



Notice of Meeting

Hamilton Region Source Protection Authority

Thursday, April 1, 2021

7:00 p.m.

This meeting will be held by WebEx videoconference.

The meeting will be at the beginning of the Hamilton Conservation Authority Board of Directors meeting and can be viewed live on HCA's You Tube Channel: <https://www.youtube.com/user/HamiltonConservation>

- 1. Call to Order** – Ferguson
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Minutes of Previous Meeting (February 4, 2021)**
- 5. Business Arising from the Minutes**
- 6. New Business**
 - 6.1. Halton-Hamilton Source Protection Region
Annual Progress Report 2020 – Chitra Gowda
 - 6.2. Section 36 Process Timelines & Program Process Update – Chitra Gowda
- 7. In-Camera Items**
- 8. Next Meeting – To be determined**
- 9. Adjournment**

THAT the agenda be approved.

CARRIED

4. Minutes of the Previous Meeting (December 3, 2020)

SP 2102

**MOVED BY: Susan Fielding
SECONDED BY: Cynthia Janzen**

THAT the minutes of the Hamilton Region Source Protection Authority meeting held on December 3, 2020, be adopted as circulated.

CARRIED

5. Business Arising from the Minutes

There was none.

6. New Business

6.1. Source Protection Committee Member Appointment

Chitra Gowda provided a summary of the report highlighting Christopher Murray's qualifications to serve as the general public representative on the Halton-Hamilton Source Protection Committee. As detailed in the report, Christopher holds a master's degree in environmental science and has thirteen years of experience as an environmental professional.

SP 2103

**MOVED BY: Santina Moccio
SECONDED BY: Tom Jackson**

THAT the Hamilton Region Source Protection Authority appoint Christopher Murray as the general public representative on the Halton-Hamilton Source Protection Committee for a five-year term.

CARRIED

7. In-Camera Items

There were no in-camera items.

8. Next Meeting

Next meeting – to be determined.

9. Adjournment

On a motion, the meeting adjourned.

Report

TO: Hamilton Region Source Protection Authority

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer/Director, Watershed Planning & Engineering

PREPARED BY: Chitra Gowda, Senior Manager, Watershed Planning and Source Protection

MEETING DATE: April 1, 2021

RE: Annual Progress Plan 2020 for the Halton-Hamilton Source Protection Plan

STAFF RECOMMENDATION

THAT the Hamilton Region Source Protection Authority receive for information the staff report dated March 18, 2021 outlining the progress made on the implementation of the Source Protection Plan for the Halton Region and Hamilton Region Source Protection Areas in 2020, and;

THAT the Hamilton Region Source Protection Authority, together with the Halton Region Source Protection Authority, endorse the submission of the 2020 Annual Progress Report on Implementation of the Halton-Hamilton Source Protection Plan to the Ministry of the Environment, Conservation and Parks by May 1, 2021 in the format set out by the Province.

BACKGROUND

The Clean Water Act, 2006 requires the preparation and implementation of source protection plans to safeguard the quality and quantity of sources of drinking water. The local Halton-Hamilton Source Protection Plan was approved by the Ministry of the Environment and Climate Change now called the Ministry of the Environment, Conservation and Parks (MECP). The plan took effect on December 31, 2015.

Since plan came into effect, the implementation of policies was begun by municipalities, provincial ministries and others, to reduce the risks posed by identified threat activities. They have been working to satisfy the intent of each policy.

There are a variety of policy tools used in the plan, including “soft tools” such as education and outreach, best practices, and stewardship programs, to regulatory tools including land use planning (official plan and zoning by-laws), prescribed instruments (such as environmental compliance approvals), risk management plans (per Part IV of the Clean Water Act), and other strategic measures. Together, they meet the objectives of the plan, to protect existing and future drinking water sources and to ensure that existing threat activities cease to be significant and that future activities don’t become significant threats.

In March 2020, a global pandemic was declared by the World Health Organization due to the unprecedented and life-threatening COVID-19 (coronavirus) disease. The pandemic caused major changes across all aspects of life and Ontario declared a state of emergency. Municipalities and other source protection plan policy implementers adapted to the situation ensuring the safety of watershed residents and staff, while making progress in policy implementation towards the protection of municipal drinking water sources.

