii, b-v-iii, and b-v-iv in policy RW-MC-11.1	Expanded future sewage treatment plant bypass discharge clauses to match the clauses for existing sewage treatment plant bypass discharge
	Changed vulnerability score threshold for IPZ-3, and included IPZ-2, in policies RW-MC-11.1, RW-MC-13, RW-MC-15, RW-MC-16, RW-MC-18, RW-MC-19, and RW-MC-20.1	Changed vulnerability scores from eight to eight or greater in IPZ-3, and added IPZ-2, for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
	Policies RW-CW-12.1 and RW-CW-19.1 added	Policies added to strengthen departmental and organizational requirements around sewer pipe construction standards and storm water management facility inspection and testing standards
	Changed threshold for clauses a-iv and b-iv in policy RW-MC-13	Changed prescribed instrument clause vulnerability and area threshold from all areas in Nitrate and TCE Issue Contributing Areas to WHPA-E where the vulnerability is less than six as per Tables of Threats and Circumstances amendments, 2017
	Changed threshold for policy RW-MC-14	Changed vulnerability and area threshold from all areas in Nitrate Issue Contributing Areas to WHPA-E where the vulnerability is greater than six as per Tables of Threats and Circumstances amendments, 2017

Storage of Agricultural Source Material	Removed clause a-ii-i in policy RW-CW-21	No longer prohibiting existing permanent storage of agricultural source material in WHPA-A because barns are considered ASM storage facilities under the Nutrient Management Act, and based on known storage sites within these areas it would be more effective to manage the activity through Risk Management Plan policies
	Added existing permanent storage of ASM in IPZ-1 to policy RW-MC-21.1 and removed it from policy RW-MC-22	Changes made to the prescribed instrument policy to match Part IV policy RW-CW-21; existing permanent storage of ASM in IPZ-1 is prohibited rather than managed through prescribed instrument
Application of Agricultural Source Material to Land, Application of Commercial Fertilizer to Land, Application of Non-Agricultural Source Material to Land	Removed wording requiring additional nitrogen soil testing for these activities within the K26 wellfield in policies RW-MC-22, RW-CW-23, RW-MC-26, and RW-CW-29	Requirement for additional nitrogen soil testing within the K26 wellfield removed due to a lack of clarity as to how this information can be used in management decisions, as OMAFRA's NMAN software does not allow for soil nitrogen value inputs when calculating crop requirements
Application of Agricultural Source Material to Land, Storage of Agricultural Source Material	Changed vulnerability score threshold for IPZ-3 and WHPA-E, and included IPZ-2, in policy RW-CW-24	Changed vulnerability scores from eight to greater than or equal to eight in WHPA-E and IPZ-3, and included IPZ-2, for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
Application of Non-Agricultural Source Material to Land, Storage of Non-Agricultural Source Material	Policy RW-CW-25.1 added	Added mirror Part IV prohibition policy for activities not subject to Non-Agricultural Source Material Plans as per Nutrient Management Act
	Policy RW-CW-26.1 added	Added mirror Part IV Risk Management Plan policy for activities not subject to Non-Agricultural Source Material Plans as per Nutrient Management Act

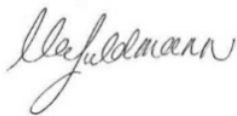
	Policy RW-MC-27 removed	Removed policy because the activities are no longer regulated under Environmental Compliance Approvals
	Policy RW-CW-27.1 added	Incentive and education & outreach policy added to supplement Part IV Risk Management Plan policies for the activity, thus matching the Part IV policy framework for application and storage of agricultural source material activities
Application of Commercial Fertilizer to Land, Storage of Commercial Fertilizer	Included IPZ-2, IPZ-3, and WHPA-E in policies RW-CW-29 and RW-CW-30	Included IPZ-2, IPZ-3, and WHPA-E with vulnerability score equal to nine for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
Application of Pesticides to Land, Handling and Storage of Pesticides	Added education and outreach clause to policy RW-CW-33	Added education and outreach clause to address gap where activities may be significant, but no other policies apply
Application of Road Salt	Expanded Risk Management Plan requirement to include all Chloride Issue Contributing Areas in policy RW-CW-35	Change in policy to reflect staff's assessment that the current scope of Risk Management Plan requirements is not sufficient to mitigate the risk, even though Risk Management Plans cannot reduce or mitigate impact of road salt application
	Policy RW-CW-38 removed	Policy requiring Region and Area Municipalities to acquire Smart About Salt site certification removed, as it provided no additional incentive to improve practices
	Changed threshold to include all Chloride Issue Contributing Areas in policies RW-CW-39, RW-NB-39.1, and RW-CW/NB-40	Change in thresholds to recognize that current scope of requirement is insufficient, and action across the entire Chloride Issue Contributing Area is necessary, even though Risk Management Plans cannot reduce or mitigate impact of road salt application

