South Georgian Bay Lake Simcoe Source Protection Region

Agenda

Source Protection Committee Meeting SPC-02-2024

Thursday, July 11, 2024
1:00 – 4:00 pm
To be held in the Community Room at Innisfil Town Hall at 2101 Innisfil Beach Road

Members

Lynn Dollin, Chair

Municipal

Chris Gerrits, Jeff Hamelin, Scott Lister, Katie Thompson, Michelle Flaherty, Michelle Jakobi

Economic/Development

Colin Elliott, John Hemsted, Amanda Kellett, David Ketcheson, Jessica Neto, Rick Newlove, David Ritchie

Public Sector

Geoff Allen, Peter Dance, Bob Duncanson, Tom Kurtz, Cate Root

First Nations

Vacant

Liaisons

Karen Kivilahti, Simcoe Muskoka District Health Unit (SMDHU)
Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)
Julie Cayley, Severn Sound Environmental Association (SSEA)
Doug Hevenor, Nottawasaga Valley Conservation Authority (NVCA)
Christina Wieder, York Region Public Health Branch
Laura Collings, Ministry of the Environment, Conservation and Parks

Staff

Bill Thompson, LSRCA
Mike Wilson, LSRCA
Mystaya Touw, LSRCA
Kathy Hillis, LSRCA (minutes)
Sarah Thompson, NVCA
Melissa Carruthers, SSEA
Kirsten MacLeod, SSEA

Guests

Shelly Cuddy, Durham Region
Tom Bradley, York Region
Jenee Wallace, SMDHU

Regrets

Stephanie Hobbs, Public Sector - proxy to Peter Dance

1. Welcome and Opening Remarks

2. Acknowledgement of Indigenous Territory

3. Declaration of Pecuniary Interest and Conflict of Interest

4. Approval of the Agenda

Pages 1-6

Recommended: **That** the agenda for the Thursday, July 11, 2024 meeting of the Source Protection Committee be approved as presented.

5. Adoption of Minutes

Pages 7-18

Recommended: **That** the minutes of the Thursday, March 28, 2024 meeting of the Source Protection Committee be approved as circulated.

6. Announcements

a) Chair

b) Mike Wilson – RMP Update

7. Deputations

There are none

8. Presentations

a) A presentation by Mike Wilson, LSRCA, regarding Midhurst Water Budget Update.

Recommended: **That** presentation a) be received for information.

b) A presentation by Bill Thompson with an opening overview of the day.

Recommended: **That** presentation b) be received for information.

c) A presentation by Melissa Carruthers, SSEA, regarding Rope Subdivision IPZ – Vulnerability Score Increase.

Recommended: **That** presentation c) and Staff Report SPC2.1 regarding a vulnerability score increase to the Rope Subdivision Intake Protection Zone be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee endorse the utilization of Directors Technical Rule 95.1 to increase the vulnerability score of Rope Subdivision, and others, from 9-10.

d) A presentation by Bill Thompson, LSRCA, regarding Staff Report SPC2.2 - Grazing and Pasturing of Livestock.

Recommended: **That** presentation d) and Staff Report SPC2.2 regarding Grazing and Pasturing of Livestock be received for information; and

Further That staff be directed to revise policy LSTOCK-1 to allow the management of livestock grazing where it would be a significant drinking water threat (outside a WHPA-A) through risk management plans, rather than prohibiting it; and

Further That staff be directed to incorporate the revised policy in the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

e) A presentation by Mystaya Touw, LSRCA, regarding an Overview of Section 36 Updates.

Recommended: **That** presentation e) and Staff Report SPC2.3 regarding an Overview of Section 36 Updates and supporting documents be received for information; and

Further That the updates to the Source Protection Plan, Explanatory Document, and Assessment Reports also be received for information; and

Further That the Source Protection Committee endorse the Draft Source Protection Plan and accompanying documents as written for submission to the Ministry of Environment, Conservation and Parks for early engagement as part of the amendment to the Plan under section 36 of the Clean Water Act.

9. Determination of Items Requiring Separate Discussion

(Reference Agenda Items on pages 5-6 of the Agenda)

10. Adoption of Items Not Requiring Separate Discussion

Recommended: **That** the recommendations as set forth in the items not requiring separate discussion be approved, and staff be authorized to take all necessary actions to affect those recommendations.

11. Consideration of Items Requiring Separate Discussion

12. Other Business

13. Closed Session

14. Next Meeting and Adjournment

The next meeting of the Source Protection Committee scheduled to be held on October 10, 2024, location to be determined.

Agenda Items

1. Correspondence

SPC1.1 – A letter dated April 12, 2024 from Robert Edmondson, Chair, Halton-Hamilton Source Protection Committee, regarding Recommended Phase Out of Free Well Water Testing.

Pages 19-23

SPC1.2 – A letter dated April 19, 2024 from Alan Dale, Chair, Lake Erie Region Source Protection Committee, regarding Recommended phase out of free well water testing in the 2023 Auditor General's Report.

Pages 24-27

That correspondence SPC1.1 – SPC1.2 be received for information.

2. Staff Reports

SPC2.1 - Rope Subdivision IPZ – Vulnerability Score Increase
Pages 28-32

That presentation c) and Staff Report SPC2.1 regarding a vulnerability score increase to the Rope Subdivision Intake Protection Zone be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee endorse the utilization of Directors Technical Rule 95.1 to increase the vulnerability score of Rope Subdivision, and others, from 9-10.

SPC2.2 - Grazing and Pasturing of Livestock
Pages 33-37

That presentation d) and Staff Report SPC2.2 regarding Grazing and Pasturing of Livestock be received for information; and

Further That staff be directed to revise policy LSTOCK-1 to allow the management of livestock grazing where it would be a significant drinking water threat (outside a WHPA-A) through risk management plans, rather than prohibiting it; and

Further That staff be directed to incorporate the revised policy in the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

SPC2.3 – Overview of Section 36 Updates
Pages 38-104

That presentation e) and Staff Report SPC2.3 regarding an Overview of Section 36 Updates and supporting documents be received for information; and

Further That the updates to the Source Protection Plan, Explanatory Document, and Assessment Reports also be received for information; and

Further That the Source Protection Committee endorse the Draft Source Protection Plan and accompanying documents as written for submission to the Ministry of Environment, Conservation and Parks for early engagement as part of the amendment to the Plan under section 36 of the Clean Water Act.

Source Protection Committee (SPC)

Minutes of Meeting SPC-01-2024

March 28, 2024

The Chair called the meeting to order at 9:02 am.

Members Present:

Lynn Dollin, Chair

Municipal

Jeff Hamelin

Economic/Development

John Hemsted, Amanda Kellett, David Ketcheson, Jessica Neto, Rick Newlove, David Ritchie

Public Sector

Geoff Allen, Peter Dance, Bob Duncanson, Tom Kurtz, Cate Root

First Nations

Vacant

Liaisons

Karen Kivilahti, Simcoe Muskoka District Health Unit (SMDHU)
Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)
Laura Collings, Ministry of the Environment, Conservation and Parks

Staff Present

Bill Thompson, LSRCA
Mike Wilson, LSRCA
Mystaya Touw, LSRCA
Kathy Hillis, LSRCA (minutes)
Sarah Thompson, NVCA
Melissa Carruthers, SSEA
Kirsten MacLeod, SSEA

Guests

Colin Hall, Region of Durham
Lee Roberts, City of Barrie

Regrets:

Scott Lister, Municipal – proxy to Jeff Hamelin
Katie Thompson, Municipal - proxy to David Ketcheson
Chris Gerrits, Municipal – proxy to Amanda Kellett
Stephanie Hobbs, Public Sector – proxy to Peter Dance
Colin Elliott, Economic/Development – proxy to David Ritchie
Julie Cayley, Severn Sound Environmental Association (SSEA)
Doug Hevenor, Nottawasaga Valley Conservation Authority (NVCA)

1. Welcome & Opening Remarks

a) Dave Greenwood and Andy Campbell have resigned from the SPC. Jessica Neto has returned from maternity leave. Colin Elliott is attending an NVCA meeting today. SPA staff will be going through the process of replacing vacant positions on the SPC.

b) Laura Collings is attending representing MECP.

c) Melissa Carruthers is acting liaison for Doug Hevenor and Sara Thompson is acting liaison for Julie Cayley.

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

None declared.

4. Approval of Agenda

Moved by: Rick Newlove
Seconded by: John Hemsted

SPC-01-24 **Resolved That** the agenda for the March 28, 2024 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Cate Root
Seconded by: Amanda Kellett

SPC-02-24 **Resolved That** the minutes of the November 2, 2023 meeting of the Source Protection Committee be approved as amended and circulated. **Carried**

6. Announcements

a) Melissa made an excellent presentation to a Lake Lands Realty Group yesterday.

7. Deputations

There were none.

8. Presentations

a) A presentation by Mike Wilson, LSRCA, regarding Staff Report SPC2.1 – Annual Report on Plan Implementation (to December 31, 2023).

Presentation available on the South Georgian Bay Lake Simcoe (SGBLS) Source Protection Region (SPR) website at https://ourwatershed.ca/assets/uploads/2024/03/a-2024-02-26-AR-Presi_SPC-Mar-28.pdf.

Progress is submitted on the online tool, the results are rolled up for this presentation to the SPC and a report is posted on the SGBLS SPR website. Some municipalities prepare their own annual Risk Management Official (RMO) report to post on their websites.

In 2023, 43 RMPs were completed, and RMOs estimate that 27 are still required to be completed with three months to go. We are on track to complete them all this year.

There are a total of 188 Threats still to be addressed. 96% of existing Threats were addressed through policy implementation. Handling of DNAPLs and Agricultural Threats are the majority of those remaining. Application of Commercial Fertilizer Threats are kept on the books until the change in policy is approved by MECP.

Upper tier municipalities: York, Simcoe and Peel have completed their Official Plan updates, and Durham is in progress.

Zoning Bylaw Amendments have not been started by five municipalities.

Most municipalities have not started their third round septic inspections, but still have three warm seasons to complete them, so the expectation is they will be completed on time. LSRCA will do education and outreach with RMOs on septic inspections to ensure completion.

Very few Orders have been issued in the SGBLS SPR. Some Orders may be issued to encourage landowners to complete Risk Management Plans (RMP) by the deadline.

This is the first year that the recommendation is Progressing Well/On Target, which is due to the expectation of completion in 2024 for Risk Management Plans.

QUESTIONS AND COMMENTS

Peter Dance: As RMPs are completed, will it not be reviewed annually due to changes on the landscape? If we get more RMPs needed in the future, what is the timeline for completion?

> Mike confirmed that existing RMPs and Threats will be completed this year, but there are always new ones coming forward as there are changes to drinking water systems. The new timeline is five years from approval of the new source protection plan (SPP) for the changed systems. As RMOs discover new threats, a new RMP will begin.

Peter Dance: Five years seemed reasonable when the process began, but if there are new Threats five years seems like a long time. Should staff come back with a recommendation of a new timeline?

Bill advised the timeline is set by this Committee in the SPP. If the Committee wishes to revisit this timeline it can be brought back to a future meeting, and any new recommendation will require Ministry approval.

Lynn Dollin: When does the clock start ticking?

Bill advised the start date begins when the amendment is posted on the Registry.

David Ketcheson: Can the SPC discuss, in consultation with the RMOs, what would be reasonable timeline to address them as they appear on the landscape?

Peter Dance: Can staff report back after consultation with the RMOs?

Bill advised this can happen. The intent is to bring a full report on amendments to the SPP to the May 16th meeting, so Bill will add this to that report. Often the agricultural RMPs can take two years to complete, as the landowners timelines need to be factored into it, not just the RMOs availability.

Cate Root: The type of Threat may need to factor into it which may affect timing.

Amanda Kellett: Is there a deadline for the Offical Plan Amendments (OPA) to be completed?

Bill advised that it is defined in the SPP but that timeline is driven by the municipal process.

Amanda Kellett: Are their municipalities that have not completed this task in the timeline which triggers updates?

Mike advised the OP work has been delayed by the Province. There have been cases where the SPP work has been incorporated into the OP but then there have been changes on the landscape.

Geoff Allen: Is there a timeline for completion of the third round of septic inspections, and who does the septic inspections?

Mike advised some municipalities were delayed due to Covid restrictions. Municipalities have a plan to complete them, and the work should not be onerous since they have already been inspected. They are completed by staff or consultants for municipalities who are trained. To ensure they are completed, education and outreach (E&O) is occurring to ensure this requirement is not forgotten. Lynn advised that in Innisfil they are required to be completed for the SPP as well as the Lake Simcoe Protection Plan (LSPP). Inspectors have been met with a lot of aggression from some landowners about accessing their property, so on occasion have had to send Police with the inspector.

Rick Newlove: It is quite a process due to all of the updates and appeals.

Dave Ketcheson: From the previous two rounds of septic inspections, what kind of problems were identified? Are the inspections becoming more routine?

Mike advised that in the past two or three years there have only been a handful of minor maintenance requirements as most major maintenance issues were dealt with after the first round of inspections. Melissa advised that the number of septic inspections is across the entire region, so it is a doable task by the municipalities. Often it is other requirements outside of the SPP that cause the delays.

Peter Dance: Is it worth reaching out to Ramara and Springwater to find out their timelines for the Zoning updates so we understand the status?

Mike confirmed these types of discussions help as it is often not top of mind for municipalities.

Jessica Neto: For the landowners that are not cooperating, is there a general theme for these, and is there anything SPC Members can do to assist?

Mike can not provide specifics as this is information that RMOs have. There are a few landowners that will wait until they are forced to complete. Melissa advised some are willing to come to the table and want it done quickly, whereas others may meet and complete the RMP quickly, but when it comes to signing they are not quick to complete. Lynn commented that often this is due to lack of trust with government.

David Ritchie: What Threats regarding Commercial Fertilizer were removed in the City of Barrie?

Mike advised that there was one particular well surrounded by a golf course, and on the other side of the Wellhead Protection Area (WHPA) was a lot of residential homes. The second methodology reduced the percent managed lands which removed many of the Threats. Bill advised that there were six townhomes across from the golf course, and fertilizer was not applied on the rough of the course, so it did not make sense in this case.

David Ritchie: RMOs should discuss the SPP with the lawn care companies due to the amount they are applying on residential lots.

Mike agrees that this is a good idea. It is similar to the action that was taken with fuel providers to educate them on where the WHPAs are.

Amanda Kellett: The annual report is a bit static and does not recognize that policy changes are made that have the potential to decrease Threats.

Bill advised that part of the report card includes a place for the SPCs opinion. If the Committee wanted to make comments on changes to policies that could be included. Bill will circulate to the SPC for agreement of the SPC Members, and will provide and take suggestions of comments to include with the Annual Report.

David Ketcheson: Would like to have a meeting with RMOs involved on whether the policies and the policy changes have achieved the goals, and what has or has not been effective.

Bill advised that a joint meeting of the SPC and RMO working group can be arranged. Will reach out to the Chairs of the working group to arrange.

Moved by: Rick Newlove
Seconded by: Peter Dance

SPC-03-24 **Resolved That** presentation a) and Staff Report SPC2.1 regarding Annual Report on Plan Implementation (to December 31, 2023) be received for information; and

Further That Source Protection Authority staff be directed to rate progress as "Progressing Well/On Target"; and

Further That the Source Protection Committee utilize section II of the Annual Report to comment on the progress made to date, as described in the Issues section.

Moved by: Rick Newlove
Seconded by: Peter Dance

AMENDMENT

SPC-04-24 **That** the following be added after the last paragraph of the main motion:

Further That in consulation with the Risk Management Officials the Source Protection Committee reconsider the timeline for mitigating new Threats.