Halton-Hamilton Source Protection Region (HHSPR) staff analysed reports received on policy implementation progress. The 2020 Annual Progress Report is prepared accordingly, as attached.

The Halton-Hamilton Source Protection Committee (HHSPC) provided their opinion on achieving source protection plan objectives for 2020 for inclusion in the report. They gave an overall score of “Progressing Well” for plan implementation and endorsed the attached report including edits at their meeting held March 9, 2021, for submission to the Source Protection Authority Boards, prior to submission to the MECP.

STAFF COMMENT

Figure 1 provides a simplified overview of a comprehensive process for annual progress reporting on source protection plan policy implementation.

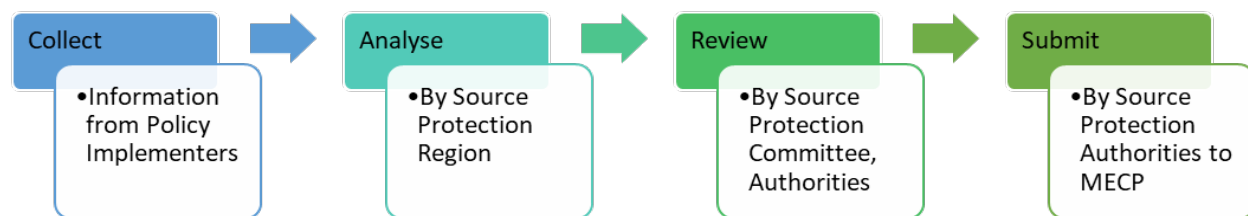


Figure 1: Source Protection Plan - Annual Progress Reporting at a Glance

Staff analysed information from implementing bodies, using the online Electronic Annual Reporting (EAR) tool. Municipalities, provincial ministries and others are commended for a large effort in implementing policies through a global pandemic, and in collecting pertinent data and information over the course of the year.

Significant threat activities continue to be monitored, verified, removed, or addressed by implemented policies. Of the 213 significant threat activities in total, 177 have been addressed through policy implementation. This leaves 25 existing significant threats remaining. This tally includes the revised delineation of the Greensville wellhead protection area completed in 2019 that identified new septic system threats and the removal of others. These new systems are included in the second round of the on-site sewage system inspection program required by the Ontario Building Code.

In summary, at the end of 2020, 88% of the existing significant threat activities have been managed. All of the policies in the Halton-Hamilton Source Protection Plan are in process or have been implemented. Some of these policies manage or, in limited instances, prohibit activities on properties that pose a significant threat. Some policies are strategic in nature and not specific to a drinking water threat activity and thus help protect drinking water sources in a more general way. Sixty of the policies are legally binding and must be implemented. The remaining 38 policies are requests for actions.

Following the intent of the source protection plan policies, municipalities have been integrating source water protection into their operations to ensure all municipal decisions and actions protect drinking water sources. Eight municipalities require Official Plan and/or Zoning By-Law conformity with the Halton-Hamilton Source Protection Plan, as summarized in **Table 1** below.

Table 1: Official Plan and Zoning By-Law Conformity Status

Status of Conformity to Source Protection Plan	Municipal Official Plan	Municipal Zoning By-Law
Completed	Hamilton, Wellington, Puslinch	Hamilton, Puslinch
Completed and under appeal	Burlington	
In progress	Halton Region, Oakville, Milton	
Not started	Halton Hills	Burlington, Oakville, Milton, Halton Hills
Not applicable		Halton Region, Wellington

In 2020, the HHSPR requested and obtained approval from the MECP to extend the policy for risk management plans to December 31, 2021. A risk management plan was negotiated by the Halton Region municipality to address two types of activities. Five inspections were completed, and development applications were screened with ten

notices issued per Part IV of the Clean Water Act. Septic system inspections continued, with appropriate safety protocols in place.

Municipal staff continued to raise awareness about the protection of drinking water sources through the pandemic by pivoting to online resources, events and activities. Emergency response exercises were conducted. Triggers for outdoor water use restriction levels were modified by Halton Region, who also continues monitoring wells for chloride levels in one of the wellhead protection areas. City of Hamilton continues financial assistance program with conservation authorities to decommission wells and dispose of hazardous materials. Towns of Oakville, Milton, and Halton Hills updated their Salt Management Plans. County of Wellington included educational materials in development reviews and limited inspections. Children's Water Festivals were moved online for Niagara Region, Hamilton, Waterloo-Wellington, and other municipalities.