Handling and Storage of Road Salt	Changed existing and future Risk Management Plan requirements of road salt storage thresholds in policy RW-CW-35.1	Changes made to ensure consistency with changes to policy RW-CW-34.1, and to address higher risk activities (i.e., less than one tonne covered storage within WHPA-A) that were not previously covered under Part IV policies
Application of Road Salt, Handling and Storage of Road Salt	Changed existing and future prohibition of road salt storage thresholds in policy RW-CW-34.1	Changes made to better reflect site operations, and to focus prohibitions on highest risk activities (i.e., uncovered salt storage, large quantity storage)
	Changed incentive and education & outreach thresholds in policy RW-CW-37	Changes made to ensure consistency with changes to policies RW-CW-34.1, RW-CW-35, and RW-CW-35.1
Storage of Snow	Included IPZ-2, IPZ-3, and WHPA-E in policy RW-CW-41	Included IPZ-2, IPZ-3, and WHPA-E with vulnerability score equal to nine for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
Handling and Storage of Fuel	Included IPZ-1 in policy RW-CW-45	Included future prohibition within IPZ-1 for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
	Included IPZ-1, IPZ-2, IPZ-3, and WHPA-E in policy RW-CW-46	Included IPZ-1, IPZ-2, IPZ-3, and WHPA-E with vulnerability score equal to nine for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
	Included IPZ-1, IPZ-2, IPZ-3, and WHPA-E in policy RW-CW-48	Changes to incentive and education & outreach made to ensure consistency with changes to policies RW-CW-46
Handling and Storage of a Dense Non-Aqueous Phase	Changed incentive thresholds in policy RW-CW-52, and education and outreach	Changes made to ensure consistency with existing Risk Management Plan policy RW-CW-51

Liquid	threshold in policy RW-CW-53	
Management of Run-off that Contains Chemicals Used in De-icing of Aircraft	Included IPZ-2, IPZ-3, and WHPA-E in policy RW-CW-56	Included IPZ-2, IPZ-3, and WHPA-E with vulnerability score equal to nine for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017
Use of Land as Livestock Grazing or Pasturing Land, an Outdoor Confinement Area or Farm Animal Yard	Changed vulnerability score threshold for IPZ-3, and included IPZ-2, in policy RW-CW-60	Changed vulnerability scores from eight to greater than or equal to eight in IPZ-3, and included IPZ-2, for activities that can be significant in these areas as per Tables of Threats and Circumstances amendments, 2017

All S.34 Draft Updated Bundled Grand River Assessment Report and Source Protection Plan sections listed above are available on the February 7, 2019 eScribe meeting site.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-19-02-04

DATE: February 7, 2019

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Proposed Open-For-Business Planning By-law (ERO #013-4125)

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-02-04 – Proposed Open-For-Business Planning By-law (ERO #013-4125) – for information

AND THAT the Lake Erie Region Source Protection Committee direct staff to submit a letter to the Ministry of Municipal Affairs and Housing with respect to ERO #013-4125 Proposed Open-For-Business Planning By-law in support of staff comments sent January 18, 2019

REPORT:

Bill 66 – Restoring Ontario's Competitive Act was given first reading on December 6, 2018 by the provincial legislature. The Bill is part of the provincial government's Open for Business Action Plan which aims to streamline development approvals, reduce red-tape and attract businesses and jobs to the province. Consultation on the Act is provided through the Environmental Registry of Ontario (ERO #013-4293). The province has also posted two associated initiatives: the proposed Open-for-Business Planning By-law (ERO #013-4125) and a proposed New Regulation under the Planning Act for an Open-for-Business Planning Tool (ERO #013-4239). The Environmental Registry commenting period ended on January 20, 2019.