The Amendment was Carried

The Main Motion, As Amended, was Carried

<u>The Resultant Motion Reads as Follows:</u>

Resolved That presentation a) and Staff Report SPC2.1 regarding Annual Report on Plan Implementation (to December 31, 2023) be received for information; and

Further That Source Protection Authority staff be directed to rate progress as "Progressing Well/On Target"; and

Further That the Source Protection Committee utilize section II of the Annual Report to comment on the progress made to date, as described in the Issues section; and

Further That in consulation with the Risk Management Officials the Source Protection Committee reconsider the timeline for mitigating new Threats.

b) A presentation by Mystaya Touw and Mike Wilson, LSRCA, regarding a draft Water Budget Screening Process.

Presentation available on the SGBLS SPR website at https://ourwatershed.ca/assets/uploads/2024/03/b-2024-03-14_WB-Review.pdf.

Overall Tier 1 & 2 review did not identify any new big red flags. Will continue to monitoring demand through Section 34 amendments, and are proposing to do this review on a five year cycle.

Midhurst is currently undergoing a Tier 3 risk assessment.

Tier 3 review approach: Can calculate demand. Change in supply is estimated. Changes in baseflow over time is analyzed. Look at change in risk and changes in the water table in the vicinity of wells since the Tier 3 was done. This provides the Percent Water Demand.

Have tools to calculate changes to surface water levels. In the Midland/Penetanguishene example presented, have a data gap so are unable to complete the analysis. The Oak Ridges Moraine Groundwater Program has the best groundwater data available in the Province. They can present to the SPC if wanted.

The City of Barrie example presented of climate change impacts shows no significant impact of weather changes on water takings for a heavily urban municipality. A review of Provinical Groundwater Montoring Network wells in the Region did not show large changes since the early 2000s. Overall climate change could result in lower recharge to aquifers. In the SPR, there are about 10 wells in the high risk category of vulnerability to climate change.

QUESTIONS AND COMMENTS

John Hemsted: How good was the modelling at the beginning that we based our decisions on?

> Mike advised that the Barrie area Tier 3 is being updated and the conceptual model is really good. Since that Tier 3 was done, the Ontario Geological Survey was done and little needed to be adjusted.

Peter Dance: This is a really good exercise.

Rick Newlove: Midland/Penetang could build a water surface treatment plant and will have lots of water. So should we focus on the areas that do not have these types of capabilities?

> Mike advised that these challenges are coming forward.

Dave Ritchie: Where is the Willow Creek subwatershed review at in terms of quality? What is happening with projections for where the wastewater is going?

> Mike advised that his focus has been on water quantity and not yet on quality, but he is working with the Township of Springwater on this type of review. Bill advised that we will continue to look at water quality and will report back. Wastewater is not really dealt with in the source water program.

Jessica Neto: When looking at aggregate washing, are you looking at changes in provincial policies and regulations?

Mystaya advised that the 2020 actual takings data is available, and we could determine surface vs. groundwater takings. With the aggregate washings we could determine what was returning to the subwatershed, and most of it is returning as it is not leaving the site. We have consumptive use data available and have used this to determine how consumptive the aggregate washing was, and it was determined to not be very signficant.

Bob Duncanson: Is someone doing something similar in the Shelburne area and will this review be presented to the SPC, as it is rapidly growing community?

Mystaya advised staff looked at the portion of Shelburne in the SGBLS SPR but not the other SPRs, but there is interest in presenting this work with the other SPRs to feed into the water budget update process. Don advised that this SPC and staff have a lot of information, tools and perspectives around the big picture of water quantity taking stresses, and would like to work more closely with the Ministry staff who are processing water taking permits, as a greater linkage between water takings and the Permit to Take Water (PTTW) approvals process would be beneficial.

David Ketcheson: Would like to see this information given to municipalities so they are aware in advance that they could come into a Threat situation. 97% of water from aggregate washing is returned onsite. Identifing monitoring municipal groundwater levels is important to future generations. If we have good surface water station data, that helps us to be more predictive in this kind of thing in future. We need the long term data to do these types of analyses, so if the Ministry could take this under advisement that would be helpful.

Mystaya advised that we have the 2051 population projections for our SPR, and future demand projections for 2051 were done. We estimated municipal takings but cannot estimate non-municipal and small takings. The annual usage was available so an average day calculation was done. Lynn advised that the projections are changing due to changes in growth scenarios.

Rick Newlove: Do we have any municipalities that get their drinking water from rivers?

Mystaya advised all of the surface takings in our SPR are from the Lakes.

Amanda Kellett: Because the PTTW rules have changed, have Environmental Activity and Sector Registry (EASR) water takings been considered?

Mystaya advised the EASR takings were not considered, and is not sure if the actual EASR takings data is available.

Moved by: Bob Duncanson
Seconded by: John Hemsted

SPC-05-24 **Resolved That** presentation b) be received for information. **Carried**

c) A presentation by Mike Wilson, LSRCA, regarding an update on the review of the Willow Creek subwatershed water budget.

Presentation available on the SGBLS SPR website at https://ourwatershed.ca/assets/uploads/2024/03/c-2024-03-04_Willow-Creek-Tier-3-update.pdf.

The Source Protection Committee has been worried about cumulative takings in the area as approvals have come forward individually. We can use the Barrie groundwater flow model update project to update data to inform the Tier 3 model, and both projects have been awarded to the same consultant which will provide efficiencies and consistency in the reports.

QUESTIONS AND COMMENTS

David Ritchie: The map did not show where the Willow Creek dumps into the Minesing Swamp.

Mike advised that the consultant is aware of this.

Rick Newlove: When digging out a creek, in Innisfil landowners had to contribute.

Lynn advised this is the case when it is a municipal drain, but this is not a municipal drain.

Lynn Dollin: Have the main municipal developers in the Midhurst Secondary Plan area been involved in the project?

Mike indicated no due to the timing of the project. Getting the data from Golder and the Township took time. This is a great idea for the future.

Tom Kurtz: Through what process is water quality being addressed?

Bill advised that staff is continuing to look into water quality concerns in Midhurst at Carson Road but not within the context of the Willow Creek Water Budget, which is a water quantity study.

Tom: Am more concerned about the discharge. In order to speed up development the Province approved exempting from Environmental Assessment requirements.

Bill advised this is out of scope for source water as we do not get involved in discharge unless if affects drinking water.

Moved by: Rick Newlove
Seconded by: David Ritchie

SPC-06-24 **Resolved That** presentation c) be received for information. **Carried**

d) A presentation by Bill Thompson, LSRCA, regarding Source Protection Region Update.

Presentation available on the SGBLS SPR website at https://ourwatershed.ca/assets/uploads/2024/03/d-2024-03-01_SPRupdate.pdf.

The source water program is now working under 3-year funding agreements rather than year-to-year agreements. The Province is still really confident in the program.

Province is proposing to change from the current municipal class environmental assessment process to a municipal project assessment process. Under the new process it is not clear if you have to look at alternatives, including the Threats process. Likely we will find this process does not get triggered very often due to the many circumstances where it does not apply.

May be cases where we consult with the public, but it will be at the very last stage of the process.

QUESTIONS AND COMMENTS

Peter Dance: Midland decommissioned a well, and that amendment went through but the process was lengthy. Was this addressed?

> Bill confirmed that this decommissioning meant the WHPA no longer existed. Removal of the well required an SPP amendment, which can be a change made by SPA staff without approval of the Ministry. Midland was complicated and we had to take it to the Ministry as a technical amendment that the Province was okay with. Future changes will be simplier.

Cate Root: Will there be funding available for the baseline system monitoring in Tiny?

> Bill clarified that there is not new funding, but additional funding for the same areas. We can seek funding to support municipalities in doing work, but not work they are required to do. Monitoring is something the Province is still reluctant to fund as it is long term work. Bill will get back to Cate if there is any opportunity there.

Peter Dance: We identified WHPAs through capture zone mapping that is no longer correct. Would some of the targetted municipal support help get the WHPAs in line with the capture zones?

> Bill would call that technical work. It would be on a case-by-case basis. Smaller, more rural municipalities are more likely to get this support.

Amanda Kellett: Can the process improvements paper be shared with the Committee?

> Bill will check with the co-authors as to whether it is a public document or just for the municipalities.

Moved by: Cate
Seconded by: Jeff Hamelin

SPC-07-24 **Resolved That** presentation d) be received for information. **Carried**

9. Determination of Items Requiring Separate Discussion

No items were identified under items requiring separate discussion.

10. Adoption of Items Not Requiring Separate Discussion

Items SPC1.1 – SPC1.6, inclusive, were identified under items not requiring separate discussion.

SPC1.1 – A letter dated November 14, 2023 to Kirsten Service, MECP, regarding Streamlining Environmental Permissions for Stormwater Management (ERO Posting #019-6928)

SPC1.2 – A letter dated December 7, 2023 to Kirsten Service, MECP, regarding Periodic review and update to Wellhead Protection Areas

SPC1.3 – A letter dated December 7, 2023 from Andrea Khanjin, MECP, regarding approval of amendments to the Source Protection Plan for the Nottawasaga Valley Source Protection Area

SPC1.4 – A letter dated December 15, 2023 from Andrea Khanjin, MECP, regarding approval of amendments to the Lake Simcoe Assessment Report and South Georgian Bay Lake Simcoe Source Protection Plan

SPC1.5 – A letter dated February 7, 2024 from Kirsten Service, MECP, regarding concerns relating to potential changes to vulnerable areas and the importance of keeping the foundational science current

SPC1.6 – A letter dated February 26, 2023 (actually 2024) from Matthew Pearson, Ausable Bayfield Maitland Valley Source Protection Committee, regarding Recommended Phase Out of Free Well Water Testing in the 2023 Auditor General's Report

Moved by: Peter Dance
Seconded by: David Ritchie

SPC-08-24 **Resolved That** correspondence SPC1.1 – SPC1.6, inclusive, as listed in the agenda be received for information. **Carried**

11. Consideration of Items Requiring Separate Discussion

There were no items requiring separate discussion.

12. Other Business

a) Lynn Dollin paid tribute to Stan Wells, SPC Member who passed away in December 2023. Committee Members were invited to share their memories of Stan and to recognize his significant contributions to the source water program.

b) Lynn advised that she has invited Andrea Khanjin, Minister of the Environment, Conservation and Parks to attend an SPC meeting, and will continue to reach out as she was unable to attend today's meeting.

13. Closed Session

None.

14. Next Meeting and Adjournment

Moved by: Rick Newlove
Seconded by: John Hemsted

SPC-09-24 **Resolved That** the next meeting of the Source Protection Committee is scheduled to be held on Thursday, May 16, 2024 from 9:00 am – 4:00 pm at West Orillia Sports Complex, Rotary Place Arena located at 100 University Avenue, Orillia, in the Tournament Room; and

Further that the March 28, 2024 meeting of the Source Protection Committee be adjourned at 11:50 am. **Carried**

DRINKING WATER SOURCE PROTECTION
Our Actions Matter

Halton-Hamilton
Source Protection Region

April 12, 2024

The Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks
The Honourable Sylvia Jones, Minister of Health

Via email: minister.mecp@ontario.ca
sylvia.jones@ontario.ca

RE: Recommended Phase Out of Free Well Water Testing

Dear Ministers,

The 2023 Auditor General's audit of Public Health Ontario (PHO) recommends that PHO, in conjunction with the Ministry of Health, update and implement a plan to streamline public health laboratory operations. In response, the Halton Hamilton Source Protection Committee passed the following resolution at their meeting on March 19, 2024:

> ***THAT*** *the Halton-Hamilton Source Protection Committee direct staff to write a letter to the Minister of the Environment, Conservation, and Parks, the Minister of Health, area municipalities, other Source Protection Committees and local health units requesting that the province does not proceed with the recommended phase out of free private well water testing in Ontario.*

The Halton Hamilton Source Protection Committee is concerned about the proposed phase-out of free water testing for private drinking water. Approximately 50,000 residents in the Halton Hamilton Source Protection Region rely on non-municipal water sources, like private wells, which lack legislative protection. Free testing reduces financial and logistical barriers for residents, enabling regular testing that helps ensure safe drinking water sources. The committee urges the province to not proceed with the phase-out, as outlined in the attached March 19, 2024 committee report.

Yours truly,

Robert Edmondson
Chair, Halton-Hamilton Source Protection Committee

Cc. Source Protection Committee Chairs and Program Managers
City of Hamilton Public Health
Halton Region Public Health

2596 Britannia Road West, Burlington, ON L7P 0G3
Phone: 905-336-1158 ext. 2237. Mobile: 289-681-8697

City of Hamilton, Town of Grimsby, Niagara Region, Township of Puslinch, County of Wellington, Halton Region, City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville, Peel Region, City of Mississauga

2596 Britannia Road West, Burlington, ON L7P 0G3
Phone: 905-336-1158 ext. 2237. Mobile: 289-681-8697

Report To:	**Halton-Hamilton Source Protection Committee**
Report No.:	**SPC-24-03-09**
From:	Martin Keller, Senior Manager, Watershed Planning and Source Protection
Date:	March 19, 2024
Subject:	**2023 Auditor General Report – Proposed Phase Out of Free Well Water Testing**

Recommendation

THAT the Halton-Hamilton Source Protection Committee receives for information the staff report SPC-24-03-09 2023 Auditor General Report – Proposed Phase Out of Free Well Water Testing;

AND THAT the Halton-Hamilton Source Protection Committee direct staff to write a letter to the Minister of the Environment, Conservation, and Parks and the Minister of Health requesting that the province does not proceed with the recommended phase out of free private well water testing in Ontario.

Executive Summary

The 2023 Auditor General's Value-for-Money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ministry of Health, update and implement a plan to streamline public health laboratory operations. The plan included gradually discontinuing free private drinking water testing. The proposed phase out of free water testing for private drinking water is of concern. Private systems are not protected through legislated requirement under the *Safe Drinking Water Act, 2002*, and *Clean Water Act, 2006*, but are more likely to contribute to cases of gastrointestinal illness than municipal systems. In the Halton Hamilton Source Protection Region, about 50,000 resident do not receive water from municipal systems, with many relying on private drinking water system, including wells. Currently, both the City of Hamilton and Halton Region offer free well water testing. In 2012, a quarter of all samples from private residential wells and cisterns in Hamilton had unsafe levels of bacteria. Free private well water testing reduces barriers for residents to regularly test their wells. If implemented, the proposal to privatize well water testing will increase the risk for residents on private systems becoming ill.

Report

In December 2023 the Auditor General released its Value-for-Money Audit of Public Health Ontario (PHO). The audit, among other items, found that PHO's laboratory sites were not operating efficiently. In 2017, PHO developed a plan collaboratively with the Ministry of Health to modernize its laboratory operations by consolidating resources into

fewer laboratory sites and discontinuing or restricting eligibility for certain tests. This plan has not been approved and implemented. According to the audit, implementation of this plan was put on hold due to the construction of the new London public health laboratory, as well as increased capacity required from all PHO laboratory sites for COVID-19. Audit recommendation #5 states that PHO, in conjunction with the Ministry of Health, should update and implement a plan within 12 months to streamline public health laboratory operations.

The 2017 plan proposed to gradually close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and changing the types of test offered at the PHO laboratory sites, including gradually discontinuing free private drinking water testing. Mitigating rising costs of maintaining facilities and establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites are stated as the main reasons for the plan.

The proposed phasing out of free private drinking water well testing is of concern. Private drinking water systems do not have the legislated safeguards that are required for municipal, communal, and public systems under the *Safe Drinking Water Act, 2002*. Neither are the water sources of private drinking water systems protected through the source protection program under the *Clean Water Act, 2006*. Under the *Clean Water Act, 2006*, only municipal drinking water systems are mandated to be included in the source protection program. According to Health Canada's guidance on waterborne pathogens, private and small community water systems are vulnerable and recognized as being more likely to contribute to cases of human gastrointestinal illness than municipal systems.

