



**Lake Erie Region Source Protection Committee
Agenda**

Thursday, April 30, 2020

1:00 pm

GRCA Virtual Meeting

Adobe Connect

Site provided by email

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	
	a. Guelph-Guelph/Eramosa Water Quantity Policy Development Update	
9.	Correspondence	
10.	Reports	
	a. SPC-20-04-07 Proposed Amendments to the Rules of Procedure	1
	b. SPC-20-04-08 Source Protection Program Update	22
	c. SPC-20-04-09 S.34 Revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant	24

d.	SPC-20-04-10 2019 Catfish Creek Annual Progress Report	57
e.	SPC-20-04-11 2019 Kettle Creek Annual Progress Report	65
f.	SPC-20-04-12 2019 Long Point Region Annual Progress Report	73
g.	SPC-20-04-13 Grand River Annual Progress Report	81
h.	SPC-20-04-14 Proposal to amend O.Reg.244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (EBR 019-1303)	89
i.	SPC-20-04-15 Lake Erie Region Source Protection Program - Past and Future Outlook	100

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

- a. RE: Formal request for copies of reports prepared by BluMetric Environmental Inc. to assist the City of Guelph in preparation of the Source Protection Plan and the development of water quantity policies 107

Correspondence from Peter Rider, Program Manager, Source Water Protection, City of Guelph to Heather Brodie-Brown, Project Manager, Water Quantity Environmental Monitoring and Reporting Branch, Ministry of the Environment, Conservation and Parks

13. Closed Meeting

14. Next SPC Meeting

June 25, 2020 at 1:00pm, virtual meeting

15. Adjourn

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-07

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Proposed Amendments to Rules of Procedure

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee endorses the proposed amendments to the Committee's Rules of Procedures, as outlined in report SPC-20-04-07.

REPORT:

The corona virus disease (COVID-19) was declared a pandemic by the World Health Organization on March 11, 2020. On March 24, the Province of Ontario, under the Emergency Management and Civil Protection Act, ordered the closure of places of non-essential businesses. On March 26, 2020, the Minister of the Environment, Conservation and Parks issued a Direction to all Conservation Authorities ("CAs") recommending amendments to CA Administrative by-laws to allow for certain electronic processes during declared states of emergencies. The Minister's Direction applies to CAs when meeting as a Source Protection Authority ("SPA") under the Clean Water Act, 2006.

Necessary amendments also need to be made to the Rules of Procedure for the Lake Erie Region Source Protection Committee to allow ongoing business during a declared state of emergency. **Appendix A** includes a marked up version of the proposed amendments to the SPC's Rules of Procedure. Minor additional administrative changes are also included in the amended Rules.

Following the endorsement of the amended Rules of Procedure by the Lake Erie Region Source Protection Committee, the amended Rules will be brought forward to the four (4) Source Protection Authorities in the Lake Erie Region for approval.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A

Proposed Amendments to Rules of Procedure

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE
Rules of Procedure, Code of Conduct and Conflict of Interest Policy

WHEREAS:

Section 14 of Ontario Regulation 288/07 requires “written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority” and section 15 of O. Reg. 288/07 requires “written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority”; and

NOW THEREFORE, in compliance of section 14 and 15 of Ontario Regulation 288/07, the Lake Erie Region Source Protection Committee adopts the following Rules of Procedure, Code of Conduct and Conflict of Interest Policy, subject to amendment by the Source Protection Committee from time to time:

Definition:

- a) “Authority” means Grand River Source Protection Authority
- b) “Authorities” means the Kettle Creek Source Protection Authority, Catfish Creek Source Protection Authority, Long Point Region Source Protection Authority, and the Grand River Source Protection Authority
- c) “Chair” means the Chair of the Source Protection Committee appointed by the Ontario Minister of the Environment under section 7(4) of the *Clean Water Act, 2006*
- d) “Committee” means Lake Erie Region Source Protection Committee
- e) “Members” means persons appointed to be members of the Lake Erie Region Source Protection Committee.
- f) “Region Management Committee” means the Chairs or designates and Chief Administrative Officers or General Managers of the Catfish Creek, Grand River, Kettle Creek and Long Point Region Conservation Authorities.
- g) “Website” means the Lake Erie Region Drinking Water Source Protection website at www.sourcewater.ca.

MEMBERSHIP

- | | |
|-----------------------|--|
| Membership | 1. The Membership comprises all members of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority. |
| Terms of Appointments | 2. The term of appointment for each Member shall be as indicated in the Letter of Appointment, and as required by section 8 of Ontario Regulation 288/07 under the <i>Clean Water Act, 2006</i> . |
| Vacancies | 3. If a vacancy occurs among the Members of the Committee, the Chair will so notify the Authority, and the Authority shall appoint a new Member to fill the vacancy, pursuant to section 9 of Ontario Regulation 288/07. |

- Liaisons
4. Pursuant to section 19 of Ontario Regulation 288/07, the following persons may attend and participate in discussions at meetings of the Committee, including any meeting or part of a meeting that is closed to the public, but excluding participating in voting on any motions or questions before the Committee:
- 4.1. a person designated by the Minister of the Environment as a representative of the Ministry of the Environment;
- 4.2. a person designated by the Minister as a representative of the medical officers of health for the health units in which any part of the Source Protection Region is located; and
- 4.3. a person designated by the Authority as a representative of the Authorities.
- Chair
5. The Chair will be the official spokesperson for the Committee and will preside at all meetings of the Committee. At such meetings, the Chair will preserve order and decorum and decide on all questions of order, citing the applicable rule(s).
- Spokesperson
6. The Chair may represent the Committee at public events, meetings of watershed municipal councils and meetings with representatives of the provincial and federal government.
- All requests to Members to represent the Committee as official spokesperson or speak on behalf of the Committee should be referred by the Member to the Chair or the Program Manager or the Communications Coordinator.
7. If the Chair is absent or unable to act, or the office of the chair is vacant, the remaining Members shall appoint an acting chair from among themselves, and the acting chair has all the powers and shall perform all duties of the chair.
- Ad Hoc Working Groups
8. The Committee may establish and appoint members to such ad hoc working groups as it deems necessary, with the Chair of the ad hoc working group to be named by the Committee and the terms of reference to be established at the time of appointment.
- Ad hoc working groups established by the Committee shall be governed by the same Code of Conduct and Conflict of Interest Policy as the Committee
- When an ad hoc working group has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Committee.
- Members Attendance
9. A semi-annual letter shall be sent by the Chair to the Authority noting the attendance of all Committee Members.

- Program Manager 10. The Grand River Conservation Authority shall appoint a Program Manager who shall provide or cause to provide scientific, technical and administrative support and resources to the Committee, pursuant to section 7.(5) of the *Clean Water Act, 2006*.
- Recording Secretary 11. The Grand River Conservation Authority shall appoint a Recording Secretary who shall keep minutes of Committee meetings. The Recording Secretary shall be the Program Manager or designate.
- Communications Coordinator 12. The Grand River Conservation Authority shall appoint a Communications Coordinator who shall be Committee's primary point of contact for the media and provide communications support to the Chair.
- Freedom of Information 13. All meetings of the Committee shall be open to the public and to coverage by news media, subject to provisions of the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.
- 13.1. Notwithstanding the aforementioned, a closed meeting may be convened for a special purpose (an item deemed appropriate for a closed meeting according to section 18 of Ontario Regulation 288/07) on approval of the two-thirds majority of Members present at a meeting.
- 13.2. In addition, the Chair may convene a closed meeting for the special purposes as outlined above.
- Code of Conduct 14. Members of the Committee shall comply with the Code of Conduct outlined in Schedule 1 of these Rules of Procedure.
- Conflict of Interest 15. All meetings of the Committee and the Working Groups shall be subject to the provisions of the Conflict of Interest Policy outlined in Schedule 1 of these Rules of Procedure.

CALLING OF MEETINGS

- Meetings 16. The Committee shall meet ~~at least once a month~~ at the Grand River Conservation Authority Administrative Office unless otherwise specified, and at such time as the Chair shall decide.
17. The Chair shall determine the time and location of the first meeting of the Committee.
- Notice of Meeting 18. The Committee shall, ~~at its first meeting and every six months thereafter,~~ establish a regular meeting schedule ~~for the following six months in advance~~. The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Website and making the notice available at the Conservation

Authority Administrative Offices during regular business hours.

19. Notwithstanding the posted ~~six month~~ meeting schedule, notice of all Committee meetings shall be conveyed to Members and Authorities, and shall be posted on the Website at least 5 days prior to the date of the meetings. The notice shall include the time and place of the meeting and all items to be discussed at the meeting.
20. Notices of meetings shall include a notation that Members are to call the Recording Secretary or a designate if unable to attend.
21. Ad hoc working groups shall meet at the call of the working group Chair as required and at such time and place as the working group Chair may decide.

Ad hoc working groups

PROCEDURE AT MEETINGS

Rule of Procedure

22. In all matters of procedure not specifically dealt with herein, the current edition of Bourinot's Rules of Order shall be binding.

Declared State of Emergency – Electronic Meetings

23. During any period where an emergency has been declared to exist, in all or part of an area over which the Committee has jurisdiction, under Section 4 or 7.1 of the Emergency Management and Civil Protection Act, that may prevent the Committee from meeting in person,

a) a Member may participate in meetings electronically and shall have the ability to:

- i. register a vote;
- ii. be counted towards determining quorum; and
- iii. participate in meetings closed to the public.

b) any date or timeline requirement established under any Section in these Rules of Procedure shall be postponed until such time as the Committee can reasonably address the issue.

c) the Committee shall make electronic meetings of the Committee open to the public.

24. Delegations

Registered delegations will be invited to defer their attendance to a future meeting or may choose to provide a written submission to the Committee instead.

If a delegation requests to address the Committee at an electronic meeting they may do so, provided they have registered as a delegation through the Program Manager at least eight calendar days in advance of the meeting. Presentation materials may be

shared with the Committee members provided the delegation provides them at least eight calendar days in advance of the meeting. All matters pertaining to number of speakers, length of presentation and content presented by delegations shall be in accordance with the delegations section of the Rules of Procedure.

Special Meetings

25. The chair may, at his/her pleasure, call a special meeting of the Committee as necessary on three calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Committee and the Chair will not refuse.

26. A special meeting may be held to amend the Rules of Procedure.

27. Members of the Committee can participate electronically in any special meeting that occurs during an emergency. A member of the Committee that is participating electronically in a special meeting will be counted in determining whether a quorum of members is present at any time during the meeting.

28. The agenda for special meetings of the Committee shall be prepared as directed by the Chair.

Minutes

~~23.~~29. Minutes of meetings shall contain the attendance, a copy of all decisions and resolutions presented at the meeting, a short summary of discussions and all other proceedings of the meeting. The Chair, at his/her discretion, may require written motions.

~~24.~~30. After the minutes have been adopted, they will be signed by the Chair and by the Recording Secretary.

~~25.~~31. Copies of all minutes shall be made available to the Lake Erie Region Management Committee and staff.

~~26.~~32. All minutes of meetings open to the public and supporting technical reports shall be available for public review on the Website and at the Conservation Authority Administrative Offices during regular business hours.

~~27.~~33. Copies of minutes of meetings open to the public and supporting technical reports shall be made available to the public upon payment of costs involved, such charges to be determined by the Grand River Conservation Authority Chief Administrative Officer from time to time.

Agenda Preparation

~~28.~~34. The Program Manager on instructions from the Chair, shall prepare or cause to be prepared an agenda to be forwarded to members at least five days prior to any regular meeting, listing all matters to come before the meeting.

- Meeting Procedures 29.35. Committee meetings shall conform to the following procedure insofar as the procedures are applicable to the meeting:
- 29.1.35.1. Call to order by Chair
 - 29.2.35.2. Certification by Recording Secretary (or designate) that there is a quorum of members present
 - 29.3.35.3. Chair's Remarks
 - 29.4.35.4. Review of Agenda
 - 29.5.35.5. Declaration of Pecuniary Interest
 - 29.6.35.6. Adoption of minutes of previous meeting
 - 29.7.35.7. Hearing of delegations
 - 29.8.35.8. Presentations
 - 29.9.35.9. Correspondence
 - 29.10.35.10. Presentation of reports
 - 29.11.35.11. Other business
 - 29.11.1.35.11.1. Question and Answer Period
 - 29.12.35.12. Closed Meeting
 - 29.13.35.13. Adjournment
- Other Business 30.36. Subject always to anything specifically provided for, or dealt with, in the *Clean Water Act*, ~~RSO 20072006~~ or these Rules of Procedure, no member shall present any matter to the Committee for its consideration, unless the matter appears on the agenda, without the approval of the Chair or if the Chair refuses such approval, by leave granted by a two-thirds majority vote of the Members present.
- Notwithstanding, the decision on any matter so presented will be deferred and included on the agenda for the next regularly scheduled meeting.
- Notice of Motion 31.37. Written notice of motion may be given by any member of the Committee by mailing, email, or delivering such notice to the Recording Secretary (or designate) and the said motion shall be placed on the agenda, under "Other Business" of the next meeting held fourteen days or more after the receipt of the said motion.
- Delegations 32.38. Delegations will be limited to a maximum of ten (10) minutes except that delegation of more than three (3) speakers will be limited to a total maximum of twenty (20) minutes.
- Delegations will be considered in the following order:
- (1) Citizens, organizations or their representatives who have notified the Program Manager in writing of their desire to appear;
 - (2) Citizens, organizations or their representatives who are present at the meeting, who have not notified the Program Manager in writing of their desire to appear, may, with the approval of a two-thirds majority of the members present, be heard following all other delegations to a maximum of ten (10) minutes except that delegation of more than three (3) speakers

will be limited to a total maximum of twenty (20) minutes.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting.

Members of the public who constitute an audience during a Committee meeting may not:

~~32.1.~~38.1. Address the Committee without permission;

~~32.2.~~38.2. Interrupt any speech or action of the Members, or any other person addressing the Committee;

~~32.3.~~38.3. Display or have in their possession any picket signs, placards, or any other form of written messages deemed inappropriate by the Chair.

Communications
and Petitions

~~33.~~39. Every communication, including a petition, to be presented to the Committee will be legibly written or printed and will be signed by at least one person and filed with the Program Manager at least 24 hours prior to the start of the meeting for which it is intended.

All communications on any subject may be referred to the Program Manager or a working group by motion unless otherwise ordered by the Committee.

Quorum

~~34.~~40. Pursuant to section 13 of Ontario Regulation 288/07, a quorum for a Committee Meeting shall be the Chair or Acting Chair and two-thirds of the number of Members that the Grand River Source Protection Authority is authorized to appoint under section 1 of O. Reg 288/07, plus the number of First Nations Members appointed under section 6 of O. Reg. 288/07.

~~34.1.~~40.1. If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Recording Secretary (or designate) shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.

~~34.2.~~40.2. If, during the course of a meeting, a quorum is lost, then the meeting will stand adjourned, not ended, to reconvene at such other time and place as the Chair will then announce.

Notwithstanding, if a quorum is lost due to a declaration of pecuniary interest, the item causing the pecuniary interest is deferred to the following meeting, and the meeting will continue.

~~34.3.~~40.3. If, in the Chair's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Chair will announce that the unfinished business will be taken up at the next regularly scheduled meeting.

~~34.4.~~40.4. The Program Manager will give notice of any meeting so adjourned and to be reconvened, in a practical method within the time available.

- Call to Order [35.41.](#) When a quorum is first present after the hour fixed for a meeting of the Committee, the Chair shall take the chair and call the members to order.
- Meeting Chair [36.42.](#) The Chair who opens the meeting shall remain Chair for the meeting until its adjournment. If, however, the Chair for any reason wishes to vacate the chair, either temporarily or for the balance of the meeting, the remaining Members shall appoint an acting chair from among themselves to take the chair.
- Duties of Chair [37.43.](#) The Chair shall preserve order and decide questions of order.
- Point of Order [38.44.](#) When a member raises a point of order, he/she shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and sit down and, thereafter, no member shall address the Chair on the point of order except for the purpose of appealing the Chair's decision.

Where there is no appeal, the decision of the Chair shall be final, and, where there is an appeal, the Committee shall decide the question without debate and the decision of the two-thirds majority of the members present shall be final.
- Closed Meetings [39.45.](#) Meetings may be closed to the public in accordance with section 18 of Ontario Regulation 288/07.

In particular, a meeting or part of a meeting may be closed to the public if the subject matter being considered relates to:

a) personal or financial matters about an identifiable individual; or

b) advice that is subject to solicitor-client privilege, including communication necessary for that purpose.
- Procedures for Closed Meetings [40.46.](#) Before holding a meeting or part of a meeting that is to be closed to the public, the Committee shall state by resolution,

a) The fact of the holding of the closed meeting; and

b) The general nature of the matter to be considered at the closed meeting.

[41.47.](#) A meeting shall not be closed to the public during the taking of a vote, except where:

[41.1.47.1.](#) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Conservation Authorities of the Lake Erie Source Protection Region or persons retained by or under contract with the Conservation Authorities of the Lake Erie Source Protection Region.

[42.48.](#) Members of the Lake Erie Region Management Committee present at a Source Protection Committee meeting and the Program

Manager shall be entitled to remain in attendance during a closed session.

RULES OF DEBATE

- Speakers ~~43-49.~~ Every member wishing to speak to a question or motion shall, upon recognition by the Chair, address the Chair.
- Decision Making ~~44-50.~~ The Committee shall attempt to make decisions by consensus among the Members.
- ~~45-51.~~ If the Chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of two-thirds of the Members present, excluding the Chair.
- Voting ~~46-52.~~ Every member present at a meeting when a question is put, excluding the Chair and non-voting Liaison members, will vote thereon, unless prohibited by statute, in which case it will be recorded.
- ~~47-53.~~ Upon the taking of a vote,
- a) If all the members present when the vote is taken vote unanimously, the Recording Secretary (or designate) shall record the vote accordingly;
 - b) If the members present when the vote is taken do not vote unanimously, the Recording Secretary (or designate) shall record the number of votes for and the number of votes against;
 - c) Before a vote is taken, any member may require the vote be recorded and it shall be taken accordingly. For a recorded vote, the Recording Secretary (or designate) will read the name of each Member. Upon reading a Member's name, the Member shall vote in favour or in opposition to the motion. The Recording Secretary (or designate) will record the response against the Member's name.
- ~~48-54.~~ After a vote, other than a recorded vote, is taken, any member may require that the vote be taken again and be recorded if he/she disagrees with the Chair's declaration as to the results of the vote; and he/she states his/her requirement immediately after the Chair's decision.
- ~~49-55.~~ While the Chair is putting a question to the vote, no member shall leave his/her seat or make any noise or disturbance until the result of the vote is declared.
- Reading of Question ~~50-56.~~ Any member may require the question or motion under debate to be read at any time during the debate, except while a member is speaking.
- Speaking to Question ~~51-57.~~ No member shall speak more than twice to the same question except to amend or dispose of a motion.

Questioning Speaker	<p>52-58. Any member may ask a question of the previous speaker through the Chair, but the question shall be stated clearly and relate to the speaker's remarks.</p>
Matters of Precedence	<p>53-59. The following matters may be introduced orally without written notice and without leave and shall be dealt with before the motion on the floor is put:</p> <ol style="list-style-type: none">A point of order;A point of privilege;A motion to suspend a rule of procedure or to request compliance with the rules of procedure;A motion to refer or commit;A motion to postpone or defer;A motion to adjourn. <p>54-60. A motion to adjourn shall take precedence over any other motion and shall be put to a vote immediately without debate, except that vote shall not be taken,</p> <ol style="list-style-type: none">While a member is in possession of the floor or has previously indicated to the chair his/her desire to speak on the matter before the Committee; orAfter it has been decided to put a motion to the vote and before the vote is completed.
Debate	<p>55-61. When a motion is under debate, no motion shall be received other than a motion to amend, to postpone action, to refer the questions, to take a vote, or to adjourn.</p>
Vote on a Question	<p>56-62. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested pursuant to section 48.</p>
Splitting of Question	<p>57-63. Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.</p>
Motion to Reconsider	<p>58-64. If a motion is made to reconsider a previous motion, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who voted on the side of the majority on the initial motion.</p> <p>Similarly, if a motion is made to reconsider a consensus decision, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who was present at the meeting in which the consensus decision was made.</p>
Proxy	<p>59-65. A Member may participate in the meeting by proxy, as per section 17 of O. Reg. 288/07.</p> <p>60-66. Members participating by proxy count towards meeting quorum.</p> <p>61-67. Members participating by proxy are not considered to be present</p>

at the meeting for attendance purposes.

~~62-68.~~ A Member participating in a meeting by proxy shall notify the Chair prior to the Call to Order of the meeting, and shall inform the Chair of the person who will be acting as proxy and the extent by which an opinion for consensus or vote will be provided.

~~63-69.~~ Any Member authorized to vote on behalf of another Member shall be entitled to their own vote and the vote of the Member authorizing the proxy.

~~64-70.~~ Where a person authorized to vote on behalf of a Member is not a member of the Committee, the person shall be subject to the Rules of Procedure, Code of Conduct and Conflict of Interest Policy of the Committee.

~~65-71.~~ Notwithstanding sections ~~63-69~~ and ~~64-70~~, where the person authorized to vote on behalf of a Member has disclosed a conflict of interest according to sections 6 and 7 of the Code of Conduct and Conflict of Interest Policy in Schedule 1 of these Rules of Procedure, the person shall not be eligible to act as proxy.

Request for Staff Report

~~66-72.~~ A request for a report from staff by any Member must be made through a motion, and a vote shall be taken.

~~67-73.~~ If the motion receives two-thirds majority vote, the Chair shall direct the Program Manager to provide or cause to provide a report within the time specified by the Chair.

GENERAL

Payment of Members

~~68-74.~~ All voting Members appointed by the Grand River Source Protection Authority shall be paid a per diem allowance and expenses as follows:

- a) A per diem allowance as approved by the Grand River Conservation Authority and set out in the Letter of Appointment from the Grand River Source Protection Authority.
- b) In the event of a scheduled meeting being adjourned for lack of quorum, those attending a meeting so adjourned shall be entitled to receive the standard per diem rate and expense.
- c) A member who participates in a meeting by proxy under section ~~59-65~~ of these Rules of Procedure will not be paid the per diem allowance for that meeting.
- d) A per Diem and Expense Claim Sheet shall be provided to each member to be returned to the Program Manager (or designate) monthly with the distance traveled for each meeting and allowable expenses shown. Each member must sign a certification printed on the sheet that the information is correct.

Removal of Members from Committee

~~69-75.~~ The Committee can request the removal of a member from the committee should a member fail to comply with section 7 of Ontario Regulation 288/07 which pertains to residing, owning or renting land or being employed within the source protection region.

~~70.~~76. The Authority can remove a Member if:

- a) the Member is not meeting their responsibilities as a Committee Member as set out in the Letter of Appointment;
- b) if the Member has been absent from three consecutive meetings or six meetings of the Committee in a year without providing reasonable cause,
- c) if the Member is in violation of the Code of Conduct or Conflict of Interest Policy. The Authority must first provide a written statement to the Member of the reasons for removal.

~~74.~~77. The Chair can request that the Authority remove from office a Member after providing a written statement of the reasons for the request.

~~72.~~78. The Authority shall provide the Member and the Chair with an opportunity to make submissions to the Authority before it makes a decision on removing the Member from office.