Staff submitted comments to the Environmental Registry on January 18, 2019 to meet the commenting deadline. The comments letter is attached.

Bill 66 proposes substantial amendments and repeals to 18 provincial statutes including the Planning Act. These changes would allow municipalities to utilize Open-for-business by-laws (the "planning tool") which would be exempted from conformance to provincial policies, plans and Acts in order to quickly approve applications for "major employment uses". Details of when and how the by-laws could be used will be provided in a supporting regulation at a later date. Little detail is provided at this time on the regulation except for general requirements of applications for the Open-for-Business (OFB) by-law.

Under the proposed OFB planning by-law, amendments proposed to the Planning Act would allow municipalities to disregard sections of the Planning Act, Provincial Policy Statement (PPS), Clean Water Act, Places to Grow Act, Greenbelt Act and Great Lakes Protection Act to name a few. OFB planning by-laws would be exempted from conformance with municipal official plans, public/agency consultation and could not be appealed through the Local Planning Appeals Tribunal.

Under the Clean Water Act, municipalities must conform to significant drinking water threat policies in source protection plans when making Planning Act related decisions. These policies ensure that impacts from development do not harm municipal drinking water sources. Exempting the proposed OFB planning by-law from adhere to Section 39 could result in activities such as chemical and fuel storage (quality) or high water use (quantity) being established as part of development approved through the by-law to become significant threats to municipal drinking water sources.

In the Lake Erie Source Protection Region, approximately 974,000 people are serviced by municipal water supplies from both surface and groundwater sources. Clean and sustainable municipal drinking water sources are the backbone to supporting a strong and sustainable local economy and healthy communities. Eliminating the requirement to adhere to Section 39 would not allow for proactive planning where impacts can be prevented early on in the development process. Based on this, Section 39 of the Clean Water Act should remain in effect to ensure the short and long-term protection of municipal drinking water supplies.

On January 23, 2019, Steve Clark, Minister of Municipal Affairs and Housing, announced that the Government will not proceed with Schedule 10 of Bill 66.

Prepared and approved by:

A handwritten signature in black ink, appearing to read 'M. Keller', is positioned above a horizontal line.

Martin Keller, M. Sc.
Source Protection Program Manager



January 18, 2019

Mr. Ken Petersen
Manager
Ministry of Municipal Affairs and Housing
Local Government and Planning Policy Division
Provincial Planning Policy Branch
777 Bay Street
Floor 13
Toronto, ON, M5G 2E5

Re: Proposed Open-For-Business Planning By-law (ERO 013-4125)

Dear Mr. Petersen:

Thank you for the opportunity to provide comments on the proposed Open-for-business (OFB) planning by-law as posted to the Environmental Registry of Ontario (ERO 013-4125), and part of Bill 66 - Restoring Ontario's Competitiveness Act, 2018 (ERO 013-4293). Source protection staff of the Grand River Conservation Authority (GRCA) have reviewed the proposal and identified important considerations that relate to public health. A meeting of the Lake Erie Region's Source Protection Committee (SPC) will be held on February 7, 2019 after the posted commenting period. A copy of this letter and a report will be provided to the committee at that time. Further comments from the SPC may be provided to the province following this meeting.

Source Protection staff are concerned with the removal of the Clean Water Act for areas that would be covered by the proposed OFB planning by-law. We offer the following detailed comments for your consideration.

Bill 66 proposes to exempt major employment uses passed through OFB by-laws from Section 39 of the Clean Water Act. This section of the Act requires that provincial and municipal decisions conform to policies in Source Protection Plans that address significant drinking water threats. Ensuring that development does not create drinking water threats is a key part of the Clean Water Act. In the Lake Erie Source Protection Region, approximately 974,000 people are serviced by municipal water supplies from both surface and groundwater sources. Eliminating the requirement to adhere to Section 39 would not allow for proactive planning where impacts can be prevented early on in the development process.

