

Name of Municipality: Regional Municipality of Durham_
Name of SPA(s) submitted to: Lake Simcoe and Couchiching/Black River Source Protection Authority
Staff Contact: Greg Lymer, Durham Region Risk Management Official
Submitted by: Greg Lymer, Durham Region Risk Management Official
Date Submitted: January 29, 2016

Note: This template is being provided to satisfy the Annual Reporting Requirements of the South Georgian Bay Lake Simcoe Source Protection Plan that came into effect on July 1, 2015. For those in multiple Source Protection Regions, it is recommended that you check in with them for additional reporting requirements.

1. INTRODUCTION

This annual report is provided in accordance with s. 81 of the *Clean Water Act, 2006*. It outlines the activities undertaken by the Regional Municipality of Durham in 2015 that were required by legislation (staff appointments and training), as well as a summary of progress to date in implementing the Source Protection Plan.

2. RISK MANAGEMENT OFFICIAL AND INSPECTORS

Please only complete this section if the requested information has been updated since last year, or if you have new information to add that has not previously been submitted to the SPA.

1) Provide name (s) and contact information of appointed RMOs and RMIs.

Certificates of Appointments were issued by the Regional Clerk to appoint a Risk Management Official, an alternate Risk Management Official and (__2__) Risk Management Inspectors, see table below. Certificates of appointment were issued to each RMO and RMI by the Municipal Clerk.

<i>Staff Name</i>	<i>Title/ Role</i>	<i>Contact Email</i>
Greg Lymer	Risk Management Official	Greg.Lymer@durham.ca
Beata Golas	Risk Management Official	Beata.Golas@durham.ca
Tavis Nimmo	Risk Management Inspector	Tavis.Nimmo@durham.ca
Colin Hall	Risk Management Inspector	Colin.Hall@durham.ca

3. ONTARIO REGULATION 287/07 REQUIRED TRAINING

Please only complete this section if the requested information has been updated since last year, or if you have new information to add that has not previously been submitted to the SPA.

1) Provide name (s)of RMOs and RMIs who have completed the Part IV and S. 88 training courses.

The Risk Management Officials and Risk Management Inspectors have completed Director-approved training courses as per Ontario Regulation 287/07 under the *Clean Water Act, 2006*; as shown below:

<i>Staff Name</i>	<i>RMO/RMI Training Date Year/ month/ day</i>	<i>Property Entry Training Date Year/ month/ day</i>

4. RISK MANAGEMENT OFFICE

Given that the overwhelming majority of RMOs are just beginning to undertake the development of the RMPs with the person engaged in the threat activity, and as a result, the majority of the values presented in section 81 and 46 will be zero. Please provide a high level overview of the work the Risk Management Office undertook in 2015 by answering the following questions.

1. Provide a summary of the RMO and program actions undertaken/ completed in 2015.

- Templates and work processes for Section 59 applications have been developed and distributed to area municipalities. Section 59 template notices have been developed for prohibition, requirement of a risk management plan and applications with no significant drinking water threats.
- Templates for risk management plans including risk management measures documents for some threat categories have been developed. Risk management plans were developed consulting best management practices documents such as OMAFRA documents and OFEC Farm Source Water Protection documents and TSSA regulations.
- The required by-law amendment was completed in December 2015. The amendment included provisions to meet the policy requirements of SEWG(c)-3
- Attended several meetings with area municipalities to review procedures for Section 59 and water quantity threats within the WHPA Q1/Q2 area.
- All WHPAs within Durham will be input into the Nottawasaga Valley Conservation Authority's Risk Management Officials Database and staff will store, update and track information using this online tool.
- Durham participated as a collaboration partner with Scugog, Uxbridge and Brock Townships for SPMIF funding. The municipalities are currently using the funding for Official Plan and Zoning By-law updates.
- RMO/RMI staff have participated in the SGBLS RMO working group which has led to many collaborative ideas for RMP templates, Section 59 forms and notices as well as education and outreach materials.
- Attended MOECC education and outreach webinars and the agricultural workshop.
- Developed education and outreach materials including banner bugs for public presentations, social media advertisements, fact sheets, newsletter articles and website updates.
- Executed a Part IV enforcement agreement with York Region for cross-boundary threats in the Whitchurch-Stouffville WHPA.