Indemnification of
Members

~~73.~~79. In keeping with section 99 of the *Clean Water Act, 2006*, every Member of the Committee and her/his heirs, executors, administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Authority from and against all costs, charges, and expenses whatsoever which Member of the Committee sustains or incurs in or about any action, suit or proceeding which is brought, commenced, or prosecuted against her/him for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by her/him in or about the execution of the duties of her/his office; all other costs, charges and expenses she/he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by her/his own wilful neglect or default.

Schedule 1:

Lake Erie Region Source Protection Committee

Code of Conduct and Conflict of Interest Policy

1.0 Preamble and Context

- 1.1 Source Protection Committees, as established by Source Protection Authorities under section 7 of the Clean Water Act, 2006 are responsible for the preparation of terms of references, technical assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Director's rules.
- 1.2 Members of the Lake Erie Region Source Protection Committee bring to the Committee a wide range of relevant knowledge and expertise relating to the Committee's role acquired as a result of experience in both the private and public sector. Committee Members agree to a commitment to undertake the roles and responsibilities of a member of the Lake Erie Region Source Protection Committee, including:
- regularly attending meetings and events of the Committee;
 - abiding by the Code of Conduct and Conflict of Interest policies to be established by the Committee;
 - making decisions at the Committee table;
 - working collaboratively with the other Committee members toward practical and implementable plans for drinking water source protection in the Lake Erie Region watersheds; and,
 - maintaining confidentiality of confidential and personal information brought before the Committee.
- 1.3 The purpose of this Code of Conduct and Conflict of Interest Policy is to set out the standard of conduct expected of Members of the Lake Erie Region Source Protection Committee, as appointed by the Grand River Source Protection Authority. It also sets out the procedure to be followed by Members in disclosing conflicts and perceived conflicts, as well as the consequences of failure to comply with that procedure.

2.0 Definitions

For the purposes of this Code, the following definitions apply:

- 2.1 "Authority" means the Grand River Source Protection Authority, established under section 7 of the Clean Water Act, 2006 and Ontario Regulation (O. Reg) 284/07 (Source Protection Areas and Regions)
- 2.2 "Code" means this Code of Conduct and Conflict of Interest Policy;
- 2.3 "Commercial Information" means information that relates solely to the buying, selling or exchange of merchandise or services by both profit-making enterprises and non-profit organizations;
- 2.4 "Committee" means the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2000;

2.5 “Confidential Information” means commercial information, information about a third party, material information about a pending government decision or announcement or any other information that is not in the public domain regardless of whether it is identified as confidential that is obtained by the Member in the course of serving on the Committee. For example, particular care should be exercised in releasing information relating to the following matters:

- 2.5.1 Personal information about any individual;
- 2.5.2 Personnel matters;
- 2.5.3 Items under litigation;
- 2.5.4 Information about suppliers provided for evaluation which might be useful to competitors;
- 2.5.5 Sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
- 2.5.6 Items under negotiation;
- 2.5.7 Information supplied in support of license applications, etc., where such information is not part of the public documentation;
- 2.5.8 Schedule of prices in contract tenders;
- 2.5.9 Personal opinions regarding Authority or Committee policies, regulations and programs should not be given to the public.

The preceding is not an exclusive list.

2.6 “Gift” includes any money, thing, intangible or personal benefit exceeding \$100.00 in value or anything that may reasonably be seen to compromise the personal judgment or integrity of a Member, but does not include nominal gifts, gratuities, hospitality or favours that do not create a sense of business obligation to the giver;

2.7 “Harassment” may include, but is not limited to the following:

- 2.7.1 Sexual Harassment
 - 2.7.1.1 Unwelcome remarks, jokes, and innuendos or taunting about a person's body, attire, sexual orientation or gender;
 - 2.7.1.2 Practical jokes of a sexual nature which cause awkwardness or embarrassment;
 - 2.7.1.3 Displaying pornographic pictures or other offensive material;
 - 2.7.1.4 Leering (suggestive staring) or other gestures;
 - 2.7.1.5 Unnecessary physical contact such as touching, patting or pinching;
 - 2.7.1.6 Physical assault;
 - 2.7.1.7 Demands for sexual favors or repeated unwanted social invitations.
- 2.7.2 Racial or Ethnic Harassment
 - 2.7.2.1 Unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
 - 2.7.2.2 The displaying of derogatory or offensive racist pictures or material;

- 2.7.2.3 Refusing to converse or work with an Member or volunteer because of his or her racial or ethnic background;
- 2.7.2.4 Insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness.

- 2.7.3 Other Harassment
 - 2.7.3.1 Unwelcome remarks jokes, innuendo or taunting about a person's age, record of offenses, marital status, family status, handicap or creed.

- 2.8 “Member” means a Member of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2006.

- 2.9 “Member’s immediate family” includes the member’s spouse or partner, children, parents and siblings.

- 2.10 “Monetary Interest” includes the financial interests of a Member, and the financial interests of a member of the Member’s immediate family.

- 2.11 “Prohibited Activities” means:
 - 2.11.1 Seeking or accepting a Gift in connection with their capacity as Member;
 - 2.11.2 Attempting to influence committee decisions in order to further the Member’s Private Interest or the interests of a third party, including participating in a matter before the Committee, or making representations to another Member about a recommendation or decision that the Member should make and, at the same time, knowing or ought to know that in the recommendation or decision is the opportunity, or the reasonable appearance of an opportunity, for the Member to further his or her own Private Interest;
 - 2.11.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest;
 - 2.11.4 Disclosing Confidential Information to third parties without the consent of party to whom the information relates;
 - 2.11.5 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself;
 - 2.11.6 Misrepresenting their role as a Member to a third party to further the Member’s Private Interest;
 - 2.11.7 Holding oneself out as an official of the Government of Ontario or inferring to a third party that the Member has the capacity to deliver a favourable decision from the government;
 - 2.11.8 Making representations to a third party that the Government of Ontario has endorsed the business activity that the Member is engaged in;
 - 2.11.9 Using the name Government of Ontario or Ministry of the Environment for personal purposes or to further the Member’s Private Interest; and
 - 2.11.10 Failing to disclose a Conflict of Interest to the Chair or Minister as the case may be.

3.0 Application and Scope

3.1 This Code applies to all persons appointed to a Committee under section 7 of the Clean Water Act, 2006.

4.0 Code of Conduct

4.1 Members of the Committee are expected to:

- 4.1.1 Conduct themselves ethically, lawfully and with integrity;
- 4.1.2 Act in the public interest, serving the mandate of the Committee as a whole, rather than serving the Member's Private Interest or other interests;
- 4.1.3 Maintain a sense of fairness, independence and objectivity and treat others with respect;
- 4.1.4 Refrain from placing themselves in Conflict of Interest situations;
- 4.1.5 Disclose any actual, potential or perceived Conflict of Interest to the Chair of the Committee and to the Chair of the Authority or where the Chair is reporting, to the Minister and the Chair of the Authority, as soon as reasonably possible.
- 4.1.6 Refrain from engaging in any of the Prohibited Activities as described in this policy;
- 4.1.7 Educate other Members on those matters within their own area of expertise with a goal of having the Committee make decisions collectively;
- 4.1.8 Demonstrate their commitment to the Committee and to the Source Protection Planning Process through high levels of attendance and participation at Committee meetings.

4.2 Every Member of the Committee is entitled to work in an environment that is free from discrimination and/or harassment.

4.3 Every Member of the Committee will deal with Members in a fair and equitable manner free from discrimination and/or harassment.

4.4 The Authority will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment.

- 4.4.1 A Member who feels they are being harassed should:
 - 4.4.1.1 Make it clearly known to the offender that their conduct is unacceptable and should not be repeated;
 - 4.4.1.2 Discuss the situation, in confidence, with the Chair or Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority;
 - 4.4.1.3 Keep a short written record of dates, incidents and names of witnesses, if any;
 - 4.4.1.4 If necessary, prepare a written complaint.
- 4.4.2 Upon receipt of a verbal or written complaint from a Member, directly or through the Chair, the Chief Administrative Officer of the Grand River Conservation

Authority acting on behalf of the Authority will conduct an investigation in confidence and take appropriate action.

4.5 Confidential Information

- 4.5.1 Members have access to confidential information by reason of their participation on the Lake Erie Region Source Protection Committee.
- 4.5.2 Members must not make such information available unless it is subsequently deemed public information.
- 4.5.3 Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Chair of the Committee who may see fit to consult with the Program Manager.

4.6 Obligation to Inform

- 4.6.1 All Members appointed to a Committee by the Grand River Source Protection Authority have an obligation to raise any concern, directly or through the Chair, with the Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority with respect to their compliance with this Code. The Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority will determine an appropriate response and communicate this to the Member and the Chair.
- 4.6.2 The Chair of the Committee has an obligation to raise any concern with the Minister and the Chair of the Authority with respect to their compliance with this Code. The Minister will determine an appropriate response and communicate this to the Chair and the Chair of the Authority.

5.0 Procedure where Member is alleged to have engaged in Prohibited Activities

5.1 Where a Member, other than the Chair, is alleged to have engaged in a Prohibited Activity:

- 5.1.1 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may investigate the matter and report to the Chair with the findings or recommendations;
- 5.1.2 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may request that the Member refrain from participating as a Member of the Committee pending the outcome of the investigation;
- 5.1.3 The Authority may remove the Member from the Committee in accordance with sections 68 to 71 of the Lake Erie Region Source Protection Committee Rule of Procedure and section 22 of Ontario Regulation 288/07 (Source Protection Committees).

5.2 Where the Chair is alleged to have engaged in a Prohibited Activity, the Minister may:

- 5.2.1 Request the Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority investigate the matter and report to the Minister with the findings or recommendations;
- 5.2.2 Request that the Chair refrain from participating as the Chair of the Committee pending the outcome of the investigation;

- 5.2.3 Request that the Chair resign from the Committee;
- 5.2.4 Take steps to revoke the Chair's appointment.

6.0 Conflict of Interest Policy

- 6.1 A Conflict of Interest refers to a situation in which the monetary Interests or personal considerations of the Member could compromise, or could reasonably appear to compromise, the Member's judgment in acting objectively and in the best interest of the Committee. It is important to note that a conflict of interest exists if the decision could be, or could appear to be compromised. It is not necessary that compromise takes place.
- 6.2 A Conflict of Interest also includes using a Member's position or Confidential Information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect monetary interest in a matter, a contract or proposed contract). A conflict may occur when an interest benefits any member of the Member's family (spouse, partner, children, parents, siblings), friends or business associates.
- 6.3 Members should not engage in private employment or render services for any person or corporation where such employment or services are considered a conflict of interest as defined by the Municipal Conflict of Interest Act, 1990.
- 6.4 Sections 6.1, 6.2 and 6.3 do not apply to a personal or monetary interest in any matter that a member may have by reason of the member having a personal or monetary interest which is an interest generally in common with the sector represented by the member on the committee.

7.0 Procedure for Disclosing a Conflict of Interest

- 7.1 A Member who has reasonable grounds to believe that he or she may have a Conflict of Interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the Committee shall:
 - 7.1.1 Promptly disclose (verbally or in writing) the actual, potential or perceived Conflict of Interest and the general nature of the Conflict of Interest to the Chair and the Committee or where the Member is the Chair, promptly disclose the Conflict of Interest to the Acting Chair and the Committee; and
 - 7.1.2 Excuse him or herself from the Committee meeting while the matter is under consideration.
- 7.2 A Member who has disclosed an actual, potential or perceived Conflict of Interest to the Chair or the Acting Chair or the Committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another Member with respect to the matter, or act as proxy for another Member.
- 7.3 The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived Conflict of Interest and whether the Member withdrew from the discussion of the matter.

- 7.4 The Chair or the Minister, as the case may be, will determine if there is a Conflict of Interest or if the Member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the Member.
- 7.5 A Member who has concerns about the conduct of another Member regarding compliance with the Conflict of Interest Policy should raise those concerns with the Chair. The Chair will follow a similar process for addressing the concerns as for dealing with declared Conflicts of Interest with modifications to suit the different circumstances.
- 7.6 A Member who has concerns about the conduct of the Chair regarding compliance with the Conflict of Interest Policy should raise those concerns with the Minister. The Minister will follow a similar process for addressing concerns as for dealing with declared Conflicts of Interest by the Chair with modifications to suit the different circumstances.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-08

DATE: April 30, 2020

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-20-04-08 – Program Update – for information.

REPORT:

Financial Update

Staff have completed the final report for the 2019-20 funding agreement that was due to the Ministry of the Environment, Conservation and Parks on April 28, 2020. Development of the transfer funding agreement for 2020-21 fiscal year has been delayed as a result of the COVID-19 pandemic situation. The Ministry has communicated that the ongoing protection of Ontario's water resources is a top priority for the government and provincial staff are continuing their work to finalize the funding agreements.

Centre Wellington Tier 3 Water Quantity Policy Development Update

The Risk Assessment report, preliminary water quantity threats analysis, and climate change scenarios work has been completed. Township and County staff are continuing with preliminary work on water quantity policy development. The originally planned Community Liaison Group (CLG) meeting on March 26 was cancelled as a result of the COVID-19 pandemic and the technical results and preliminary policy development work will now be presented to the CLG at a virtual meeting yet to be scheduled.

SPC Member Appointment Update

The Ontario Federation of Agriculture (OFA) has nominated economic (agricultural) representative, K. Hunsberger, for another term on the Lake Erie Region Source Protection Committee (SPC) and nominated Brian Whitinell to fill M. Wales' current seat. Both nominations were brought to the Lake Erie Region Management Committee for consideration on April 23, 2020 and by consensus, the management committee recommended that the Grand River Source Protection Authority appoint K. Hunsberger and B. Whitinell as economic representatives to the SPC, for four-year terms of appointment, respectively.

In March 2020, nomination/appointment processes were initiated for the economic seat currently held by R. Krueger (represents ArcelorMittal) and the public interest seat held by A. Henry. Lake Erie Region staff reached out to R. Krueger and A. Henry regarding expiry of their current terms and both members expressed interest in remaining on the SPC. It is anticipated that ArcelorMittal will formally nominate R. Krueger for re-appointment to the SPC as an

economic representative. The Elgin Area Primary Water Supply System (EAPWSS) nominated A. Henry for re-appointment to the SPC as a public interest representative. A. Henry's nomination was brought to the Lake Erie Region Management Committee for consideration on April 23, 2020 and by consensus, the management committee recommended that the Grand River Source Protection Authority appoint A. Henry as a public interest representative to the SPC, for a four-year term of appointment.

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-20-04-09

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: S.34 Revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-09 – S.34 Revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant – for information;

AND THAT the Lake Erie Region Source Protection Committee releases the revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with the municipal council resolutions received, and the comments as presented in this report.

REPORT:

Work under S.34 of the *Clean Water Act, 2006* (CWA) to update the Grand River Assessment Report and Source Protection Plan has been completed for proposed updates that affect Wellington County and the County of Brant. Additionally, administrative changes have been made to other sections of the assessment report and source protection plan.

Source protection technical work and policy updates, where necessary, have been completed and presented to the Lake Erie Region Source Protection Committee (SPC) in previous reports. A formal public consultation period was held from January 13 to February 26, 2020. All comments received, along with additional proposed revisions, are presented in the revised Updated Grand River Assessment Report and Source Protection Plan for consideration by the SPC and release to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks (MECP).

Pre-consultation and Public Consultation Process

As part of the S.34 update process, municipalities and ministries affected by the proposed amendments were notified of the proposed changes and the opportunity for pre-consultation. Affected property owners were notified and made aware of the opportunity for public consultation. Lake Erie Region received pre-consultation and public consultation comments on the assessment report and the source protection plan (see **Appendix A, Table 1 and 2**).

As per O. Reg. 287/07 section 50(2), persons with properties affected by the proposed changes in Wellington County and the County of Brant were sent notification letters highlighting the updates and public consultation process. Two public consultation open house were held in Wellington County: February 6 and 12, 2020 at Elora Hall and the Marden Community Centre,

respectively; one meeting was held in the County of Brant on February 5, 2020 at the Brant Sports Complex.

Section 34 of the CWA requires that source protection authorities obtain a municipal council resolution from each municipality affected by the amendments. Municipal Council resolutions in support of the amendments to the revised Updated Grand River Assessment Report and Source Protection Plan were received on the following dates:

- Township of Wellington North – November 7, 2019
- Township of Guelph-Guelph/Eramosa – November 19, 2019
- Township of Mapleton – November 25, 2019
- Town of Erin and Township of Puslinch – December 5, 2019
- County of Brant – December 18, 2019
- Township of Centre Wellington – March 27, 2020
- County of Wellington – March 27, 2020

Revisions to the Grand River Assessment Report

The revised Updated Grand River Assessment Report primarily includes technical updates to municipal and non-municipal sections. See report SPC-19-12-04, **Table 1** for high-level changes within each section. The table also references the Source Protection Committee (SPC) report, which contains more detailed information.

Revisions to the Grand River Source Protection Plan

The revised Updated Grand River Source Protection Plan policy amendments focus on Wellington County policies related to chloride and County of Brant water quantity policies. Source Protection Plan municipal sections were brought to the SPC alongside the assessment report sections as detailed in report SPC-19-10-03.

The revised Updated Grand River Assessment Report and Source Protection Plan are available in their entirety on the April 30, 2020 eScribe meeting site.

Submission Comments

The Source Protection Program under the CWA is designed with continuous improvements in mind and will require updates to the source protection plan and assessment report when new information, changes to municipal supply infrastructure and advanced technologies become available. The submission of the revised Updated Grand River Assessment Report and Source Protection Plan for the Grand River Source Protection Area marks the third S.34 update completed in accordance with the updated Ontario Regulation 205/18, which came into force on July 1, 2018 where a new or changed municipal drinking water system within a source protection area requires a Minister approved assessment report and source protection plan before drinking water can be distributed to the public.

The following list includes ongoing work and comments staff recommend should be submitted to the MECP together with the revised updated assessment report and plan, pre-consultation and public consultation comments, and municipal resolutions:

Ongoing Work

- Guelph-Guelph/Eramosa and Centre Wellington water quantity policy development
- Proposed items identified in the Grand River S.36 Workplan, such as:
 - Addressing Technical Rule changes
 - Assessing environmental monitoring data
 - Updating assessment report as a result of further municipal drinking water system infrastructure changes, e.g., new wells or intakes
 - Policy review and revisions to address gaps and/or implementation challenges
 - Update to Tier 3 groundwater models
 - Re-modeling of existing vulnerable areas based on new and updated information
 - Transport pathway identification and review

Comments

- Need for long-term, multi-year sustainable provincial funding for conservation authorities for continued program oversight and support to ensure successful implementation of the Source Protection Plans and to meet the mandatory legal responsibilities of conservation authorities on an ongoing basis.
- Need for simple and easy to administer future program processes, e.g., annual progress reporting and plan update processes, to not burden conservation authorities with complex and resource intensive processes and reporting requirements.
- Need for provincial funding and support for maintenance of scientific technical tools, e.g., surface water and groundwater models, including Tier 3 models.

Timeline for Grand River Source Protection Plan Update

Table 1 presents the key milestones for completing the necessary technical and policy work, undertaking the necessary formal public consultation, and submitting the revised Updated Grand River Source Protection Plan to the MECP. The next step in the update process is for the committee to consider the revised updated plan, assessment report and consultation comments and release the documents to the Grand River Source Protection Authority for submission to the MECP.

Table 1: Key milestones for the revised updated Grand River Assessment Report and Source Protection Plan

Activity	Date	Complete
Completion of Whitemans Creek Tier 3 Water Budget and Risk Assessment	June 21, 2018	✓
Completion of technical studies to update WHPAs for Rockwood and Hamilton Drive (Guelph/Eramosa) and update WHPAs and delineate ICAs for Fergus and Elora (Centre Wellington)	December 6, 2018	✓

Municipal and Ministry pre-consultation on draft updates made to the Grand River Assessment Report and Source Protection Plan	October 7 – November 12, 2019	✓
SPC receives draft Updated Grand River Assessment Report and Source Protection Plan for consideration and release for public consultation	December 12, 2019	✓
Residential letter notification for properties affected by changes to the draft Updated Grand River Assessment Report and Source Protection Plan	Early January 2020	✓
Council resolutions in support of the amendments to the draft Updated Grand River Assessment Report and Source Protection Plan	February - April 2020	✓
County of Brant Public Open House	February 5, 2020	✓
Centre Wellington (Wellington County) Public Open House	February 5, 2020	✓
Rockwood / Puslinch (Wellington County) Public Open House	February 12, 2020	✓
Formal public consultation for draft Updated Grand River Assessment Report and Source Protection Plan	January 13 – February 26, 2020	✓
SPC receives draft Updated Grand River Assessment Report and Source Protection Plan and public consultation comments for consideration; SPC releases the document to the Grand River Source Protection Authority	April 30, 2020	✓
Grand River Source Protection Authority receives revised Updated Grand River Assessment Report and Source Protection Plan to for submission to the MECP.	May 22, 2020	

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A

Pre-consultation and Public Consultation Comments

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
1	MECP	Pre-consultation	S6, Wellington County	<p>The amended assessment report removed properties identified as “conditions” in previous reports and new condition sites have been identified. Please verify the Ministry’s assessment of condition site amendments and confirm if the SPA has discussed the amendments with the MECP District Office:</p> <ul style="list-style-type: none"> ○ One Significant Drinking Water Threat (SDWT) removed from the Fergus drinking water system (now moderate); ○ One SDWT retained for the Fergus drinking water system from 2015 approved AR due to change in WHPA scoring and delineation; ○ Two (2) new SDWT condition sites added for the Fergus drinking water system (one site because of the TCE issue contributing area, and the other due to WHPA score); and ○ One (1) new SDWT condition site for the Elora drinking water system (due to hydrocarbons). 	<p>On June 24, 2019, Township of Centre Wellington, Wellington Source Water Protection, MECP Guelph District Office and Source Protection Programs Branch (via teleconference – Taran Beaty) met to discuss currently approved SDWT condition sites, the proposed new WHPAs / ICAs and potential new SDWT condition sites. At that time, our analysis was not complete so not all details were available, however, we did discuss the possibility of specific sites becoming SDWT condition sites. Now that the analysis is complete, the list should be shared with GDO for their review to confirm our June discussion. Should the municipality, the SPA or MECP - SPPB provide the list of actual addresses to GDO?</p> <p>Regarding the sites, yes we can verify the Ministry’s assessment as correct with one addition. One SDWT site in Fergus was removed (now moderate due to changes in WHPA scoring). One SDWT in Fergus from 2015 AR retained, two new SDWT sites added in Fergus (one due to WHPA scoring changes and one due to TCE ICA) and one new SDWT site added in Elora (due to WHPA scoring changes). As discussed below, one more SDWT was identified due to WHPA scoring changes. There are a total of 5 SDWT identified in Wellington, all in Centre Wellington (4 under Rule 140 (risk based) and 1 under Rule 141 (issue based).</p>
2	MECP	Pre-consultation	S6, Wellington County	<p>Conditions Sites: Please demonstrate in the assessment report how Technical Rule 126 has been met.</p>	<p>Text has been added in the Assessment Report – Section 6.3.4 and in the Limitations section to address these comments.</p> <p>Upon re-review of the work completed by the municipality in September 2019, a number of sites were incorrectly identified as meeting Rule 126. This affected both the total condition sites (14 in Sept draft now 6 condition sites with 7 additional sites as</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
					having insufficient information to complete the condition assessment) and total SDWT sites (4 in Sept now 5 SDWT condition sites – all in Centre Wellington). Text has also been added in 6.4.5 (GET) to note that one site is located in Centre Wellington but is actually in the Hamilton Drive WHPAs. There is insufficient information to complete the condition assessment for this site but the risk score cannot exceed the SDWT threshold due to the vulnerability score (2) for a total, highest possible score of 20.
3	MECP	Pre-consultation	S6, Wellington County	Conditions Sites: Please clarify which SDWT condition sites were assessed using the scoring approach (rules 138-143), and which sites were assessed using the issues approach.	There are a total of 5 SDWT identified in Wellington, all in Centre Wellington (4 under Rule 140 (risk based) and 1 under Rule 141 (issue based)).
4	MECP	Pre-consultation	S6, Wellington County	Conditions Sites: Although the address and/or property boundary of the SDWT condition sites cannot be provided in the assessment report, general information about the site location such as the geographic area within the WHPA or ICA and the associated vulnerability score should be included. Please revise the assessment report to include this information for SDWT condition sites.	Text has been added in Section 6.3.4
5	MECP	Pre-consultation	S6, Wellington County	Conditions Sites: As per Technical Rules 126, please provide to the ministry any evidence of off-site contamination for the SDWT condition sites.	The Ministry has this information for the identified sites through the Guelph District Office. The municipality only receives certain contaminated sites reports as it pertains to our infrastructure or our residents. We have based our off-site contamination assessment on the reports that we have in our files, the Ministry will also have these reports and perhaps other reports for these sites. Instead of the municipality providing these reports, we would suggest that, as noted in Comment 1, that a list of the SDWT condition addresses be provided to Guelph District Office to allow GDO staff to review their files and provide comment on