The provincial ministries continue to implement regulatory policies using instruments prescribed under the Clean Water Act such as permits to take water, environmental compliance approvals, etc. Staff are trained on source water protection for prescribed instruments including inspections. There is a protocol in place to review previously issued (i.e., existing) prescribed instruments potentially subject to source protection plan policies. For instruments not approved by OMAFRA, the approvals process is revised to delegate the letter of conformity preparation to a certified person. Training for certified nutrient management planners includes source water protection.

The provincial ministries improve their programs in several other ways to include source water protection. Contractors for MTO are trained and conform to an MTO Salt Management Plan which contains best available winter maintenance practices for environmental protection. In Hamilton, Burlington and Oakville, 216 spills reported to the MECP Spills Action Centre in 2020. The MMAH, with MECP, ensures that official plans conform to significant threat policies and have regard to other policies. MMAH also ensures that vulnerable areas are identified in official plan schedules and protected per the Provincial Policy Statement.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Water Management**
 - Initiatives – Invest in programs to address the impacts of nutrient and sediment loading on watershed stream, creeks, rivers and receiving water bodies.

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

The Clean Water Act, 2006 requires that source protection authorities prepare and submit a report annually that describes the progress made on implementation of source protection plans. In the Halton-Hamilton Source Protection Region, implementation of the plan policies is progressing well with all policies implemented or in process and 88 percent of the identified existing significant threats managed in 2020.

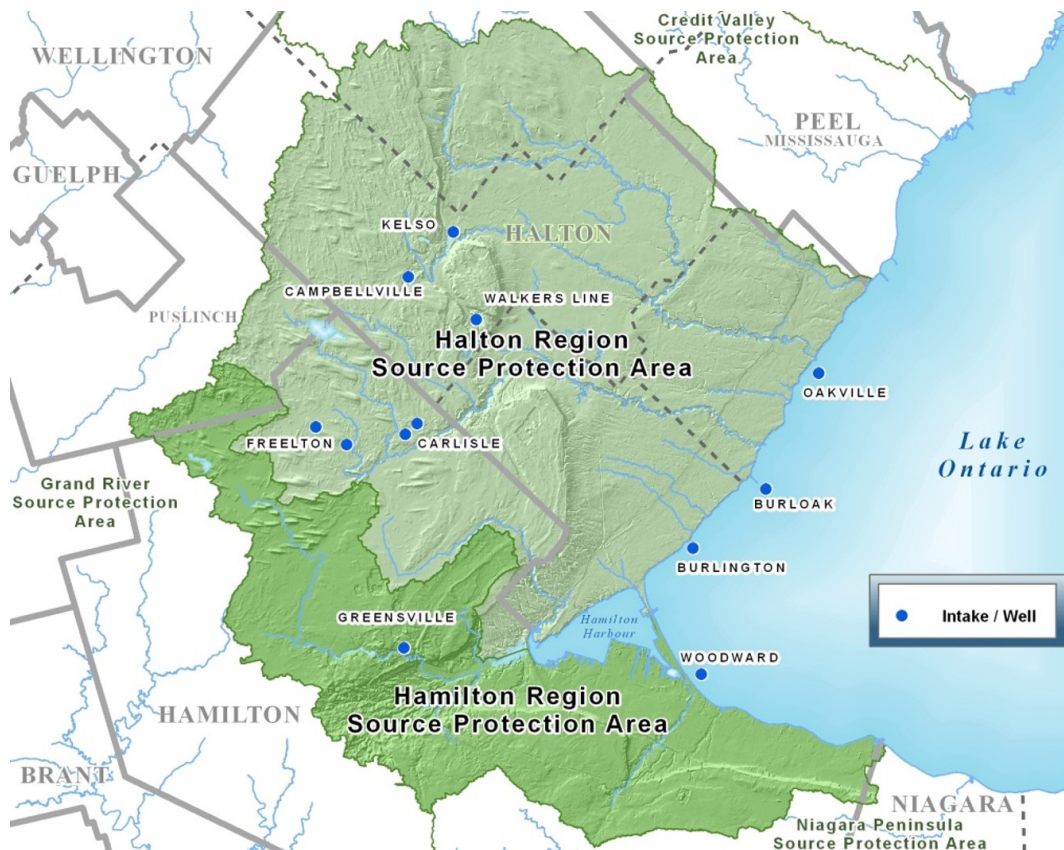
Source Protection Annual Progress Report