2. No Risk Management Plans have been negotiated in 2015.

3.

SGBLS Source protection region				
Location	Verified # of Significant Drinking Water Threats	Unverified # of Significant Drinking Water Threats	Threats Added From Field Verifications	# of Significant Drinking Water Threats Removed
Cannington	24	12	4	30
Sunderland	1	0	0	5
Uxbridge	3	4	5	11
Total	28	16	9	46

4. Work planned for 2016 includes negotiating risk management plans for industrial commercial and agricultural threats. Staff plan to continue work with the RMO working group, developing additional education and outreach materials and working with local municipalities to refine the Section 59 process.

5. S.81- LEGISLATED ANNUAL REPORTING REQUIREMENTS

Under S.65 (1) of O.Reg 287/07, all RMOs must provide the following information annually under S.81 of the Clean Water Act. This content is mandatory.

- 1) How many Risk Management Plans have been agreed to under s. 58 (5) of the CWA?

Answer: State total number: 0

For each RMP that has been agreed to provide:

The location of the property to which the Risk Management Plan relates

The WHPA or IPZ in which the property is located

The threat activity to which the RMP relates

- 2) How many Risk Management Plans have been established by Order under s.58 (10) of the CWA?

Answer: State total number: 0

For each RMP established by Order provide:

The location of the property to which the Risk Management Plan relates

The WHPA or IPZ in which the property is located

The threat activity to which the RMP relates

- 3) How many Risk management Plans has the RMO established by Order under s.58(12) of the CWA, as a result of an application for a Risk Management Plan made by a person engaged under s. 58(11) of the CWA?

Answer: State total number: 0

For each RMP established under s. 58(12) Order provide:

The location of the property to which the Risk Management Plan relates

The WHPA or IPZ in which the property is located
The threat activity to which the RMP relates

- 4) How many Risk Management Plans has the RMO refused to agree to or establish under ss. 58(16) or 58(15) of the CWA?

Answer: State total number: 0

For each RMP that has been refused under ss 58(16) list:

A brief description of the reasons for refusal

Location of the property to which the refusal relates

WHPA or IPZ where the property is located

Activity to which the RMP relates

- 5) How many Orders has the RMO issued under Part IV of the CWA?

Answer: State total number : 0

For each Order that has been issued provide:

A brief description of the circumstances related to the Order

The location of the property to which the Order relates

The WHPA or IPZ where the property is located

The activity to which the Order relates

- 6) How many notices have been received from a person engaged in an activity, notifying the RMO of their possession/intent to obtain a prescribed instrument under ss.61 (2) & (7) of the CWA.

Answer: State total number : 0

For each notice received provide:

The location of the property to which the notice relates

The WHPA or IPZ where the property is located

The activity to which the notice relates

The type of prescribed instrument if any, referred to in the notice and any information needed to identify the prescribed instrument

- 7) How many notices has the RMO issued under s. 61(6) & (8) of the CWA, notifying a person engaged in a threat activity of the **termination of an exemption** provided under s.61 (1).

Answer: State total number : 0

The location of the property to which the notice relates

The WHPA or IPZ where the property is located

The activity to which the notice relates

The type of prescribed instrument if any, referred to in the notice and reason for termination (e.g. timeline passed, not eligible for PI etc.,)

- 8) How many times was a s.61 (1) exemption granted?

Answer: State total number : 0

The location of the property to which the notice relates

The WHPA or IPZ where the property is located

The activity to which the notice relates

The type of prescribed instrument for which the s. 61(1) exemption was granted

- 9) What is the total number of inspections that were carried out for activities that require a Risk Management Plan under s.58 of the CWA?

Answer: State total number : 0

Indicate the threat activity (ies) for which the inspection pertains to

- 10) Of the inspections carried out for activities requiring a RMP, how many were found to be in non-compliance with the specific contents of the RMP?