In the Halton Hamilton Source Protection Region, 95% of the population receive their drinking water from municipal systems. The remaining 5%, or about 50,000 residents, receive their drinking water from non-municipal systems, many of them private drinking water wells. Testing of private well water is one of the only avenues for residents on private systems to ensure their drinking water is safe. Well water testing of private wells is the responsibility of each well owner. Currently, both the City of Hamilton Public Health Services and Halton Region Public Health offer free private drinking water testing through the PHO Hamilton laboratory site. The City of Hamilton Public Health Services recommends testing at least three times a year for bacteria. In 2012, about a quarter of all water samples from private residential wells and cisterns in Hamilton had unsafe levels of bacteria.

Free private well water testing is important to reduce barriers for residents to test their wells on a regular basis. Without free water testing, well owners would need to use commercial labs for a fee, which disincentivizes testing. Without regular testing, water quality is unknown, and residents are at increased risk of falling ill.

In the Walkerton Inquiry Report Part 2, Justice Dennis O'Connor concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli O157:H7 outbreak in Walkerton, Ontario in May 2000. Twenty-four years later, there is a proposal to privatize water testing once again.

Signed & respectfully submitted:

Martin Keller
Senior Manager, Watershed Planning and Source Protection

Mardi Bergen
Source Water Information Coordinator, Watershed Planning and Source Protection

DRINKING WATER SOURCE PROTECTION
Our Actions Matter

LAKE ERIE SOURCE PROTECTION REGION

April 19, 2024

Honorable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs

Via email: lisa.thompsonco@pc.ola.org

RE: Recommended phase out of free well water testing in the 2023 Auditor General's Report

Dear Minister Thompson,

The Lake Erie Region Source Protection Committee (LERSPC) received a copy of Ausable Bayfield Maitland Valley Source Protection Committee's (ABMVSPC) letter dated February 26, 2024 concerning Public Health Ontario's (PHO) recommended phase out of free well water testing.

The 2023 Auditor General's audit recommends that PHO, along with the Ministry of Health, update and implement a plan to streamline public health laboratory operations. The LERSPC is concerned about the proposed phase-out of free water testing for private drinking water.

At the time that the original Grand River Source Protection Plan was approved (2016), the estimated population without municipal water servicing was approximately 129,000 residents in the Grand River watershed. The Catfish Creek, Kettle Creek and Long Point Region watersheds contain approximately 10,462 domestic wells[1] that lack legislative protection.

In consideration of these concerns, the LERSPC passed the following resolution at their meeting on March 28th, 2024:

> **WHEREAS** the Lake Erie Region Source Protection Committee is in receipt of the February 26, 2024 letter from the Ausable Bayfield Maitland Valley Source Protection Committee (ABMVSPC) to Honourable Lisa Thompson, Ontario Ministry of Agriculture, Food and Rural Affairs concerning Public Health Ontario's recommended phase out of free well water testing;
>
> Be it resolved **THAT** the Lake Erie Region Source Protection Committee supports the letter from the ABMVSPC to Minister Lisa Thompson and requests staff to:
>
> 1. Send a similar letter of concern to Minister Lisa Thompson;
> 2. Forward the letter to area municipalities requesting their support;
> 3. Forward the letter to the other Ontario SPCs;
> 4. Send a letter to the ABMVSPC thanking them for advising us of this matter; and
> 5. Send copies to Honourable Sylvia Jones Minister of Heath and Long Term Care and Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks.

Please allow this letter to serve as notice the LERSPC supports and shares the concerns raised by ABMVSPC as outlined in their attached correspondence.

Most sincerely,

Alan Dale

Alan Dale
Chair, Lake Erie Region Source Protection Committee

c.c. Honourable Sylvia Jones, Minister of Heath and Long Term Care
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks

[1] Values taken from the approved versions of the Catfish Creek Source Protection Area Assessment Report (2014), Kettle Creek Source Protection Area Assessment Report (2014) and Long Point Region Source Protection Area Assessment Report (2020).

DRINKING WATER SOURCE PROTECTION
Our Actions Matter

Ausable Bayfield Maitland Valley Source Protection Region

February 26th, 2023

Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs

Via e-mail: lisa.thompsonco@pc.ola.org

Re: Recommended Phase Out of Free Well Water Testing in the 2023 Auditor General's Report

Dear Minister Thompson,

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR_publichealth_en23.pdf

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites

About 50% of the Ausable Bayfield Maitland Valley Region population is serviced by private wells. The proposed removal of PHO's free private drinking water testing is of concern to our Ausable Bayfield Source Protection Committee, particularly when Source Protection Regions have been directed by the Ministry of Environment, Conversation and Parks, Source Protection Branch, to deliver education and outreach to private well owners under the new Best Practices initiative.

In our region, we have been working with service and community organizations such as the Lions, Optimists and Lakeshore Residents Associations to co-host very successful Best Practices 'Water Wise' events that encourage private well owners to sample their drinking water using the free microbial testing provided by the province. By distributing water sample bottles ahead of the event and delivering the samples to Huron Perth Public Health for lab analysis, most of

the barriers to water sampling are removed. At these events 25% to 50% of a communities well water will be sampled in one day or night.

Well owners understand the importance of testing their well water; it is the inconvenience of doing so that is the barrier. One of the goals of the 'Water Wise' events is to encourage well owners to get in the habit of testing their water regularly as part of Best Practices for protecting their drinking water. The hope is that the community groups and service clubs that Source Protection staff work with will make Water Wise water sampling events part of their regular activities.

Private drinking water systems in Ontario do not have the legislated safeguards that are required for municipal/communal/public systems under the *Safe Drinking Water Act, 2002*. Only municipal water supply systems fall under the *Clean Water Act, 2006* and the Source Water Protection program. Health Canada's guidance on waterborne pathogens references three studies that determine that private systems are vulnerable and there is evidence that demonstrates they are more likely to contribute to gastrointestinal illness than public drinking water systems.

If the free water testing phase out recommendation is approved, well owners would have to use a commercial lab for a fee, which disincentivizes testing. When water is not monitored regularly, there is no way to know the true quality of the water, which puts people at increased risk of becoming ill. With private systems being stand-alone systems, any associated illnesses are isolated sporadic events and do not come to public attention like those seen during the Walkerton outbreak.

The private drinking water test data maintained by PHO has been used by researchers to publish evidence that helps support public health policy. Source Protection Committees can access data associated with their area, as was presented at our March 2023 meeting. The data can be used to inform well owners of regional water quality concerns and associated health risks. If PHO stops testing, this data and affiliated research will no longer be available.

In the Walkerton Inquiry Report Part 2, Justice O'Connor concluded the privatization of laboratory testing of drinking water samples connected directly to the *E. coli* O157:H7 outbreak in Walkerton Ontario in May 2000. Twenty-four years later, there is a proposal to privatize water testing once again.

At the January 31st meeting of the Ausable Bayfield Maitland Valley Source Protection Committee the following resolution was unanimously approved:

MOTION #SPC: 2024-02-04 **Moved by Philip Keightley**
Seconded by Mary Ellen Foran

"THAT the Source Protection Committee direct a letter to Minister Thompson requesting that the province not proceed with the recommended phase out of free private well testing in Ontario, and

"FURTHER, THAT area municipalities, the Minister of Environment Conservation and Parks, the Minister of Health and Long-Term Care, other Source Protection Committees, and local health units be forwarded the letter and asked for their support. "

Carried.

Thank you for your consideration of this request.

Sincerely

Matthew Pearson

Matthew Pearson
Chair
Ausable Bayfield Maitland Valley Source Protection Committee

Cc Honourable Sylvia Jones, Minister of Health and Long-Term Care
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks

Municipalities of Adelaide Metcalfe, Ashfield-Colborne-Wawanosh, Bluewater, Central Huron, Goderich, Howick, Huron East, Lambton Shores, Lucan Biddulph, Mapleton, Middlesex Centre, Minto, Morris-Turnberry, North Middlesex, North Perth, Perth South, South Bruce, South Huron, Warwick, West Perth, Wellington North
Townships of Huron-Kinloss and North Huron

Huron Perth Public Health, Lambton Public Health, Middlesex-London Health Unit, Wellington Dufferin Guelph Public Health

Source Protection Regions: Cataraqui; Central Lake Ontario, Toronto, Credit Valley; Essex; Hamilton Halton; Grey Sauble, Saugeen, Northern Bruce Peninsula; Lake Erie; Lakehead; Mattagami; Mississippi-Rideau; Niagara; North Bay; Quinte; Raisin South Nation; Sault Ste. Marie; South Georgian Bay Lake Simcoe; Sudbury; Thames -Sydenham and Region; Trent Conservation Coalition

Source Protection Committee Meeting SPC-02-2024

Staff Report Number: SPC2.1

To: South Georgian Bay Lake Simcoe Source Protection Committee

From: Melissa Carruthers, Manager Source Water Protection, RMO/RMI, SSE**A**

Date: July 11, 2024

Subject: Rope Subdivision IPZ – Vulnerability Score Increase

Recommendations:

That presentation c) and Staff Report SPC2.1 regarding a vulnerability score increase to the Rope Subdivision Intake Protection Zone be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee endorse the utilization of Directors Technical Rule 95.1 to increase the vulnerability score of Rope Subdivision, and others, from 9-10.

Purpose of Staff Report:

The purpose of this Staff Report is to outline the process and methods used by the Severn Sound Source Protection Authority (SS SPA) in determining if using Rule 95.1 to increase the Rope Subdivision Intake Protection Zone (IPZ) Vulnerability Score (VS) to a value of 10 from 9, is appropriate.

Background:

The 2021 Directors Technical Rules classify type I, II, or III surface water systems into four different types:

- Type A is an intake that is located or planned to be in a Great Lake,
- Type B is an intake that is located or planned to be in a connecting channel,
- Type C is an intake that is located or planned to be in a river and neither the direction nor velocity of the flow of the water at the intake is affected by a water impoundment structure, or
- Type D is an intake that is not described as type A, B, or C.

In the original Assessment Report the Rope Subdivision IPZ was classified as a Type A intake as it is located in Severn Sound (Georgian Bay) making it a Great Lakes intake under rule 55. However, Rule 95 required that Type A intakes have a maximum source vulnerability factor of 0.7. Given the extremely shallow nature of this intake, the SPC petitioned the Minister under

Rule 15.1 to have it re-classified as a Type D intake, thus increasing its source vulnerability factor to 0.9.

Amendments to the Technical Rules in March 2017 added rule 95.1, which reads “If, in respect of a surface water intake described in rule 68 and having regard to the considerations set out in Rule 95 for assigning a source vulnerability factor for the intake, it is determined that the intake is in shallow waters, is in close proximity to the shoreline or there has been a history of water quality concerns at the surface water intake, the source vulnerability factor may, despite Table 3, vary from 0.5 to 1.”

The vulnerability score of intakes are calculated using the following formula

B (Area Vulnerability Factor) x C (Source Vulnerability Factor) = V (vulnerability score)

As noted on page 16 of the Tay Chapter of the Severn Sound Source Protection Area Approved Assessment Report the “source vulnerability for intakes within the South Georgian Bay Lake Simcoe Source Protection Region was based on that developed by the Michigan Department of Environmental Quality.”

Category[1]	Nearshore-Shallow Water	Nearshore-Deep Water	Offshore-Shallow Water	Offshore-Deep Water
Parameters[1]	<300 m offshore <6 m depth	<300 m offshore >6 m depth	>300 m offshore <6 m depth	>300 m offshore >6 m depth
Vulnerability [1] (MDEQ)	High	High to Moderate	High to Moderate	Moderate
Recommended Factor (C) for Type D Intakes	1.0	0.9	0.9	0.8

[1]Category, parameters and vulnerability based on MDEQ (2004)

If the Minister approves the use of rule 95.1, the recommended factor for Type D intakes, noted in the table above, would bump the 0.9’s to 1.0 and 0.8 to 0.9. Which would increase the vulnerability for Rope Subdivision from 9 to 10.

The Rope Subdivision Type D intake is located at a depth of 1.9 m, 315 m offshore, near Highway 400, at the end or discharge point of the Trent Severn waterway, a waterway with significant boat traffic. Recently, Severn Sound including this intake area, has been experiencing increased water quality concerns including increasing occurrence and duration of algae blooms, suggesting that the intake may be at higher risk of contamination. So much so that, in 2024, Township of Tay staff are conducting exploratory work looking into switching Rope Subdivision from a surface water to a groundwater system to mitigate potential surface water quality risks to the system. The vulnerability score of this IPZ-1 is 9. The two neighbouring Intake Protection Zones (Port Severn and Tay Area, also know as Victoria Harbour) have VS’s of

10. These neighbouring intakes are also in shallow water and fairly close to shore, and all three intakes are thought to be equally vulnerable.

As part of S.36 workplan, the SGBLS SPC held a meeting on September 6, 2018. Here, Severn Sound RMO, Melissa Carruthers, proposed utilizing Technical Rule 95.1 to revise the source vulnerability factor from 0.9 to 1.0, which will result in a vulnerability score of 10 in the IPZ-1 and 9 in the IPZ-2. Amendments for this proposed change would include updates to the Assessment Report maps and text, and threats enumeration. Based on these three factors the SPC included increasing the vulnerability score of Rope Subdivision from 9 to 10 in the workplan providing it with enhanced protection.

The Rope Subdivision intake is within the Township of Tay, but the IPZ spans both the Township of Georgian Bay and the Township of Tay. This proposed change was presented to the councils of these municipalities for endorsement on October 14 and June 10, 2022 respectively, with both councils being favourable in endorsing the perusing of rerating the Rope Subdivision IPZ vulnerability score.

Details and Methods:

1. Severn Sound Source Protection Authority Staff reviewed various sections of the South Georgian Bay Lake Simcoe Source Protection Region (SGBLS SPR) Assessment Reports to identify vulnerability score matrices and criteria used when assigning the initial vulnerability score. In the assessment reports, the following criteria and formula where found.

   B (Area Vulnerability Factor) x C (Source Vulnerability Factor) = V (vulnerability score)

2. Compiled all Area Vulnerability Factors (B) and Source Vulnerability Factors (C) for the Type D intakes in the SGBLS SPR. The vulnerability scores were calculated for all Type D intakes if their source vulnerability factors were increased by 1 (the increase needed to change the Rope Subdivision VS from 9 to 10). Resulting in increases to an additional five other IPZs; Sandcastle Estates (Severn and Ramara), Orillia Water Treatment Plant, Lagoon City (Ramara), Alcona (Innisfil), and Beaverton (Durham Region).

3. A meeting was held on March 3, 2023 with all the impacted municipalities to walk them through the process and rationale, provide a high-level threat assessment, and to judge by in. Some provided verbal agreement to proceed as it would not impact their municipality (i.e., Orillia as the properties impacted are connected to municipal servicing or are parkland).

4. Follow up letters were sent to The Townships of Tay, Georgian Bay, Severn, Ramara, and Durham Region with the following questions asked

a. Would you support a vulnerability score increase in your area? Note: would not be enforceable until s.36 approved by MECP (most likely 2 years from now).
b. Do you think the Rope Subdivision intake needs more protection?
c. What steps would be needed in your municipality to move forward (i.e., council endorsement), estimated associated timeline, and staff that would need to be involved?
d. Do you currently have a septic reinspection program?
e. If the vulnerability score was increased, do you have the resources in house (or be able to contract) that could support the increased workload?
f. Do you foresee any drawbacks to increasing the IPZ vulnerability score?
g. If you would not support a vulnerability score increase, please provide rationale as to why.