I. Introduction

This annual progress report briefly summarizes the progress made in implementing the source protection plans for the Halton Region and Hamilton Region Source Protection Areas, as required by the Clean Water Act, 2006 and its regulations. It highlights actions taken to protect the quality of the sources of our drinking water and to sustain them into the future.

The source protection plan is the culmination of extensive science-based assessments, consultation with the community, and collaboration with local stakeholders and the province. The implementation of the policies it contains ensures that activities carried out in the vicinity of municipal wells and lake-based water intakes will not pose significant risk to the water sources.

Thanks to the efforts of those responsible for implementing the policies, most of the policies have been implemented and many significant threat activities have been managed.



For more information about the drinking water source protection program in the Halton-Hamilton Source Protection Region, please visit our website at www.protectingwater.ca

II. A message from your local Source Protection Committee

- ☒ **P : Progressing Well/On Target – The majority of the source protection plan policies have been implemented and/or are progressing.**
- ☐ **S : Satisfactory – Some of the source protection plan policies have been implemented and/or are progressing.**
- ☐ **L : Limited progress – A few of the source protection plan policies have been implemented and/or are progressing.**

This is the fourth Annual Report prepared on implementation of the source protection plan for the Halton-Hamilton source protection region covering the period from December 31, 2015 to December 31, 2020, and summarizes its progress in the year 2020.

There are 98 Halton-Hamilton Source Protection Plan policies to address the 202 actual significant drinking water threats that have been identified as of December 31, 2020. Multiple bodies consisting of the municipalities within the source protection region as well as various provincial ministries and other agencies and stakeholders are responsible for their implementation.

In March 2020, a global pandemic was declared by the World Health Organization due to the unprecedented and life-threatening COVID-19 (coronavirus) disease. The pandemic caused major changes across all aspects of life. Ontario declared a state of emergency. Municipalities and other policy implementers adapted to the situation ensuring the safety of watershed residents and staff, while making progress in policy implementation towards the protection of municipal drinking water sources.

Approximately 88% of the significant drinking water threats have been addressed which has increased from 80% for 2019. As well, 100% of the policies are considered to be implemented, in progress or require no further action.

Based on the review of the annual progress reporting by the bodies implementing the plan, the Halton-Hamilton Source Protection Committee is pleased to see that 100% of the policies associated with the plan are effectively addressing significant drinking water threats and achieving the objectives of the Clean Water Act and that a ranking score of progressing well and on target is a fair assessment on its progress. The Committee mourned the loss of one of its original members, Glenn Powell, in fall 2020.

III. Our Watershed

The Halton-Hamilton Source Protection Region is located at the western end of Lake Ontario and includes portions of the municipalities of the Cities of Hamilton, Burlington and Mississauga, the Regions of Halton, Peel and Niagara, the Towns of Milton, Halton Hills, Oakville and Grimsby, the County of Wellington and the Township of Puslinch. The region covers an area of 1,417 sq km of land and 720 sq km of Great Lakes waters.

Approximately 970,000 people make the source protection region their home and the region is expected to grow substantially over the next decades. The landscape is changing due to this growth and the source protection plan is in place to help guide this growth in a way that protects our vulnerable drinking water sources.

The Regional Municipality of Halton and the City of Hamilton own and operate municipal water systems within the source protection region. These systems include six intakes in Lake Ontario (Woodward (2), Burlington (2), Burloak and Oakville), three municipal well systems in Hamilton (Carlisle, Freelon and Greensville) and three municipal well systems in Halton Region (Kelso, Campbellville and Walkers Line). In addition, some homes and businesses within the source protection region are supplied water from municipal drinking water systems located in neighbouring areas. In total, these municipal water systems supply about 95 percent of the population within the source protection region with reliable, clean drinking water. About 92 percent of the population receive water from Lake Ontario and 3 percent receive groundwater. Outside the urban area, private wells and cisterns are relied on by the remaining 5 percent of the population. Private well systems and the natural environment use the same sources of water that, under the current program, the government seeks to protect for municipal supplies. In this way, maintaining a sustainable supply of clean water within the aquifers of Halton-Hamilton Source Protection Region and in Lake Ontario will benefit all residents and business operators.