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
					whether they agree with the municipal assessment of SDWT condition sties including whether there is sufficient evidence of off-site contamination.
6	MECP	Pre-consultation	S6, Wellington County	Hydrocarbon Pipelines Risk Assessment: In light the draft amendments to the pipeline policies you've included, please clarify if any updates to the sections on risk assessments are required to account for where pipelines would pose a low, moderate and significant risk in accordance with the 2018 changes to the Tables of Drinking Water Threats.	A hydrocarbon pipelines risk assessment has been completed as part of this update. Tables have been reviewed and updated, where applicable, to account for where pipelines would pose a low, moderate and significant risk.
7	Public member	Public consultation	S6, Wellington County	<p>I received a letter about the clean water act 2006 to identify threats to municipal drinking sources and set out policies to help reduce those risks.</p> <p>This is the first correspondances since I expressed my concerns at the Grand River meeting on Clyde Road.</p> <p>My concerns have to do with the well and septics on our property, the uncompleted study of the Cambridge East bypass study and the affects the changes have on the value and/or uses of our property.</p> <p>Puslinch gave the ownership of Townline Road to the City of Cambridge and expressed concerns that when improvements were made that severance rights would be protected, any widening be on the Cambridge side, Hydro lines to be on Cambridge side, that the road not be used for a major highway. This was to preserve the country feel.</p>	<p>The Region of Waterloo provided an email response to the public member addressing comments and concerns outside the scope of the Source Water Protection Program. The email response addressed:</p> <ul style="list-style-type: none"> a) Well and septic on the owner's property; b) That the Cambridge East Boundary Road Corridor Study has not been completed and the effects that changes will have on the value and/or use of the owner's property; c) Changes to Townline Road and drainage; and d) Zoning and access east of Townline Road. <p>The County of Wellington and Township of Puslinch (through Wellington Source Water Protection) provided an email response addressing the comments and concerns. The email response provided an interpretation of the applicable County Official Plan section and noted that extension of municipal services to the public member's property did not meet the tests set out in the County Official Plan. Additionally, the email response noted that planning or by-law approaches regarding</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments

#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>The Region took over the road and not only did they break all the above, raised curbs were constructed and grades were changed affecting our property. During the rapid thaw last year, melting snow backed up at our farm house flooding the septic beds and tanks. I had to get the tanks pumped out. The well area was also flooded and water even began seeping into the foundation. The flowing of storm water from the road onto my property to the north is killing the trees.</p> <p>The solution for the well and septic system problems within the Red Zone would be to create a policy with the City of Cambridge and the Region of Waterloo to extend services into the properties of the Red Zone and maybe all of Townline were services are available. This is now a health and environmental concern.</p> <p>In regard to the East bypass, The study was not completed, the B-4 route stops at Avenue and Townline Road. They have not addressed how traffic is to get from Avenue to Saginaw Parkway. Although it is within the boundaries of the study area, no comparison have been yet been made between crossing Mill Creek at the B-4 Route and assumed townline verses rerouting the b-4 route to tie into the A route of Shellard road and ending at Saginaw via the south/ west corner of Puslinch Township. If Townline Road is going to be used as part of the bypass, this will create a health and environmental concern.</p> <p>Both the water source protection team and the County of Wellington should insist that the report be completed now. I took the liberty to complete a comparison of the two</p>	<p>connection to municipal services were not being considered, at this time, in the current Grand River SPP amendment for the Wellington County Chapter.</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments

#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>available routes using the evaluation criteria in the report. My finding was that the route A through Puslinch was superior in all aspects versus using Townline Road. A presentation was made to Puslinch Township and would be available on their minutes.</p> <p>The last concern is the zoning of the property....we have two.....one a farm the other a house on one acre. My concern about the farm is that with the expansion of development along Townline Road, we can no longer have animals on our farm because of MSD requirement, the water source protection adds further restriction and the land would not support crops without lots of chemicals.</p> <p>Looking at the highest and best use for the property, it is my opinion that the property should be rezoned to commercial/residential uses. This would provide an opportunity for low income, rental and senior living spaces. The area is next to a Place to Grow and outside the Greenbelt.</p> <p>This would conform with the Region of Waterloo's Controlled Access Policy which is now in place on Townline Road. They have authority and the new access policies are indicative of Residential and Commercial development. Any development would provide jobs, homes, business and most importantly a bigger tax base.</p> <p>For this to happen, the County of Wellington needs to review the official plan and eliminate the 4.7.1.a) clause about development within 1 km of county boundaries or at least for Townline Road unless the logical infilling clause</p>	

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>can be used. I dropped off a copy to the Township of Puslinch along with documents from 1996 when I request municipal services for a new home we were building. As a Fire Prevention Officer and firefighter, I was an advocate of sprinklers in residential buildings and as such wanted to install one in our new home.</p> <p>As you see, Wellington County would only support municipal services if there were health and environmental issues and today we are at that point.</p> <p>A further point on road salt use. The Region of Waterloo indicated that there would be a 25 per cent reduction in road salt being applied. That means they turn the dial from 400 kilos per kilometer to 300. What is not taken into the calculation that 300 times two lanes now equals 600 kilos being spread which is a 50 per cent increase or 100 per cent more than they claim. Also it was the policy to try and burn off the snow on the roads instead of plowing. They find it cheaper to spread lots of salt verses plowing. The drivers are paid a premium when the plows are down plus the more scraping the more wear and cost to plows.</p>	
8	Public member	Public consultation	S6, Wellington County	<p>*Note: comments related to the Source Protection Plan have been removed from the comments below and included in the Source Protection Plan Public Consultation Comments table.</p> <p>Save Our Water, a Centre Wellington residents group, has prepared the following comments regarding the updates to vulnerable area mapping and policies related to protecting municipal tap water. Our comments are particularly relevant</p>	<p>The Provincial Technical Rules and the Tables of Drinking Water Threats prescribe how significant drinking water threats and condition sites can be identified. The Clean Water Act limits what can be done to address condition sites as part of the source protection program. It is the responsibility of the Ministry of the Environment, Conservation and Park to oversee the remediation of contaminated sites.</p> <p>As part of this source protection plan amendment, threats</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
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				<p>to a situation in Centre Wellington, but the comments are applicable to Source Water Protection programs as a whole.</p> <p>Our concern is related to historical contamination.</p> <p>The Environmental Commissioner, in her 2018 Report, volume 2, chapter 1, states, “The Clean Water Act gives the perception that the law addresses conditions that are drinking water threats, without actually doing so.”¹ The comment refers to the fact that while the Clean Water Act focuses primarily on existing and future activities that may pose a threat to drinking water, the province does not deal effectively, within the Clean Water Act or otherwise, with threats posed by old contaminated sites.</p> <p>It is up to source protection committees to identify conditions that pose a threat to municipal drinking water sources. One of these conditions is whether or not a contaminated site is within a Wellhead Protection Area (WHPA). These Areas are bounded by lines that are determined by best-data predictions and rounding. It is difficult to characterize these zones with fractured rock. These WHPA boundaries have a theoretical aspect, but once these theoretical boundaries delineate a WHPA as a line on a map, they are carved in stone. This distinction is an issue relevant to the A. O. Smith property located at 599 Hill St. West in Fergus, in Centre Wellington.</p> <p>The Ministry determines that if a property is entirely within a</p>	<p>enumeration was updated by Wellington Source Water Protection staff. This includes enumeration of significant drinking water threat activities such as handling of dense non-aqueous phase liquids and significant drinking water threat condition sites. The A.O. Smith site has been identified as a significant drinking water threat for the handling of dense non-aqueous phase liquids and road salt and a condition resulting from past activities (significant condition site).</p>

¹ Environmental Commissioner of Ontario, 2018 Annual Report “Back to Basics,” Volume 2, p. 46.

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
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				<p>WHPA, this property could be considered a ‘property of concern’. But if the WHPA covers just a part of the property, as is the case here, this is not identified as a ‘property of concern’.</p> <p>Here are the facts:</p> <p>The Hill St. property has concentrations of trichloroethylene (TCE) in overburden groundwater on the site of over 850,000 micrograms per litre.²</p> <p>This contamination is already in the ground. Although the high concentrations are in the overburden, TCE in concentrations far exceeding applicable standards are recorded in monitoring wells into bedrock and one as deep as the municipal wells.³</p> <p>While it is known that contamination continues beyond the property line, this contamination has never been tracked in the bedrock, and the direction and extent of the TCE overburden and bedrock plumes has not been determined.</p> <p>From onsite monitor sampling, the plume contaminant shape and extent show that recharge is mainly vertical in the overburden and with lateral flow generally towards Municipal Well F1 in the bedrock. Monitoring is non-existent in this direction beyond the site for both overburden and bedrock aquifers.</p>	

² Arcadis, for A. O. Smith Enterprises Ltd. “Off-Site Preliminary Quantitative Assessment of Risk,” September 2017, Figure 6.

³ Arcadis, Figure 7

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>The “Grand River Source Protection Area Draft Updated Assessment Report”, October 2019, now shows this property almost entirely within the Chloride and TCE Issues Contributing Area for Fergus.⁴</p> <p>Matrix Solutions’ Particle Tracking Maps, prepared for the GRCA and the township as part of the Source Protection program, shows part of the property within a 5-year time-of-travel from surface to municipal wells, and shows the entire property within a 25-year time-of-travel from surface to municipal wells.⁵</p> <p>This contamination was in the ground for decades before the old improper practices regarding storage, use, and discard of TCE were discontinued in the 1970s. Therefore it has already travelled a distance.</p> <p>When it was determined in the 1990s that remediation or treatment of this site is not possible, the focus switched to keeping the TCE contained. To prevent the contamination plume from spreading any further, groundwater is extracted from 8 wells and a ground trench. This water is then treated by an air stripper before being discharged to a storm sewer. On average, 30 kg of TCE are captured each year from this system. This containment process will necessarily go on forever. What happens if A. O. Smith stops pumping? This is a HUGE risk!</p>	

⁴ “Grand River Source Protection Area Draft Updated Assessment Report, October 3, 2019, Map 6-36.

⁵ Matrix Solutions Inc., “Township of Centre Wellington Wellhead Protection Area Delineation, Issue Contributing Area Delineation, and Vulnerability Scoring Report,” prepared for Grand River Conservation Authority and Township of Centre Wellington, November 2018, Figures 3 and 4.

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>The treated water enters an old pipe of unknown integrity and flows beneath brownfield lots and private property until it joins with the municipal storm sewer at Breadalbane St. and St. Patrick St. W., several blocks away from 599 Hill St. What happens if the air stripper malfunctions? This is also a HUGE risk!</p> <p>Residents are very concerned that this property IS an existing drinking water threat to drinking water.</p> <ul style="list-style-type: none"> ○ The Ministry’s investigation of the site is still ongoing. ○ An off-site study by the property owners investigated and monitors only one possible plume direction. ○ 100 Private wells are in the area. ○ There is concern that any increased pumping at the existing or expanded Fergus Municipal Well Field will further reduce bedrock water levels. An increase in vertical gradients in the overburden could further enhance downward contaminant movement into the bedrock regional aquifers.⁶ ○ The issue is bigger than this property. <p>With the unknowns about this TCE in the groundwater, and with what is at stake here, residents request that the historical contamination on this site be identified as a drinking water threat to this community.</p>	
9	Public member	Public consultation	S6, Wellington	I received a disturbing letter almost a month ago and spoke with Kyle Davis about my concerns. I was not able to attend	GRCA and Wellington Source Water Protection staff separately called the public member to discuss their concerns and explain

⁶ Hunter and Associates, “Potable Water Sources, 2018 to 2041 and Beyond,” Volume 1, p. 20.

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments

#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
			County	<p>either of the 2 meetings and am wondering how do I access the Draft Updated Grand River Protection Plan to make my comments before Feb. 26, 2020?</p> <p>I have some very serious concerns. The Town of Centre Wellington purchased the property next to mine on the First Line in Fergus. The plan is to have this 58 acres brought into the Urban Centre (I assume it has to be brought in to be developed as Industrial, Business/Office by 2022) which tells me that we at 6504-First Line will also be brought into the Town of Fergus. This Water Protection Service will deem our water contaminated though it has never been since we first purchased our property in 1987! But with the threat of industry, it will become beyond "vulnerable" as you call it! This will hold our feet to the fire for having to pay for services we never required such as water and sewage at a cost of likely \$40,000 to seniors who are on fixed incomes!</p> <p>I am not stupid and can read through this charade of declaring our services unusable and contaminated. However, the fact is we never set our services up for failure...the Township did! Proactive is likely the word you will use but it is a setup as far as I am concerned. The Township is responsible for paying for these services to be converted...not the homeowners!</p> <p>So what are you going to do to ensure the property owners are going to be looked after in this situation? Why must we pay for something the Township[has inflicted on us...contaminating our drinkiing water and overloading our sewage (septic systems)? I want the Township to pay for this since it is their decision to contaminate our wells and</p>	<p>how vulnerable areas are defined and how the Source Protection Plan applies to their property especially through the septic inspection program.</p> <p>Wellington Source Water Protection staff also provided an email response to the public member addressing comments and concerns. The email stated that the Township of Centre Wellington does not have a mandatory connection by-law to require residents to hook onto municipal servicing (water or sewer), and that the proposed changes to the Grand River Source Protection Plan also does not have any policies regarding mandatory connection to municipal services.</p> <p>The <i>Clean Water Act, 2006</i> helps protect municipal drinking water at the source, as part of an overall commitment to safeguard human health and the environment. This legislation sets prevention as its fundamental principle. The Ministry of Environment, Conservation and Parks has designated four areas to be delineated and studied with respect to vulnerability. The four areas include Wellhead Protection Areas, Intake Protection Zones, Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers. These areas warrant a higher level of protection from potential threats to the quality and/or quantity of drinking water sources. Keeping the sources of our drinking water free of contamination is safer, economical and more effective than cleaning up problems after the fact.</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
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				<p>septic systems.</p> <p>Please bring forward my comments and let me know where they will be viewed and I expect an answer on this before February 26, 2020.</p>	
10	Public member	Public consultation	S6, Wellington County	<p>1. why was OMAFRA's GIS and farms with nutrient management plans not used as a source of information instead of guessing at barn structures and livestock information?</p> <p>2. if the flouride and sodium in the Rockwood well is so high, why isn't more frequent testing being done</p> <p>3. the map 7-45, I believe is the correct reference, does not include all known quarries, active and inactive, within the GuelphEramosa Township area</p> <p>4. this assessment contains an incredible amount of speculation. Why was evidence not actually gathered? Most statements have multiple caveats of possible or potential with no actual evidence-based conclusions.</p> <p>5. it is difficult for land-owners to discern how this applies to them and what they should do or change</p>	<ol style="list-style-type: none"> 1. OMAFRA's data on farms with nutrient management plans was used as a data source in this update to the Assessment Report. 2. Section 6.4.6 of the Assessment Report details the fluoride and sodium testing program for Rockwood. 3. The data for active and inactive quarries has been removed from the updated GET chapter. 4. The Source Protection Plans, as mandated by the Clean Water Act, 2006, are the combination of extensive science-based assessments, consultation, collaboration, and research. The Assessment Report follows the technical framework under the Clean Water Act, 2006 and uses best available information/science. Under the framework, there is a requirement to address uncertainty and limitations. 5. Landowners with specific questions on how the Source Protection Plan applies to activities on their property should reach out to local municipal source protection staff (Risk Management Official)
11	Public member	Public consultation	S6, Wellington County	I have reviewed the source water protection plan and the new WHPAs proposed for the Rockwood area. My property is located within the WHPA proposed for well 4. I have	The Grand River Source Protection Authority, in conjunction with Wellington Source Water Protection, provided an email response to the public member addressing comments and

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	AR Section	Comment	How Comment was Addressed
				<p>several comments that I have relayed to Kyle Davis and he has noted my issues with this process and proposed final plan. I note that I also contacted you to answer specific questions about my concerns but received no answer. The following issues I see with respect to the proposed WHPAs are provided below and my comments during the public liaison meetings concerning WHPA-Qs should be also reviewed by the Lake Erie Source Protection Committee.</p> <p>1. The WHPA Location</p> <p>I am aware of the Tier 3 modeling work that has taken place to produce the WHPA maps and new data was incorporated up until 2016 to develop these new WHPAs. The WHPA for well 4 (W4) differs significantly from the 2015 approved WHPA (Figure below).</p> <p>I am unclear why there is such a dramatic difference in the shape of the WHPA and its location about 100 m east from its original location. I can only find in a previous document sent to me by you that the WHPA has changed because:</p> <p><i>“The conceptual model has changed in the area around Rockwood Wells 3 and 4 where refined hydrogeologic characterization as part of the GGET Tier 3 Assessment suggests that the Vinemount aquitard is absent in this area”</i></p> <p>The concept of a suggestion about the absence of the Vinemount aquitard should be confirmed and not suggested. I am not aware of any pumping studies that would confirm that my property contributes to this WHPA. The uncertainty in the Tier 3 modeling seems significant as</p>	<p>concerns. A summary of the responses are below:</p> <p>1. Size and shape differences between the Golder (2006) and Matrix (2018) WHPAs can be attributed to a number of updates to the Guelph-Guelph/Eramosa Tier 3 model including: revised local geology, refined hydraulic parameters, updated municipal well pumping rates, and non-municipal groundwater takings.</p> <p>Recent extensive field work completed by the Ontario Geological Survey has revised the understanding of the geology in the Guelph and Guelph/Eramosa area. Field data has shown that the Vinemount Member is not a continuous surface and is absent in certain areas</p> <p>Monitoring well water level data (near the Hidden Quarry site and Rockwood Well 4) were used to calibrate the locally revised Tier 3 model. The mushroom farm does not have a Permit to Take Water so it was not included during model calibration</p> <p>2. The development of WHPAs do not use the stream network as part of their delineation. Streams play a role in the development of the groundwater model; where there is a stream gauge present, this field data provides base flow information for model calibration. All applicable Wellington County maps in the updated Grand River Assessment and Source Protection Plan were revised with the current GRCA surface hydrology watercourse layer, as the provincial drainage layer used in the past was retired in December 2019.</p> <p>3. GRCA provided technical comments on the Hidden Quarry application under the Aggregate Resources Act as part of the consultation and hearing process and the decision has been</p>

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				<p>the results are so dramatically different from the 2015 map versus the 2018 map even if a new ModFlow program was used (+data). Is there any values related to standard deviation that can be shared?</p> <p>As far as I can determine this modeling also excludes any data related to modeling studies that have taken place at the Hidden Quarry site. I note that Burnside did significant work for the township related to the drawdowns anticipated in areas surrounding W4 and also at a test well called M15 within the proposed quarry site. Burnside noted that then W4 was pumping there was a drawdown detected at M15. I conclude that this confirms that the Hidden Quarry site is a contributor to the W4 water supply. In addition, the mushroom farm on the 6th line extracts significant volumes of water from the aquifer but it also is not included in the WHPA. In reality this operation should require a permit to take water.</p> <p>Unfortunately, my property has been included in the capture zone (vulnerability score of 10 and 8) but no pumping/ground proofing studies were completed on my property versus the Hidden quarry and the mushroom farm. Why has the Hidden Quarry/mushroom farm data been excluded from the WHPA modeling? My conclusion is that this map does not reflect the true size of the vulnerability/capture area that is expected for W4. The threats assessment by the risk assessment officer should include these operations. Both could potentially contaminate water destined for W4.</p> <p>2. The Topographical Map</p>	<p>made by Local Planning Appeals Tribunal (LPAT). The Hidden Quarry property is not within a WHPA (quality) or WHPA-Q (quantity).</p> <p>The Tier 3 model and the Harden/Hunter models constructed for the quarry application were developed with different objectives and therefore should not be compared. The Tier 3 model was developed to evaluate the sensitivity of the municipal wells to future water taking and land use scenarios. The Guelph-Guelph / Eramosa Tier 3 model and WHPA delineations have been accepted by the independent, GRCA and Provincial reviewers for use in the Assessment Report.</p> <p>4. Policies 19.1 through 19.4 in the Wellington County Chapter of the Grand River Source Protection Plan do not prohibit any livestock operations. Instead, the livestock operations are managed through risk management plans, Nutrient Management Strategies and / or education. These tools do not result in cessation of operations instead allowing the livestock operations to continue under certain requirements that are negotiated between the land owner and either the Risk Management Official or Province.</p> <p>5. The calculation of livestock density is an estimate of the potential maximum generation, storage, and application of agricultural source material in a given area - not necessarily the actual density. The methods used to calculate livestock density for the Rockwood WHPAs follows the Province's technical rules and methodology bulletin, and uses aerial imagery to estimate the location, type, and possible maximum size of livestock operations in the study area.</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments

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				<p>For almost 7 years I have informed the GRCA that the map they are using is incorrect. There is no stream that comes into my pond from the North. The mapping of this area should be corrected but it seems that there is no interest from the GRCA in changing these maps, Surface water does impact the aquifer and this area is a significant recharge area. How can a WHPA be developed with incorrect mapping of the area?</p> <p>3. Senior Hydrogeologist Comments</p> <p>During the Hidden Quarry proceedings, Stan Denhoed stated under oath that both regional source water protection maps were wrong. Mr. Denhoed was the consultant hired to act on behalf of Puslinch in this source water protection planning process. His comments are disturbing to a landowner such as myself. Obviously, he agrees with me that this map does not reflect the actual capture zones of any of these wells. I have attached CRC's legal firm description of the statement by Mr. Dendoed that was written under oath. I have little confidence now that the company that produced these maps (Matrix) really modeled these areas well. In addition, Mr. Denhoed modeled the impact of the quarry operation on my well and pond and stated there would be minimal impact but another consultant (Garry Hunter) stated that there would be significant impact. If the quarry and the W4 drawdowns are combined then there would be a dramatic change in the WHPA capture area related to W4. For example, it is clear that the size and wideness of the WHPA would increase.</p>	<p>6. The Province has only allowed SGRAs to be the subject of optional, non-legally binding policies within the Clean Water Act and Source Protection Plan framework. This comment will be forwarded to the Source Protection Programs Branch of the Ontario Ministry of the Environment, Conservation and Parks for their consideration, as part of the submission of the updated Grand River Source Protection Plan.</p>

Table 1: Revised Updated Grand River Assessment Report – pre-consultation and public consultation comments

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				<p>4. Language in Document</p> <p>The language in the document related to “cessation of the operation” is not appropriate for a livestock operation as I cannot cease operations. If I stopped feeding and watering my cattle I would have serious health and wellness impacts.</p> <p>5. Determination of Livestock Density</p> <p>I can appreciate the fact that financial resources are not available to at least discuss with farmers the number of livestock on the farm but I question the map in this document related to livestock density. No GRCA individual has visited my property to count cattle. The data is erroneous and just plain wrong.</p> <p>6. Significant Groundwater Recharge Areas (SGRA)</p> <p>I am aware SGRAs are the subject of the provincial and county planning Acts. These areas should be included in the Source Water Protection mandate. The county’s official plan is being modified and the province’s planning act is under review. These areas should also be protected with a binding risk management agreement and included in areas that are considered to be vulnerable. Clearly, a quarry with a 30 m depth in about 64 acres of land situated close to W4 will affect the groundwater recharge capability of the area and may lead to contamination of the aquifer with nitrates, blasting material and bacteria (birds and agricultural sources)</p> <p>In conclusion, after submitting comments to many</p>	

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				government agencies about the protection of our water systems I am not sure if any of my comments are taken into consideration. I have stewarded my land for almost 60 years. I do not feedlot, I do not use herbicides, I do not have cattle swimming in my ponds and I diligently try to understand why the GRCA does not question the uncertainty in these models to determine WHPAs, These changes will dramatically change my farm operation and there is no scientific data to support your assessment of vulnerability risk of my operation on W4.	