5. Responses were received in writing (except Ramara, no written response received however, virtual response was received.) that they would support the increase, have resources in house or could acquire to conduct on-site sewage inspections, and did not foresee any drawbacks.

Issues/Impacts:

The following policies in the South Georgian Bay Lake Simcoe Source Protection Plan have the potential to apply if the vulnerability score was to increase from 9 to 10:

- Snow Storage (SNOW-1; SNOW-2)
- Pesticide Application (PEST(App)-1; PEST(App)-2)
- Onsite Sewage Works (SEWG(c)-2; SEWG(c)-3; SEWG (c)-4)
- Storm Water (SEWG(a)-1; SEWG(a)-2)

Policy SEWG(c)-4 would have the biggest impact on municipalities if this proposed change is approved by the Ministry of Environment, Conservation and Parks. Policy SEWG(c)-4 in the South Georgian Bay Lake Simcoe Source Protection Plan, as well as requirements under the Ontario Building Code, inspections of small onsite sewage systems would need to be completed on a five-year rotation within the Rope Subdivision Intake Protection Zone. The Townships of Tay, Georgian Bay, Severn, Ramara, City of Orillia, and Durham Region have been consulted and are in principal in agreement to conduct on-site sewage inspections (if applicable) and have the resources to do so and as such, limited impact is foreseen.

Summary:

The Severn Sound Source Protection Authority Staff recommend proceeding with utilizing Directors Technical Rule 95.1 to increase Rope Subdivision from a vulnerability score of 9 to 10.

Reasons include: the intake being in close proximately to the Highway 400 corridor; at the end of the Trent severn waterway containing significant boat traffic; relatively shallow at approximately 1.9 meters deep and 315 meters offshore; experiencing an increase of nearby algal blooms (within Severn Sound); and the two neighbouring IPZs (Victoria Harbour IPZ: depth of 4.1 meters and 100 meters from shore, and Port Severn IPZ: depth of 4 meters) already having vulnerability scores of 10.

Recommendations:

It Is Therefore Recommended That presentation c) and Staff Report SPC2.1 regarding a vulnerability score increase to the Rope Subdivision Intake Protection Zone be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee endorse the utilization of Directors Technical Rule 95.1 to increase the vulnerability score of Rope Subdivision from 9-10.

Prepared by:

Melissa Carruthers, Manager Source Water Protection, RMO/RMI, SSEA

Recommended by:

Bill Thompson, Manager, Watershed Plans and Strategies, LSRCA

Source Protection Committee Meeting SPC-02-2024

Staff Report Number: SPC2.2

To: South Georgian Bay Lake Simcoe Source Protection Committee

From: Bill Thompson, Manager, Watershed Plans and Strategies, LSRCA

Date: **July 11, 2024**

Subject: Grazing and Pasturing of Livestock

Recommendations:

That presentation d) and Staff Report SPC2.2 regarding Grazing and Pasturing of Livestock be received for information; and

Further That staff be directed to revise policy LSTOCK-1 to allow the management of livestock grazing where it would be a significant drinking water threat (outside a WHPA-A) through risk management plans, rather than prohibiting it; and

Further That staff be directed to incorporate the revised policy in the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

Purpose of Staff Report:

The purpose of this Staff Report is to provide the Source Protection Committee an overview with challenges in implementing a policy governing the grazing of livestock in vulnerable areas, and to seek approval for a change in policy approach.

Background:

As part of developing a workplan for the review and update of the Source Protection Plan under section 36 of the Clean Water Act, Source Protection staff asked Risk Management Officials and other implementing bodies about implementation challenges they were facing. Several Risk Management Officials identified policy LSTOCK-1 as being challenging.

Policy LSTOCK-1 governs the grazing of livestock in vulnerable areas, and states that

> Existing and future livestock grazing and pasturing is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat.

Issues:

Policy LSTOCK-1 is one of the rare cases where the Source Protection Plan prohibits existing activities where they would be a significant drinking water threat; in most cases, existing activities are managed through Risk Management Plans or Prescribed Instruments. For example, both the outdoor confinement of livestock (i.e. barn yards or feedlots) and the application of agricultural source material (i.e. the spreading of manure) is managed through our plan through a combination of Prescribed Instrument and Risk Management Plan policies.

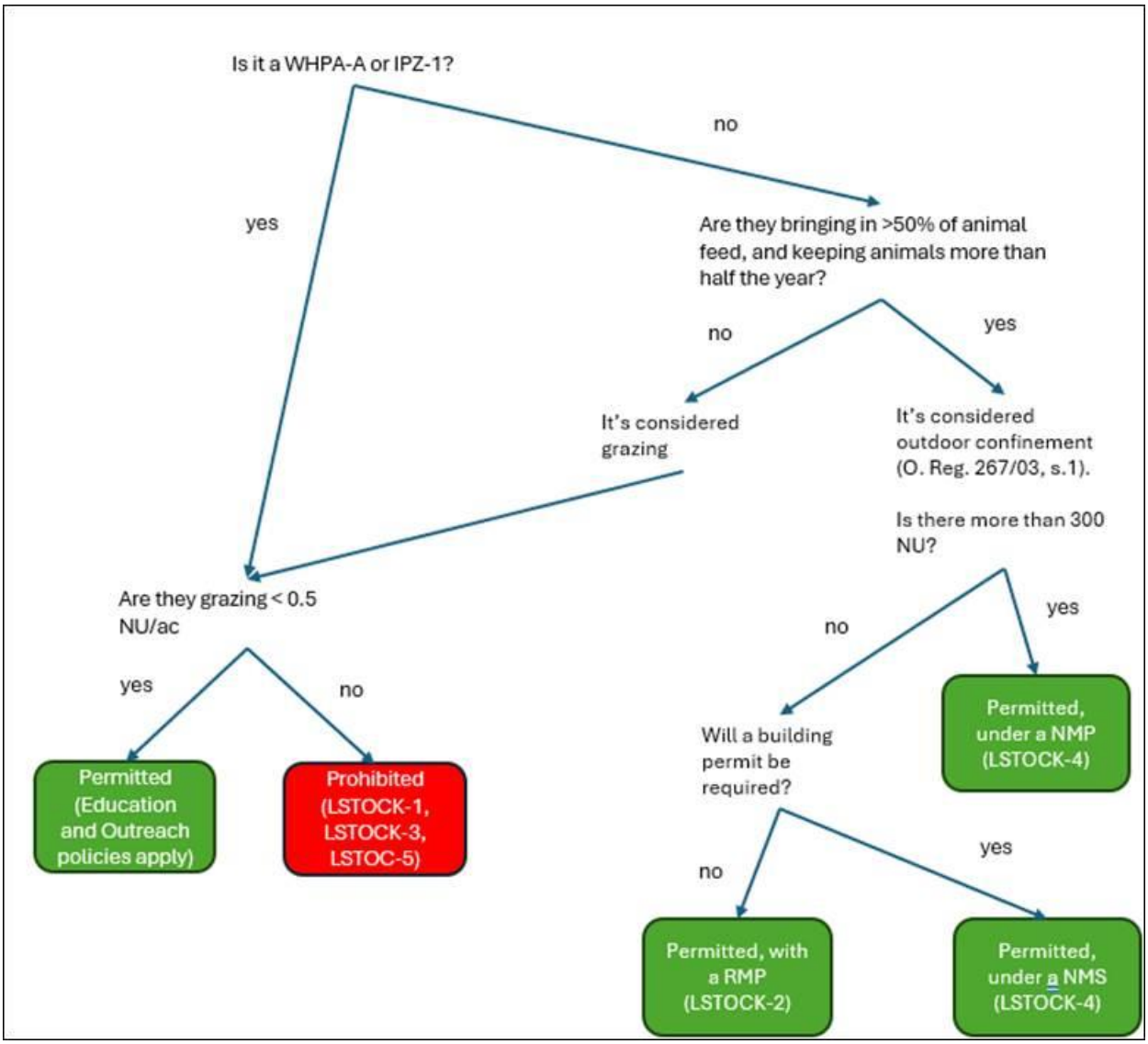
The Ministry's Technical Rules treats the grazing and confinement of livestock differently, with separate circumstances for each activity wherein it could become a Significant Drinking Water Threat. It is worth noting however, that in both cases, livestock are considered a Significant Drinking Water in a wellhead protection area with a vulnerability score of 10, regardless of the number of animals, due to the potential presence of pathogens. Part of the rationale for treating these two activities separately under the Clean Water Act is that the Nutrient Management Act addresses the confinement of livestock, but not grazing, and MECP has been operating under a principle of making the Clean Water Act consistent with other Provincial legislation where possible.

Following this same principle, the Clean Water Act relies on the definition of outdoor confinement from the Nutrient Management Act. Under that Act, outdoor confinement doesn't have any upper limit to the area enclosed, nor lower or upper limit to the number of animals confined, but it does require:

- That the area be composed of fences, pens, corrals or similar structures
- That the area be used for 4800 hours or more in a calendar year to contain livestock [i.e., more than half a year], and
- That grazing and foraging provides less than 50% of dry ma er intake of any livestock contained.

Neither the Clean Water Act nor Nutrient Management Act defines grazing, but the implication is that animals which don't meet the definition of being confined are grazing. Because grazing areas are also enclosed by fences, the use of a given area for 4800 hours and the importation of food stock seem to be the legal differentiation between animals that are grazing or animals that are confined.

With the above in mind, navigating the policies in the Source Protection Plan to determine under which situations livestock would be prohibited or permitted would be as follows:



It is the opinion of staff that the Plan is more restrictive to grazing livestock than it is to confined livestock. It also appears that the policies have inadvertently introduced a loophole, such that in certain situations a farmer could choose to purchase feed to argue that they're confining rather than grazing their livestock. It is the opinion of staff that neither the approach of being more restrictive on grazing, nor the introduction of the loophole, represent fair and reasonable policies.

It is the opinion of staff that a Risk Management Plan approach would be more fair and reasonable. The existing policy LSTOCK-1 has been triggered twice thus far. In both cases, Risk Management Officials have sought creative solutions to address the threat to drinking water, while remaining within Source Protection Plan policies, and while reducing undue impacts to the farming community. In both cases, advice was provided by Source Protection staff, and by agricultural representatives on the Source Protection Committee. Fundamentally however, Risk

Management Plans are the policy tool intended to provide case-by-case decision making of this sort. Further, Risk Management Measures do exist, which could provide tools for the management of manure from grazing animals, such as rotational grazing, directing animals to less vulnerable areas through strategic placement of food, water, or salt licks, and the periodic removal accumulated manure.

Policy LSTOCK-1 could be revised to allow Risk Management Officials to address livestock grazing through Risk Management Plans in a way that is more consistent with other agricultural nutrient related activities with the following revisions (additions underlined):

> Existing and future livestock grazing and pasturing is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited <u>within WHPA-A and IPZ-1</u> where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat.
>
> <u>Existing and future livestock grazing and pasturing is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.</u>

Summary:

Risk Management Officials have identified a challenge with Source Protection Plan policy LSTOCK-1, which prohibits existing and future grazing of livestock in an area where they would be a significant drinking water threat. This is a more restrictive policy than many in the Source Protection Plan, including those policies related to the confinement of livestock or spreading of manure.

After reviewing the issue, Source Protection Staff are of the opinion that existing policies could be improved by treating the grazing of livestock in a way consistent with other agricultural nutrient-related policies, and recommend converting the prohibition policy to a risk management plan policy.

Recommendations:

It Is Therefore Recommended That presentation d) and Staff Report SPC2.2 regarding Grazing and Pasturing of Livestock be received for information; and

Further That staff be directed to revise policy LSTOCK-1 to allow the management of livestock grazing where it would be a significant drinking water threat (outside a WHPA-A) through risk management plans, rather than prohibiting it; and

Further That staff be directed to incorporate the revised policy in the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

Prepared by:

Bill Thompson, Manager, Watershed Plans and Strategies, LSRCA

Source Protection Committee Meeting SPC-02-2024

Staff Report Number: SPC2.3

To: South Georgian Bay Lake Simcoe Source Protection Committee

From: Mystaya Touw, Sourcewater Protection Specialist, LSRCA

Date: July 11, 2024

Subject: Overview of Section 36 Updates

Recommendations:

That presentation e) and Staff Report SPC2.3 regarding an Overview of Section 36 Updates and supporting documents be received for information; and

Further That the updates to the Source Protection Plan, Explanatory Document, and Assessment Reports also be received for information; and

Further That the Source Protection Committee endorse the Draft Source Protection Plan and accompanying documents as written for submission to the Ministry of Environment, Conservation and Parks for early engagement as part of the amendment to the Plan under section 36 of the Clean Water Act.

Purpose of Staff Report:

The purpose of this Staff Report is to provide information about the changes included in the Section 36 updates to the Source Protection Plan, Explanatory Documents, and the Assessment Reports, and to seek approval from the SPC for the changes and to submit the package to the SPAs and to the ministry for early engagement.

Background:

Section 36 of the Clean Water Act requires the Minister to set a date for Plan review and update when he or she approves the Source Protection Plan. Accordingly, when the original Source Protection Plan was approved by Minister Murray, in 2015, an Order to initiate a plan review in 2018 accompanied approval of the plan.

As required by that Order, Source Protection staff consulted with Risk Management Officials and other implementing bodies on the effectiveness of existing policies, compiled and assessed updated raw water quality data from municipal wells and intakes, and reviewed changes to provincial policy since Plan approval, which might require plan updates. Through that process, staff identified a list of items to include in the plan review and updates required under Section 36 of the Act.

In addition, in December of 2021, the Province amended the Technical Rules for the sourcewater program, which also requires amendments to our Source Protection Plan. These updates included changes to the circumstances where an activity would be considered a significant drinking water threat for the following activities:

1a. Application of hauled sewage to land

1g. Waste disposal facilities

2a. Stormwater management facilities*

2b. Wastewater collection and treatment facilities

2d. Industrial effluent discharge

6. Application of non-agricultural source material

7. Storage of non-agricultural source material

9. Handling and storage of commercial fertilizer

10. Application of pesticides to land

11. Handling and storage of pesticides

12. Application of road salt

13. Handling and storage of road salt

14. Storage of snow

15. Handling and storage of fuel

Circumstances for the following new threats (or sub-threats) were also added:

1b. Storage of hauled sewage

1c. Application of processed organic waste to land

1e. Waste generating facilities

1f. Waste transfer and processing

2a. Stormwater infiltration facilities*

22. Liquid hydrocarbon pipelines (2017 Director's Technical Rules)

These updates began a process of research, discussion, and policy updates at subsequent Committee meetings, with the outcome of those deliberations incorporated in a draft amendment.

Finally, since the Source Protection Plan was initially approved, the Accessibility for Ontarians with Disabilities Act has come into force. This Act introduces specific requirements to ensure documents are accessible to all readers. Accordingly, stylistic and layout changes have been introduced to the Source Protection Plan, Assessment Reports, and Explanatory Document to ensure compliance with this Act.

Issues:

Over the past several years the Source Protection Committee and SPA Staff have worked through the updates required by the Minister's Order, the updated Director's Technical Rules, and a list of local concerns to draft updates to the South Georgian Bay Lake Simcoe Source Protection Plan, Explanatory Document, and Assessment Reports.

Table 1 in Attachment 1 details the threats that were discussed at previous SPC meetings, including a staff report identifying information and any amendments that were made to the recommendations or policies as a result of discussion at the meeting. These past SPC materials can be accessed online at https://ourwatershed.ca/source-protection-committee/agendas-minutes/. A detailed history of the discussion of any individual threat type can be found in these materials as well as in the updated Draft Explanatory Document and Draft Source Protection Plan.