The majority of municipalities in the Lake Erie Source Protection Region rely on groundwater and/or the Grand River for drinking water purposes. Source protection plan policies addressing significant drinking water threats should remain applicable to protect drinking water and public health. Based on this, the Clean Water Act should be removed from Schedule 10 of Bill 66 to ensure the short and long-term protection of municipal drinking water supplies.

The province recently released their Made-In-Ontario Environment Plan (2018) to protect water, address climate change, and conserve land and greenspace. The proposed OFB planning by-law appears to be inconsistent with the actions outlined in this plan. Many of the provisions outlined in the proposed new planning tool, including the Clean Water Act, work together to ensure that the actions listed in the Environment Plan can be achieved and together they form the foundation of ensuring a strong economy while implementing sound water and environmental planning in the province of Ontario.

The outcomes of the proposed OFB planning by-law are difficult to fully assess or predict in the absence of more detailed information including the associated regulation. If the province proceeds with the exemptions as outlined in the current wording of Schedule 10 of Bill 66, the proposed Regulation and OFB Planning Tool will need to include specific criteria to avoid putting people at risk or creating new risks for the community.

A safe and sustainable municipal drinking water supply is the backbone of a strong local economy. Under the Clean Water Act, the Lake Erie Source Protection Region has developed a collaborative and balanced approach to working with municipalities to achieve the protection of municipal sources of drinking water while recognizing the importance of growth and development for the local economy.

Staff support the goals of creating jobs and growing the local economy. However, this should not happen at the expense of protecting the residents' sources of drinking water. Should you have any questions about our comments, please contact the undersigned at 519-620-7595.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Keller', is positioned above the printed name.

Martin Keller
Source Protection Program Manager
Grand River Conservation Authority

Cc
Wendy Wright-Cascaden, Chair Lake Erie Region SPC

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-19-02-05

DATE: February 7, 2019

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: A Made-in-Ontario Environment Plan (ERO #013-4208)

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-02-05 – A Made-in-Ontario Environment Plan – for information

AND THAT the Lake Erie Region Source Protection Committee direct staff to submit a letter to the Ministry of the Environment, Conservation and Parks with respect to ERO #013-4208 A Made-in-Ontario Environment Plan in support of staff comments sent January 28, 2019

REPORT:

The “Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan” (ERO #013-4208) was posted to the Environmental Registry for consultation on November 28, 2018. The climate change section of the plan is intended to act as Ontario’s Climate Change Plan which was a commitment made by the province under the Cap and Trade Cancellation Act, 2018. The Environmental Registry commenting period ended on January 28, 2019.

Staff submitted comments to the Environmental Registry on January 28, 2019 to meet the commenting deadline. The comments letter is attached.

The Environment Plan is based on three guiding principles: Clear Rules and Strong Enforcement, Trust and Transparency and Resilient Communities and Local Solutions. These guiding principles form the basis for an extensive list of actions, some of which directly relate to the provincial Source Protection Program under the *Clean Water Act, 2006*.

The following are a summary of the staff comments and recommendations:

Action: Ensure sustainable water use and water security for future generations

Water management in Ontario is a collaborative effort in which conservation authorities play a major role. The provincial Source Protection Program administered by conservation authorities in particular safeguards sustainable drinking water use and security.

Local source protection committees, comprised of representatives from municipalities, the commercial/industrial sector as well as the broader public, have a pivotal role in ensuring policies to protect municipal drinking water balance the protection needed while considering potential impacts these policies may have on municipalities and communities.

Continued and sustainable provincial funding support is needed to maintain and enhance the provincial Source Protection Program. Protecting sources of municipal drinking water from pollution and depletion is a key part of safeguarding public health and is the backbone of a strong and sustainable local economy.