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
1	MECP	Pre-consultation	S7, Wellington County	<p>Grand River’s policies often describe the circumstances where an activity would be a significant drinking water threat provided under the policy number. Our review has discovered that some of the proposed revisions to the policies do not fully capture where the circumstance would be a significant drinking water threat. For example:</p> <ul style="list-style-type: none"> o Policy WC-CW-3.8 (discharge from a stormwater management facility) applies only to a chloride ICA, however these can also be significant in an ICA for nitrate. Should there be information to support a conclusion that stormwater management facilities in the nitrate ICA contribute to the issue, the policy could be edited to also apply within the nitrate ICA. In addition, the word “threat” is missing from the policy text. o Policy WC-CW-14.1 (storage of snow) has been revised to 	<ul style="list-style-type: none"> - Policy 3.8, 14.4 and 14.5 intentionally address chloride only; nitrate is addressed through policies WC-MC-3.7 and WC-CW-14. - Note: the side bars that include the policy number and policy circumstances are not part of the policy text; refer to policy WC-CW-1.23. - “threat” added to the policy text. - Policy 14.1 has been revised to explicitly <i>exclude</i> properties in the ICA for chloride.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				include applicability in an ICA for chloride; however, this activity is also a SDWT in an ICA for nitrate. Should there be information to support a conclusion that snow storage activities in the nitrate ICA contribute to the issue, the policy could be edited to also apply within the nitrate ICA.	
2	MECP	Pre-consultation	S7, Wellington County	Some policies have been updated with the phrase where this activity is a significant drinking water threat which is generally what the ministry recommends as this would cover any circumstance in the current, as well as future, Tables of Drinking Water Threats. However, not all policies contain this phrase and therefore the circumstances would have to be corrected when the Tables are updated.	Applicable policies to be revised to include “where this activity is/or would be a significant drinking water threat” prior to release for public consultation.
3	MECP	Pre-consultation	S7, Wellington County	Please give some consideration to revising all policy text to include where this activity is a significant drinking water threat, instead of including specific elements of the circumstances, which would provide coverage in the event that circumstances were missed, amended or a new ICA is included in a future amendment.	Applicable policies to be revised to include “where this activity is/or would be a significant drinking water threat” prior to release for public consultation.
4	MECP	Pre-consultation	S7, Wellington County	Just as a reminder, an amendment to the source protection plan to update the ‘Summary of Consultation’ section is also required.	Summary of consultation will be updated in Volume 1 of the SPP and in the Explanatory Document.
5	MECP	Pre-consultation	S7, Wellington County	Policy WC-MC-3.5 (PI, existing/future) <ul style="list-style-type: none"> This policy is for issuing Environmental Compliance Approvals (ECA) for new and existing sanitary sewers. This policy has been amended to also include industrial effluent discharges and/or existing sewage treatment plants. Please give some consideration to revising the heading of the policy for clarity as it currently only refers to sanitary sewers. 	Heading of policy revised to include, “Industrial Effluent Discharge” and “Sewage Storage – Treatment or Holding Tanks and Sewage System or Sewage Works – Sewage Treatment Plant Effluent Discharges (Includes Lagoons).”

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
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				Alternatively, you could create new policies or revise the current policies for industrial effluent and sewage treatment plants to incorporate this policy outcome.	
6	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-CW-3.8 (RMP existing/future)</p> <ul style="list-style-type: none"> This is a new policy for new or existing stormwater management facilities which would be subject to a Risk Management Plan. Part (c) of the policy would be applicable if the stormwater management facility does not require an ECA. Does this type of facility refer to one for snow storage? Please include some examples in the Explanatory Document for clarification. 	<p>Examples of what SWM facilities we mean are included in our definition of a stormwater management facility. This is a broad definition, based on the MECP SWM manual and based on our experience with development applications. We included part c of the policy because, in our experience, some of the listed examples in our definition do not routinely obtain ECAs based on interpretation by engineering consultants and occasionally municipal and / or Ministry staff. For example, lot level infiltration measures or vegetated swales for commercial facilities where the only runoff is parking lot or road runoff do not always obtain ECAs. These can be small features especially if the lot is small. Although also excluded from needing an RMP in our policy, measures to infiltrate roof run-off also do not routinely get ECAs. Clarification by the Ministry on whether all of the listed examples require ECAs under all circumstances would be appreciated. The policy is crafted to deal with a perceived gap in implementation (SWM facilities not needing ECAs); however, if in fact all of the listed examples in all circumstances need ECAs, staff could rethink this policy. We note that the Region of Waterloo has approved SWM RMP policies, we assume to address this same gap.</p>
7	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-MC-12.01 (LUP, future)</p> <ul style="list-style-type: none"> This policy uses Land Use Planning for several activities including sewage works, road salt, and snow storage to direct Official Plan (OP) policies, study requirements, and uses best management practices. This policy is currently only applicable for complete 	<ul style="list-style-type: none"> - “within a Chloride Issues Contributing Area” added to policy text for clarification. - Nitrate is addressed through policies WC-CW-3.1, WC-CW-3.2, WC-MC-3.3, WC-MC-3.4, WC-MC-3.5, WC-MC-3.7, WC-CW-14.3. - Additionally with the removal of the Cambridge nitrate ICA,

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments

#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				<p>applications in new developments within the chloride ICA; however two of these activities (sewage works; snow storage) can also be a SDWT in an ICA for nitrate. Should there be information to support a conclusion that these two activities in the nitrate ICA contribute to the issue, the policy could be edited to also apply within the nitrate ICA.</p> <ul style="list-style-type: none"> • The policy currently uses the term “maintained” (i.e. “the County of Wellington and Municipality shall generally require such future development to be designed and maintained using best management practices...”). Maintenance cannot be enforced using land use planning tools and this term should be deleted in the policy (2 instances). • As this policy is within the source protection plan, it properly refers to addressing activities. We would like to remind the municipality that when these policies are translated to OP policies, they will need to use different language to address the land uses/buildings/structures, and not refer to activities. 	<p>there are less than 10 properties (8) in the Grand within Wellington County. These properties are rural and privately serviced, therefore it is not expected that policy WC-MC-12.01 would provide meaningful protection.</p> <ul style="list-style-type: none"> - “maintained” removed from policy text. - Third comment is noted.
8	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-CW-12.2 (RMP, existing/future)</p> <ul style="list-style-type: none"> • This new policy for the application of road salt requires a RMP in designated areas. It would be helpful for the Explanatory Document to include rationale for item (c) of the policy: salt application is greater than or equal to 200 square metres or 8 parking spots. 	<p>Rationale to be added to the Explanatory Document for item c) of the policy prior to release for public consultation.</p>
9	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-CW/NB-12.3 (SA, existing/future)</p> <ul style="list-style-type: none"> • This is a new policy directed at the County, municipalities and the Ministry of Transportation for the application of road salt. • For consistency with other policies, consider if the term 	<ul style="list-style-type: none"> - “municipalities” changed to singular. - Text has been added to the policy regarding the “assessment”. - Last paragraph revised to address sentence fragment. - Ministry of Transportation will receive notice of the amended policies and the opportunity for comment.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				<p>municipality (singular) as opposed to the plural form should be used.</p> <ul style="list-style-type: none"> • Consider if edits should be made to the first paragraph of the policy to identify that an assessment is being undertaken such that the second part of the policy that refers to the assessment is clear. As written the policy requests the implementing bodies to enhance measures but does not indicate that this need has been identified through the undertaking of an assessment first. • The last paragraph currently has a sentence fragment and should be reworded for accuracy. For example: ‘The assessment should make recommendations for enhanced measures...’. • Please ensure that the Ministry of Transportation has been properly engaged on this policy (and policy WC-NB-12.6) as an implementing body. 	
10	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-NB-12.4 (SA, existing/future)</p> <ul style="list-style-type: none"> • This new policy requests MECP to prioritize inspections and abatement activities related to well maintenance under Ontario Regulation 903 for existing or future transport pathways. • Please note that the Wells Regulation (O.R. 903) sets out clear and prescriptive requirements on when and how to properly abandon wells. MECP continues to address compliance with the Wells Regulation through reactive compliance & inspection programs, as well as proactive inspections of wells that are part of a regulated drinking water system. MECP must consider all environmental programs and priorities through a risk-based framework when assigning our resources. As part of Compliance Planning, MECP district offices also look for wells that are 	No response required.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				abandoned or in need of maintenance when they are conducting other types of inspections (e.g. compost sites, sewage sites, responding to spills etc).	
11	MECP	Pre-consultation	S7, Wellington County	<p>Policy WC-CW-13.2.1 (S.57 (pro), existing/future)</p> <ul style="list-style-type: none"> • This is a new policy for the handling and storage of road salt which would be prohibited in any amount which is stored uncovered or covered in amounts greater than 100 kilograms. The policy, as currently worded, applies to within a WHPA-A and within a Chloride ICA where this activity would be prohibited. However, policy WC-CW-13.1 applies to the WHPA-A where it would be subject to a RMP which creates a policy conflict. It is not permissible to both prohibit and require a risk management plan for the same activity at the same location. • Policies WC-CW-13.2.1 and 13.2.2: these policies rely on Part IV tools to address the handling and storage of road salt, but include circumstances that are not reflected in the current Tables of Drinking Water Threats – namely “covered” storage. While future revisions to the Tables may occur which include this kind of circumstance as a drinking water threat, it cannot be included at this time in the policy. At most, a general E&O policy under section 22(7) of the CWA could address circumstances that are not captured in the current Tables. In order to “future proof” your policies, it is advisable to remove references to “uncovered” and “covered” and replace with more general “where significant” type language. Any enumeration estimates for “covered” storage within the assessment report should also be corrected/removed. 	<ul style="list-style-type: none"> - Policy WC-CW-13.1 is for activities in a WHPA-A <i>outside</i> of an ICA; policy WC-CW-13.2.1 is for activities in a WHPA-A <i>within</i> a chloride ICA. - Although we did make use of the recently released 100 kg threshold, our approach in using covered and uncovered definitions mirrors the already approved policies and definitions in the Region of Waterloo chapter. Staff feel that the precedent has already been set in approving policies that differentiate Part IV thresholds based on defined terms in our definitions section. - General “where significant” language would capture <i>all</i> quantities of storage including single bags of salt in the ICA. This policy approach, similar to salt application, is to apply storage thresholds to trigger Part IV while dealing with storage volumes below the 100 kg threshold through education. 100 kg is just less than a salt box typically seen at parking lots and therefore is an appropriate threshold in our opinion.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
12	Wellington County	Pre-consultation	S7, Wellington County	At the October 3, 2019 Lake Erie Source Protection Committee, some members commented that the proposed 25 litre threshold seemed high for locations within 100 metres of municipal wells or in high vulnerability scoring.	<p>- Wellington Source Water Protection and County staff are recommending retaining the requirement for any quantity of DNAPLs to require a risk management plan within 100 metres of municipal wells or within a vulnerability score of 10. New wording also added to address concerns regarding chlorinated solvents and the 25 L threshold. Therefore, any quantity of chlorinated solvents will require an RMP.</p> <p>- It should be noted that there are no changes proposed to the current policy that prohibits future handling or storage of DNAPLs within 100 metres of a municipal well (WC-CW-16.2).</p>
13	MECP	Pre-consultation	S14, County of Brant	<p>BC-MC-13.2 (PI, existing/future)</p> <ul style="list-style-type: none"> • This policy requires MNRF to review and amend any existing or new approvals under the Aggregate Resources Act. • Please refer to comment #3 provided during early engagement (August 2019) and conduct further revisions to this policy (they have been reattached for your convenience). • Please clarify what “operational controls” is intended to reference (e.g. extraction depth, approvals for washing etc.). • Please provide context (i.e. examples) of how the results of the Tier 3 Water Budget and Risk Assessment would impact conditions of approval as MNRF is uncertain what considerations would need to be undertaken. As previously indicated in the early engagement comments provided in August 2019, under the Aggregate Resources Act, the Minister considers (among other items) possible effects on surface and groundwater resources including impacts to drinking water sources before determining if a licence/permit is issued. Additionally, MECP and municipalities are also consulted during that process. Given this, we are uncertain 	<p>- Ministry of Natural Resources and Forestry will receive notice of the amended policies and the opportunity for comment.</p> <p>- Policy 13.2 was revised during early engagement based on comments from the MECP dated August 2019, and further, the second policy related to Permit to Take Water / Aggregates was deleted.</p> <p>- The County does not agree with the proposed changes to the Aggregate Resources Act, along with Bill 132 related to the impacts of vertical zoning, depth of extraction and protection of water resource systems; however, revisions to the policy will be considered to clarify wording and context as requested.</p> <p>-Water quantity policies will be presented to the County of Brant’s Planning Advisory Committee on December 3, 2019 and the County will revise the policies after this time.</p>

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				why additional policies to address these items may be required.	
14	MECP	Pre-consultation	S14, County of Brant	<p>BC-MC-13.4 (SA, future)</p> <ul style="list-style-type: none"> • This policy encourages the County of Brant to consider locating additional water supply sources outside of the WHPA-Q. Consider if this policy could be blended with BC-CW-13.7 which requires the County to complete a Growth Management Strategy through the Municipal Comprehensive Review. As a stand alone policy, BC-MC-13.4 may be difficult to implement, or demonstrate that it has been implemented, without some form of associated study within which this consideration could occur and be documented. 	County will merge policies 13.4 and 13.7 for consistency.
15	MECP	Pre-consultation	S14, County of Brant	<p>BC-MC-14.1 (LUP, future)</p> <ul style="list-style-type: none"> • This policy intends for future consumptive water takings to not become a significant threat by including various requirements in Planning Act applications. • Given that the policy only applies to future, consider rewording to remove the reference to “ceases to be”. • The introductory part of the policy also has some issues with grammar or order of the ideas – referring to consumptive uses in the first part and reduction in recharge later as well as both the County of Brant and a Planning Approval Authority (which is also the County). For example: <ul style="list-style-type: none"> o To ensure that any future consumptive water takings within the WHPA-Q ceases to be or never becomes a significant drinking water threat, the County of Brant will ensure that applications under the Planning Act, the relevant Planning Approval Authority shall ensure recharge reduction does not become a significant drinking water threat by: 	<ul style="list-style-type: none"> - “ceases to be” removed from policy text - Policy text revised to address grammar issues - County staff involved in policy development from the outset. - County will revise policies and remove “Ceases to be”, and various wording changes for clarity.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				<ul style="list-style-type: none"> Please engage senior planning staff at the County to review and revise the policy. 	
16	County of Brant	Public consultation	S14, County of Brant	<p>BC-CW-13.4</p> <p>The Municipal wells are the consumptive use that drive the significant risk level under future expanded pumping and drought conditions. Additional wells in the Whiteman’s Creek Watershed will likely have similar risks. New water wells are required to undertake source protection assessment prior to licensing which will identify the risks to quantity. This policy may be redundant.</p>	<ul style="list-style-type: none"> Currently, there is no process in place to identify risks to water quantity for the addition of a new groundwater well <i>outside</i> of a WHPA-Q. New wells outside the Bethel WHPA-Q are required to complete technical work necessary to identify vulnerable areas and identify where water quality activities could pose a risk to drinking water. Policy has been deleted and merged with the newly numbered BC-CW-13.4 (formerly 13.5).
17	County of Brant	Public consultation	S14, County of Brant	<p>BC-CW-13.5</p> <p>This goes along with BC-CW-13.6, the Tier 3 model is the most recent and comprehensive hydrogeological model for the Bethel Wells, it should be expanded to include all of Paris Wells and contributing area prior to completing the overall Town of Paris well capacity or master plan studies.</p>	<p>Policies BC-CW-13.4 (formerly 13.5) has been revised to include language about updating the Paris Master Servicing Plan using the findings from the Whitemans Creek Tier 3 Water Budget. Former policy BC-CW-13.6 has been deleted.</p>
18	County of Brant	Public consultation	S14, County of Brant	<p>BC-CW-13.6</p> <p>The Whiteman’s Creek Tier 3 model was updated / expanded to include Airport and Mt pleasant wells in 2018 – as was St George under the Fairchild Creek model. The quantity threat is related to increased demand for future development, given the Paris and Bethel wells are connected, it makes sense to include the Paris Wells in, at minimum, a Paris (Paris/Bethel) Settlement Area Well Capacity Study that can be used to support the Growth Management Plan. This all may be happening already, if not, the County should consider the costs of implementing the policies county wide versus focussing on the areas that have known quantity threats.</p>	<ul style="list-style-type: none"> “Hydrogeological Model” changed to “Whitemans Creek Tier 3 model”. Removed phrase “including the Airport Well” because the well is included in the current model. Added “Settlement Area” to Well Capacity Study. Comment noted. Policy has been deleted and merged with BC-CW-13.4.

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments

#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
19	County of Brant	Public consultation	S14, County of Brant	<p>BC-CW-13.7 This comment is related to regulatory growth planning, as a planning lay person, it is difficult to understand the levels of study and where they fall in a logical timeline. It appears the policy is directing the county to conduct a Growth Management Study specific to sustainable water quantities. Policies 13.5 and 13.6 also require studies related to growth, increased demand, and well / aquifer capacity. While a single policy is not necessarily better, possibly a tiered policy like BC-MC-14.1 could provide a more logical flow for the layman. Something like:</p> <ol style="list-style-type: none"> 1. Policy to expand the Tier 3 model to include Paris 2. Policy to use the new model to undertake a comprehensive Paris Wide Water Supply Master Plan, inclusive of scenarios consistent with potential growth targets 3. Incorporate the sustainable water quantity capacity into the overall growth management strategy for Paris / Bethel combined growth plan. <p>Consider County-Wide vs Paris/Bethel Wide as above.</p>	<p>- Policy text combined and revised to clarify intent in policy wording. -Numbered items in the policy text revised to be consistent with this comment and other County of Brant policies.</p>
20	County of Brant	Public consultation	S14, County of Brant	<p>BC-CW-13.8 Maybe consider adding that the County requests additional funds to expand the model to include Paris Wells as they may be able to mitigate the Bethel Wells water quantity threats by shifting future Bethel demands to Paris.</p>	<p>Comment is noted and wording changed to “support the ongoing maintenance of the Whitemans Creek Tier 3 Water Budget model”.</p>
21	County of Brant	Public consultation	S14, County of	<p>BC-CW-13.9 All of Paris could technically be serviced by Bethel Wells,</p>	<p>Comment is noted.</p>

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments					
#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
			Brant	the findings were that under drought conditions and future pumping – risk levels were significant. Overall reduction of water use across the serviced area (not just within the WHPA Q) would help mitigate the risk, e.g. watering bans or even/odd days watering etc.	
22	County of Brant	Public consultation	S14, County of Brant	<p>BC-MC-14.1 “...the County of Brant will ensure that applications under the Planning Act, the relevant Planning Approval Authority shall ensure recharge reduction does not become a significant drinking water threat by:”</p> <p>Awkward sentence, maybe consider ...the County of Brant or the relevant Planning Approval Authority shall ensure that applications under the Planning Act do not become a significant drinking water quantity threat from the reduction of recharge by:</p> <p>In regards to water quality, other Ontario CA’s stipulate what sources can be directed to enhanced infiltration facilities and which ones cannot. For instance in the LSRCA – parking lot and roadway run-off cannot be</p>	Policy text revised.
23	Public member	Public consultation	S7, Wellington County	<p>Lists and pages of policies exist regarding FUTURE practices related to manure spreading, use of road salt and storage of dry cleaner fluid, but only limited tools are available for Source Protection Committees to deal with historical conditions.</p> <p>The Environmental Commissioner states that while sites contaminated as a result of prior industrial use do pose a drinking water threat, “Source protection committees have</p>	<p>A contaminated site resulting from a past activity(ies) can be addressed through the Source Water Protection Program if it is identified as a “Condition” in accordance with the Director’s Technical Rules (Part XI.3 and XI.5). The <i>Clean Water Act, 2006</i>, does not allow for the use of Part IV powers, i.e., Section 57 (Prohibition) and Section 58 (Risk Management Plans), to address Condition sites.</p> <p>The allowable condition policies are included in the Wellington</p>

Table 2: Revised Updated Grand River Source Protection Plan – pre-consultation and public consultation comments

#	Comment Source	Comment Period	SPP Section	Comment	How Comment was Addressed
				<p>no substantial tools at their disposal to protect drinking water sources from historical contamination. Municipalities, which bear the onus of providing safe drinking water to their residents, similarly have no such powers.”</p> <p>Sections WC-CW-16.1 and WC-CW-16.3 in the Updates to the Wellington County Chapter of the Grand River Source Protection Plan refer to policies for the EXISTING and FUTURE handling and storage of a dense non-aqueous phase liquid (such as TCE). In order to ensure that these activities never become a drinking water threat, a Risk Management Plan is required. Whereas such policies exist for EXISTING and FUTURE activities, there are no such policies regarding HISTORICAL activities.</p>	<p>County section under policies 1.16 through 1.18.</p>

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-10

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: 2019 Catfish Creek Annual Progress Report

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-10 – Catfish Creek Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Catfish Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Catfish Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the *Clean Water Act, 2006* and any Director's instructions established under O. Reg. 287/07 S.52.

REPORT:

The Catfish Creek Annual Progress Report was shared with the Lake Erie Region Source Protection Committee (SPC) on April 7, 2020, attached to information report SPC-20-04-03. Report SPC-20-04-03 requested that members review the annual reporting results and submit any comments to Lake Erie Region staff by April 21, 2020. No comments have been received.