Answer: State total number : 0

Indicate the threat activity to which each s.58 non-compliance pertains to

- 11) What is the total number of inspections carried out for activities that were prohibited?

Answer: State total number: 0

Indicate the threat activity: N/A

- 12) Of the number of inspections undertaken in respect to an activity to which s.57 of the Act applied, in how many cases was the person engaged in contravention with s. 57 of the Act?

List number of contraventions with s.57: 0

Provide a description of the circumstances surrounding the contravention: N/A

- 13) How many Risk Assessments have been **submitted, accepted, and not accepted** under s.60 of the CWA.

Answer: State total number for each category (submitted/accepted/not accepted) : 0

For each Risk Assessment that has been submitted provide:

The location of the property to which the Risk Assessment relates

The WHPA or IPZ where the property is located

The activity to which the Risk Assessment relates

- 14) How many times has the RMO caused a thing to be done under s. 64 of the CWA?

Answer: State total number : 0

For each instance that the RMO caused a thing to be done provide:

The location of the property to which the notice under s.64 relates

The WHPA and IPZ where the property is located

The activity to which the notice under s. 64 of the CWA relates

- 15) How many prosecutions have been made under s. 106 of CWA?

Answer: State total number: 0

For each prosecution, please provide a brief description of the related offence.

- 16) How many prosecutions made under s.106 of the CWA have resulted in a conviction?

Answer: State total number : 0

For each conviction provide a brief description of the related offence: N/A

6. SECTION 46 ANNUAL REPORTING REQUIREMENTS

The following questions are being asked by the SPC in support of the Section 46 Annual Reporting Requirements. Please note some of the questions below have been requested by the MOECC. If you have not been recording this information as of yet, please make a note below, and provide us with feedback as to whether or not you will be able to track this information going forward.

1) During inspections, where the RMI found a **significant non-compliance** with the contents of a RMP, indicate the length of time it took to bring the activity back into compliance with the terms of the RMP. An approximation is acceptable.

Answer: N/A

2) During inspections, where the RMI found a major non-compliance with a **section 57 prohibition**, indicate the length of time it took to bring the activity back into compliance with the SPP.

Answer: N/A

3) During inspections, how many times did the RMI come across **new** significant threat activities on site that were previously not addressed through the implementation process? For each newly identified threat, list the threat activity and provide a brief explanation outlining why the new threat had been established (e.g. expanded operations, change in circumstances surrounding threat – now more being stored etc...). Did you take action to respond to the threat, if yes, please provide a brief explanation of the actions that you took.

Answer: State total number: N/A

List newly identified threat activity: N/A

Provide a brief explanation outlining why the new significant threat has been established: N/A

Provide a brief explanation of how you responded to the newly identified threat activity: N/A

4) For persons without existing PIs, applying for an exemption under s.61 (1), how much time overall (from notice of RMP requirement to receipt of statement of conformity) did it take to obtain a confirmation of exemption? Please circle your answer.

Answer: N/A

5) For each RMP that has been agreed to or established, was the person engaged undertaking any risk management measures to address the threat activity **prior** to receiving the notice of RMP requirement? Please circle your response.

Answer: N/A

6) How many times was the RMO unable to issue a s.59 Notice to Proceed? Generally, in those situations where a s. 59 Notice to Proceed could not be issued, provide a brief explanation of the reasons why (i.e. nature of the operation did not allow application to be altered to meet requirements, applicant unwilling to alter etc..)

Answer: state total number: 0

Provide a brief explanation of the reasons why a s. 59 Notice to Proceed could not be issued:
N/A

7) How many existing prohibitions were confirmed on the landscape?

Answer: State total number: One existing prohibited livestock grazing threat is not in operation as identified in the assessment report.