Action: Help people conserve water and save money

Policies to support water conservation and efficiency programs are a key part of source protection plans where water quantity is a concern. Water conservation and efficiency programs should not only address household water use, but include municipal infrastructure (e.g., water loss programs) and industries (e.g., technological and process improvements).

Action: Improve our understanding of how climate change will impact Ontario

Safeguarding the sources of municipal drinking water into the future is critical for maintaining healthy and strong communities. The proposed provincial impact assessment should include an assessment of the likely impacts of climate change on the quality and quantity of municipal drinking water sources, building upon existing work undertaken by conservation authorities and Conservation Ontario. This will provide risk-based information to government and municipalities for actions needed to protect drinking water sources in the future.

Staff will continue to monitor progress of the Made-in-Ontario Environment Plan moving forward.

Prepared and approved by:



Martin Keller, M. Sc.
Source Protection Program Manager



January 28, 2019

Mr. Nathaniel Aguda
Project Manager
Ministry of the Environment, Conservation and Parks
Environmental Policy Division
Environmental Policy Branch
40 St. Clair Avenue West
10th Floor
Toronto, ON, M4V 1M2

Re: Proposed Made-in-Ontario Environment Plan (ERO #013-4208)

Dear Mr. Aguda:

Thank you for the opportunity to provide comments on the proposed Made-in-Ontario Environment Plan as posted to the Environmental Registry of Ontario (ERO #013-4208). Source protection staff of the Grand River Conservation Authority (GRCA) have reviewed the proposal and identified important considerations that relate to public health. A meeting of the Lake Erie Region's Source Protection Committee (SPC) will be held on February 7, 2019 after the posted commenting period. A copy of this letter and a report will be provided to the committee at that time. Further comments from the SPC may be provided to the province following this meeting.

Source Protection staff have identified a number of proposed actions directly related to the provincial Source Protection Program. We offer the following detailed comments for your consideration.

Action: Ensure sustainable water use and water security for future generations

Water management in Ontario is a collaborative effort in which conservation authorities play a major role. The provincial Source Protection Program under the *Clean Water Act, 2006*, administered by conservation authorities in 38 watershed areas across Ontario in particular safeguards sustainable drinking water use and security.

The Source Protection Program was put in place in response to the Walkerton tragedy in May 2000, where seven people died and over 2,000 fell ill as a result of contaminated water supply. All four source protection plans in the Lake Erie Region are currently being implemented to protect municipal drinking water sources and help prevent another tragedy. Work to keep the plans up to date and address water quantity concerns in a number of key areas is continuing.

Local source protection committees, comprised of representatives from municipalities, the commercial/industrial sector as well as the broader public, have a pivotal role in ensuring policies to protect municipal drinking water balance the protection needed while considering potential impacts these policies may have on municipalities and communities.

Continued and sustainable provincial funding support is needed to maintain and enhance the provincial Source Protection Program. Protecting sources of municipal drinking water from pollution and depletion is a key part of safeguarding public health and is the backbone of a strong and sustainable local economy.

Action: Help people conserve water and save money

Policies to support water conservation and efficiency programs are a key part of source protection plans where water quantity is a concern. Water conservation and efficiency programs are in place in many municipalities and are successful in reducing water demand. We support their enhancement and promotion as proposed in the Plan, and recommend such programs should not only address household water use, but include municipal infrastructure (e.g., water loss programs) and industries (e.g., technological and process improvements).

Action: Improve our understanding of how climate change will impact Ontario

The Plan proposes a province-wide impact assessment to determine how climate change will affect communities and infrastructure. Safeguarding the sources of municipal drinking water into the future is critical for maintaining healthy and strong communities. The proposed provincial impact assessment should include an assessment of the likely impacts of climate change on the quality and quantity of municipal drinking water sources, building upon existing work undertaken by conservation authorities and Conservation Ontario. This will provide risk-based information to government and municipalities for actions needed to protect drinking water sources in the future.

Should you have any questions about our comments, please contact the undersigned at 519-620-7595.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Keller', written in a cursive style.

Martin Keller
Source Protection Program Manager
Grand River Conservation Authority

Cc
Wendy Wright-Cascaden, Chair Lake Erie Region SPC