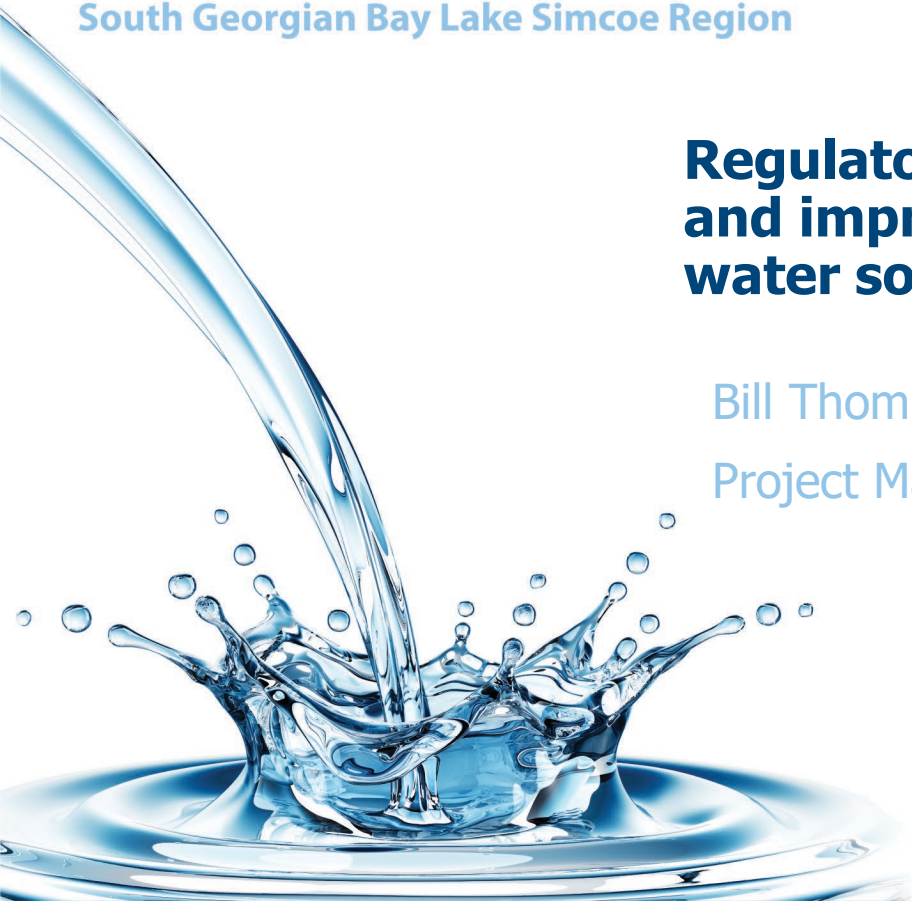


Source Water Protection

South Georgian Bay Lake Simcoe Region

Regulatory changes for accelerating and improving protections for drinking water sources

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Changes to the *Clean Water Act*

- Changes to the Clean Water Act
 - Announced in October 31, 2025
 - Provided overall intent of the changes
 - Speeding up approval of amendments
 - Providing consistency in Provincial instruments
- Changes to the Regulations
 - Provide the detail of how the overall intent is delivered
 - Announced **June 30, 2026**

Changes apply to three areas

1. Prescribed instrument policies
2. Source Protection Plan amendment approval process
3. Use of sources of drinking water

1. Prescribed instrument policies

- Prescribed Instruments are legal documents issued by Ministries to manage site-specific activities
- New Regulation requires Source Protection Authorities to:
 - a) Use standardized wording
 - b) Remove any prohibitions on existing activities
 - c) Remove any policies that apply to moderate / low threats
 - d) Remove all Monitoring policies

1a. Standardized wording approaches

Previous approach

- Source Protection Plans have been directed to include Prescribed Instrument policies
- Policy wording has varied from Plan to Plan

New approach

- Source Protection Authorities (SPA) will be required to replace existing Prescribed Instrument policies with ones using standard wording from the Ministry of the Environment, Conservation and Parks (MECP)

1a. Standardized wording implications

Implications for our Source Protection Region (SPR)

- May be minor
- Prescribed wording seems similar to what our Plan uses

1a. Standardized wording - an example

Existing policy

- Where the existing establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is a significant drinking water threat, the MOE shall ensure the Environmental Compliance Approval that governs the establishment, operation or maintenance of a waste disposal site includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat

Newly required wording

- Where the existing establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is a significant drinking water threat and where the activity is governed by an Environmental Compliance Approval, the MECP shall ensure that every decision to issue, otherwise create or amend the Environmental Compliance Approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