For each instance a prohibited activity was confirmed provide:

The location of the property to which the prohibition relates

The WHPA or IPZ where the property is located

A brief description of how willing the person engaged was too ceasing the prohibited activity:

N/A

7. OPTIONAL OPEN ENDED QUESTIONS TO AID IN A QUALITATIVE ASSESSMENT OF POLICY EFFECTIVENESS

These questions are being asked to support a qualitative assessment of policy effectiveness. Responses to these questions will be collected over a five year period, and incorporated into the five year implementation review. Please respond where applicable to your implementation experiences. We acknowledge that many of the questions will be marked as not applicable for this year, as policy implementation has just begun.

This space has been provided for you to share any implementation successes, failures, frustrations, gaps, or other comments with the Source Protection Committee & Source Protection Authority (ies).

- 1) Generally, in circumstances where a prohibited activity was proposed, how readily available were alternatives to the prohibited activity? How willing was the applicant to alter their application to meet SW requirements. N/A
- 2) Does enforcing a prohibition require more or less work than anticipated? (I.e. would negotiating a RMP have been simpler/ achieved the same result in the end as prohibition?) N/A
- 3) How accepting were people with the requirement to cease a prohibited activity? Were applicants generally open to implementing alternatives or altering their application to satisfy prohibition policy requirements? N/A
- 4) In circumstances where applicants were required to alter their application in order to get a s.59 Notice to Proceed, how many application submissions, on average, were required before a notice could be issued? N/A
- 5) Generally, how often were potential significant threat issues resolved through pre-consultation? N/A
- 6) Generally, how many days on average did it take to negotiate and complete a Risk Management Plan for each of the following sectors: agricultural, industrial, commercial/institutional, municipal (include time spent in meetings, conversations with client, review/sign-off, etc.,) An approximation is acceptable. Suggested Answer format for each sector: N/A
- 7) Generally, how much time overall (from the time you first approached the person engaged, to RMP agreement/establishment) did it take to complete the RMP process? Suggested Answer format: N/A

- 8) In general, with the inclusion of conditions in a s. 59 Notice, were potential moderate or low threat activities created? N/A
- 9) In general, can you identify any loopholes or gaps (either in the tables of circumstances, source protection legislation, source protection plan, or other) that applicants are using to get around the requirements posed by the source protection plan policies? N/A
- 10) For s.59 applications where it was determined that neither s. 57 nor s.58 apply, indicate the most common reasons why : N/A
- 11) Have there been any occasions where processes set up to flag catch the potential creation of a significant drinking water threat have failed? Explain the circumstances of the situation and what you did to correct it. N/A
- 12) Have there been any occasions where the Spills Action Centre had to be notified of a substance being discharged into the raw water supply of an existing municipal drinking water system considered in the Assessment Report under s.89(1) of the Clean Water Act? If yes, please provide a brief description of the circumstances surrounding the incident. Did the party responsible for the drinking water health hazard have a RMP in place? If a RMP was in place, was the party responsible for the drinking water health hazard in compliance with the terms of the agreed upon RMP? N/A
- 13) Were any emerging threat activities observed that could not be addressed through the source water protection program because the activity could not be designated as a significant drinking water threat: N/A

8. Official Plan Amendments

The table below lists a number of tasks that will need to be completed in order to ensure compliance with **the land use planning policies** in the source protection plan and s. 40 and s.42 of the Clean Water Act. Place a checkmark beneath the statement that currently best describes the **development status** of the task listed in the far left column. Use the comment section to add any relevant comments and information.

s. 46 Tasks	Yes	In progress	No	N/A
A Planning lead has been designated/hired as the key contact for the integration of SWP into the Official Plan (this may include hiring a consultant)	✓			
Existing O.P and zoning by-laws have been reviewed and scoped for required changes	✓			
Official Plan and Zoning By-law update discussions are underway		✓		
Action Plan for O.P & zoning by-law updates has been developed (timing of rollout and key milestone identified)		✓		
Template and/or draft O.P and Zoning by-laws have been drafted and circulated internally for comments			✓	

Final draft of OP amendment complete			✓	
All planners have been trained on SWP policies, and upcoming amendments	✓			
OP amendment finalized and ready for inclusion upon next O.P update			✓	

Comments: _____

9. Mandatory Septic Re-Inspection Program

1) Has the municipality determined how many (if any) septic inspections will need to be performed in source protection vulnerable areas?