Studies completed over the past few years have assessed the vulnerabilities and risks to the quality and quantity of the waters that supply the municipal wells and intakes from activities occurring on lands and in waters in their vicinity. Protection areas have been mapped and a plan developed to manage or prohibit certain activities within these areas. Follow-up assessments were completed for the Kelso, Campbellville and Greensville municipal well supplies when new data and more advanced modelling tools became available. All municipal wells have protection areas for threats to water quality, while only those where it was determined that the sustainability of the water source may be in question have protection areas for threats to water quantity. The municipal intakes in Lake Ontario also have protection zones for threats to water quality.

The source protection plan contains policies that require or request action from provincial ministries, federal departments, municipalities, conservation authorities, landowners, and stakeholders. This report summarizes actions taken in 2020 with tracking of implementation between December 31, 2015, when the plan took effect, and December 31, 2020.

IV. At a Glance: Progress on Source Protection Plan Implementation

1. Source Protection Plan Policies

The Halton-Hamilton Source Protection Committee included policies in their source protection plan to address prescribed threats, a local threat, actions thought to be necessary to protect sources of drinking water, and the monitoring of policy implementation. All monitoring policies are being followed and are no longer tracked for policy implementation. 100% of the 60 legally binding policies, the 20 policies that are non-legally binding but address significant threat activities, and the 18 general strategic policies are implemented, are in process, or have been considered and did not require further action.

Policies are in place to manage or prohibit activities that may be proposed to occur within vulnerable areas that could pose a risk to the quality or quantity of sources of drinking water, and for activities that are currently ongoing. Some of each policy type (binding, non-binding, strategic) are yet to be fully implemented but 88% of the existing significant threats have been managed.

Based on a continued advancement of source protection plan implementation in 2020, the progress score given for overall plan implementation status is P: Progressing well.

2. Municipal Progress: Addressing Risks on the Ground

There are 12 municipalities within the Halton-Hamilton Source Protection Region but policies are directed at eight to address significant, moderate and low threat activities outlined in the source protection plan. These policies primarily require municipalities to update planning documents, update education and outreach programs or initiate new ones to include source protection messaging, consider the offering of incentives to have work required to protect water sources completed in a timely manner, to update spill response and salt management plans, to reduce water consumption to sustain supplies and to ultimately ensure all municipal decisions and actions protect drinking water sources.

Implementation of the source protection plan policies by the municipalities has progressed safely in 2020, in the face of the COVID-19 global pandemic. All policies targeting significant threat activities are in progress or implemented. Risk management plans are required to be established by December 31, 2021, based on a one-year extension granted by the province of Ontario upon request by the the Halton-Hamilton Source Protection Region in fall 2020. Halton Region, the City of Hamilton and the Township of Puslinch are working on these.

Official plan conformity exercises have been completed by the City of Hamilton, County of Wellington and the Township of Puslinch. Halton Region, and the Towns of Milton and Oakville, have begun their conformity exercises while Halton Hills as not yet started. The recently approved Burlington Official Plan, 2020, contains policies that recognize the Source Protection Plan, and various parts of the Official Plan are under appeal.

The source protection plan also includes general strategic policies that all 12 municipalities are requested to implement to protect the quality and/or quantity of source water. Actions are requested to limit the flow of contaminants through transport pathways, to collect climate data to better inform studies and assess changes, to educate the public about the potential issues with the importation of fill, to update spill prevention and emergency response plans, and reach out to those that transport dangerous goods near wells and intakes. Although voluntary, most municipalities are working on or have implemented these policies.

The municipalities have made great progress in 2020 toward implementing all their policies and are given a progress score of P: Progressing well.

3. Septic Inspections

The Ontario Building Code requires that small sewage systems be re-inspected every five years through a mandatory minimal program or a discretionary more advanced program. The City of Hamilton and the Town of Milton established inspection programs in 2016 and owners of properties within the wellhead protection areas where sewage systems could be a significant threat received letters to have third party contractors complete the inspection and to submit the required certificate to the municipality following completion of any required works.