Lake Erie Region staff uploaded the Catfish Creek annual reporting results to the Ministry of the Environment, Conservation and Park's (MECP) Electronic Annual Reporting (EAR) Portal following the April 21, 2020 comment deadline, and prior to the May 1, 2020 annual reporting submission deadline.

Annual Reporting Letter to the SPA

In addition to the Annual Progress Report Lake Erie Region staff have drafted an annual reporting letter (**Appendix A**) to be submitted to the Catfish Creek Source Protection Authority in accordance with the Lake Erie Region's annual progress reporting administrative protocol. The letter includes comments about the extent to which objectives set out in the source protection plan are being achieved and will include any additional committee comments.

Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020. The annual reporting results will be brought to the next Catfish Creek Source Protection Authority meeting for submission to the MECP.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A:

Catfish Creek Annual Progress Reporting letter

May 1, 2020

Rick Cerna, Chair
8079 Springwater Rd., RR 5
Aylmer ON, N5H 2R4

Dear Mr. Cerna:

The Catfish Creek Source Protection Plan has been in effect since January 1, 2015 with the primary objective to protect current and future sources of drinking water from contamination and overuse.

In accordance with Ontario Regulation 287/07 s.52, Catfish Creek Source Protection Authority (SPA) is required to submit source protection plan annual progress reports to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2020. As a result of the COVID-19 pandemic, Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

At a rescheduled virtual committee meeting on April 30, 2020, the Lake Erie Region Source Protection Committee (SPC) passed a resolution regarding the submission of the Catfish Creek annual reports, and no comments were received from SPC members.

The annual reports provide valuable information about the implementation of the Catfish Creek Source Protection Plan and the overall success of the program. The Catfish Creek Annual Progress Report and Supplemental Form reflect implementation efforts from January 1, 2019 to December 31, 2019 (see attached).

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Catfish Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Catfish Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

As such, this letter serves as a notice pursuant to the annual progress reporting administrative protocol, adopted by the Lake Erie Source Protection Region Management Committee (see attached management committee report 17-01-03), to submit the final Catfish Creek Annual Progress Report and Supplemental Form to the Catfish Creek Source Protection Authority.

Achievement of Source Protection Plan Objectives

It is the opinion of the Lake Erie Region Source Protection Committee that implementation of the Catfish Creek Source Protection Plan has been progressing well and is on target towards achieving the plan objectives in this reporting period (January 1, 2019 - December 31, 2019).

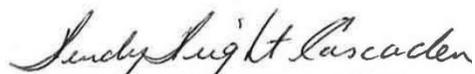
Rationale

Nineteen existing significant drinking water threats were identified in the Catfish Creek Source Protection Area when the plan took effect. Since implementation of the plan, 100% of confirmed significant drinking water threats have been addressed. Additionally, all legally-binding plan policies that address significant drinking water threats are implemented or in progress.

The Catfish Creek SPA is now tasked with considering the provincially-required annual progress reports and submitting them to the MECP together with any comments the SPA wishes to make.

If you have any questions regarding this letter, or the Catfish Creek Annual Progress Report and Supplemental Form, please contact Ilona Feldmann at 519-621-2763 ext. 2318 or ifeldmann@grandriver.ca.

Sincerely,



Wendy Wright-Cascaden
Chair, Lake Erie Region Source Protection Committee

cc:
Chris Wilkinson, General Manager/Secretary-Treasurer, CCCA

LAKE ERIE SOURCE PROTECTION REGION

REPORT NO. 17-01-03

DATE: January 31, 2017

TO: Lake Erie Source Protection Region Management Committee

SUBJECT: Annual Progress Reporting – Proposed Administrative Protocol

RECOMMENDATION:

THAT the Lake Erie Source Protection Region Management Committee adopt the Proposed Administrative Protocol for the preparation and submission of Annual Progress Reports.

REPORT:

- The requirement for source protection annual reporting is established in the *Clean Water Act, 2006 (CWA)* and in Lake Erie Source Protection Region monitoring policies.
- Source Protection Authorities (SPA) are required to provide annual reports to the Ministry of the Environment and Climate Change (MOECC) in accordance with S.46 of the CWA and any Director's instructions established under O. Reg. 287/07 S.52. The first Lake Erie Region Annual Progress Reports are due for submission to the Ministry May 1, 2018 (Catfish and Kettle SPA); Long Point Region and Grand River SPA Annual Progress Reports are due May 1, 2019. Adopting the administrative protocol one year prior to the submission of the first Annual Progress Reports will allow for the process to be tested, refined and finalised for 2018.

CWA, S. 46: Annual progress reports

46. (1) The source protection authority shall annually prepare and submit to the Director and the source protection committee in accordance with the regulations a report that,

(a) describes the measures that have been taken to implement the source protection plan, including measures taken to ensure that activities cease to be significant drinking water threats and measures taken to ensure that activities do not become significant drinking water threats;

(b) describes the results of any monitoring program conducted pursuant to section 45;

(c) describes the extent to which the objectives set out in the source protection plan are being achieved; and

(d) contains such other information as is prescribed by the regulations.2006, c. 22, s. 46 (1).

Submitting report to source protection committee

(2) At least 30 days before submitting the report to the Director under subsection (1), a source protection authority shall submit the report to the source protection committee.2006, c. 22, s. 46 (2).

Review by source protection committee

(3) After receiving the report from the source protection authority, the source protection committee shall review the report and provide written comments to the source protection authority about the extent to which, in the opinion of the committee, the objectives set out

in the source protection plan are being achieved by the measures described in the report. 2006, c. 22, s. 46 (3).

Including comments of source protection committee

(4) If the source protection committee provides comments to the source protection authority under subsection (3) before the report is submitted to the Director under subsection (1), the source protection authority shall include a copy of the comments in the report. 2006, c. 22, s. 46 (4).

Available to public

(5) Subject to subsection (6), the source protection authority shall ensure that the report is available to the public as soon as reasonably possible after it is submitted to the Director. 2006, c. 22, s. 46 (5).

No personal information

(6) When a report is made available to the public under subsection (5), the source protection authority shall ensure that it does not contain any personal information that is maintained for the purpose of creating a record that is not available to the public. 2006, c. 22, s. 46 (6).

Summary of progress reports

(7) The Minister shall include a summary of the reports submitted by source protection authorities under this section in the annual report prepared by the Minister under subsection 3 (4) of the Safe Drinking Water Act, 2002. 2006, c. 22, s. 46 (7).

- The information required to complete the Annual Progress Reports will be generated from Municipal Annual Reports – as required by Lake Erie Source Protection Plan policies – and from RMO Annuals Reports, as per S.81 of the CWA and in accordance with O. Reg. 287/07 S.65. Both reports are required to be submitted annually by February 1 to the respective SPA.
- Lake Erie Region staff have reviewed the legislated process and requirement for the development and submission of Annual Progress Reports and have prepared a Proposed Administrative Protocol (see Appendix). The legislation as outlined above assigns the SPA a larger role than in the pre-plan approval period. However, the MOECC has encouraged source protection areas and regions to maintain established SPC and SPA roles and responsibilities. The aim of the proposed protocol is to define a simplified and standardized procedure that can be used on an annual basis.

Prepared by:

Approved by:



Ilona Feldmann
Source Protection Program Assistant

Martin Keller, M.Sc.
Source Protection Program Manager

Appendix

Source Protection Planning – Lake Erie Source Protection Region

Proposed Administrative Protocol

Prepared January 31, 2017

Annual Progress Reporting

Preparation and Submission of Annual Progress Report

- Following receipt of municipal, provincial, and RMO annual reports on February 1 of each year, Lake Erie Region staff will prepare a draft Annual Progress Report for each of the four watersheds in the Lake Erie Region to be presented to the Lake Erie Region Source Protection Committee at the April Source Protection Committee meeting.
- Together with the draft Annual Progress Reports, Lake Erie Region staff will also prepare and present to the committee at the April committee meeting a draft letter to each of the four Source Protection Authorities in the Lake Erie Region. The draft letter will include comments about the extent to which the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- At the April Source Protection Committee meeting, members will review and discuss the draft Annual Progress Reports and draft letters to the four Source Protection Authorities and will provide direction to Lake Erie Region staff to finalise the reports and letters. The committee will provide specific comments about the extent to which, in the opinion of the committee, the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- Lake Erie Region staff will finalise the Annual Progress Reports and letters and submit the reports to the respective Source Protection Authority at their next regular Source Protection Authority meeting. Each of the four Source Protection Authorities in the Lake Erie Region will submit the Annual Progress Report together with the comments (letter) from the Lake Erie Region Source Protection Committee to the Director of the Source Protection Programs Branch at the Ministry of the Environment and Climate Change.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-11

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: 2019 Kettle Creek Annual Progress Report

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-11 – Kettle Creek Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Kettle Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Kettle Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the *Clean Water Act, 2006* and any Director's instructions established under O. Reg. 287/07 S.52.

REPORT:

The Kettle Creek Annual Progress Report was shared with the Lake Erie Region Source Protection Committee (SPC) on April 7, 2020, attached to information report SPC-20-04-04. Report SPC-20-04-04 requested that members review the annual reporting results and submit any comments to Lake Erie Region staff by April 21, 2020. No comments have been received.

Lake Erie Region staff uploaded the Kettle Creek annual reporting results to the Ministry of the Environment, Conservation and Park's (MECP) Electronic Annual Reporting (EAR) Portal following the April 21, 2020 comment deadline, and prior to the May 1, 2020 annual reporting submission deadline.

Annual Reporting Letter to the SPA

In addition to the Annual Progress Report Lake Erie Region staff have drafted an annual reporting letter (**Appendix A**) to be submitted to the Kettle Creek Source Protection Authority in accordance with the Lake Erie Region's annual progress reporting administrative protocol. The letter includes comments about the extent to which objectives set out in the source protection plan are being achieved and will include any additional committee comments.

Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020. The annual reporting results will be brought to the next Kettle Creek Source Protection Authority meeting for submission to the MECP.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A:

Kettle Creek Annual Progress Reporting letter

May 1, 2020

Steven Harvey, Chair
44015 Ferguson Line
St. Thomas ON, N5P 3T3

Dear Mr. Harvey:

The Kettle Creek Source Protection Plan has been in effect since January 1, 2015 with the primary objective to protect current and future sources of drinking water from contamination and overuse.

In accordance with Ontario Regulation 287/07 s.52, Kettle Creek Source Protection Authority (SPA) is required to submit source protection plan annual progress reports to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2020. As a result of the COVID-19 pandemic, Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

At a rescheduled virtual committee meeting on April 30, 2020, the Lake Erie Region Source Protection Committee (SPC) passed a resolution regarding the submission of the Kettle Creek annual reports, and no comments were received from SPC members.

The annual reports provide valuable information about the implementation of the Kettle Creek Source Protection Plan and the overall success of the program. The Kettle Creek Annual Progress Report and Supplemental Form reflect implementation efforts from January 1, 2019 to December 31, 2019 (see attached).

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Kettle Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Kettle Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

As such, this letter serves as a notice pursuant to the annual progress reporting administrative protocol, adopted by the Lake Erie Source Protection Region Management Committee (see attached management committee report 17-01-03), to submit the final Kettle Creek Annual Progress Report and Supplemental Form to the Kettle Creek Source Protection Authority.

Achievement of Source Protection Plan Objectives

It is the opinion of the Lake Erie Region Source Protection Committee that implementation of the Kettle Creek Source Protection Plan has been progressing well and is on target towards achieving the plan objectives in this reporting period (January 1, 2019 - December 31, 2019).

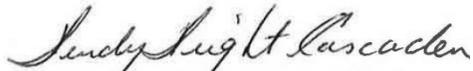
Rationale

Only two existing significant drinking water threats were identified in the Kettle Creek Source Protection Area when the Plan took effect. Since implementation of the plan, both threats (100%) have been addressed: one no longer exists and the other was managed through a Risk Management Plan (RMP). Additionally, all legally-binding plan policies that address significant drinking water threats are either implemented, in progress or implemented because policy outcomes have been evaluated and require no further action(s).

The Kettle Creek SPA is now tasked with considering the provincially-required annual progress reports and submitting them to the MECP together with any comments the SPA wishes to make.

If you have any questions regarding this letter, or the Kettle Creek Annual Progress Report and Supplemental Form, please contact Ilona Feldmann at 519-621-2763 ext. 2318 or ifeldmann@grandriver.ca.

Sincerely,



Wendy Wright-Cascaden
Chair, Lake Erie Region Source Protection Committee

cc:
Elizabeth VanHooren, General Manager/Secretary-Treasurer, KCCA

LAKE ERIE SOURCE PROTECTION REGION

REPORT NO. 17-01-03

DATE: January 31, 2017

TO: Lake Erie Source Protection Region Management Committee

SUBJECT: Annual Progress Reporting – Proposed Administrative Protocol

RECOMMENDATION:

THAT the Lake Erie Source Protection Region Management Committee adopt the Proposed Administrative Protocol for the preparation and submission of Annual Progress Reports.

REPORT:

- The requirement for source protection annual reporting is established in the *Clean Water Act, 2006 (CWA)* and in Lake Erie Source Protection Region monitoring policies.
- Source Protection Authorities (SPA) are required to provide annual reports to the Ministry of the Environment and Climate Change (MOECC) in accordance with S.46 of the CWA and any Director's instructions established under O. Reg. 287/07 S.52. The first Lake Erie Region Annual Progress Reports are due for submission to the Ministry May 1, 2018 (Catfish and Kettle SPA); Long Point Region and Grand River SPA Annual Progress Reports are due May 1, 2019. Adopting the administrative protocol one year prior to the submission of the first Annual Progress Reports will allow for the process to be tested, refined and finalised for 2018.

CWA, S. 46: Annual progress reports

46. (1) *The source protection authority shall annually prepare and submit to the Director and the source protection committee in accordance with the regulations a report that,*

(a) describes the measures that have been taken to implement the source protection plan, including measures taken to ensure that activities cease to be significant drinking water threats and measures taken to ensure that activities do not become significant drinking water threats;

(b) describes the results of any monitoring program conducted pursuant to section 45;

(c) describes the extent to which the objectives set out in the source protection plan are being achieved; and

(d) contains such other information as is prescribed by the regulations.2006, c. 22, s. 46 (1).

Submitting report to source protection committee

(2) At least 30 days before submitting the report to the Director under subsection (1), a source protection authority shall submit the report to the source protection committee.2006, c. 22, s. 46 (2).

Review by source protection committee

(3) After receiving the report from the source protection authority, the source protection committee shall review the report and provide written comments to the source protection authority about the extent to which, in the opinion of the committee, the objectives set out

in the source protection plan are being achieved by the measures described in the report. 2006, c. 22, s. 46 (3).

Including comments of source protection committee

(4) If the source protection committee provides comments to the source protection authority under subsection (3) before the report is submitted to the Director under subsection (1), the source protection authority shall include a copy of the comments in the report. 2006, c. 22, s. 46 (4).

Available to public

(5) Subject to subsection (6), the source protection authority shall ensure that the report is available to the public as soon as reasonably possible after it is submitted to the Director. 2006, c. 22, s. 46 (5).

No personal information

(6) When a report is made available to the public under subsection (5), the source protection authority shall ensure that it does not contain any personal information that is maintained for the purpose of creating a record that is not available to the public. 2006, c. 22, s. 46 (6).

Summary of progress reports

(7) The Minister shall include a summary of the reports submitted by source protection authorities under this section in the annual report prepared by the Minister under subsection 3 (4) of the Safe Drinking Water Act, 2002. 2006, c. 22, s. 46 (7).

- The information required to complete the Annual Progress Reports will be generated from Municipal Annual Reports – as required by Lake Erie Source Protection Plan policies – and from RMO Annuals Reports, as per S.81 of the CWA and in accordance with O. Reg. 287/07 S.65. Both reports are required to be submitted annually by February 1 to the respective SPA.
- Lake Erie Region staff have reviewed the legislated process and requirement for the development and submission of Annual Progress Reports and have prepared a Proposed Administrative Protocol (see Appendix). The legislation as outlined above assigns the SPA a larger role than in the pre-plan approval period. However, the MOECC has encouraged source protection areas and regions to maintain established SPC and SPA roles and responsibilities. The aim of the proposed protocol is to define a simplified and standardized procedure that can be used on an annual basis.

Prepared by:

Approved by:



Ilona Feldmann
Source Protection Program Assistant

Martin Keller, M.Sc.
Source Protection Program Manager

Appendix

Source Protection Planning – Lake Erie Source Protection Region

Proposed Administrative Protocol

Prepared January 31, 2017

Annual Progress Reporting

Preparation and Submission of Annual Progress Report

- Following receipt of municipal, provincial, and RMO annual reports on February 1 of each year, Lake Erie Region staff will prepare a draft Annual Progress Report for each of the four watersheds in the Lake Erie Region to be presented to the Lake Erie Region Source Protection Committee at the April Source Protection Committee meeting.
- Together with the draft Annual Progress Reports, Lake Erie Region staff will also prepare and present to the committee at the April committee meeting a draft letter to each of the four Source Protection Authorities in the Lake Erie Region. The draft letter will include comments about the extent to which the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- At the April Source Protection Committee meeting, members will review and discuss the draft Annual Progress Reports and draft letters to the four Source Protection Authorities and will provide direction to Lake Erie Region staff to finalise the reports and letters. The committee will provide specific comments about the extent to which, in the opinion of the committee, the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- Lake Erie Region staff will finalise the Annual Progress Reports and letters and submit the reports to the respective Source Protection Authority at their next regular Source Protection Authority meeting. Each of the four Source Protection Authorities in the Lake Erie Region will submit the Annual Progress Report together with the comments (letter) from the Lake Erie Region Source Protection Committee to the Director of the Source Protection Programs Branch at the Ministry of the Environment and Climate Change.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-12

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: 2019 Long Point Region Annual Progress Report

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-12 – Long Point Region Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Long Point Region Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Long Point Region Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the *Clean Water Act, 2006* and any Director's instructions established under O. Reg. 287/07 S.52.

REPORT:

The Long Point Region Annual Progress Report was shared with the Lake Erie Region Source Protection Committee (SPC) on April 7, 2020, attached to information report SPC-20-04-05. Report SPC-20-04-05 requested that members review the annual reporting results and submit any comments to Lake Erie Region staff by April 21, 2020. No comments have been received.

Lake Erie Region staff uploaded the Long Point Region annual reporting results to the Ministry of the Environment, Conservation and Park's (MECP) Electronic Annual Reporting (EAR) Portal following the April 21, 2020 comment deadline, and prior to the May 1, 2020 annual reporting submission deadline.

Annual Reporting Letter to the SPA

In addition to the Annual Progress Report Lake Erie Region staff have drafted an annual reporting letter (**Appendix A**) to be submitted to the Long Point Region Source Protection Authority in accordance with the Lake Erie Region's annual progress reporting administrative protocol. The letter includes comments about the extent to which objectives set out in the source protection plan are being achieved and will include any additional committee comments.

Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020. The annual reporting results will be brought to the next Long Point Region Source Protection Authority meeting for submission to the MECP.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A:

Long Point Region Annual Progress Reporting letter

May 1, 2020

Michael Columbus, Chair
4 Elm St.
Tillsonburg, ON N4G 0C4

Dear Mr. Columbus:

The Long Point Region Source Protection Plan has been in effect since July 1, 2016 with the primary objective to protect current and future sources of drinking water from contamination and overuse.

In accordance with Ontario Regulation 287/07 s.52, Long Point Region Source Protection Authority (SPA) is required to submit source protection plan annual progress reports to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2020. As a result of the COVID-19 pandemic, Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

At a rescheduled electronic committee meeting on April 30, 2020, the Lake Erie Region Source Protection Committee (SPC) passed a resolution regarding the submission of the Long Point Region annual reports, and no comments were received from SPC members.

The annual reports provide valuable information about the implementation of the Long Point Region Source Protection Plan and the overall success of the program. The Long Point Region Annual Progress Report and Supplemental Form reflect implementation efforts from January 1, 2019 to December 31, 2019 (see attached).

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Long Point Region Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Long Point Region Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

As such, this letter serves as a notice pursuant to the annual progress reporting administrative protocol, adopted by the Lake Erie Source Protection Region Management Committee (see attached management committee report 17-01-03), to submit the final Long Point Region Annual Progress Report and Supplemental Form to the Long Point Region Source Protection Authority.

Achievement of Source Protection Plan Objectives

It is the opinion of the Lake Erie Region Source Protection Committee that implementation of the Long Point Region Source Protection Plan has been progressing well and is on target towards achieving the plan objectives in this reporting period (January 1, 2019 - December 31, 2019).

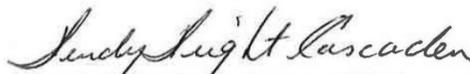
Rationale

687 significant drinking water threats have been identified in the Long Point Region Source Protection Area since the original source protection plan approval or approval of amendments that include new or revised protection zones. The percentage of overall progress made in addressing threats is 61%. Increased progress is primarily due to the approval of the Long Point Region Source Plan update on March 11, 2019. Ninety-seven percent of legally-binding plan policies that address significant drinking water threats are implemented, in progress or implemented because policy outcome(s) have been evaluated and no further action(s) are required. No progress was made on 3% of the plan policies.

The Long Point Region SPA is now tasked with considering the provincially-required annual progress reports and submitting them to the MECP together with any comments the SPA wishes to make.

If you have any questions regarding this letter, or the Long Point Region Annual Progress Report and Supplemental Form, please contact Ilona Feldmann at 519-621-2763 ext. 2318 or ifeldmann@grandriver.ca.

Sincerely,



Wendy Wright-Cascaden
Chair, Lake Erie Region Source Protection Committee

cc:

Judy Maxwell, General Manager/Secretary-Treasurer, LPRCA

LAKE ERIE SOURCE PROTECTION REGION

REPORT NO. 17-01-03

DATE: January 31, 2017

TO: Lake Erie Source Protection Region Management Committee

SUBJECT: Annual Progress Reporting – Proposed Administrative Protocol

RECOMMENDATION:

THAT the Lake Erie Source Protection Region Management Committee adopt the Proposed Administrative Protocol for the preparation and submission of Annual Progress Reports.

REPORT:

- The requirement for source protection annual reporting is established in the *Clean Water Act, 2006 (CWA)* and in Lake Erie Source Protection Region monitoring policies.
- Source Protection Authorities (SPA) are required to provide annual reports to the Ministry of the Environment and Climate Change (MOECC) in accordance with S.46 of the CWA and any Director's instructions established under O. Reg. 287/07 S.52. The first Lake Erie Region Annual Progress Reports are due for submission to the Ministry May 1, 2018 (Catfish and Kettle SPA); Long Point Region and Grand River SPA Annual Progress Reports are due May 1, 2019. Adopting the administrative protocol one year prior to the submission of the first Annual Progress Reports will allow for the process to be tested, refined and finalised for 2018.

CWA, S. 46: Annual progress reports

46. (1) *The source protection authority shall annually prepare and submit to the Director and the source protection committee in accordance with the regulations a report that,*

(a) describes the measures that have been taken to implement the source protection plan, including measures taken to ensure that activities cease to be significant drinking water threats and measures taken to ensure that activities do not become significant drinking water threats;

(b) describes the results of any monitoring program conducted pursuant to section 45;

(c) describes the extent to which the objectives set out in the source protection plan are being achieved; and

(d) contains such other information as is prescribed by the regulations.2006, c. 22, s. 46 (1).

Submitting report to source protection committee

(2) At least 30 days before submitting the report to the Director under subsection (1), a source protection authority shall submit the report to the source protection committee.2006, c. 22, s. 46 (2).