A summary of all the policy and circumstance changes, as well as other updates to the Plan and Assessment Reports are available in the accompanying **Attachment 2: Summary of Changes** document.

Attachment 3 provides additional information on Policy EDU-13, a policy which the Committee requested be developed to address commercial fertilizer use in the WHPA-A through education and outreach.

Attachment 4 provides follow-up on the final wording for updates to the policies for the application of pesticides and exemptions from risk management plans.

Attachment 5 details proposed updates to prescribed instrument policies to ensure the instrument (for example, and Environmental Compliance Approval) contains information about the drinking water system and the relevant threat activities.

Attachment 6 serves as a reminder to the Committee of the approved draft policy PIPE-1 and the proposed policy PIPE-2 that was developed at the request of the Committee to fill a policy gap.

Timelines associated with the Plan and its implementation through risk management officials were also revisited at the May 16, 2024 Risk Management Official / Source Protection Committee Workshop. A summary of that workshop has been included in the agenda package, as well as **Attachment 7** which details the rationale for not changing the existing 5-year timeline for risk management plan implementation.

Attachment 8 provides more detail on Source Protection Authority Staff's recommendation that land use policy LUP-12 remain as written.

With this initial drafting and discussion phase coming to a close, Staff are recommending that the Source Protection Committee endorse the Draft Source Protection Plan and accompanying documents.

Upon Committee endorsement, staff will begin the consultation process for plan amendments required under the Clean Water Act. This process is a multi-stage one, including: 'early engagement' with policy and technical staff from the Ministry; 'pre-consultation' with risk management officials, and Provincial and municipal staff with responsibilities to implement policies in the plan; and 'public consultation' with residents of the Source Protection Region, and with specific engagement of those expected to be affected by policy implementation. This process will also include updating the drinking water threats enumeration tables in the Assessment Reports to account for new Threats resulting from the 2021 Technical Rules and revised policies.

At the end of each step in this cycle, staff intend to bring a summary of comments received to the Committee, along with recommendations to address comments. When the full consultation cycle is complete, the final draft is to be submitted to the Source Protection Committee and Source Protection Authority Boards for endorsement, and to the Minister of Environment Conservation and Parks for approval.

Summary:

Updates to the Sourcewater documents, including the Source Protection Plan, Explanatory Document, and Assessment Reports, have been drafted as a result of the Minister's Order for a Section 36 Amendment, and the 2021 Technical Rules. This marks the beginning of the final stages of this multi-year review process. The draft documents, as well as summary materials, have been provided to the Committee to accompany this Staff Report. It is recommended that the Committee endorse the package provided for review.

Recommendations:

It is Therefore Recommended That presentation e) and Staff Report SPC2.1 regarding an Overview of Section 36 Updates and supporting documents be received for information; and

Further That the updates to the Source Protection Plan, Explanatory Document, and Assessment Reports also be received for information; and

Further That the Source Protection Committee endorse the Draft Source Protection Plan and accompanying documents as written for submission to the Ministry of Environment, Conservation and Parks for early engagement as part of the amendment to the Plan under section 36 of the Clean Water Act.

Prepared by:

Mystaya Touw, Sourcewater Protection Specialist, LSRCA

Recommended by:

Bill Thompson, Manager, Watershed Plans and Strategies, LSRCA

Attachments: 8

Table 1. SPC meetings and staff reports per threat activity.

Threat Activity	SPC Meeting	Agenda Item & Staff Report	Amendments made during or after SPC meeting
1a/b. Hauled sewage	May 3, 2022	Agenda item 9e) and staff report 2.5	
1c/d. Processed organic waste	November 2, 2023	Agenda item 8b) and staff report 2.3	
1e. Waste generating facilities	June 1, 2023	Agenda item 9f) and staff report 2.5	Policy threshold amended and approved by SPC during June 1, 2023, meeting: Risk Management Plans for quantities of 200 kg or more with the exception of mercury which is to be a quantity of 1 kg, and education and outreach for quantities less than 200 kg, for residential waste and for emergency waste clean up
1f. Waste transfer and processing	May 3, 2022	Agenda item 9b) and staff report 2.2	
1g. Waste disposal	May 3, 2022	Agenda item 9c) and staff report 2.3	
2a. Stormwater facilities	July 5, 2022	Agenda item 9a) and staff report 2.1	
2b. Wastewater facilities	May 3, 2022	Agenda item 9f) and staff report 2.6	
2d. Industrial effluent	May 3, 2022	Agenda item 9d) and staff report 2.4	
6./7. Non-agricultural source material	September 22, 2022	Agenda item 9c) and staff report 2.3	

Threat Activity	SPC Meeting	Agenda Item & Staff Report	Amendments made during or after SPC meeting
9. Handling and storage of commercial fertilizer	September 22, 2022	Agenda item 9d) and staff report 2.4	
10./11. Pesticides	November 2, 2023	Agenda item 8a) and staff report 2.2	Staff directed to revise final wording of policies following SPC meeting (See attachment 3)
12./13. Road Salt	July 5, 2022	Agenda items 9b) and 9c). Staff reports 2.2 and 2.3.	Draft policy wording amended and approved at the July 5, 2022 SPC meeting: Policies which apply to the future handling and storage of salt be amended to prohibit volumes larger than 500 tonnes, to maintain the effect of the policies as originally written, and any uncovered salt storage
14. Storage of snow	July 5, 2022	Agenda item 9d) and staff report 2.4	
15. Handling and storage of fuel	June 1, 2023	Agenda item 9e) and staff report 2.3	
16. Handling and storage of DNAPLs	June 21, 2022	Agenda item 9b) and staff report 2.2	
21. Livestock grazing	July 11, 2024	See Staff Report in this Agenda Package	
22. Liquid hydrocarbon pipelines	July 7, 2020	Agenda item VIII f) and staff report No. SPC-2020-02-03	Second policy directed at SPA added at the request of the SPC (See Attachment 6)

Section 36 Amendment – Summary of Changes

This document summarizes the changes to the South Georgian Bay Lake Simcoe Source Protection Plan, Explanatory Document, the Lake Simcoe and Black-Couchiching Assessment Report, the Severn Sound Assessment Report, as well as the Nottawasaga Valley Assessment Report. These changes are the result of 2021 updates to the Technical Rules and subsequent policy updates approved by the Source Protection Committee.

Table 2 gives a high-level summary of changes made to the assessment reports and the reasons for those changes, whether it be directly as a result of the technical rules, to improve accessibility, or to update information to match more recent data sets.

Table 3 outlines sections of the source protection plan that have been changed in this Section 36 update, most of which are the result of the 2021 Technical Rules. A few others are hold overs from the 2017 technical rules; policies the SPC, Risk Management Official, or Staff requested be updated; or the result of other provincial regulatory changes.

Table 4 lists the new and updated policies included in this Section 36 update. For updated policies, the new sections of text have been highlighted in yellow.

Table 2. Summary of Changes: Assessment Reports, General

Change	Details	Reason for change
Tables	Tables edited throughout the documents to be more screen-reader friendly.	Accessibility
Ministry names	Ministry names updated throughout the assessment reports.	Outdated information
Figures	Impervious surface mapping updated in municipal chapters for all four assessment reports. The following drinking water systems may now have salt related drinking water threats because of the lowered thresholds depicted in the updated mapping: • Heritage well field, Midland • Georgian Bay Estates, Tiny • Victoria Harbour, Tay • Well 8, Alliston • Well 5, Alliston • Wells 4 and 5, Tottenham • Well 1-3, Wasaga Beach • Wells 1 and 2, Creemore • Well 6, New Lowell • Wells 1,2 and 15, Newmarket • Wells 1-4 and 6, Aurora	2021 Technical Rules
Figures	Maps updated for Managed lands in Barrie and the Nottawasaga watershed.	Requested by the City of Barrie and NVCA
Figures	Alternative descriptive text was drafted for all figures in the sourcewater document to improve accessibility. Note: not all of the descriptive text was added in the current drafts due to time constraints, but it will be added in later drafts.	Accessibility
Threat 22. Liquid hydrocarbon pipelines	Liquid hydrocarbon pipelines was added as a designated activity after approval of the Source Protection Plan. This threat was added anywhere in the assessment reports that it had not already been updated through a Section 34 process.	2017 Technical Rules
Issues Contributing Areas	References to ICAs updated to reflect technical rules move to WHPA-ICA and IPZ-ICA terminology throughout documents.	2021 Technical Rules

Change	Details	Reason for change
Ch. 2 Watershed characterization – Lake Simcoe & Black-Severn	Data in Table 2-2 Natural Heritage Community types updated to reflect more recent data. Surface water and groundwater sections updated based on more recent data. Beach E.coli data from the Simcoe-Muskoka health unit was also added. Municipal population data was updated using the 2021 census. Land cover data was updated to reflect more recent data. Any missing wells were added to Table 2-13 Municipal Drinking Water Systems in the Lake Simcoe Watershed.	Outdated information
Ch.4 Assessing Regional Groundwater Vulnerability – all Assessment Reports	Removed vulnerability scoring for significant groundwater recharge areas and other minor text edits related to updated tech rules in 2017 and 2020.	2021 Technical Rules
Municipal Chapters – all Assessment Reports	WHPA-F references removed. References to outdated tables and information in 'Identifying Areas of Significant/Moderate/Low Threats – Activities' sections updated to reflect current resources.	2021 Technical Rules
Municipal Chapters – all Assessment Reports	Notes were added to the draft Assessment reports in the "Enumerating Drinking Water Threats" section for each drinking water system noting that the threats enumeration will be updated in the near future as a result of Technical Rule changes and policy changes in this Section 36 Amendment. This enumeration will be brought back to the committee in later drafts of the Assessment Reports before the final submission to the Ministry for approval.	2021 Technical Rules

Change	Details	Reason for change
Assessment Report in Context – all Assessment Reports	Information added under the 'Fate of and transport of contaminants' heading about IPZs in the Severn Sound watershed that was not available when the assessment reports were originally published. Out of date information was removed from the 'Science and Research' section. Where possible, it was replaced with contemporary information. Out of date reference to MECP tables replaced with reference to the Technical Rules.	Out of date information
References – all Assessment Reports	References updated to include 2021 Technical Rules and any missing references.	Self-executing

Table 3. Summary of Changes: Source Protection Plan and Explanatory Document

Area of Change	Details	Reason for change
Threat #1 waste, and its sub threats. Circumstance changes and resulting policy changes.	The threat category of waste added new sub threats: handling and storage of hauled sewage, application of processed organic waste, and storage of processed organic waste. Additionally, waste disposal was expanded into waste generating facilities, waste transfer and processing, and waste disposal facilities. Policies were developed for the new sub threats, and the policies for waste disposal were reviewed based on changed circumstances. • The policies for the storage of hauled sewage were modelled off of those for wastewater storage facilities. • The policy approach for processed organic waste is intended to be similar to that of non-agricultural source material. • The policies for waste generating facilities reflect registration requirements for certain wastes, and limits set by the SPC to require risk management plans for certain wastes above certain volumes, and update the outreach and education policy EDU-7 to address smaller volumes. • The policies developed for waste transfer and processing are similar to those of waste disposal in their prohibition of new facilities where they would be a significant drinking water threat. • The policies for waste disposal were updated to reflect new Ministry terminology. The policy approach remained unchanged. The rationale for these policies is outlined in more detail in the explanatory document (Starting on pg. 17).	2021 Technical Rules

Area of Change	Details	Reason for change
Threat #2 wastewater, and its sub threats. Circumstance changes and resulting policy changes.	Stormwater (threat 2a) now considers both stormwater management facilities and stormwater infiltration facilities explicitly. The circumstances for significant drinking water threats were also updated. Policies for stormwater were reviewed and revised. • The existing policy directing the Ministry to do further research into infiltration facilities was removed, as the new technical rules reflect that the research has been done. • A new risk management plan policy was added to fill the gap of any stormwater facilities that do not require a Provincial approval. The rationale for these policies is outlined in more detail in the explanatory document (starting on Pg. 29). Wastewater (threat 2b) circumstances were updated to reflect changes separating out wastewater collection facilities and wastewater treatment facilities, as well as specifying specific pieces of the infrastructure and how they could be a significant drinking water threat. The policies were reviewed. No changes were made to policies for wastewater collection and treatment facilities. The circumstances for industrial effluent discharge (threat 1d) were updated to reflect the changes in the technical rules. The policies were reviewed. No changes were made to the policies for industrial effluent discharge.	2021 Technical Rules
Threat #4. Application of ASM. Correcting pre-existing errors.	The circumstance table was updated to correct minor errors in the original table.	Staff initiated
Threats #6 and #7. Application of NASM, and handling and storage of NASM.	Circumstances were updated to reflect changes in technical rules. Existing errors in the circumstance table for application of NASM were also corrected. Policies were reviewed. No changes were made.	2021 Technical Rules
Threat #9. Handling and storage of commercial fertilizer.	The description of the circumstances for the storage of commercial fertilizer was updated to reflect changes in the technical rules. Policies were reviewed. No changes were made to existing policies. An education and outreach policy (EDU-13) was added to address moderate and low threats in WHPA-A.	2021 Technical Rules

Area of Change	Details	Reason for change
Threat #10. Application of pesticides to land.	The description of circumstances was updated to reflect the inclusion of all land use types and all pesticides. The policies were reviewed and updated to reflect these changes. • A policy was added for pesticide uses required to obtain a pesticide permit, which is a prescribed instrument. • The risk management plan policy was amended to exclude domestic chemicals. The Ontario cosmetic pesticides ban also limits what products can be used for aesthetic purposes. • Education and outreach policies will be used to address the use of domestic pesticides. The rationale for these policies is outlined in more detail in the explanatory document (pg. 60).	2021 Technical Rules
Threat #11. Handling and storage of pesticides	The description of circumstances was updated to reflect the inclusion of all pesticides. Policies were reviewed. No changes were made.	2021 Technical Rules
Threat #12. Application of road salt.	The circumstances were updated to reflect the changes in the technical rules. The policies were reviewed by the SPC and an additional policy directed at municipalities and encouraging the creation of salt management plans was added. This new policy was added as a result of increasing salt concentrations throughout the source protection region. The rationale for this policy is outlined in in more detail in the explanatory document (pg. 63).	2021 Technical Rules
Threat #13. Handling and storage of road salt.	The circumstances were updated to reflect the changes in the technical rules. The policies were reviewed and updated to reflect these changes. The rationale for these policies is outlined in more detail in the explanatory document (starting on pg. 64).	2021 Technical Rules
Salt ICA (Barrie)	Policy SALT(ICA)-1 was reviewed and revised to include areas outside of WHPA-A where a parking lot is greater than 1 ha in the risk management plan policy.	Requested by the City of Barrie
Threat #14. Storage of snow.	The circumstances were updated to reflect the changes in the technical rules. Policies were reviewed and updated. With more areas potentially having significant drinking water threats, the prohibition policy was deemed to be too restrictive and now specifies it applies to future storage of one hectare or greater.	2021 Technical Rules
Threat #15. Handling and storage of fuel.	The circumstances were updated to reflect the changes in the technical rules. Policies were reviewed. No changes were made.	2021 Technical Rules