The Greensville well system was expanded in 2019 and the protection area was re-delineated. The total number of properties within the Kelso, Campbellville, Carlisle, Freelon and Greensville areas, now included in the sewage reinspection program is 126, after field verification has removed one. Of these, 110 (87%) have been inspected. Only 2 needed major repairs, while 74 needed minor repairs. The inspection program included outreach materials about proper care and use of septic systems that also satisfied the requirements of an education and outreach policy.

A progress score of P: Progressing well is given to the municipal sewage re-inspection programs.

4. Risk Management Plans

Screening processes are in place within the planning and building departments of the municipalities to ensure applications for future development are reviewed appropriately for potential threat activities and source protection policy application. Applicants with properties where significant threats are possible must receive a notification from the risk management official that no plan policies apply and the planning and permitting processes may proceed. A total of 10 notices were issued in 2020 by the City of Hamilton (6), Halton Region (3) and the Township of Puslinch (1).

Risk management officials and inspectors continued to safely verify and inspect threat activities occurring in the region in 2020, following physical distancing and other safety measures put into place in Ontario due to the COVID-19 pandemic. One significant threat activity of the handling and storage of dense non aqueous phase liquids (DNAPL) was added. While the pandemic posed challenges in interacting with landowners for several months in 2020, the establishment of risk management plans is well underway due to the efforts of municipal risk management officials. One risk management plan was negotiated and established by Halton Region. The remaining few risk management plans must be in place by December 31, 2021.

Based on the progress made in 2019, the progress score given for the development of risk management plans is P: Progressing well.

5. Provincial Progress: Addressing Risks on the Ground

Provincial ministries, including MECP, MNRF, MMAH, MTO and OMAFRA, are responsible for the implementation of source protection policies included in the Halton-Hamilton Source Protection Plan that use prescribed instruments to reduce the risk of significant threat activities or to inform decision makers, collect and share data and lessons learned with others, or provide incentives to advance policy implementation.

The MECP performed general agricultural inspections for two activities in the Halton Region source protection area in the fiscal year 2019-20. They deemed both activities to not pose a threat to municipal drinking water sources. A general agriculture inspection could include an assessment of multiple activities and components linked to the management of agricultural source material and non-agricultural source material.

For instruments not approved by OMAFRA, the approvals process is revised to delegate the letter of conformity preparation to a certified person. Further, OMAFRA has revised the training of certified nutrient management planners to include source water protection. Guidance has been developed for Risk Management Officials, farmers and certified individuals that prepare Nutrient Management Plans to use to help determine if a prescribed instrument conforms to the significant drinking water threat policies. They are available at <https://www.nutrientmanagement.ca/resources/source-water-protection/>. Some training was also delivered by OMAFRA to certified preparers on requirements and responsibilities of incorporating source water protection into prescribed instruments (nutrient management plans included).

Relevant provincial ministry staff continue to be trained or have their training refreshed on the source protection program, recent amendments to the Technical Rules, and annual reporting requirements. The Provincial Government has made the responsibilities of the source protection authorities under the Clean Water Act mandatory services and this has raised awareness and ensured that source protection planning is incorporated into government business.

Provincial ministries are given a progress score of P: Progressing well.

6. Source Protection Awareness and Change in Behaviour

Town of Halton Hills has started working with Halton Region staff on implementing salt management plans on Town-owned properties. This is an ongoing process.

Halton Region successfully established a Risk Management Plan with Suncor Energy for the handling and storage of fuel at both the active terminal site and off-loading dock in Lake Ontario.

Town of Milton has developed a work program for implementation of SPP into new Official Plan.

Due to the provincial Emergency, some activities/events were modified to a digital/online version. The City of Hamilton participates actively in promoting Education and Outreach programs with a Source Water Protection component: e.g.: Children's Water Festival; World Toilet Day; World Water Day. The City partners with CAs to provide financial assistance to residents to decommission wells; disposal of hazardous materials, etc. The City declared a Climate Change Emergency. Council approved a plan to reduce GHGs and increase resilience of municipal infrastructure and the community. Emergency response exercise done to respond to spill scenario near municipal intake.