Review by source protection committee

(3) After receiving the report from the source protection authority, the source protection committee shall review the report and provide written comments to the source protection authority about the extent to which, in the opinion of the committee, the objectives set out

in the source protection plan are being achieved by the measures described in the report. 2006, c. 22, s. 46 (3).

Including comments of source protection committee

(4) If the source protection committee provides comments to the source protection authority under subsection (3) before the report is submitted to the Director under subsection (1), the source protection authority shall include a copy of the comments in the report. 2006, c. 22, s. 46 (4).

Available to public

(5) Subject to subsection (6), the source protection authority shall ensure that the report is available to the public as soon as reasonably possible after it is submitted to the Director. 2006, c. 22, s. 46 (5).

No personal information

(6) When a report is made available to the public under subsection (5), the source protection authority shall ensure that it does not contain any personal information that is maintained for the purpose of creating a record that is not available to the public. 2006, c. 22, s. 46 (6).

Summary of progress reports

(7) The Minister shall include a summary of the reports submitted by source protection authorities under this section in the annual report prepared by the Minister under subsection 3 (4) of the Safe Drinking Water Act, 2002. 2006, c. 22, s. 46 (7).

- The information required to complete the Annual Progress Reports will be generated from Municipal Annual Reports – as required by Lake Erie Source Protection Plan policies – and from RMO Annuals Reports, as per S.81 of the CWA and in accordance with O. Reg. 287/07 S.65. Both reports are required to be submitted annually by February 1 to the respective SPA.
- Lake Erie Region staff have reviewed the legislated process and requirement for the development and submission of Annual Progress Reports and have prepared a Proposed Administrative Protocol (see Appendix). The legislation as outlined above assigns the SPA a larger role than in the pre-plan approval period. However, the MOECC has encouraged source protection areas and regions to maintain established SPC and SPA roles and responsibilities. The aim of the proposed protocol is to define a simplified and standardized procedure that can be used on an annual basis.

Prepared by:

Approved by:



Ilona Feldmann
Source Protection Program Assistant

Martin Keller, M.Sc.
Source Protection Program Manager

Appendix

Source Protection Planning – Lake Erie Source Protection Region

Proposed Administrative Protocol

Prepared January 31, 2017

Annual Progress Reporting

Preparation and Submission of Annual Progress Report

- Following receipt of municipal, provincial, and RMO annual reports on February 1 of each year, Lake Erie Region staff will prepare a draft Annual Progress Report for each of the four watersheds in the Lake Erie Region to be presented to the Lake Erie Region Source Protection Committee at the April Source Protection Committee meeting.
- Together with the draft Annual Progress Reports, Lake Erie Region staff will also prepare and present to the committee at the April committee meeting a draft letter to each of the four Source Protection Authorities in the Lake Erie Region. The draft letter will include comments about the extent to which the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- At the April Source Protection Committee meeting, members will review and discuss the draft Annual Progress Reports and draft letters to the four Source Protection Authorities and will provide direction to Lake Erie Region staff to finalise the reports and letters. The committee will provide specific comments about the extent to which, in the opinion of the committee, the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- Lake Erie Region staff will finalise the Annual Progress Reports and letters and submit the reports to the respective Source Protection Authority at their next regular Source Protection Authority meeting. Each of the four Source Protection Authorities in the Lake Erie Region will submit the Annual Progress Report together with the comments (letter) from the Lake Erie Region Source Protection Committee to the Director of the Source Protection Programs Branch at the Ministry of the Environment and Climate Change.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-13

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: 2019 Grand River Annual Progress Report

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-13 – Grand River Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Grand River Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Grand River Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the *Clean Water Act, 2006* and any Director's instructions established under O. Reg. 287/07 S.52.

REPORT:

The Grand River Annual Progress Report was shared with the Lake Erie Region Source Protection Committee (SPC) on April 7, 2020, attached to information report SPC-20-04-06. Report SPC-20-04-06 requested that members review the annual reporting results and submit any comments to Lake Erie Region staff by April 21, 2020. No comments have been received.

Lake Erie Region staff uploaded the Grand River annual reporting results to the Ministry of the Environment, Conservation and Park's (MECP) Electronic Annual Reporting (EAR) Portal following the April 21, 2020 comment deadline, and prior to the May 1, 2020 annual reporting submission deadline.

Annual Reporting Letter to the SPA

In addition to the Annual Progress Report Lake Erie Region staff have drafted an annual reporting letter (**Appendix A**) to be submitted to the Grand River Source Protection Authority in accordance with the Lake Erie Region's annual progress reporting administrative protocol. The letter includes comments about the extent to which objectives set out in the source protection plan are being achieved and will include any additional committee comments.

Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020. The annual reporting results will be brought to the next Grand River Source Protection Authority meeting for submission to the MECP.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A:

Grand River Annual Progress Reporting letter

May 1, 2020

Helen Jowett, Chair
400 Clyde Rd.
Cambridge, ON N1R 5W6

Dear Ms. Jowett:

The Grand River Source Protection Plan has been in effect since July 1, 2016 with the primary objective to protect current and future sources of drinking water from contamination and overuse.

In accordance with Ontario Regulation 287/07 s.52, Grand River Source Protection Authority (SPA) is required to submit source protection plan annual progress reports to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2020. As a result of the COVID-19 pandemic, Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

At a rescheduled electronic committee meeting on April 30, 2020, the Lake Erie Region Source Protection Committee (SPC) passed a resolution regarding the submission of the Grand River annual reports, and no comments were received from SPC members.

The annual reports provide valuable information about the implementation of the Grand River Source Protection Plan and the overall success of the program. The Grand River Annual Progress Report and Supplemental Form reflect implementation efforts from January 1, 2019 to December 31, 2019 (see attached).

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Grand River Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Grand River Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

As such, this letter serves as notice pursuant to the annual progress reporting administrative protocol, adopted by the Lake Erie Source Protection Region Management Committee (see attached management committee report 17-01-03), to submit the final Grand River Annual Progress Report and Supplemental Form to the Grand River Source Protection Authority.

Achievement of Source Protection Plan Objectives

It is the opinion of the Lake Erie Region Source Protection Committee that implementation of the Grand River Source Protection Plan has been progressing well and is on target towards achieving the plan objectives in this reporting period (January 1, 2019 - December 31, 2019).

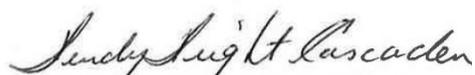
Rationale

7479 significant drinking water threats have been identified in the Grand River Source Protection Area since the original source protection plan approval or approval of amendments that include new or revised protection zones. The percentage of overall progress made in addressing threats is 21%. The percentage of overall progress made is a reflection of progress for municipalities that have a large number of significant threats. For these municipalities, implementation may be phased over a number of years given the large number of properties and limited staff resources. Some municipalities have opted to prioritize properties and activities with the highest potential for impact. Ninety-seven percent of legally-binding plan policies that address significant drinking water threats are implemented, in progress, or implemented because policy outcome(s) have been evaluated and it is determined that no further action(s) is required.

The Grand River SPA is now tasked with considering the provincially-required annual progress reports and submitting them to the MECP together with any comments the SPA wishes to make.

If you have any questions regarding this letter, or the Grand River Annual Progress Report and Supplemental Form, please contact Ilona Feldmann at 519-621-2763 ext. 2318 or ifeldmann@grandriver.ca.

Sincerely,



Wendy Wright-Cascaden
Chair, Lake Erie Region Source Protection Committee

cc:
Samantha Lawson, Chief Administrative Officer, GRCA

LAKE ERIE SOURCE PROTECTION REGION

REPORT NO. 17-01-03

DATE: January 31, 2017

TO: Lake Erie Source Protection Region Management Committee

SUBJECT: Annual Progress Reporting – Proposed Administrative Protocol

RECOMMENDATION:

THAT the Lake Erie Source Protection Region Management Committee adopt the Proposed Administrative Protocol for the preparation and submission of Annual Progress Reports.

REPORT:

- The requirement for source protection annual reporting is established in the *Clean Water Act, 2006 (CWA)* and in Lake Erie Source Protection Region monitoring policies.
- Source Protection Authorities (SPA) are required to provide annual reports to the Ministry of the Environment and Climate Change (MOECC) in accordance with S.46 of the CWA and any Director's instructions established under O. Reg. 287/07 S.52. The first Lake Erie Region Annual Progress Reports are due for submission to the Ministry May 1, 2018 (Catfish and Kettle SPA); Long Point Region and Grand River SPA Annual Progress Reports are due May 1, 2019. Adopting the administrative protocol one year prior to the submission of the first Annual Progress Reports will allow for the process to be tested, refined and finalised for 2018.

CWA, S. 46: Annual progress reports

46. (1) *The source protection authority shall annually prepare and submit to the Director and the source protection committee in accordance with the regulations a report that,*

(a) describes the measures that have been taken to implement the source protection plan, including measures taken to ensure that activities cease to be significant drinking water threats and measures taken to ensure that activities do not become significant drinking water threats;

(b) describes the results of any monitoring program conducted pursuant to section 45;

(c) describes the extent to which the objectives set out in the source protection plan are being achieved; and

(d) contains such other information as is prescribed by the regulations.2006, c. 22, s. 46 (1).

Submitting report to source protection committee

(2) At least 30 days before submitting the report to the Director under subsection (1), a source protection authority shall submit the report to the source protection committee.2006, c. 22, s. 46 (2).

Review by source protection committee

(3) After receiving the report from the source protection authority, the source protection committee shall review the report and provide written comments to the source protection authority about the extent to which, in the opinion of the committee, the objectives set out

in the source protection plan are being achieved by the measures described in the report. 2006, c. 22, s. 46 (3).

Including comments of source protection committee

(4) If the source protection committee provides comments to the source protection authority under subsection (3) before the report is submitted to the Director under subsection (1), the source protection authority shall include a copy of the comments in the report. 2006, c. 22, s. 46 (4).

Available to public

(5) Subject to subsection (6), the source protection authority shall ensure that the report is available to the public as soon as reasonably possible after it is submitted to the Director. 2006, c. 22, s. 46 (5).

No personal information

(6) When a report is made available to the public under subsection (5), the source protection authority shall ensure that it does not contain any personal information that is maintained for the purpose of creating a record that is not available to the public. 2006, c. 22, s. 46 (6).

Summary of progress reports

(7) The Minister shall include a summary of the reports submitted by source protection authorities under this section in the annual report prepared by the Minister under subsection 3 (4) of the Safe Drinking Water Act, 2002. 2006, c. 22, s. 46 (7).

- The information required to complete the Annual Progress Reports will be generated from Municipal Annual Reports – as required by Lake Erie Source Protection Plan policies – and from RMO Annuals Reports, as per S.81 of the CWA and in accordance with O. Reg. 287/07 S.65. Both reports are required to be submitted annually by February 1 to the respective SPA.
- Lake Erie Region staff have reviewed the legislated process and requirement for the development and submission of Annual Progress Reports and have prepared a Proposed Administrative Protocol (see Appendix). The legislation as outlined above assigns the SPA a larger role than in the pre-plan approval period. However, the MOECC has encouraged source protection areas and regions to maintain established SPC and SPA roles and responsibilities. The aim of the proposed protocol is to define a simplified and standardized procedure that can be used on an annual basis.

Prepared by:

Approved by:



Ilona Feldmann
Source Protection Program Assistant

Martin Keller, M.Sc.
Source Protection Program Manager

Appendix

Source Protection Planning – Lake Erie Source Protection Region

Proposed Administrative Protocol

Prepared January 31, 2017

Annual Progress Reporting

Preparation and Submission of Annual Progress Report

- Following receipt of municipal, provincial, and RMO annual reports on February 1 of each year, Lake Erie Region staff will prepare a draft Annual Progress Report for each of the four watersheds in the Lake Erie Region to be presented to the Lake Erie Region Source Protection Committee at the April Source Protection Committee meeting.
- Together with the draft Annual Progress Reports, Lake Erie Region staff will also prepare and present to the committee at the April committee meeting a draft letter to each of the four Source Protection Authorities in the Lake Erie Region. The draft letter will include comments about the extent to which the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- At the April Source Protection Committee meeting, members will review and discuss the draft Annual Progress Reports and draft letters to the four Source Protection Authorities and will provide direction to Lake Erie Region staff to finalise the reports and letters. The committee will provide specific comments about the extent to which, in the opinion of the committee, the objectives set out in the source protection plan are being achieved by the measures described in the draft Annual Progress Reports.
- Lake Erie Region staff will finalise the Annual Progress Reports and letters and submit the reports to the respective Source Protection Authority at their next regular Source Protection Authority meeting. Each of the four Source Protection Authorities in the Lake Erie Region will submit the Annual Progress Report together with the comments (letter) from the Lake Erie Region Source Protection Committee to the Director of the Source Protection Programs Branch at the Ministry of the Environment and Climate Change.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-14

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Proposals to amend O.Reg.244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (EBR 019-1303)

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-14 – Proposals to amend O.Reg.244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (EBR 019-1303) – for information;

AND THAT this report be forwarded to the Ministry of Natural Resources and Forestry through Environmental Registry Number 019-1303.

REPORT:

On September 20, 2019, the Ministry of Natural Resources and Forestry (MNRF) released a proposal on the Environmental Registry (ERO 019-0556) recommending changes to the provincial aggregate resources framework. Changes to the Aggregate Resources Act were made effective December 10, 2019.

On February 12, 2020, the MNRF posted a proposal on the Environmental Registry (ERO 019-1303) recommending amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act. The proposal recommends changes for applications to establish a new aggregate extraction sites, prescribed rules for minor excavations, and how new and existing sites are managed and operated, including amendments to expand an existing site below the water table.

The public comment period for the proposed changes initially was open until March 30, 2020. The commenting period has been extended until May 15, 2020. A description of the currently proposed amendments can be found on the Environmental Registry of Ontario (<https://ero.ontario.ca/notice/019-1303>).

Impacts from quarrying activities on sources of municipal drinking water have been a longstanding concern of the Lake Erie Source Protection Committee (SPC). A letter, dated March 31, 2010, was sent to the Honourable John Gerretsen, Minister of the Environment, requesting that O. Reg. 287/07 be amended to add *excavation below the water table that breaches the confining layer protecting an aquifer* to the list of drinking water threats. The Ministry denied the request in a letter dated September 2, 2010, stating that aggregate operations alone are not associated with pathogens or chemicals that could impact municipal drinking water sources.

On February 3, 2011, the SPC requested that the Province identify rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system where fill material is placed, or that allows ponding of water, as a local drinking water threat. The placement of fill as a local threat was denied by the Ministry in a letter dated July 19, 2011. A response to the request for a local threat with respect to ponding of water is still outstanding.

Over the years, the SPC has continued to emphasize the importance of addressing aggregate extraction activities below the water table within vulnerable areas of a municipal drinking water supply. On April 30, 2015, the SPC sent a letter to the Honourable Bill Mauro, Minister of Natural Resources and Forestry, on behalf of all 19 Source Protection Committee chairs, expressing concern that the Clean Water Act has failed to adequately consider aggregate extraction activities that break through an aquitard and into the water table or which alter the vulnerability of wellhead protection areas or intake protection zones.

More recently, the discussions have centred around the ongoing review of the Aggregate Resources Act and regulations. In December 2015, the SPC provided comments on the “Blueprint for Change – A proposal to modernize and strengthen the Aggregate Resources Act policy framework”. Two of the key recommendations included the prohibition of extraction activities within the 2 year time of travel (WHPA-A and B) of municipal drinking water wells and the prohibition of extraction below the water table where a breach of the aquitard could impact municipal drinking water sources (report SPC-15-12-03). The SPC reiterated its comments in December 2016 as part of commenting on Bill 39 that proposed changes to the Aggregate Resources Act (report SPC-16-12-06).

The current proposal does not appear to provide any actual changes to the Aggregate Resources Act (ARA) Regulations. It provides a summary of proposed changes to the ‘Standards’ for ARA applications. As a result, it is challenging to assess the potential effect the proposal may have on water and natural resource systems within the watershed.

There are some changes in this proposal related to a new requirement for a document called a ‘Water Report’. This report appears to replace and incorporate the Hydrogeological Report that is currently a requirement in the Standards. The ERO document identifies a proposal to require a qualified professional to complete the Water Report. Lake Erie Region staff support this recommendation. In addition, the proposal appears to require various technical studies for below water table applications including new or amended applications.

Please note that comments provided in this report include both Grand River Conservation Authority (GRCA) comments as well as specific comments related to the protection of municipal drinking water sources. A similar report including these comments has been presented to the GRCA board on April 24, 2020. Below is a brief summary of key comments:

- Pre-consultation with agencies such as conservation authorities and municipalities should be a mandatory requirement to ensure that ‘terms of reference’ for technical reports are completed or new aggregate or quarry sites or amendments to existing applications to go below the water table. This would ensure that applications include the required technical information prior to municipal and agency review and that they can be reviewed in a timely and efficient manner.
- MNRF should develop cumulative effects assessment and data collection and sharing regulations and criteria for new aggregate or quarry sites for below water table extraction. At this time, there is no mention of cumulative effects assessments in the ERO proposal.

- In 2010, a document entitled “Cumulative Effects Assessment Best Practices Paper for Below-Water Sand and Gravel Extraction Operations in Priority Subwatersheds in the Grand River Watershed” was released. The document was completed in consultation with various provincial ministries and representatives of the Ontario Stone Sand and Gravel Association. It provides a framework for cumulative impacts to be assessed in a consistent manner and to guide decisions makers, such as municipal governments and the MNRF and Ministry of Environment, Conservation and Parks with responsibilities in this area. Eleven priority subwatersheds within the Grand River watershed were identified.
- The Best Practices Paper identified the need for a comprehensive data collection and data management process. This was to be developed and maintained by MNRF in consultation with the partners to facilitate collecting the appropriate data and sharing this information with aggregate resource applicants. This data process has yet to be established and it would provide an opportunity for a transparent and open-data sharing framework to permit all external stakeholders with access to information related to below water table aggregate and quarry applications and operations.
- A requirement for applications to be consistent with provincial or local Technical Guidelines needs to be included in the ARA Technical Standards. This would include studies that identify and evaluate impacts to water or natural environment resource systems.
- Lake Erie Region staff support the identification of source protection vulnerable areas and activities and how source protection plans and policies are addressed. To better protect municipal drinking water supplies, staff recommend the Ministry consider the following:
 - A water budget should be required for all applications proposing below water extraction
 - Water Report requirements should include an assessment of potential impacts to sources of drinking water, in particular for proposed below water extraction (e.g., breaching of aquitard), and propose any necessary measures to prevent, where possible, mitigate, or remediate any negative impacts.
 - All aggregate extraction should be prohibited in Wellhead Protection Area (WHPA) A and B, not just extraction activities by private land owners and farm businesses
 - Chloride based dust suppressants should be prohibited where dust suppression is required at aggregate sites located within source water protection areas

In addition to this report, **Appendix A** provides detailed comments on the proposal and we request the Province consider the Lake Erie Region Source Protection Committee comments in their review of the ARA Standards.

Prepared by:



Ilona Feldmann
Source Protection Program Assistant

Approved by:



Martin Keller, M. Sc.
Source Protection Program Manager

Appendix A

Detailed comments on the proposal to amend O.Reg.244/97
and the Aggregate Resources of Ontario Provincial
Standards under the Aggregate Resources Act (EBR 019-
1303)

Attachment 1 – SPC-04-13

Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act

(ERO#019-1303)

Section 1 – Proposed Changes for Applications to Establish a New Site Part 1.1: Study and Information Requirements	
Missing from Proposal	
<p>Cumulative Effects Assessment for below water table applications</p>	<ul style="list-style-type: none"> • Cumulative effects assessments should be conducted in areas of the province where there are concentrations of existing licences or new applications for licences to extract below the water table. The detailed water and hydrogeological assessments prepared by qualified professionals should be conducted for any existing licence that applies for an amendment of a license to extract below the water table and for new below water table applications. This would demonstrate that there will be no offsite or onsite impacts to the quantity and quality of local water resources that sustain natural environment features and address municipal interests in the protection of local municipal drinking water sources. These studies should also prescribe detailed pre and post extraction water and natural environment monitoring requirements for these areas. Depending on site characteristics, other studies should also be required for below water table extraction such as Environmental Impact Studies and other evaluations. • Examples of cumulative effects assessment include: <ul style="list-style-type: none"> ○ the measurement of cumulative effects, e.g. multiple water taking impacts related to staging of extraction from license to license (not only within the limit of a single license); ○ a subwatershed scale study for areas of the province under pressure for below water table extraction, with consistent baseline monitoring prior to an application and initiation of extraction; ○ monitoring reports that are compatible from license to license in scope and criteria that will be consolidated by MNRF, or another agency, to ensure that short and long term impacts are measured, evaluated and mitigated and information is shared on an open data platform.
<p>Data Management and Provincial Open Data Directive</p>	<ul style="list-style-type: none"> • This proposal includes an option to use data from other applications (see notes below). The Standards should include a requirement for applicants to provide their data to the province in an electronic submission and they should also be granted access to data collected by other parties in the vicinity of an application. • The province has establish an Open Data Directive and should implement a comprehensive data collection and data management process for current aggregate sites monitoring information and

	<p>information submitted with Aggregate Resources Act (ARA) applications. In 2010 the province, the Ontario Stone Sand and Gravel Association (OSSGA) and GRCA released a paper that includes data management “Cumulative Effects Assessment Best Practices Paper for Below-Water Sand and Gravel Extraction Operations in Priority Subwatersheds in the Grand River Watershed”. It was proposed that this database be developed by MNR in consultation with various stakeholders to facilitate collecting the appropriate data and sharing this information with aggregate resource applicants. This data process has yet to be established and it would provide an opportunity for a transparent and open data sharing framework to permit external stakeholders with access to information related to below water table aggregate and quarry applications and operations. The standards should include a requirement for application information to be submitted electronically and agreement that it will be shared with other parties.</p>
Technical Guidelines	<ul style="list-style-type: none"> • The standards provide a base list of information to be provided and a list of the type of analysis that should be provided to support an amendment or new application. Although it is proposed that a Qualified Person complete reports, there is a wide variation in the information that is collected and analysed. This leads to delays in the review and commenting process that could be avoided or minimized through clearer requirements. The standards should be amended to include a requirement for studies to be completed in accordance with provincial Technical Guidelines (as update). Examples include: Natural Heritage Reference Manual, Technical Guide - River & Stream Systems: Erosion Hazard Limit, Technical Guide - River & Stream Systems: Flooding Hazard Limit, etc. • Where there is a gap or no Provincial technical guidelines (e.g. water budget, cumulative effects assessment, hydrogeological assessment) a Technical Guideline that has been approved by a municipality and/or Conservation Authority should be considered as technical guideline that is applicable to ARA applications. The standards should include a reference to this effect.
Pre-consultation Requirement in the Consultation process	<ul style="list-style-type: none"> • Pre-consultation with agencies such as conservation authorities and municipalities should be a mandatory requirement to ensure that satisfactory terms of reference are prepared for technical reports for new aggregate or quarry sites. This would ensure that applications are complete i.e. include the appropriate pre-extraction monitoring, plans, technical information etc. This activity is required in similar applications processes such as a subdivision application under the Planning Act and it enables an efficient and timely review of applications by municipalities and agencies.
Proposal	GRCA Comments
1.1.1 Water Report	<p>Determination of Water Table:</p> <ul style="list-style-type: none"> • Support that water table must be determined for all applications and determined based on maximum predicted elevation of the water