Area of Change	Details	Reason for change
Threat #16. Handling and storage of DNAPLs.	The policies for the handling and storage of dense-non-aqueous phase liquids (DNAPLs) were reviewed by the SPC and updated. This review was requested by RMOs, due to challenges implementing the original policies. Future storage of less than 250 L or for retail sale will now be addressed with risk management plans, rather than prohibition. The rationale for these policy updates is outlined in more detail in the explanatory document (starting on pg.77).	Requested by Risk Management Officials
Threat #19. Demand policies	Minor typographic changes for clarity and consistency of municipalities/WHPA-Qs.	Clarification
Threat #21. Livestock grazing, etc.	Proposed revisions to the policies for livestock grazing to be more consistent with policies for similar threats and more realistic for RMOs to implement. The prohibition policy is proposed to be revised to only apply in the WHPA-A or IPZ-1, and a risk management plan policy added for livestock grazing outside of these most vulnerable areas.	Reviewed based on RMO feedback
Threat #22. Liquid hydrocarbon pipelines.	The operation and maintenance of liquid hydrocarbon pipelines was added as a new threat. Policies for this threat were developed and added to the plan. • The first policy is aimed at regulators and proponents and encourages them to engage with the SPC and to manage any risk to drinking water. The SPC does not have the ability to make this policy legally binding. • A second policy was added aimed at the Source Protection Authorities (SPAs), which is legally binding, to require the SPA to engage in the public consultation process for any pipeline in their watershed that could be a significant drinking water threat. The rationale for these policies is outlined in more detail in the explanatory document.	Amendment to the Clean Water Act
Restricted land use policy RLU-1.	Policy RLU-1 was revised to include threat 1b. storage of hauled sewage, and threat 2a. stormwater management/infiltration facilities. The listing of waste disposal (threat 1g) was also updated.	2021 Technical Rules
Prescribed instrument policies	All prescribed instrument policies (environmental compliance approvals, nutrient management plans, etc.) were revised to include a requirement to identify the drinking water system, and threat activity (see Attachment 4). Polices for wastewater and stormwater were amended to specifically include consolidated linear infrastructure – environmental compliance approvals (CLI-ECAs).	Policy improvements and clarity

Area of Change	Details	Reason for change
Land Use Planning Policies.	Policy LUP-1 was revised to reflect the new waste categorization in the policy/threats section, which resulted from changes to the technical rules. Threats 1b – storage of hauled sewage, 1d – storage of processed organic waste, and 1f – waste transfer and processing were added to the policy, and the inclusion of threat 1g – waste disposal sites was revised.	2021 Technical Rules
Land Use Planning Policies.	Policy LUP-2 and LUP-3 were edited to include clarification that it does not apply to 'clean' roof top water that would not contain the same salt load as surface level pavement.	Requested by the City of Barrie
Land Use Planning Policies.	Policy LUP-7 was clarified to state that it applies to issue contributing areas for nitrates.	Clarification
Education and Outreach Policies.	Policy EDU-1 was revised to include threat 1c – application of processed organic waste, and 1d- handing and storage of processed organic waste, as well as to focus on targeting non-agricultural properties and lawncare companies. Policy EDU-7 was updated to reflect the change in waste threat subcategories to target the new sub-threat of waste generating facilities. Policy EDU-12 was revised to reflect the new waste sub-threat categories, adding include threat 1c – application of processed organic waste, 1d- handing and storage of processed organic waste, 1e – waste generating facilities, and 1f – waste transfer and processing to the policy.	2021 Technical Rules
Education and Outreach Policies.	Policy EDU-13 was added to address concerns from the SPC around moderate and low commercial fertilizer threats in WHPA-A, particularly on non-farm properties where there may be less existing knowledge of best practices (see Attachment 2).	SPC initiated
Incentive Policies.	Policy INCENT-6 was revised to include threats 1a – application of hauled sewage, and 1c – application of processed organic waste.	2021 Technical Rules
Summary of Policies Used.	The tables in this section were replaced with updated tables reflecting all the policy changes listed above.	2021 Technical Rules
List of Acronyms.	Ministry names were updated in this list as well as through the documents.	Staff initiated

Area of Change	Details	Reason for change
Glossary of Terms.	Issue Contributing Areas was edited in this section to reflect that there are now either WHPA-ICAs or IPZ-ICAs. References updated throughout documents to reflect this change. Definitions for pesticide and pest control product were added as a result of the list of pesticides that can be a significant drinking water threat expanding to include all pesticides in the 2021 Technical Rules.	2021 Technical Rules
Appendix A: Policy Lists as Required Under Section 34 of the Clean Water Act	Lists C, E, G, H, J, and K were updated to reflect policy changes.	2021 Technical Rules
Designations in accordance with Director instructions under Ontario Regulation 287/07	The table 'Prescribed Instruments which apply to Source Protection Plan policies in Lists C and D above,' was replaced with an updated version to reflect policy changes.	2021 Technical Rules
Other pending changes	Details about consultation and the section 36 amendment process will be added at a later date.	Initiated by Section 36 process itself

Table 4. Summary of New, Updated, and Removed Policies

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1a. Application of hauled sewage	WAST(a)-2	PI	HR	MECP	F	Where the future application of untreated septage to land would be a moderate or low drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the application of untreated septage to land is managed in accordance with applicable legislation and policy. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated
1b. Storage of Hauled Sewage	WAST(b)-1	RMP	MC	RMO	E	Where the Ontario Water Resources Act does not require an approval, existing tanks or lagoons used for the storage of hauled sewage are designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the existing activity ceases to be a significant drinking water threat.	Mon-6	New

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1b. Storage of Hauled Sewage	WAST(b)-2	PI	MC	MECP	E	Where the existing establishment, operation or maintenance of tanks or lagoons used for the storage of hauled sewage are a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs these activities includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New
1b. Storage of Hauled Sewage	WAST(b)-3	PI	MC	MECP	F	The future establishment, operation or maintenance of tanks or lagoons used for the storage of hauled sewage is prohibited where the activity would be a significant drinking water threat.	MON-2	New
1c. Application of Processed Organic Waste	WAST(c)-1	Pro	MC	MECP	E/F	The existing and future application of processed organic waste to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	MON-2	New

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1c. Application of Processed Organic Waste	WAST(c)-2	PI	MC	MECP	E/F	Where the application of processed organic waste is a significant drinking water threat MECP shall ensure that the Environmental Compliance Approval: Prohibits the application of processed organic waste within a WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New
1d. Storage of Processed Organic Waste	WAST(d)-1	Pro	MC	MECP	E/F	The existing and future handling and storage of processed organic waste that contains sewage residue is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	MON-2	New policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
	WAST(d)-2	PI	MC	MECP	E/F	Where the handling and storage of processed organic waste that contains sewage residue and is a significant drinking water threat MECP shall ensure that the Environmental Compliance Approval: Prohibits the handling and storage of processed organic waste within a WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New policy
1e. Waste Generating Facilities	WAST(e)-1	PI	MC	MECP	E/F	Where existing and future waste generating facilities are considered a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1e. Waste Generating Facilities	WAST(e)-2	RMP	MC	RMO	E/F	Where the Environmental Protection Act does not require an approval, existing and future Subject Waste Generating Facilities (facilities required to register with HWIN) are designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	MON-6	New policy
1e. Waste Generating Facilities	WAST(e)-3	RMP	MC	RMO	E/F	Existing and future waste generating facilities (those required to register) are designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for quantities of 200 kg or more with the exception of mercury which is to be a quantity of 1 kg, and education and outreach for quantities less than 200 kg, for residential waste and for emergency waste clean up.	MON-6	New policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1f. Waste Transfer and Processing	WAST(f)-1	PI	MC	MECP	E	Where the existing establishment, operation, or maintenance of a waste transfer and/or processing activity (including municipal waste, hazardous waste, and liquid industrial waste) is a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval that governs the activity includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New policy
1f. Waste Transfer and Processing	WAST(f)-2	PI	MC	MECP	F	The future establishment, operation, or maintenance of a waste transfer and/or processing activity (including municipal waste, hazardous waste, and liquid industrial waste) is prohibited where the activity would be a significant drinking water threat.	MON-2	New policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1g. Waste Disposal	WAST(g)-1	RMP	MC	RMO	E	Where the Environmental Protection Act does not require an approval, the existing establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage) is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	MON-6	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
1g. Waste Disposal	WAST(g)-2	PRO	MC	RMO	F	Where the Environmental Protection Act does not require an approval, the future establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage) is designated for the purpose of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-6	Updated policy
1h. Mine tailings	WAST(h)-1	PI	MC	MECP	E	Where the existing disposal of mine tailings is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the disposal of mine tailings includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
2a. Stormwater management facilities and stormwater infiltration facilities	SEWG(a)-1	PI	MC	MECP	E/F	Where the existing and future establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater is or would be a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) that governs the establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater include appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. Such conditions may include: 1) permitting the expansion of an existing facility where the expansion does not pose a significant drinking water threat. 2) permitting retrofits to existing facilities where the retrofit will discharge the stormwater outside of the significant drinking water threat area. 3) An operations and maintenance plan, and monitoring plan, which ensure that the facility does not become a significant drinking water threat through insufficient maintenance. 4) The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
2a. Stormwater management facilities and stormwater infiltration facilities	SEWG(a)-2	Oth (Re)	NLB	MECP	E	The MOE (MECP) is encouraged to consider conducting research to identify risks from infiltration ponds to aquifers used as a drinking water source, and to review contemporary technology for the design and operation of stormwater management facilities that can protect municipal drinking water systems. The research outcome should update stormwater management planning and design guidelines, the Tables of Circumstances, and be applied within vulnerable areas where the activity is a significant drinking water threat.	MON-2	This policy was **removed** because MECP has acted on this and added circumstances for stormwater infiltration features in the 2021 Technical Rules.
2a. Stormwater management facilities and stormwater infiltration facilities	SEWG(a)-2	RMP	MC	RMO	E/F	Where the Ontario Water Resources Act does not require an approval, existing and future stormwater infiltration facilities, where the activity would be a significant threat to drinking water, shall require a Risk Management Plan that includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat.	MON-6	Previous SEWG(a)-2 policy was **removed and replaced** with this new policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
2b. Wastewater collection facilities and wastewater treatment facilities	SEWG(b)-2	PI	MC	MECP	E	Where the existing establishment, operation or maintenance of a sewage treatment plant, sanitary sewers and related pipes, sewage treatment plant by-pass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) that governs these activities includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated
2c. On-site sewage works	SEWG(c)-1	PI	MC	MECP	E	Where an existing large (more than 10,000 litres) on-site sewage system is a significant drinking water threat, MECP shall ensure that the Environmental Compliance Approval that governs the on-site sewage system includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
2d. Industrial effluent discharge	SEWG(d)-1	PI	MC	MECP	E	Where the existing discharge of industrial effluent is in an area where this activity is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the discharge of industrial effluent includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated
3. Application of agricultural source materials	ASM(App)-4	PI	MC	OMAFRA	E/F	Where the existing and future application of agricultural source material to land is in an area where this activity is or would be a significant drinking water threat outside of WHPA-A or IPZ-1, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. The plan or strategy shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-3	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
4. Handling and storage of agricultural source material	ASM(Store)-3	PI	MC	OMAFRA	E	Where the existing storage of agricultural source material is in an area where the activity is a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the storage of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat. The plan or strategy shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-3	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
6. Application of non-agricultural source material	NASM(App)-3	PI	MC	MECP, OMAFRA	E	Where the existing application of category 1, 2 and 3 non-agricultural source material to land requires approval under the Nutrient Management Act or Environmental Protection Act, and is in an area where it is a significant drinking water threat, OMAFRA and/or MECP shall ensure that the Environmental Compliance Approval: 1) Prohibits the application of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. 2) Prohibits the application of category 2 and 3 non-agricultural source material within WHPA-A, WHPA-B and IPZ-1 where the activity is a significant drinking water threat and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A, WHPA-B and IPZ-1. 3) The approval, plan or strategy shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2, MON-3	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
7. Handling and storage of non-agricultural source material	NASM(H&S)-3	PI	MC	MECP, OMAFRA	E	Where the existing handling and storage of category 1, 2 and 3 non-agricultural source material requires approval under the Nutrient Management Act or Environmental Protection Act and is in an area where it is a significant drinking water threat, OMAFRA and/or MECP shall ensure that the Environmental Compliance Approval: 1) prohibits the handling and storage of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. 2) prohibits the handling and storage of category 2 and 3 non-agricultural source material within WHPA-A / IPZ-1 where the activity is a significant drinking water threat, and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A / IPZ-1. 3) The approval or plan shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2, MON-3	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
8. Application of commercial fertilizer	FERT(App)-2	PI	MC	OMAFRA	E/F	Where the existing and future application of commercial fertilizer to land is in an area where this activity is or would be a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. The plan or strategy shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-3	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Fertilizer ICA	FERT(ICA)-3	PI	MC	OMAFRA	E/F	Where the existing and future application of commercial fertilizer to land is in an area where the Vulnerability Score is less than 10 and the activity is or would be a significant drinking water threat, and requires approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer include appropriate terms and conditions to ensure the activity ceases to be or become a significant drinking water threat. Such conditions may include: 1) requiring all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor; 2) that soil tests (NPK) be conducted; 3) that proper farm practices regarding crop rotation be applied, as appropriate; and 4) shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-3	Updated
10. Application of pesticides	PEST(App)-1	PI	MC	MECP	E/F	Where a pesticide permit is required and the application of pesticides would be a significant drinking water threat, MECP shall ensure the permit includes the appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat. The permit shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	New policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
10. Application of pesticides	PEST(App)-2	RMP	PI	RMO	E/F	Where a pesticide permit is not required, the existing and future application of pesticides to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is or would be a significant drinking water threat, (with the exception of domestic class pesticides, and for public health uses). The risk management plan, at a minimum, will be based on contemporary standards, and shall require that pesticides be applied by a certified or registered professional in keeping with prescribed label rates to ensure that the activity ceases to be or does not become a significant drinking water threat.	MON-6	Updated version of existing (old) PEST(App)-1
10. Application of pesticides	PEST(App)-3	Oth	NLB	OMAFRA, MECP	E	OMAFRA and MECP are encouraged to review and, where appropriate, amend pest management training courses to incorporate additional precautions and considerations to address pesticide application in vulnerable areas where the activity is a significant drinking water threat.	MON-2 MON-3	Policy number changed