County of Wellington conducted education and outreach efforts. A virtual training session was run for municipal staff. Four newspaper ads were run on water conservation, road salt and changes to the SPPs. Staff attended 4 public meetings on SPP updates and Centre Wellington Tier 3 Community Liaison Group. Development reviews and limited inspections included educational material for proponents on threats, process and mapping. Maintained, updated website www.wellingtonwater.ca, 10 fact sheets posted etc. Social media posted or re-shared. The Waterloo-Wellington Children's Groundwater Festival in-person event was cancelled, but staff pivoted to online videos about activity centres (www.wwcgf.com). During the Official Plan amendment (OPA), it was decided to require a Drinking Water Threat Disclosure Report in municipal wellhead protection areas where significant threats may be present. This was in response to Halton-Hamilton SPR policies and due to existing OP policies since 2008. Since adoption of the OPA 98, there have been numerous submissions related to this requirement.



7. Source Protection Plan Policies: Summary of Delays

In 2020 Halton-Hamilton region achieved the milestone of 100% of the source protection plan policies that directly address significant drinking water threats as either implemented, in progress or considered and further actions are not required. In 2021, we expect to move closer to full implementation with the deadline for negotiated risk management plans approaching (December 31, 2021).

The general, strategic policies in the source protection plan are also 100% implemented, in progress or considered and further actions are not required. Through the Section 36 comprehensive updates to the source protection plan in 2021, discussions with policy implementers are underway to streamline non legally binding strategic policies, and options will be discussed by the Halton-Hamilton source protection committee.

8. Source Water Quality: Monitoring and Actions

The Cedarvale well field is located in Georgetown, part of Halton Hills, and its protection areas for quality and quantity extend slightly into the Halton Region Source Protection Area. Well numbers 1A, 4 and 4A in this well field have rising trends in chloride concentrations and an issue contributing area has been delineated. The CTC Source Protection Committee identified the need for chloride management measures and the Halton-Hamilton Source Protection Committee included policies in their plan to manage or prohibit the storage and application of road salt and the storage of snow.

Halton Region reported that the chloride concentration trends at the wells have not changed since reporting began in 2016. However, it is acknowledged that it will take time for the benefits of the implementation of associated policies to be realized.

Halton Region also identified elevated or rising chloride concentrations in the source water of the Campbellville well field. To better understand the sources of the chlorides, Halton Region constructed six groundwater monitoring wells in the Campbellville area in 2019. These wells will be integrated into Halton Region's existing groundwater monitoring program and further assessment of water quality issues will be completed once data are collected and analyzed.

9. Science-based Assessment Reports: Work Plans

A work plan to undertake a comprehensive review and update of the source protection plan and assessment reports directed technical work in 2020. A copy of the work plan is available at www.protectingwater.ca.

10. More from the Watershed

The Halton-Hamilton Source Protection Plan includes policies that are strategic in nature and implementers are requested, rather than required, to implement them. The response to these policies has been good and the drinking water sources of the source protection region are better protected because of their implementation. Local municipalities report that relationship building with private companies is ongoing, as is training of staff and discussions on incorporating source protection principals into winter maintenance plans, spill response plans, and official plan updates.

Furthermore, local municipalities have recognized the importance of the protection of the quality and quantity of water sources through integration with other initiatives. Well decommissioning programs are offered to reduce pathways for contaminants to reach the aquifers from which drinking water is taken. Children's water/groundwater festivals help inform families of the need to protect water and how to do it. Municipal capital projects such as the Woodward Avenue Wastewater Treatment Plant upgrade in Hamilton, the remedial action plan activities in Hamilton Harbour, cross-connection and downspout disconnection programs in many municipalities, manhole and sewer lining to prevent sewage leakage in Peel Region, and the installation of oil/grit separator chambers in existing storm sewer systems to improve the quality of the water discharging to Lake Ontario from Oakville will all produce positive outcomes for the protection of drinking water sources.

The MTO continues to manage the use of road salt on highways by ensuring that contractors are trained and conform to the Salt Management Plan which includes best available winter maintenance practices with consideration to local environmental protection including drinking water sources. Best practices include pre-wetted/pre-treated road salt and direct liquid application, electronic spreader controls, and the Road and Weather Information Stations for monitoring and forecasting winter weather and highway conditions. The MECP spill response and notification procedures have been updated to consider source protection vulnerable areas. If a spill has the potential to impact a water treatment plant, the plant is notified along with any other affected parties. Within the cities Hamilton, Burlington and Oakville, a total of 216 spills were reported to the Spills Action Centre in 2020.