	<p>table</p> <ul style="list-style-type: none"> • There can be significant variations in the natural environment from year to year and an evaluation based on one year of data can be misleading. Many technical reports to support planning applications and other proposals of a similar scale to most aggregate applications are based on two to five years of data collection. The proposal to only require one year minimum groundwater monitoring to establish level of water table (and other water and natural features) should require a minimum two (2) years of surface water and natural resources monitoring and continuous groundwater level monitoring for proposed above water extraction, and a minimum three (3) years of this monitoring for proposed below water extraction. • The current wording in the proposal to allow determination of the water table from existing monitoring data and from adjacent sites is problematic. How old can existing monitoring data be? How far away can adjacent monitoring sites be? Water table should be determined on the basis of current monitoring on site. <p>Requirement of a Water Report:</p> <ul style="list-style-type: none"> • It is unclear what is proposed: Will the Provincial Standards be revised to eliminate the requirement for a Hydrogeological 1 and 2 report and require a new Water Report? Will the natural environment report requirements be modified? The province should clearly define the level of detail and assessment of impacts, in particular with respect to protecting municipal drinking water sources, water budget, and cumulative impacts. • Proposed Water Report should require avoidance of impacts where possible, or mitigation, not just feasibility of mitigation. The PPS requires that municipalities protect, improve and restore the quality and quantity of water. Since land use planning mechanisms for review of ARA applications have been modified, the ARA standards and technical guidelines will need to be in line with PPS requirements to ensure the appropriate criteria is in place to protect for an adequate quality and quantity of water in communities and assess and prevent any potential threat or impacts to source water and local municipal drinking water supplies. • Assessment of impacts should be in line and defined with the same criteria as the current growth plan requirements for natural resource systems (that relate to water, e.g. fish habitat) and assessment of water resource systems, e.g. seepage areas, wetlands, significant groundwater recharge areas and highly vulnerable aquifers including some source water protection areas. These areas include 'key hydrological features' such as <u>all</u> wetlands including <u>unevaluated</u> wetlands. An analysis completed in 2016 in the Grand River watershed reviewed the wetlands mapped by the GRCA and MNRF, and there are approximately 12,255 hectares of wetlands in the Grand River watershed that have not been evaluated by MNRF. There may be a minor variation in this statistic due to work
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	<p>completed in Aylmer District. It is likely that some wetland areas in or near known aggregate resource areas would be evaluated as Provincially Significant Wetlands and the absence of evaluation at this time may result in the inadequate assessment of these features if the standards only refer to Provincially Significant Wetlands. An option for the province to consider is completing the evaluations in south-central Ontario where wetland loss has been most significant over the past several decades with a focus on areas with aggregate resources.</p> <ul style="list-style-type: none"> • Content requirement for Water Report should spell out and include criteria for when a water budget is required. E.g., applications proposing below water extraction should always require a water budget. Water budgets should include the full extent of the proposed excavation and use best available modelling techniques for a comprehensive and up to date assessment. A Technical Guideline for Water Budget analysis is required and this guideline should be included by reference in the Standards. • GRCA supports the proposal that a qualified person to prepare a water report must be a P.Geo or P.Eng. However, the impact analysis of the application in relation to water and natural features will require a qualified person in ecology as well. • GRCA supports the identification of source protection vulnerable areas and activities and how source protection plans and policies are addressed. In addition, Water Report requirements should include an assessment of potential impacts to sources of drinking water, in particular for proposed below water extraction (e.g., breaching of aquitard), and propose any necessary measures to prevent, where possible, mitigate, or remediate any negative impacts. • The standards should include the identification of the presence of an aquitard to a municipal drinking water supply on or near the site and a detailed assessment on how the application will avoid any impacts to the aquitard.
1.1.3 Natural Environment Report	<ul style="list-style-type: none"> • GRCA is concerned that only ‘significant’ features need to be identified and assessed. For proposed sites in Southern Ontario, all natural heritage features (e.g., all wetlands including unevaluated wetlands) should be identified and assessed as part of the Natural Environment Report. • It is unclear how the Natural Environment Report will align with the PPS and the four Provincial Plans. Requirements that are the same as other provincial plans that are related to Water or the Natural Environment Report should be included in the revised Provincial Standards.
1.1.6 Summary Statement	<ul style="list-style-type: none"> • It is unclear what planning and land use considerations will be included in the summary statement and how they will be addressed should they not align. • If a new pit or quarry application creates a new Significant Drinking Water Threat under the Clean Water Act, this information and how it

	<p>will be addressed should be included in the Summary Statement.</p> <ul style="list-style-type: none"> • Site plans for existing sites should be updated to include the same information as required in the Summary Statement for new sites. This should include the identification of Significant Drinking Water Threats under the Clean Water Act and how they will be addressed.
Part 1.2: Site Plan and Licence/Permit Conditions	
1.2.1 Site Plan Standards – Improving Flexibility	<ul style="list-style-type: none"> • In addition to setbacks, listed items (e.g., scrap storage area) should still be required to not be located within natural features
1.2.2 Site Plan Standards – Modernization	<ul style="list-style-type: none"> • If a new pit or quarry imports excess soil to facilitate rehabilitation on site and is located within a Wellhead Protection Area A or B, the standard will need to specify that excess soil importation must be ‘clean’ fill. This may require a reference to a specific Table or MECP criteria in the standards.
1.2.4 Prescribed Licence and Permit Conditions (New Sites)	<ul style="list-style-type: none"> • Monitoring, threshold exceedance actions and notification requirements should be included as a mandatory condition for new licences and permits.
Part 1.3: Notification and Consultation Requirements	
1.3.2 Notification and Consultation Process	<ul style="list-style-type: none"> • Pre-consultation should be a mandatory requirement for all new applications to ensure the applicant and agencies (province, municipalities, conservation authorities) can discuss the proposed extraction activities and ensure the application will be complete when submitted (see comments above).
1.3.3 Objection Process on Private Land	<ul style="list-style-type: none"> • Only the Ministry of Natural Resources and Forestry may refer outstanding objections to the Local Planning and Appeal Tribunal (LPAT). Persons and agencies (e.g. conservation authorities and municipalities) should be given the right to appeal the Ministry’s decision to the LPAT if their concerns, e.g., protecting the natural environment or municipal drinking water sources, have not been adequately addressed through the application process.
1.3.4 Circulating New Applications to Agencies	<ul style="list-style-type: none"> • Proposal includes circulation to conservation authorities for them to determine whether the application has the potential to impact the control of flooding, erosion or other natural hazards. Under agreements with municipalities, conservation authorities may also provide further comments to a municipality for their consideration. Conservation authorities may also be adjacent landowners or provide comments as a watershed management agency; e.g. cumulative effects within a basin or subwatershed. • Conservation authorities, in their capacity as a source protection authority, should also comment on any potential impact to sources of municipal drinking water, given that the protection of sources of drinking water has been included as a mandatory program under the Conservation Authorities Act.

Section 2 – Prescribed Rules for Minor Excavations	
Part 2.1: Excavation from Private Land or Land Owned by a Farm Business	
	<ul style="list-style-type: none"> The Ministry is proposing that private land owners and farm operations be allowed to extract aggregates if they meet certain rules set out in regulation. Among other requirements, aggregate extraction would not be allowed in a Wellhead Protection Area (WHPA) A and B. To strengthen the protection of municipal drinking water sources, <u>all</u> aggregate extraction activities should be prohibited in a WHPA A and B.
Section 3 – Proposed Changes to How New and Existing Sites are Managed and Operated	
Part 3.1: Operating Requirements for All Sites (New and Existing)	
3.1.2 Dust	<ul style="list-style-type: none"> The proposal would require all licence holders to mitigate dust to prevent it from leaving the site. Dust suppressants are often chloride based. The application of these chemicals would result in chloride leaching into the ground, recharging water supply aquifers, and increasing chloride levels in private and municipal supply wells. Where dust suppression is required at aggregate sites located within source water protection areas, chloride based dust suppressants should be prohibited.
Part 3.3: Site Plan Amendments	
3.3.1 Site Plan Amendment Process	<ul style="list-style-type: none"> Site plan amendments should also be able to be initiated by the Province, in cases where new information becomes available. The Province should have the ability to require the licensee or permit holder to complete technical studies to address new information. For example, for existing licence or permit holder that never had any technical reports, i.e., dormant or inactive licenses (for a number of years) or very old licences/permits or where the technical reports are outdated, the Province should have the ability to require new technical assessments to address changing and new information. To prevent licences/permits from getting outdated, licenses/permits should have expiry dates. Renewal periods could be up to 10 years similar to PTTW, ensuring site plans reflect changing environmental and regulatory conditions.
3.3.3 Amendment to Expand on Existing Site Below the Water Table	<ul style="list-style-type: none"> Supplemental report to widen existing below water extraction area should only be allowed for limited widening of area, e.g. widening into road allowance. Larger scale widening should be considered the same as a new application. Clarification on what is intended by the term ‘widening’ is needed, i.e. should not include adjacent private lands. There should be no exemption to preparing a Natural Environment Report as expanding extraction to below the water table may impact natural features and their function, e.g., fish habitat impact; items that are likely addressed in the Natural Environment Report.

	<ul style="list-style-type: none"> • It is unclear what happens after the two (2) year period when the applicant submits documentation. Other than - the Ministry may refer outstanding objections to the Local Planning and Appeal Tribunal (LPAT), the proposal is silent on how and when the Ministry will make a decision on the site plan amendment, the role of Ministry staff and criteria for referring outstanding objections to the LPAT. • The proposal is also unclear whether the reference to the LPAT removes the Environmental Tribunal approval role.
General Comments	
<p>Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (ERO#019-1303)</p>	<ul style="list-style-type: none"> • It is anticipated that the general concepts outlined in the consultation paper will be incorporated into draft Provincial Standards. As a next step the province is encouraged to provide the proposed draft Provincial Standards as they would appear in provincial documents for public consultation. This would provide an opportunity for a comprehensive review to determine if there are components of the standards that need clarification to achieve the desired result of a streamlined review process that also protects the natural environment. It is clear that Technical Guidelines are necessary components of the ARA process and should be updated or created in several areas. • Several municipalities and conservation authorities have developed technical guidelines that could be accessed and modified as required to accelerate the development of MNRF technical guidelines for ARA applications.

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

REPORT NO. SPC-20-04-15

DATE: April 30, 2020

TO: Members of the Lake Erie Region Source Protection Committee

SUBJECT: Lake Erie Region Source Protection Program – Past and Future Outlook

RECOMMENDATION:

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-15 – Lake Erie Region Source Protection Program – Past and Future Outlook – for information.

REPORT:

This report summarizes the provincial source protection funding, staffing and budget allocations for the Lake Erie Region Source Protection Program over the last seven (7) years and attempts to provide an outlook for the program for the next five (5) years.

The Past Seven Years (2013 – 2020)

Figure 1 shows the source protection staffing contingent (in FTEs) for the previous seven (7) provincial fiscal years, based on the approved provincial funding agreements. The FTEs for the upcoming 2020-21 fiscal year are based on the proposed staffing levels as per the draft work plan submitted to the MECP in November 2019.

- Figures represent approved staffing budgets and FTEs as per the funding agreements and proposed 2020-21 workplan. Actual staffing efforts may have differed.
- 2014-15: increased work load for preparation, public consultation, and submission of Grand River Source Protection Plan (1.25 FTE for Program Assistant). The Plan was submitted in July 2015 and was approved in November 2015.
- 2017-18: Start of Centre Wellington Tier 3 Water Budget study – hiring of Source Protection Hydrogeologist to support the program.
- Since 2017-18, gradual reduction in technical support staffing given completion of technical work (e.g., Guelph-Guelph/Eramosa Tier 3 water budget study), and anticipated completion of the Centre Wellington Tier 3 water budget study.
- Staff budget allocations for Stewardship (2016-17) and Model Management (2018-19) were one-off opportunities to receive provincial staff funding to support these activities.

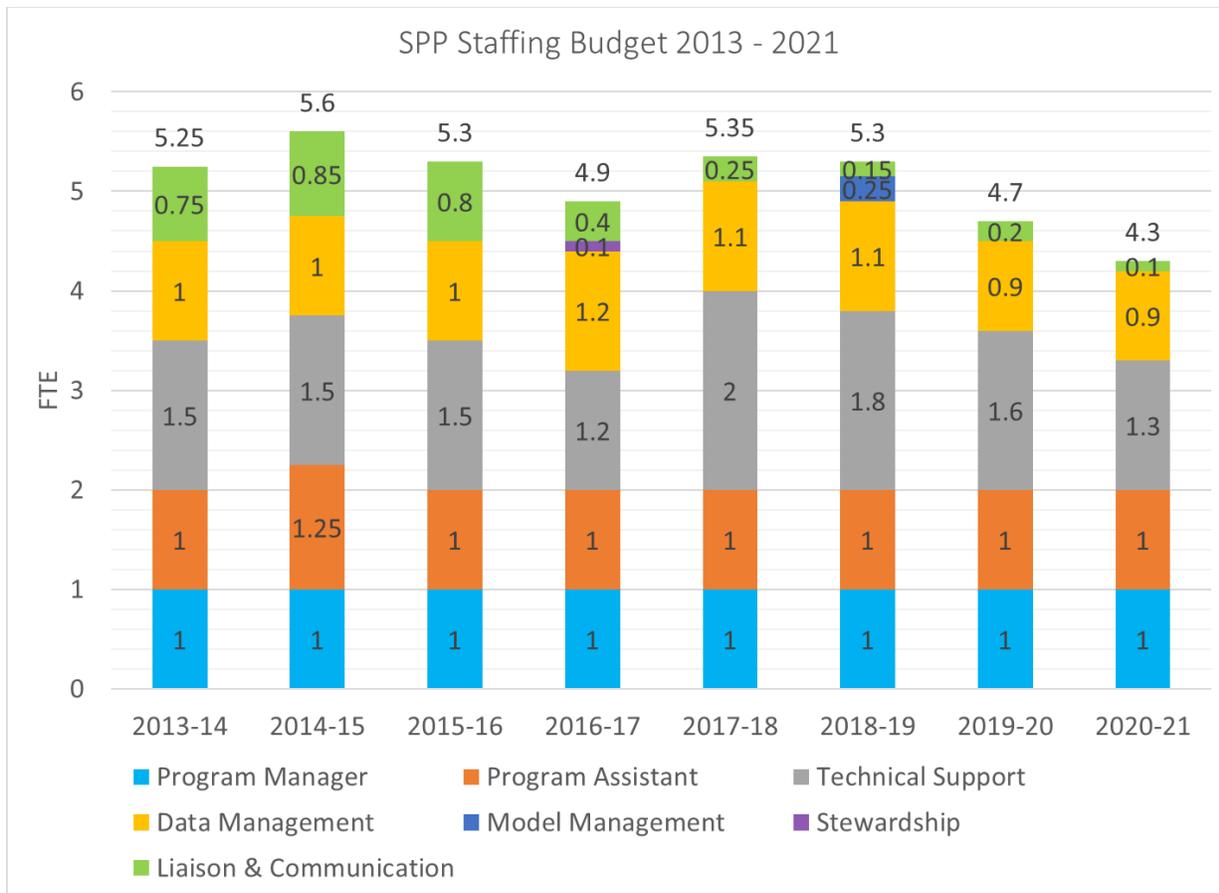


Figure 1: Lake Erie Region Source Protection Staffing Budgets 2013-2021

- Overall gradual reduction in liaison and communication staffing, a result of source protection staff (i.e., Program Manager and Program Assistant) taking a more active role in communication matters (including issue management and website maintenance), and a reduction in staffing levels for liaison and communication for Partner CAs over time.
- Of note is also the gradual increased centralization of source protection staffing at GRCA, with fewer staffing resources allocated to Partner CAs (Long Point Region, Catfish Creek, Kettle Creek) over time. **Figure 2** shows the staffing allocations in the Lake Erie Region. Partner CA staffing allocations includes technical support for the Long Point Region CA and liaison/communication for all Partner CA General Managers.

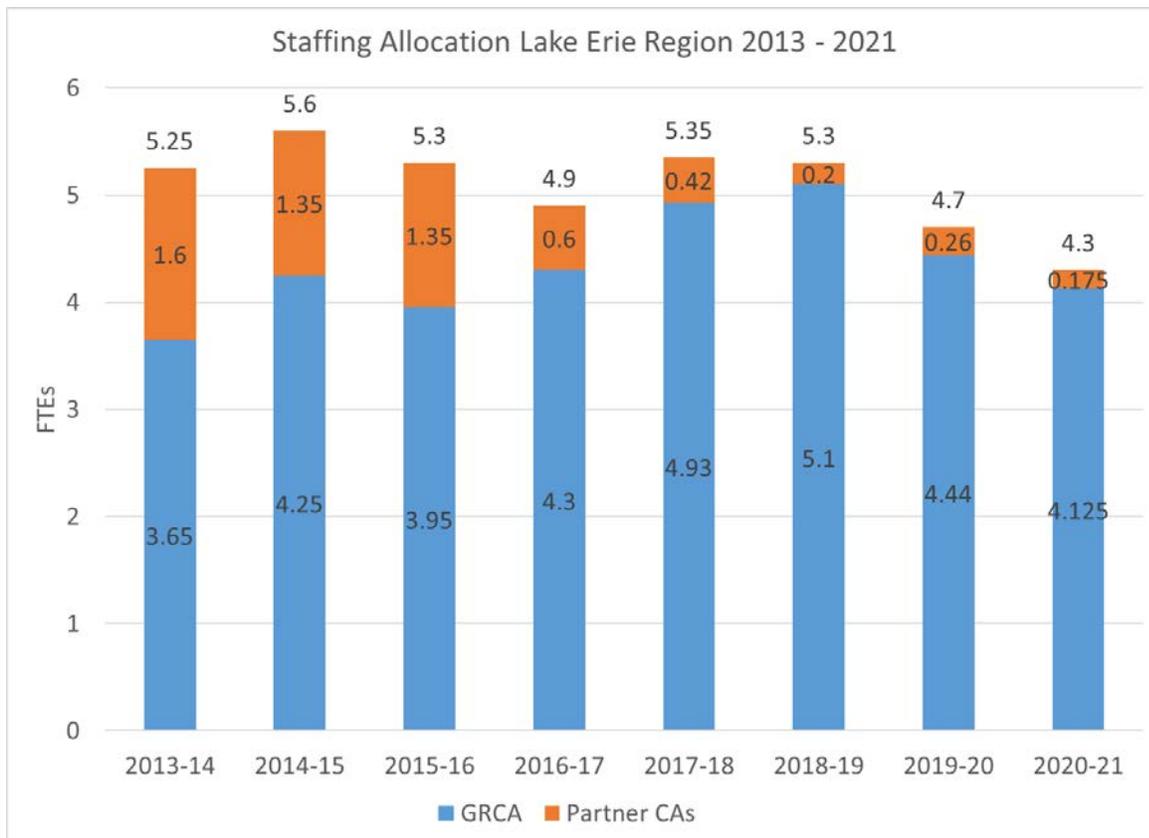


Figure 2: Staffing Allocations in Lake Erie Region 2013-2021

Figure 3 shows the provincial project budgets for technical work in the Lake Erie Region, including Watershed Science (e.g., Wellhead Protection Area (WHPA) delineation and updates), Water Budget studies, and Model Management, as per the funding agreements, and as per the 2020-21 proposed work plan. Please note that budgets in some cases were underspent and funds deferred to the next fiscal.

- The bulk of the technical project budgets in the last seven (7) years related to water budget studies, including Long Point Region (Simcoe), Whitemans Creek, Region of Waterloo, Guelph-Guelph/Eramosa, and Centre Wellington. These studies are now either complete or are close to being completed.
- Technical studies also included completion (2013-2015) and updates (2017-2019) to existing WHPAs and delineation of new WHPAs. In **Figure 3**, these are identified as Watershed Science studies.
- With the approval of the Long Point Region and Grand River Source Protection Plans in November 2015 all required work from the first round of planning has been completed, except water quantity policy development for the Guelph-Guelph/Eramosa area and Center Wellington.

- While historically the Province funded source protection technical studies, the owners of the drinking water systems, i.e., municipalities, are now responsible for undertaking and funding any technical studies required under the Clean Water Act. The Province has committed to funding the completion of the outstanding water budget studies.

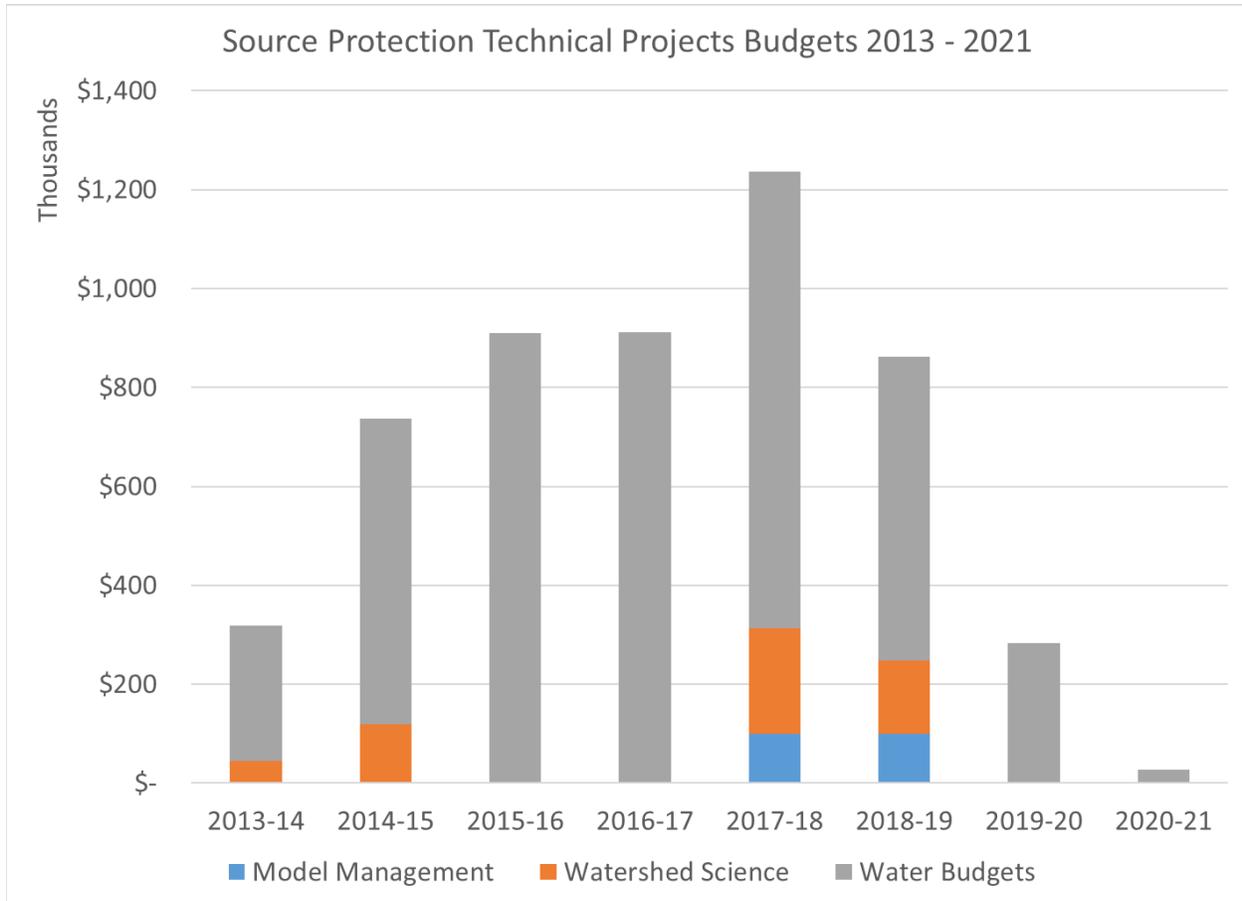


Figure 3: Source Protection Technical Projects Budgets 2013-2021

Figure 4 shows the provincial funding support for program maintenance, including Source Protection Committee (SPC) operation and maintenance. Increased costs in the 2014 to 2016 timeframe relate to provincial funding for the Lake Erie Source Protection Region website renewal (in conjunction with the renewal of the GRCA website), increased costs related to the preparation and submission of the Grand River Source Protection Plan in July 2015, and one time support for program implementation and preparedness, in particular information management system integration for annual progress reporting. SPC maintenance and operations costs have been fairly stable and are mostly committee members’ per diems and travel costs. More recent reductions in the budgets for SPC Maintenance and Operation relate to fewer SPC meetings being budgeted than before and meeting hospitality costs no longer being eligible. Actual committee meeting frequency has remained at approximately quarterly meetings. In response to increased provincial pressure to reduce travel budgets, more staff meetings are conducted as teleconferences.