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
12. Application of road salt	SALT(App)-3	Oth	MC	MUN	E/F	To manage the existing and future application of road salt, municipalities shall maintain a salt management plan, which identifies any municipal drinking water system where the application of road salt could be a Significant Drinking Water Threat as a "salt vulnerable area" These plans will identify and implement practices to minimize the loss of salt to the environment and the impact of salt on drinking water, in areas where it would be a Significant Drinking Water Threat.	MON-1	New policy
13. Handling and storage of road salt	SALT(H&S)-1	RMP	MC	RMO	E	With the exemption of personal domestic use, the existing and future handling and storage of road salt in a Wellhead Protection Area with greater than 30% impervious surface, or Intake Protection Zone with greater than 8% impervious surface, is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will include terms and conditions that mirror a salt management plan, and comply with contemporary standards to ensure the handling and storage of road salt ceases to be a significant drinking water threat.	MON-6	Updated Policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
13. Handling and storage of road salt	SALT(H&S)-2	Pro	MC	MUN	F	Future handling and storage of road salt in quantities equal to or greater than 500 tonnes, or any quantity of uncovered salt storage is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	MON-6	Updated policy
13. Handling and storage of road salt	SALT(H&S)-2	Pro	MC	MUN	F	Future handling and storage of road salt in quantities equal to or greater than 500 tonnes is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	MON-6	Updated policy
12 & 13 Barrie Salt ICA	SALT(ICA)-1	RMP	MC	RMO	E/F	With the exception of personal domestic use, the existing and future application of road salt is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is or would be a significant drinking water threat within WHPA-A of the WHPA-ICA, and outside of the WHPA-A where a parking lot has a surface area greater than 1ha. The risk management plan, at a minimum, will include terms and conditions to require a reduction in salt application, and comply with contemporary standards to ensure the application of road salt ceases to be or does not become a significant drinking water threat.	MON-6	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
14. Storage of Snow	SNOW-1	RMP	MC	RMO	E/F	The existing and future storage of snow in Wellhead Protection Areas with greater than 30% impervious surface, or Intake Protection Zones with greater than 8% impervious surface is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan, where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards and shall ensure that the storage of snow and associated run-off ceases to be a significant drinking water threat.	MON-6	Updated
14. Storage of Snow	SNOW-2	Pro	MC	RMO	F	Future storage of snow in areas one hectare or larger is designated for purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat. Except in emergency situations as determined by the risk management official and the public works department, emergency snow storage will be permitted only outside of WHPA-A.	MON-6	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
16. Handling and storage of a DNAPL	DNAPL-1	RMP	MC	RMO	E	The existing handling and storage of DNAPLs at any concentration in a quantity less than 250L (excluding incidental volumes for personal/domestic use), or over 250L stored for the purpose of retail sale, is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will promote above-ground storage and handling, and include terms and conditions to ensure the handling and storage of DNAPLs ceases to be a significant drinking water threat.	MON-6	Updated Policy
16. Handling and storage of a DNAPL	DNAPL-2	Pro	MC	RMO	F	Future handling and storage of DNAPLs in any concentration (excluding retail sale) that exceeds 250L is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	MON-6	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
19. Water taking (abbreviated)	DEMD-1	PI	MC	MECP	E/F- Significant Risk Area F- Moderate Risk Area	Where an existing or future activity in a WHPA Q1 identified as having a significant or moderate risk level takes water from an aquifer without returning the water to the same aquifer, and is a significant drinking water threat, the MECP shall ensure that the Permit to Take Water that governs the water taking includes appropriate terms and conditions to ensure that: 1) municipal water supply requirements will be met on a sustainable basis 2) the water taking will not affect the ability of the aquifer to meet municipal water supply requirements, and 3) hydrological integrity is not adversely affected, and that the activity ceases to be or does not become a significant drinking water threat. The permit shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-2	Updated
21. Livestock grazing, etc..	LSTOCK-1	PRO	MC	RMO	E/F	Existing and future livestock grazing and pasturing is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat.	MON-6	Updated Policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
21. Livestock grazing, etc..	LSTOCK-2	RMP	MC	RMO	E/F	Existing and future livestock grazing and pasturing is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	MON-6	New policy (caused numbering change for subsequent LSTOCK policies)
21. Livestock grazing, etc..	LSTOCK-3	RMP	MC	RMO	E/F	Existing and future outdoor confinement areas and farm-animal yards are designated for the purposes of Section 58 of the Clean Water Act, and therefore require a risk management plan for those not phased in under the Nutrient Management Act where the activity is a significant drinking water threat outside of WHPA-A/IPZ-1. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices and ensure the activity ceases to be or does not become a significant drinking water threat.	MON-6	Updated policy number

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
21. Livestock grazing, etc..	LSTOCK-4	PRO	MC	RMO	E/F	Where the Nutrient Management Act does not require an approval, existing and future outdoor confinement and farm-animal yards is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A/IPZ-1.	MON-6	Updated policy number
21. Livestock grazing, etc..	LSTOCK-5	PI	MC	OMAFRA	E/F	Where existing and future outdoor confinement areas and farm-animal yards are in an area where the activity is or would be a significant drinking water threat outside of WHPA-A/IPZ-1, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the outdoor confinement area or farm-animal yard include appropriate terms and conditions to ensure the activity ceases to be or does not become a significant drinking water threat. The plan or strategy shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.	MON-3	Updated policy text and policy number
21. Livestock grazing, etc..	LSTOCK-6	PI	MC	OMAFRA	E/F	Existing and future outdoor confinement areas and farm-animal yards are prohibited within WHPA-A/IPZ-1, where the activity would be a significant drinking water threat.	MON-3	Policy numbering update

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
22. Liquid hydrocarbon pipelines	PIPE-1	Oth	NLB	Proponent / Regulator	F	The Canada Energy Regulator, the Ontario Energy Board and the pipeline proponent are encouraged to provide the Source Protection Authority the location of any new proposed liquid hydrocarbon pipeline within the Source Protection Region. They are encouraged to ensure that liquid hydrocarbon pipeline applications, where this activity would be a significant drinking water threat, include appropriate design standards, monitoring, and maintenance practices that when implemented will prevent such a pipeline from becoming a significant drinking water threat.	MON-4	New policy
22. Liquid hydrocarbon pipelines	PIPE-2	Oth	MC	SPA	F	By February 1st of each year, the Source Protection Authorities shall collect data from the Canada Energy Regulator and/or Ontario Energy Board on any new proposed liquid hydrocarbon pipelines and related environmental assessments within the Source Protection Region.	MON-5	New policy

Restricted land use	RLU-1	RLU	MC	RMO	E/F	All land uses in the zoning by-laws within the Lakes Simcoe and Couchiching-Black River, Nottawasaga Valley and Severn Sound source protection areas are designated for the purpose of Section 59 of the Clean Water Act, with the exception of residential uses, in all areas where the following activities are or would be a significant drinking water threat. 1b. Storage of hauled sewage 1g. The establishment, operation or maintenance of a waste disposal site within the meaning of Part IV of the Environmental Protection Act, that does not require approval under the Environmental Protection Act 2a. Stormwater management facilities and stormwater infiltration facilities. 3. Application of agricultural source material to land 4. Handling and storage of agricultural source material 6. Application of non-agricultural source material 7. Handling and storage of non-agricultural source material 8. Application of commercial fertilizer to land 9. Handling and storage of commercial fertilizer 10. Application of pesticide to land 11. Handling and storage of pesticides 12. Application of road salt 13. Handling and storage of road salt 14. Storage of snow 15. Handling and storage of fuel 16. Handling and storage of DNAPLs	MON-6	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
						17. Handling and storage of organic solvents 21. Use of land as livestock grazing, or pasturing land, an outdoor confinement area of farm animal yard. Despite the above policy, a Risk Management Official may issue written direction specifying the situations under which a planning authority or building official may be permitted to make the determination that a site-specific land use is not designated for the purposes of Section 59. Where such direction has been issued, a site-specific land use is not designated for the purposes of Section 59, provided that the planning authority or building official, as the case may be, is satisfied that: a) The application complied with circumstances specified in the written direction from the Risk Management Official; and b) The applicant has demonstrated that a significant drinking water threat activity designated for the purposes of Section 57 or 58 will not be engaged in, or will not be affected by the application.		

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Land use planning	LUP-1	LUP	MC	Planning Approval Authority	F	Planning Approval Authorities shall amend their planning documents to prohibit future: 1b) Storage of hauled sewage 1d) Storage of processed organic waste 1f) Waste transfer and processing 1g) waste disposal sites within the meaning of Part V of the Environmental Protection Act 2c) large (more than 10, 000 L) on-site sewage systems 4) agricultural source material storage facilities 7) non-agricultural source material storage facilities in WHPA-A/IPZ-1 9) commercial fertilizer storage facilities 11) pesticide storage facilities 13) road salt storage facilities 14) snow storage facilities 15) fuel storage 16) DNAPL storage 17) organic solvent storage 21) outdoor confinement or farm animal yard in WHPA-A/IPZ-1 in vulnerable areas where the activity would be a significant drinking water threat.	MON-1	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Land use planning	LUP-2	LUP	MC	Planning Approval Authority	F	To address the application of road salt, vulnerable areas where this threat would be significant shall be subject to site plan control to ensure that, where possible: 1.The extent and location of impervious surfaces such as parking lots, roadways and sidewalks are minimized, 2.Site grading and drainage is designed to reduce ponding, and 3.Run-off is either directed outside of vulnerable areas or to storm sewers. This policy does not apply to clean rooftop water that has not been contaminated with road salt.	MON-1	Updated policy
Land use planning	LUP-3	LUP	MC	Planning Approval Authority	F	Planning Approval Authorities shall amend their planning documents to ensure the design of new stormwater management facilities reduces the risk of contaminating drinking water, and where possible directs the discharge of stormwater outside of vulnerable areas, where the activity would be a significant drinking water threat. This policy does not apply to clean rooftop water that has not been contaminated with road salt.	MON-1	Updated
Land use planning	LUP-7	LUP	MC	Planning Approval Authority	F	Planning Approval Authorities shall amend their planning documents to prohibit new small on-site sewage systems within WHPA-A of the wellhead protection area-issue contributing area for nitrates.	MON-1	Updated

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Education and outreach	EDU-1	EO	MC	SPA (lead) MUN	E	The local SPA, in collaboration with municipalities, shall undertake an education and outreach program, and use materials developed by the MECP where possible to target those, applying, handling or storing: 1c/1d) processed organic waste 3/4) agricultural source material 6/7) non-agricultural source material 8/9) commercial fertilizer 10/11) pesticides; and 21) those using the land for livestock grazing, pasturing, outdoor confinement or farm-animal yard within vulnerable areas where the activity would be a significant drinking water threat. The program will promote best management practices to safeguard water supplies from various related drinking water threats and include a component on timely fertilizer and pesticide application practices to property owners and property maintenance and lawncare companies. The program will be carried out in consultation with the Ontario Soil and Crop Improvement Association and others, where appropriate.	MON-5	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Education and outreach	EDU-7	EO	MC	SPA (lead) MUN	E/F	The local SPA, in collaboration with municipalities, shall undertake an education and outreach program, and use materials developed by the MECP where possible, targeting those generating waste within vulnerable areas where the activity would be a significant drinking water threat. The program will promote the importance of source water protection, with a particular focus on the proper handling, storage and disposal of wastes.	MON-5	Updated policy

Education and outreach	EDU-12	EO	NLB	MECP	E	The MECP is encouraged to develop education materials to aid in the implementation of education and outreach programs to address the following significant drinking water threats: 1c/d) processed organic waste 1e) waste generating facilities 1f) waste transfer and processing 1g) waste disposal sites 2a) stormwater management facilities 2c) on-site sewage systems 3) application of agricultural source material to land 4) storage of agricultural source material 6) application of non-agricultural source material to land 7) handling and storage of non-agricultural source material 8) application of commercial fertilizer to land 9) handling and storage of commercial fertilizer 10) application of pesticides to land 11) handling and storage of pesticides 12) application of road salt 13) handling and storage of road salt 14) storage of snow 15) handling and storage of fuel 16) handling and storage of DNAPLs 17) handling and storage of organic solvents 20) an activity that reduces the recharge of an aquifer 21) use of land as livestock grazing or pasturing, an outdoor confinement area or farm-animal yard.	MON-2	Updated policy

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Education and outreach	EDU-13	EO	NLB	SPA (lead) RMO MUN	E/F	The local Source Protection Authority, in collaboration with local municipalities, Risk Management Officials, and other bodies as appropriate, shall consider extending education and outreach efforts for the application of commercial fertilizer to locations within a WHPA-A where this activity is considered a low or moderate drinking water threat. The focus of educational and outreach efforts is to promote best management practices on residential properties to safeguard water supplies from the application of commercial fertilizers, and is targeted at property owners, property maintenance companies and lawncare companies.	MON-5	New

Threat	Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Monitoring Policy	New or Updated
Incentives	INCENT-6	In	NLB	MECP	E	The MECP is requested to continue its funding to municipalities and source protection authorities under source protection programs to continue local research into issues (nitrogen, pathogen, sodium, chloride, TCE) to determine where the following activities are a contributing source of the contaminant in the Issues Contributing Areas: 1a) Application of hauled sewage; 1c) Application of processed organic waste; 4) Application and storage of ASM; 6) Application, handling and storage of NASM; 21) Use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard. O. Reg. 385/08, s. 3; 8) Application, handling and storage of fertilizer; 2c) Septic systems governed under the Building Code Act and the Ontario Water Resources Act; 2a) Discharge of untreated stormwater from a stormwater retention pond; 13) Handling and storage of road salt; and 16) Handling and storage of DNAPLs.	MON-2	Updated policy

Fertilizer Education and Outreach Policy Follow-Up

Purpose of Report:

The purpose of this Staff Report is to follow up on discussions from 2020 around the need for education and outreach about best practices for the application of commercial fertilizers near wells, even if the activity is not considered a significant drinking water threat under the Technical Rules.

The new policy (EDU-13) has been included in the omnibus review package for the Section 36 Amendment to the Source Protection Plan, Explanatory Document, and Assessment Reports.

Background:

The application of commercial fertilizer can be considered a significant drinking water threat in a wellhead protection area (WHPA) with a vulnerability score of 10 if the conditions described in **Table 44** (from the Draft Source Protection Plan) below are met:

Table 1. Circumstances and Vulnerability Score Needed for a Significant Threat: Application of Commercial Fertilizer *(from draft Source Protection Plan)*

Circumstance	Vulnerability Score for WHPA	Vulnerability Score for IPZ/ WHPA-E
< 40 % Managed & > 1.0 NU/acre	10	10
40 - 80 % Managed & 0.5 - 1.0 NU/acre	-	10
40 - 80 % Managed & > 1.0 NU/acre	10	9 - 10
> 80 % Managed & < 0.5 NU/acre	10	10
> 80 % & 0.5 - 1.0	10	9 - 10
> 80 % Managed & > 1.0 NU/acre	10	9 - 10

Issues:

Policy EDU-1 is an education and outreach policy that addresses nutrient-related activities (agricultural source material, non-agricultural source material, commercial fertilizer, pesticides, livestock) where they would be a significant threat and not addressed through a risk management plan. However, the circumstances in **Table 1** above mean that the application of commercial fertilizer would not be considered a significant threat in areas with a lower

percentage of managed lands, and lower nutrient units per acre, (i.e. less agricultural areas). This means that the application of commercial fertilizer, even in some WHPA-As, may not be covered by any of the existing policies in the Source Protection Plan, including EDU-1. The Committee felt that this was a gap that should be filled by an education and outreach policy for moderate and low drinking water threats near wells (WHPA-A), as the general public and lawncare companies are generally less knowledgeable about best practices for fertilizer use than the agricultural community.

As a result, Policy EDU-13 has been drafted and included in the draft Source Protection Plan to address the application of commercial fertilizer in a WHPA-A, where it would be considered a moderate or low drinking water threat.

- **New policy EDU-13:** The local Source Protection Authority, in collaboration with local municipalities, Risk Management Officials, and other bodies as appropriate, shall consider extending education and outreach efforts for the application of commercial fertilizer to locations within a WHPA-A where this activity is considered a low or moderate drinking water threat. The focus of educational and outreach efforts is to promote best management practices on residential properties to safeguard water supplies from the application of commercial fertilizers, and is targeted at property owners, property maintenance companies and lawncare companies.

Summary:

An education and outreach policy addressing moderate and low drinking water threats associated with the application of commercial fertilizer in WHPA-A has been drafted following feedback from the SPC and is included in the Section 36 omnibus review package in the Source Protection Plan and the Explanatory Document. This policy is in keeping with policy EDU-1, which addresses commercial fertilizer when it is considered a significant drinking water threat, as well as other nutrient-related threats.

Pesticides Policy Follow-Up

Purpose of Report:

The purpose of this Report is to follow up on discussion from the November 2023 (SPC-05-2023) SPC meeting about amendments to policies for the application of pesticides as a result of changes to the Technical Rules in December 2021. The amended policies have been included in the Omnibus Review Package for the Section 36 Amendment to the Source Protection Plan, Explanatory Document, and Assessment Reports.

Background:

The Ministry of Environment, Conservation and Parks announced changes to the Technical Rules on December 3, 2021. These changes include changes to the Circumstances wherein some activities can be deemed a Significant Drinking Water Threat.