1b. Prohibitions on existing activities approaches

Previous approach

- Source Protection Committees have been able to prohibit existing activities through Prescribed Instruments

New approach

- SPAs will be required to replace any Prescribed Instrument policies that prohibit existing activities, with policies that manage those activities
 - Except nutrient management plans or strategies or Non-agricultural Source Material (NASM) Plans

1b. Prohibitions on existing activities implications

Implications for our SPR

- Prohibitions on existing activities were used sparingly
- Used most in context of nutrient application in close proximity to wells / intakes.
 - These policies should be able to remain
- Exception is Wast(a)-1, which prohibits application of untreated septage

1c. Moderate and low threats approaches

Previous approach

- Source Protection Committees have been able to create policies to address moderate and low threats through Prescribed Instruments

New approach

- SPAs will be required to remove any policies that manage low or moderate threats through Prescribed Instruments

1c. Moderate and low threats implications

Implications for our SPR

- Policies for moderate and low threats were also used sparingly
- Example is Wast(a)-2, where the Ministry of the Environment was directed to review Environmental Compliance Approvals (ECA) for application of untreated septage

1d. Remove monitoring policies on Prescribed Instruments approaches

Previous approach

- Source Protection Plans have had policies requiring Ministries to report annually on plan implementation

New approach

- SPAs will be required to remove any policies requiring Ministries to report annually
- Requirement to report annually sits in the Regulation

1d. Remove monitoring policies on Prescribed Instruments implications

Implications for our SPR

- No improvement expected
- Ministries will be required to report numbers of Prescribed Instruments reviewed and number of decisions annually, not details of how sources of drinking water were protected

1. Prescribed Instrument Policies next steps

- These new rules come into effect January 1, 2027
- SPA will have 30 days to conform
- SPA staff will share draft policy changes with Committee before finalizing them

2. Plan amendment process

- Amendment process had followed the approval process for the original plan
- That level of effort does not always seem necessary with amendments
- New Regulation includes:
 - a) Expanded minor amendments
 - b) Simplified consultation
 - c) Option for local approval by Source Protection Authority
 - d) Timeline for Minister approval

2a. Expanded minor amendments approaches

Previous approach

- Administrative amendments can be used to fix errors

New approach

- Can now also:
 - Replace an existing well or intake if only WHPA-A or IPZ-1 changes
 - Address an amendment in neighbouring SPR that extends into ours

2a. Expanded minor amendments implications

Implications for our SPR

- Could happen fairly frequently
- Staff will inform Committee about any such amendments completed

2b. Simplified consultation approaches

Previous approach

- Two stages of consultation required
 - Pre-consultation with Implementing Bodies
 - Public consultation, including both Implementing Bodies and affected landowners

New approach

- One phase of consultation

2b. Simplified consultation implications

Implications for our SPR

- Shorter process for staff to follow
- Removes a step that has seemed unnecessary

2c. Local approval by Source Protection Authority approaches

Previous approach

- All amendments approved by Minister

New approach

- SPA can now approve if:
 - No new policies proposed, or
 - Committee is proposing to change a Prohibition policy to a Manage policy

2c. Local approval by Source Protection Authority implications

Implications for our SPR

- Majority of our amendments will meet this category
- Consultation still required
- Source Protection Committee agreement still required
- MECP Director needs to authorize our approval
- May lead to quicker decisions

2d. Timeline for Ministerial approval

Previous approach

- No timeline provided

New approach

- Ministerial decision will happen within 120 days

Implications for our SPR

- Likely minor
- May lead to quicker decisions

2. Plan amendment process next steps

- New Regulation came into effect July 1
- Training on the new processes expected from MECP
- Staff will update our processes to conform with these new rules
- Committee may not notice much difference

3. Use of Source

Regulation 205/18 requires that any new / expanded municipal drinking water system be included in the Source Protection Plan before coming into use

3. Use of Source approaches

Previous approach

- Amendment needed to be approved before well / intake could provide water to residents

New approach

- SPA recommend to MECP if system can come into use prior to Plan approval, if we think the prohibition unnecessary:
 - E.g., no threats identified

3. Use of Source implications & next steps

Implications for our SPR

- Could eliminate unnecessary delays and deadlines
- Could allow us to prioritize our time on the riskier amendments

Next steps

- New Regulation came into effect July 1
- Training on the new processes expected from MECP
- Develop a process / checklist to determine when to provide that advice

Thank you

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