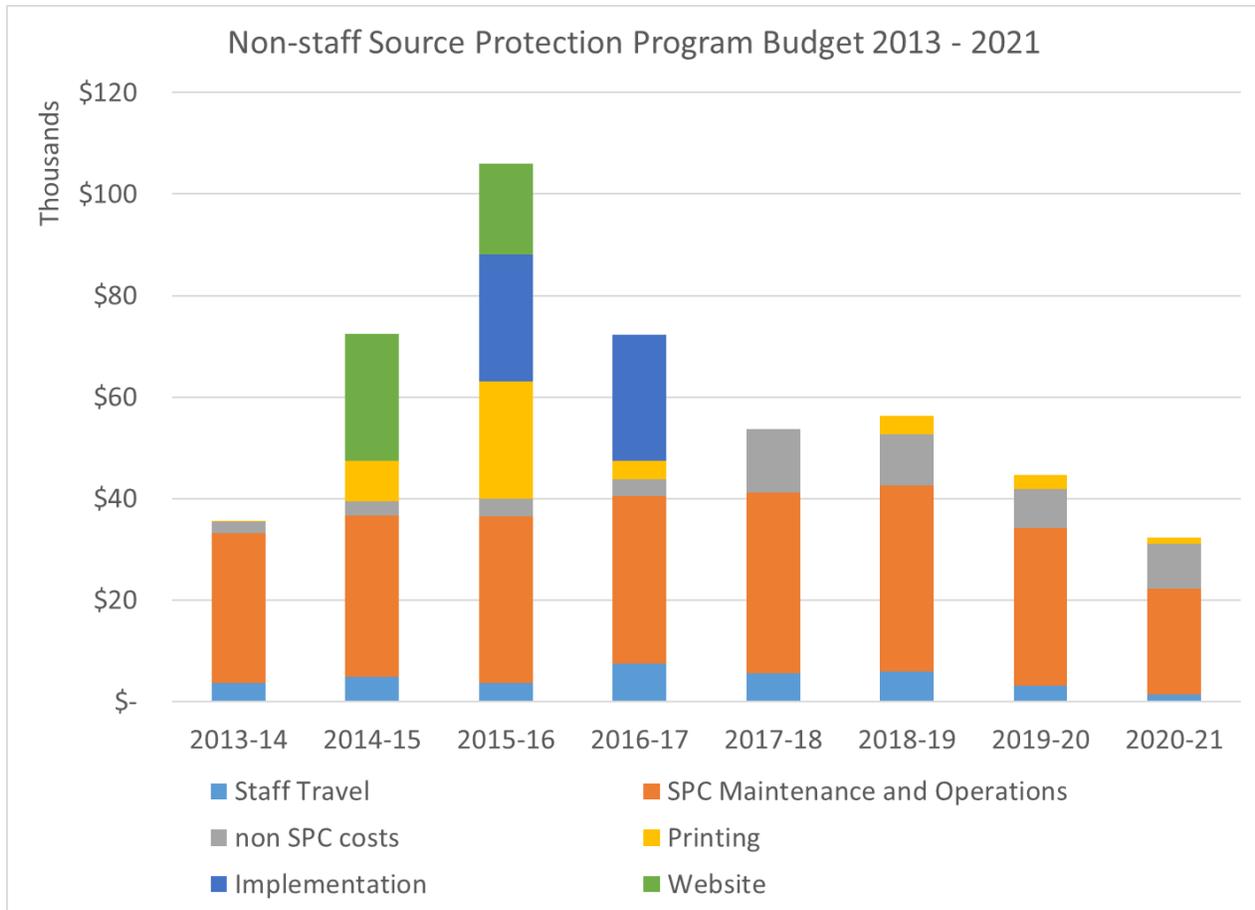


Figure 4: Non-staff Source Protection Program Budget 2013-2021

Overall, staffing levels for the Lake Erie Region Source Protection Program can be broken down and depend on staffing resources needed for the following program activities:

- Program administration and coordination (e.g., S.34 and S.36 plan updates including pre-and public consultation, annual progress reporting, budgeting and financial reporting, record retention)
- SPC maintenance and operation (e.g., administrative and technical support for SPC, meeting coordination, member renewal)
- Technical studies administered and reviewed (e.g., administration of projects, technical report reviews, S.48 Notices (denoting technical work is complete for the purpose of identifying amendments to the Assessment Report and Source Protection Plan), write up and revisions of Assessment Report)
- Policy development, review and revisions, collaboratively with municipalities and other implementing bodies
- Data management (e.g., mapping, data availability and accessibility, annual progress reporting, model management)
- Program implementation support (e.g., facilitation of discussions and interactions with partner municipalities in Lake Erie Region, working group meetings, also presentations to municipal councils and committees)

Some of the program activities are ongoing and/or re-occurring, such as program administration and coordination, SPC maintenance and operation, and program implementation support. Most program activities are legislated requirements and are more difficult to change. Others, such as program implementation support and model management are examples of activities that make the program more successful, but are not legislated activities.

With municipalities now fully responsible for undertaking (and funding) source protection technical work, conservation authority source protection technical staff no longer need to procure, oversee, and administer technical projects. The focus remains on technical report review, issuance of S.48 Notices to municipalities, and revisions and write up of updates of the Assessment Report.

Outlook for the next five years (2020 – 2025)

Figure 5 shows a five-year program outlook for the Lake Erie Source Protection Region. The outlook assumes no change in the legislated and regulated framework under the Clean Water Act, i.e., the same legislated requirements as today, and includes support for providing non-legislated program activities such as plan implementation support to municipalities. The outlook also assumes no change in size and frequency of SPC meetings. With these assumptions, staffing levels needed to provide ongoing and re-occurring program activities are likely similar to current proposed 2020/21 staffing levels.

The staffing requirements for technical work is highly dependent on the number and complexities of Source Protection Plan updates. These updates are a result of municipalities responding to changes on the landscape as a result of growth and development and expanding their drinking water system infrastructure (e.g., new wells or updated WHPAs as a result of increased pumping rates). Plan updates are also initiated because of new technical information becoming available and policy revisions.

The Grand River watershed largely lies just outside the existing Greenbelt Area and for the most part is within the Greater Golden Horseshoe Growth Plan Area. As such, we can expect continued growth pressure in the Grand River watershed, and to a lesser extent in the Long Point Region watershed. This will likely result in ongoing technical projects and revisions to the Source Protection Plans for these two watersheds, as municipalities respond to increased water demands resulting from growth and development. Changes to the Kettle Creek and Catfish Creek Source Protection Plans are likely far less frequent.

Staff have reasonable information about source protection technical work required for 2020 and into 2021; however, information about future municipal technical work is more uncertain and currently likely incomplete. As outlined above, given the growth pressures in the Grand River watershed in particular, staffing levels required for technical support are likely similar to the current proposed 2020-21 staffing levels in the foreseeable future.

Ongoing Program Activities:

2020 2021 2022 2023 2024 2025

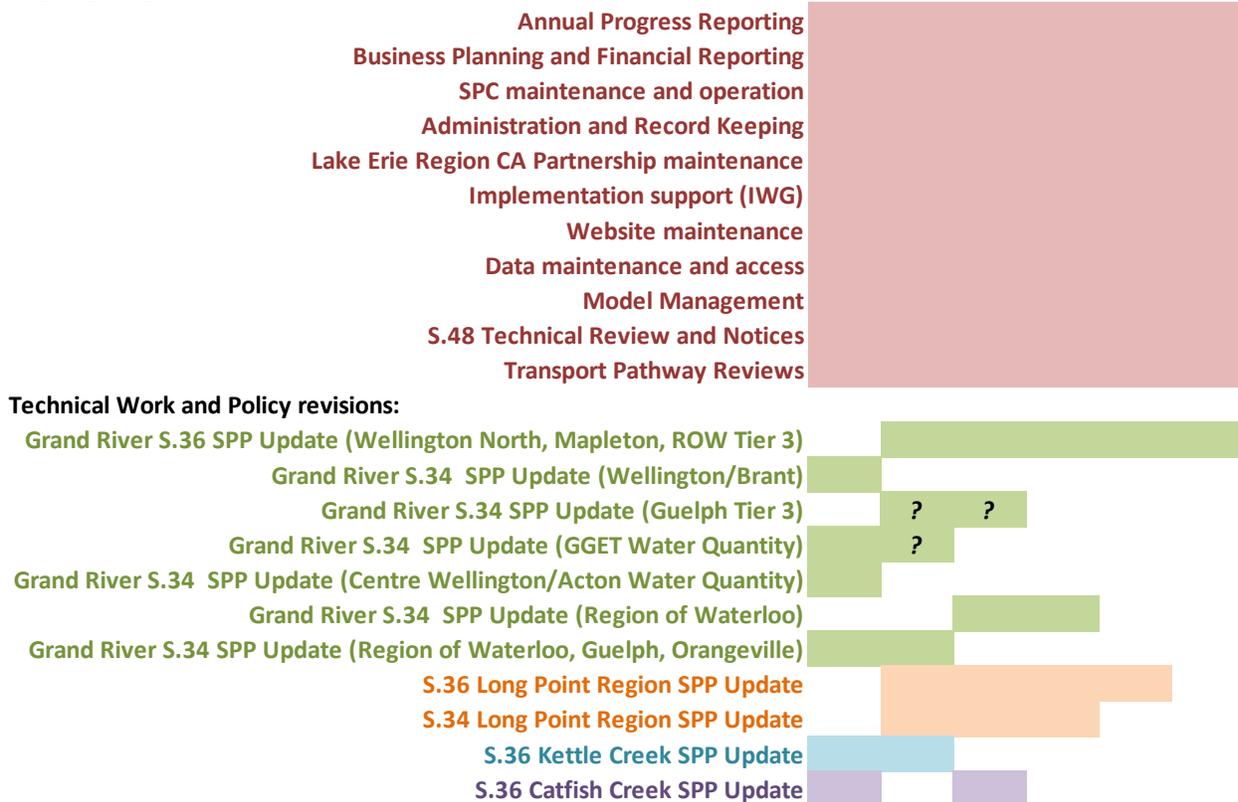


Figure 5: Lake Erie Source Protection Region: Five-Year Program Outlook

In summary, overall staffing required to provide source protection program deliverables at the current level are expected to be close to the currently proposed staffing contingent for the 2020-21 fiscal year. In other words, the proposed 2020-21 staffing levels are likely close to reflecting a mature program that requires maintenance and regular plan updates to ensure relevancy and decision making based on best science. As more information becomes available, this program outlook can be revised and updated.

Financial implications

With the exception of source protection technical work that is a drinking water system owner (municipal) responsibility, the Source Protection Program is currently funded in full by the Province. Recent Conservation Authority Act changes have opened the door to the program being funded through municipal levies. There are currently no indications that provincial funding for the program is changing. Negotiations for the 2020-21 funding agreement with the Province are underway

Prepared by:

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Approved by:

Martin Keller, M. Sc.
Source Protection Program Manager

Ilona Feldmann

Subject: RE: Provincial Water Policy Review - Request for Reports

From: Peter Rider <Peter.Rider@guelph.ca>

Sent: February-28-20 10:00 AM

To: Brodie-Brown, Heather (MECP) <Heather.Brodie-Brown@ontario.ca>

Cc: Dave Belanger <Dave.Belanger@guelph.ca>; Wayne Galliher <Wayne.Galliher@guelph.ca>; Emily Stahl <Emily.Stahl@guelph.ca>; Scott Cousins <scott.cousins@guelph.ca>; mkeller@grandriver.ca

Subject: Provincial Water Policy Review - Request for Reports

Importance: High

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Hi Heather:

The City of Guelph is formally requesting MECP to provide copies of the four reports prepared by BluMetric Environmental Inc. as part of the MECP's Water Quantity Management Framework. This request is made under the authority of Section 87 (Obligations of Others) of the Clean Water Act.

The reports are requested to assist the City in the preparation of its Source Protection Plan and the development of water quantity policies. The four technical/scientific reports are as referenced in the MECP's RFB # 6792 - Assessment of Water Resources to Support a Review of Ontario's Water Quantity Management Framework, Attachment #3 – The Deliverables and include the following:

- The Science Review Report;
- The Jurisdictional Review Report;
- The Evaluation Report; and
- The Water Quantity Study Areas Report.

The Water Quantity Study Areas Report is particularly relevant to the City's development of water quantity policies since Guelph was designated as a Water Quantity Study Area. Guelph Water Services staff contributed to the WQSA Report by providing technical reports and information as well as attending the Water Quantity Manager's Workshop. As the primary water taker in the Guelph WQSA, Guelph has a vested interest in the results and conclusions of the reports from the Water Quantity Management Framework.

As we are currently in the latter stages of the policy development process, please provide the reports as soon as possible and kindly advise us as to when the City will receive the requested reports.

Thank you, in advance, for your cooperation.

Best regards,

Peter G. Rider, P. Geo., RMO,
Program Manager, Source Water Protection
Water Services Division, **Environmental Services Department**
City of Guelph
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peter.rider@guelph.ca



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LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: December 12, 2019
Time: 1:00 pm
Location: Auditorium
Grand River Conservation Authority
400 Clyde Road, Box 729
Cambridge, ON N1R 5W6

Chair W. Wright-Cascaden
Members Present C. Banting, C. Barberry, W. Bomberry, A. Dale, L. Dickson, P. Emerson, E. Hodgins, K. Hunsberger, C. Jamieson, J. Kirchin, R. Krueger, T. Nevills, L. Perrin, J. Sepulis, B. Strauss, R. Taylor, M. Wales
Members Absent A. Henry, I. Macdonald, S. Schneider, P. Rider, B. Ungar, P. Wilson
Liaisons T. Pesheva, E. Forrest (Provincial Liaison)
Staff I. Feldmann, E. Hayman, M. Keller, S. Lawson, S. Strynatka

1. Call to Order

W. Wright-Cascaden called the meeting to order at 1:02pm.

2. Roll Call and Certification of Quorum – 17 Members Constitute a Quorum (2/3 of Members plus Chair)

The Recording Secretary called the roll and certified a quorum with 21 members present.

3. Chair's Remarks

W. Wright-Cascaden introduced Six Nations representative, Weylin Bomberry, and Provincial Liaison, Tea Pesheva, to the committee. W. Wright-Cascaden also shared that work to develop Guelph-Guelph/Eramosa water quantity policies is ongoing.

4. Review of Agenda

Res. No. 39-19
Moved By B. Strauss
Seconded By M. Wales

THAT the agenda of December 12, 2019 be approved as distributed.

Carried

5. Declarations of Pecuniary Interest

There were no declarations of pecuniary interests made in relation to the matters to be dealt with.

6. Minutes of the Previous Meeting

Res. No. 40-19
Moved By R. Krueger
Seconded By L. Perrin

THAT the minutes of the previous meeting on October 3, 2019 be approved as circulated.

Carried

7. Hearing of Delegations

None

8. Presentations

None

9. Correspondence

None

10. Reports

10.1 SPC-19-12-01 Source Protection Program Update

M. Keller presented report SPC-19-12-01. P. Emerson asked for clarification regarding proposed Phase II Technical Rule restrictions for local threats. M. Keller provided a local threat example: rehabilitation activities at an aggregate operation that allows ponding of water, and further explained how fuel pipelines, once considered a local threat, have recently been changed to a prescribed threat. It is an approach that allows SPCs to identify any activity on that landscape that is locally relevant. Source protection committees can apply to the Ministry to have a local threat added so that source protection plan polices can be written.

The Ministry's recent proposal under the Phase II Technical Rules Project is that anything already regulated by provincial or federal regulation, cannot be a local threat. P. Emerson asked if the proposal is a good thing. M. Keller commented that a restriction is black and white but some threats may not be adequately addressed through existing provincial or federal regulations.

B. Forrest shared that the Province would not stop SPCs from submitting a local threat request - the question is whether the request would be approved or not. B. Forrest added that early engagement and public consultation comments on the

proposed changes to the Director's Technical Rules would be factored in to the final approval.

Res. No. 41-19

Moved By A. Dale

Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-01 – Source Protection Program Update – for information.

Carried

10.2 SPC-19-12-02 Winter Maintenance Chemicals: Challenges and Opportunities for Change

M. Keller presented report SPC-19-12-02. L. Perrin asked if it would be advantageous to add the phrase, "chloride-based winter maintenance chemicals". M. Keller replied that it could be considered. T. Nevills questioned if sanding units had the technology to adjust the rate of application. M. Keller responded that the technology is available; however, the issue is likely capacity for certain municipalities and the over-arching issue of liability. T. Nevills felt that technology could help municipalities apply the correct amount of salt. L. Perrin commented that the technology is available to adjust the amount of salt applied but that the main driver is still liability. L. Perrin suggested that concerned bodies should urge the Province to re-evaluate the issue of liability - that will assist municipalities to reduce the amount of salt applied; E. Hodgins agreed with L. Perrin's comments.

E. Hodgins reported that the Region of Waterloo has been able to reduce the amount of salt applied by 25% using the latest technology. It will be challenging to reduce another 25% under the current liability framework. E. Hodgins reviewed some of the liability differences between roads and parking lots.

C. Jamieson shared that she is a member of a number of Great Lakes committees and groups, and shared that the topic of salt over-application is being discussed and that the recommendations presented in report SPC-19-12-02 tie into those discussions.

A. Dale added that this topic has been on the agenda of the Lake Erie Region Implementation Working Group (IWG) a number of times, and thanked the authors of report SPC-19-12-02.

L. Dickson commented that liability will not change because public expectations will not change. L. Dickson noticed very little on the topic of public education and awareness in the report.

J. Sepulis suggested that the report could include a recommendation to ask the Province request that the federal government update the Environment and Climate Change Canada Code of Practice for the Environmental Management of Road Salts. M. Keller replied that the report could include such a recommendation. E. Hodgins agreed, and added that the federal government conducts five-year reviews. E. Hodgins emphasized that the root of the problem is that Risk Management officials cannot tell, for example, a private contractor, how much salt he or she can apply. Businesses respond to legislation, not Best Management Practices. E. Hodgins proposed that the report include a recommendation that directs Lake Erie Region staff to forward the report on to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation,

Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario, and also brings the report to the attention of municipalities in Lake Erie Source Protection Region. L. Dickson was supportive of the recommendation. M. Keller drafted two additional SPC recommendations for report SPC-19-12-02 with the Chair's and committee's guidance.

A. Dale shared a story reiterating the importance of public awareness. R. Taylor commented that municipalities could promote the issue of over-application of salt on social media. E. Hodgins shared that the Region of Waterloo has a lot of education and outreach material on their website and have implemented a number of public education initiatives; however, the public may be less inclined to listen to messages that come from a municipality. W. Wright-Cascaden suggested that one of the new recommendations could include a phrase about education and outreach options. L Perrin proposed that the SPC could re-purpose the Region of Waterloo's education and outreach material so that the message comes from the SPC rather than the municipality.

R. Taylor suggested that the new SPC recommendations include that the report be sent to the Association of Municipalities of Ontario and Rural Ontario Municipal Association, for support. J. Sepulis suggested that the Ontario Good Roads Association also be added to the recommendation.

Res. No. 42-19

Moved By L. Perrin

Seconded By R. Taylor

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-02 – Winter Maintenance Chemicals: Challenges and Opportunities for Change – for information.

AND THAT the Lake Erie Region Source Protection Committee receives the Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals for consideration and action.

AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario, for their consideration and action of the outlined recommendations regarding changes to the liability framework, increased requirements for winter maintenance of parking lots and changes to the Clean Water Act, 2006 framework to proactively protect municipal drinking water supplies from winter maintenance activities.

AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Councils of the single, upper and lower-tier municipalities within the Lake Erie Source Protection Region, all Source Protection Committees, Ontario Good Roads Association, Association of Municipalities of Ontario, and Rural Ontario Municipal Association, to request resolutions in support of the report's recommended actions and forward the resolutions to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario.

Carried

10.3 SPC-19-12-03 Centre Wellington Tier 3 Water Quantity Risk Assessment Results

S. Strynatka presented report SPC-19-12-03. P. Emerson left the meeting at 2:45pm.

Res. No. 43-19
Moved By B. Strauss
Seconded By M. Wales

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-03 – Centre Wellington Tier 3 Water Quantity Risk Assessment Results – for information.

Carried

10.4 SPC-19-12-04 S.34 Draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan

E. Hayman presented report SPC-19-12-04. J. Sepulis shared that the Wellington chapter of the Grand River Source Protection Plan included committee comments on the DNAPL 25 L threshold, and that the Wellington County Risk Management Official (RMO) addressed the comments as part of the pre-consultation period.

Res. No. 44-19
Moved By R. Krueger
Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-04 – S.34 Draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan – for information;

AND THAT the Lake Erie Region Source Protection Committee direct staff to release the draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan for a 45-day public consultation period from January 13 to February 26, 2020.

Carried

10.5 SPC-19-12-05 S.34 Revised Updated “Otterville” Long Point Region Assessment Report and Source Protection Plan

E. Hayman presented report SPC-19-12-05. A. Dale shared that there is currently a subdivision proposal for the southern end of the village of Otterville, and is hopeful that the change of land use from agricultural to residential will decrease nitrate levels.

Res. No. 45-19
Moved By Ryan Taylor
Seconded By L. Perrin

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-05 – S.34 Revised Updated “Otterville” Long Point Region Assessment Report and Source Protection Plan – for information;

AND THAT the Lake Erie Region Source Protection Committee releases the revised Updated "Otterville" Long Point Region Assessment Report and Source Protection Plan to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with the municipal council resolutions endorsing the changes, and the comments as presented in this report.

Carried

11. Business Arising from Previous Meetings

There was no business arising from the minutes of the previous meeting.

11.1 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.

No update provided.

12. Other Business

12.1 Question and Answer Period

13. Closed Meeting

Not applicable

14. Next SPC Meeting

April 2, 2020 at 1:00pm, Grand River Conservation Authority, 400 Clyde Road, Cambridge ON

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of December 12, 2019 adjourned at 3:04pm.

Res. No. 45-19

Moved By B. Strauss

Seconded By L. Perrin

THAT the Lake Erie Source Protection Committee meeting of December 12, 2019 be adjourned.

Carried

Chair

Recording Secretary