Yes In progress No

If **yes**, list the number of septic systems that will need to be re-inspected under the Building Code Act.

Uxbridge: 2, Cannington: 18, Sunderland: 1

2) Has a lead authority or contact been designated or hired to coordinate and carry out the septic inspection program in your municipality?

Yes In progress No

If **yes**, please list their contact information below:

Septic Re-inspection Program Lead	
Name	Laura Freeland
Title /Role	Manager, Environmental Health, Chief Building Official
Email	Laura.freeland@durham.ca
Telephone	(905) 723-3818

3) Has the municipality developed an inspection protocol?

Yes In progress No

If **yes**, please briefly describe the inspection protocol below:

A visual inspection is conducted of the subject property, if no issues found, then site is recorded by GPS and entered into a database. If potential malfunction identified, then further investigation is conducted.

4) Are septic inspections underway?

Yes No

If **yes**, what percentage of systems have been inspected to date?

100%

5) Please place a checkmark beside the additional supporting documentation that has been developed as part of the septic inspection program :

- Inspection report templates
- Database to manage inspection information
- Notification materials for landowners subject to septic inspections
- By-laws requiring collection of fees for septic inspection

- 6) Septic inspections triggered under the Building Code will need to be completed by **January 19, 2017**. When do you anticipate having the septic inspections completed?
Septic inspections are complete.

10 (a). New, Altered, or Decommissioned Drinking water Systems (SUNDERLAND)

- 1) Are there any new planned or potential drinking water systems (wells or intakes) within the next five years?

Yes No

If **yes**, describe:

- **Type of system (surface or groundwater):** Groundwater
- **Current planning status:** Class Environmental Assessment (Class EA) to be initiated in 2016 to plan for the new well(s). The new wells will provide additional water supply and security to the system at an alternate location.
- **Location:** Sunderland (Brock Township) Detailed location is not determined
- **Timing for bringing the well online:** 2019

- 2) Has the necessary technical work for the new well/intake/system been completed (e.g. delineation of wellhead protection areas/ intake protection zones and identification of significant drinking water threats)?

Yes No

If **no**, what is the expected completion date of technical work? In conjunction with the EA

10 (b). New, Altered, or Decommissioned Drinking water Systems (UXBRIDGE)

- 1) Are there any new planned or potential drinking water systems (wells or intakes) within the next five years?

Yes No

If **yes**, describe:

- **Type of system (surface or groundwater):** Groundwater, Uxbridge water supply system
- **Current planning status:** Class Environmental Assessment (Class EA) process to be initiated in 2016, to plan for connecting two existing wells to the Uxbridge water supply system
- **Location:** Uxbridge (Township of Uxbridge), 141 Brock Street West, (649892 Easting 4885631 Northing. Lot 31, Concession 6, Geographic Township of Uxbridge

- **Timing for bringing the well online: 2018**

2) Has the necessary technical work for the new well/intake/system been completed (e.g. delineation of wellhead protection areas/ intake protection zones and identification of significant drinking water threats?

Yes No

If no, what is the expected completion date of technical work? In conjunction with the EA

3) Is the municipality planning to decommission an existing well, intake, or system?

Yes No

If **yes**, please list

- Name of system : Cannington Well #6 _____
- Location of system: Cannington _____
- Projected timeline for decommissioning: 2016 _____

4) Please describe any changes to existing levels of any contaminant in the raw water since approval of Assessment Report.

Not applicable

5) Describe the status of any revisions to the Municipal Water Servicing Master Plans and/ or Class EAs to establish new municipal water supplies

No plans as Class EA has not been initiated

Please also find Attachment 1 & 2.

Durham Region is required to report as a Municipality and Planning Approval Authority. These attachments satisfy the monitoring policies of the SGBLS Plan for Municipalities and Planning Approval Authorities.

For further information regarding this report, please contact:

Name: Greg Lymer

Position: RMO

Email/Phone: Greg.Lymer@durham.ca

Signature

Date