The application of pesticides to land and the handling and storage of pesticides are two of 22 activities outlined as a potential threat to drinking water by the Clean Water Act.

Discussions at meeting SPC-05-2023 focused on refining the wording of policies for the application of pesticides (Threat #10 in the Source Protection Plan) to ensure a Risk Management Plan is enforceable, and that any exceptions are lower risk activities. This is reflected in the policy amendments included in the Section 36 Amendment. The policies for pesticide handling and storage have not been changed.

Issues:

The existing policies for the application of pesticides include a risk management plan policy that requires the applicator to be certified and follow label rates and contemporary standards, as well as a policy directed at OMAFRA (Ontario Ministry of Agriculture, Food and Rural Affairs) and MECP (Ministry of the Environment, Conservation and Parks) to incorporate sourcewater considerations into pesticide training courses. These policies were made to address threats related to a short list of chemicals and to target agricultural pesticide use.

The 2021 Technical Rules expanded the land use types and pesticide products that can be considered a significant drinking water threat. This expansion of circumstances required the Committee to have policies for pesticide application on all property types and for all pesticide products, including personal domestic use, and public health related uses.

The proposed updated policies (included in **Table 1. Pesticide Application Policies** below), include 1) a prescribed instrument policy for pesticide use in situations where a pesticide permit is required, 2) a risk management plan policy for pesticide uses that do not require a permit and where domestic class pesticides are not in use or where pesticide use is not for public health reasons, and 3) continue to encourage OMAFRA and MECP to include sourcewater in pesticide related trainings.

Use of pesticide products labelled for domestic use is addressed through education and outreach policy EDU-1, which states *"The local SPA, in collaboration with municipalities, shall undertake an education and outreach program, and use materials developed by the MECP where possible to target those, applying, handling or storing…pesticides… within vulnerable areas where the activity would be a significant drinking water threat. The program will promote best management practices to safeguard water supplies from various related drinking water threats...The program will be carried out in consultation with the Ontario Soil and Crop Improvement Association and others, where appropriate".*

Table 1. Pesticide Application Policies (Table 47 in the Source Protection Plan)

Policy Number	Tool	Legal Effect	Implementer	Existing /Future	Policy Text	Policy Monitoring Requirement
PEST(App)-1	PI	MC	MECP	E/F	Where a pesticide permit is required and the application of pesticides would be a significant drinking water threat, MECP shall ensure the permit includes the appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	MON-2
PEST(App)-2	RMP	PI	RMO	E/F	Where a pesticide permit is not required, the existing and future application of pesticides to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is or would be a significant drinking water threat, (with the exception of domestic class pesticides, or pesticides used for public health purposes). The risk management plan, at a minimum, will be based on contemporary standards, and shall require that pesticides be applied by a certified or registered professional in keeping with prescribed label rates to ensure that the activity ceases to be or does not become a significant drinking water threat.	What's the associated monitoring policy?
PEST(App)-3	Oth	NLB	OMAFRA, MECP	E	OMAFRA and MECP are encouraged to review and, where appropriate, amend pest management training courses to incorporate additional precautions and considerations to address pesticide application in vulnerable areas where the activity is a significant drinking water threat.	MON-2 MON-3

Summary:

The policies for the application of pesticides have been updated following feedback from the SPC and are included in the Section 36 omnibus review package in the Source Protection Plan and the Explanatory Document. These changes include the addition of a prescribed instrument policy for activities that require a pesticide permit, as well as refining the risk management plan policy to specify activities that will not require a risk management plan under the expanded circumstances, i.e. use of domestic class pesticides and public health uses that do not require a pesticide permit.

Prescribed Instrument Policies

Purpose of Report:

The purpose of this Report is to identify an area where prescribed instrument policies could be improved, and to recommend draft wording to be amended in all such policies.

Background:

A prescribed instrument is a permit or other legal document issued by the provincial government allowing an activity to take place. Examples would be a nutrient management plan under the Nutrient Management Act or an Environmental Compliance Approval for sewage works under the Ontario Water Resources Act. These instruments usually contain provisions to protect human health and the environment. Source protection policies can require that an instrument be examined and amended, if necessary, to better manage a drinking water threat. Policies can also prohibit new instruments from being issued to prevent the creation of new threats.

In the South Georgian Bay Lake Simcoe Source Protection Plan, there are 32 policies which leverage prescribed instruments to protect municipal drinking water, ranging from policies on waste management, to the storage or application of agricultural source material, to water takings.

Through the annual reporting process, Provincial staff have listed the following prescribed instruments currently in place in this Source Protection Region, which are managing significant drinking water threats:

Table 5. Number of Threats Managed by Prescribed Instruments

Prescribed Instrument	Number of Instruments associated with a SDWT	Number of Instruments amended or replaced	Number of Instruments where no additional conditions were needed
Fuel Handling & Storage	5	5	0
Permit To Take Water	1	0	1
Environmental Compliance Approval (Wastewater / sewage)	21	2	19
Environmental Compliance Approval (landfilling / storage)	3	3	0
NASM Plans	0	0	0
Nutrient Management Strategies	0	0	0

Issues:

Inherent in the concept of Intake Protection Zones is the ability to respond quickly in the case of spills. For example, the IPZ-2 is delineated based on the potential time of travel of a contaminant, and the municipal response time for the water treatment plant operator to respond to an emergency. Even in the case of wellhead protection areas, the ability to respond in the case of a spill is an important mechanism to protect municipal drinking water.

Despite this, Project Managers in other Source Protection Regions have seen amended prescribed instruments which include no indication of which activity is being managed as a Significant Drinking Water threat, nor any indication of the municipal drinking water system with which the threat is associated. Including this information on the Instrument would be one easy additional step Provincial staff could make to allow persons governed by the Instrument to respond rapidly, should a spill occur.

The Source Protection Committee where this issue was identified has decided to amend their Prescribed Instrument policies to require this information be included and have suggested other Source Protection Committees consider similar amendments.

In the South Georgian Bay Lake Simcoe Source Protection Plan, similar amendment wording would be minor in nature, but would apply to all Prescribed Instrument policies. An example amendment is (additions underlined):

> WAST(c)-1: Where the existing disposal of mine tailings is a significant drinking water threat, the MOE shall ensure that the Environmental Compliance Approval that governs the disposal of mine tailings includes appropriate terms and conditions to ensure that

the activity ceases to be a significant drinking water threat. The Environmental Compliance Approval shall also list the relevant Drinking Water System and activity(ies) which is a significant drinking water threat.

Summary:

Some Prescribed Instruments which have been amended to conform with Source Protection Plan policies do not include information on the significant drinking water threat being managed, nor the associated municipal drinking water system. Amendments to the Policies in the South Georgian Bay Lake Simcoe Source Protection Plan have been drafted for your consideration. These Amendments have been included in the Section 36 Amendment omnibus review package that includes drafts of the Source Protection Plan, Explanatory Document, and Assessment Reports.

Liquid Hydrocarbon Pipeline Policy

Purpose of Staff Report:

The purpose of this Staff Report is to follow up on the recommendation from the July 7, 2020 SPC Meeting (SPC-02-2020) that staff incorporate the proposed PIPE-1 policy, as well as develop a second policy addressed to the Source Protection Authorities. The amended policies have been included in the Omnibus Review Package for the Section 36 Amendment to the Source Protection Plan, Explanatory Document, and Assessment Reports.

Background:

The establishment and operation of a liquid hydrocarbon pipeline was added as a new threat activity in July of 2018 through an amendment to the Clean Water Act of 2006. This new threat was presented to the SPC with a recommended policy directed at pipeline proponents and regulators in 2020. The SPC does not have the authority to make that policy (PIPE-1) legally binding. As a result, the SPC directed staff to develop a second policy directed at the Source Protection Authorities to requiring them to engage in the public consultation process for any proposed pipeline, which can be legally binding.

Issues:

There are no existing significant drinking water threats in the Source Protection Region related to liquid hydrocarbon pipelines. Any future pipelines would be considered a significant drinking water threat in a wellhead protection area with a vulnerability score of 10, as well as in an intake protection zone (or WHPA-E) with a vulnerability score of 9 or greater if the pipeline is above ground, above water, or the pipeline is crossing a waterbody or below ground under a waterbody.

Policy PIPE-1 is a non-legally binding policy that was previously reviewed and approved by the SPC and reads as follows:

- “The Canada Energy Regulator, the Ontario Energy Board and the pipeline proponent are encouraged to provide the Source Protection Authority the location of any new proposed liquid hydrocarbon pipeline within the Source Protection Region. They are encouraged to ensure that liquid hydrocarbon pipeline applications, where this activity would be a significant drinking water threat, include appropriate design standards, monitoring, and maintenance practices that when implemented will prevent such a pipeline from becoming a significant drinking water threat”.

Policy PIPE-2 was created at the request of the SPC to fill a perceived policy gap as the result of the inability to make PIPE-1 legally binding. Policy PIPE-2 has been included for review in the

Section 36 Omnibus Review in the Source Protection Plan and Explanatory document and read as follows:

- "By February 1st of each year, the Source Protection Authorities shall collect data from the Canada Energy Regulator and/or Ontario Energy Board on any new proposed liquid hydrocarbon pipelines and related environmental assessments within the Source Protection Region."

Summary:

The operation and maintenance of a liquid hydrocarbon pipeline is a new threat (Threat #22) that was added in 2018 through amendments to the Clean Water Act. The SPC previously reviewed policy PIPE-1 and directed staff to develop policy PIPE-2 and include it in the Source Protection Plan. These two policies have been added to the Source Protection Plan and Explanatory Document for review as part of the Section 36 Omnibus Review.

Risk Management Plan Timelines

Purpose of Staff Report:

The purpose of this Staff Report is to follow up on questions posed by the Source Protection Committee (SPC) at the March 28, 2024, SPC meeting about the appropriateness of reducing the timeline for completion of risk management plans going forward, and to summarize the discussion on the topic that took place at the May 16th 2024 joint Committee / Risk Management Official workshop.

Background:

Policies in the source protection plan currently require all risk management plans be developed within 5 years of the plan (or an amendment) being approved by the Minister.

At the time the Plan was approved, there were an estimated 691 risk management plans to be completed. Much effort has been expended since that time to complete those plans within the allotted timeline. As that initial workload is getting completed, the Committee asked staff to consider the value in reducing the timeline for completion of risk management plans going forward, recognizing that far fewer plans would need to be negotiated in the future.

Issues:

The existing 5-year timeline for risk management plan completion has proven difficult to achieve. In April of 2020 Source Protection staff sought approval from the Source Protection Committee and the Ministry to extend the initial deadline by two years as risk management officials were finding plans more time consuming to negotiate than expected. Unfortunately, due to the COVID-19 pandemic, a second extension of three years was required. While the Committee has been supportive of the work of risk management officials, and endorsed the requested extensions to the timeline, it was also recognized that the number of new risk management plans identified through amendments is much lower than this initial workload was. As such, the Committee requested staff to consider the value in reducing the timeline, to ensure significant drinking water threats are addressed in a timely fashion.

When discussing this issue at the joint Committee / Risk Management Official workshop on May 16, 2024, risk management officials noted that plans associated with existing threats will continue to require inspections, as do some properties without a significant threat, to ensure no threats emerge. Growth pressure in the Source Protection Region also requires expansions to drinking water systems and new vulnerable areas. Growth also requires Risk Management Officials to review development applications to ensure new threats do not emerge in existing vulnerable areas. Further, adoption of new policies in the Source Protection Plan to address the

2021 amendments to the Province's Technical Rules have the potential to add a significant number of additional risk management plans.

The consensus from the risk management officials in attendance was that a shorter (2- or 3-year) timeline for the completion of future risk management plans would be challenging to achieve given these pressures. It was also feared that a shorter deadline would make it difficult to establish positive relationships with affected landowners, and that the issuing of more Orders may become necessary. Most felt they did not have the staff capacity to accommodate a shorter timeline, nor to keep up outreach and education initiatives if more pressed for time.

Based on this consultation with risk management officials, it is the recommendation of Staff that the 5-year deadline for risk management plans remain in place.

Summary:

The Section 36 amendment to the South Georgian Bay Lake Simcoe Source Protection Plan offers an opportunity to reflect on policies in the plan, including timelines. The Source Protection Committee was interested in hearing from risk management officials about the appropriateness of reducing the current 5-year timeline for risk management plan completion, given a lower expected workload in the future. After consulting risk management officials, it became clear that a 5-year timeline is preferred and better sets risk management officials up for success in protecting municipal drinking water. It is therefore recommended by staff that the deadline for risk management plan completion remain at 5 years.

Land Use Policy – LUP-12

Purpose of Staff Report:

The purpose of this Staff Report is to provide an overview of how policy LUP-12 is being implemented across the source protection region and provide an overview of the consultation results from Midland and Penetanguishene staff regarding implementation of policy LUP-12 and interest in updating the policy wording.

Background:

As part of the September 6, 2018 Source Protection Committee meeting, the committee endorsed Severn Sound Source Protection Authority staff to revisit the wording of policy LUP-12 and to determine if it should specify that a geoscientist as defined in the Hydrogeological Assessment definition of a "Qualified Person", or a Professional Engineer, must do the water balance study and that water balances studies should also be subject to a peer review by a Qualified Person. This item is one of the remaining work plan items for the Section 36 review.

Policy LUP-12 is currently written as "Planning Approval Authorities shall only permit new major development (excluding single detached residential, barns and non-commercial structures that are accessory to an agricultural operation) in a WHPA-Q2 where the activity would be a significant drinking water threat, where it can be demonstrated through the submission of a hydrogeological study that the existing water balance can be maintained through the use of best management practices such as low impact development."

Issues:

Historically Midland council has taken the position that as these reports are created by a "Qualified Person" and reviewed by Town staff, there is no need for a peer review.

On March 28, 2022 staff of the Severn Sound Environmental Association (SSEA), and Towns of Midland and Penetanguishene met to discuss the policy, how it's being implemented across the region, SSEA provided options for peer review consultants (one of which was LSRCA) and address next steps. The outcome of the meeting was that staff of both municipalities did not support rewording the policy, however committed to changing internal process to require the peer review on a case by case basis. The case by case basis would be primarily determined by the size and or complexity of the development, and the quality of the report received. Municipal staff recognize the need for peer reviews in some instances, however, didn't want to put added costs to smaller developments where the hydrogeological component was deemed to be minimal.

As significant time has passed since then, target outreach to staff was completed in March 2024 to confirm opinions and processes. More recently, with various changes to provincial regulations and Bill 23, staff were concerned that a change to the policy to require further review would put a burden on timing windows and staff resources.

All reports are reviewed by Engineering staff at Midland and Penetanguishene. Some of these reports are reviewed at a high level by Risk Management Services staff at the SSEA for things such as the data sources and if the findings are in alignment with other reports that are submitted for the same application (ex. functional servicing reports or stormwater management). In all cases, the SSEA Risk Management Services staff recommend that these reports be peer reviewed by a professional geoscientist or professional engineer.

Since 2019, 25 applications have been received in Midland and 12 in Penetanguishene within the Wellhead Protection Area Q2, with an average of 5 per year in Midland and 2.4 in Penetanguishene. All of these are subject to South Georgian Bay Lake Simcoe Source Protection Plan policy LUP-12.

Summary:

Following consultation with Midland and Penetanguishene staff, there was no support to change policy LUP-12 to include requirements for peer review. Instead, staff committed to changing internal processes to require peer reviews on a case-by-case basis. At a minimum, engineering staff at each municipality are reviewing the hydrogeological/water balance studies and Source Protection Authority staff are recommending (through development application review comments) that the hydrogeological studies/water balance studies reports should be peer reviewed.