The Climate Change Vulnerability Assessment Tool has been developed by a multi-stakeholder process coordinated by Conservation Ontario with the assistance of Conservation Authorities including Conservation Halton, an Academics Advisory Group and a Steering Committee with representatives from Engineers Canada, MECP, CO, etc. to apply a climate change lens to municipal drinking water source quality risk assessments. This Tool was shared with municipalities and source protection authorities and committees in June 2020 and training was held in Winter 2020 for users.

Although we saw a global pandemic begin in March 2020, the Halton-Hamilton source protection region, source protection committee and policy implementers showed resiliency by moving to online resources (such as factsheets) and tools (such as social media) in order to continue drinking water source protection. The committee's Mission Statement and guiding values were updated, the source protection region website was updated and landowner and prospective applicant inquiries about the program and policies increased. The committee mourned the loss of one of its original members, Glenn Powell, in fall 2020.

Memorandum

TO: Hamilton Region Source Protection Authority

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

REVIEWED BY: T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer/Director, Watershed Planning & Engineering

PREPARED BY: Chitra Gowda, Senior Manager, Watershed Planning and Source Protection

MEETING DATE: April 1, 2021

RE: Source Water Protection Program Updates 2020-21 and Section 36 Comprehensive Updates 2021-22

BACKGROUND

The drinking water source protection program for the Halton-Hamilton Source Protection Region (HHSPR) is implemented by Conservation Halton and the Hamilton Conservation Authority who function as source protection authorities under Ontario's Clean Water Act, 2006.

HHSPR staff achieved several milestones during the 2020-21 program year including pivoting to online meetings during the COVID-19 global pandemic, making progress with comprehensive updates to the science and policies for protecting municipal drinking water sources, policy progress reporting, and supporting policy implementation undertaken by municipalities, provincial ministries and others. Highlights are provided below. Staff continue the comprehensive updates per the Minister's Order pursuant to Section 36 of the Clean Water Act.

STAFF COMMENT

Several highlights for the program year 2020-21 are provided below.

- The 2019 Annual Progress Report was submitted to the Ministry of the Environment, Conservation and Parks (MECP) in April 2020 and indicates that

policy implementation progressed well in the Halton-Hamilton watersheds through 2019.

- Social media posts were deployed to commemorate the 20th year since the Walkerton drinking water tragedy, and to reiterate the importance of watershed-based planning.
- Municipalities, provincial ministries and others continued policy implementation through the COVID-19 pandemic following appropriate health and safety protocols.
- The Memorandum of Agreement for the Source Protection Management Committee was renewed for a five-year period, ensuring continued governance for the local program through a strong, well-established partnership between Conservation Halton and the Hamilton Conservation Authority.
- HHSPR staff pivoted during the pandemic to host the four Source Protection Committee meetings using online virtual tools. This safely supported the committee's continued discussions on comprehensive updates to the assessment report science and source protection plan policies.
- HHSPR staff updated Lake Ontario and groundwater vulnerability assessments, explored a revised method to determine road salt related activities and developed draft policies to manage risks from liquid hydrocarbon pipelines.
- HHSPR staff partnered with the Grand River Conservation Authority staff to present to the Association of Municipalities of Ontario board in fall 2020 about road salt impacts, the legislative framework, and best practices.

Under Section 36 of the Clean Water Act, the MECP required the submission of workplans to review Source Protection Plans. This has led to the second round of source protection planning across Ontario.

The workplan for the Halton and Hamilton source protection areas was approved by MECP in March 2019. **Attachment 1** is the Minister's amended Order pursuant to Section 36 of the Clean Water Act. The approved workplan includes tasks to review both science and policies, to support the continued protection of drinking water sources. The workplan is available at the website: <https://bit.ly/3k6pyu0>

HHSPR staff are undertaking amendments to the assessment reports, source protection plan, and explanatory document per the Section 36 workplan. These amendments are being brought to the Halton-Hamilton Source Protection Committee (HHSPC) for review and endorsement.

The **Figure 1** shows the steps required by MECP, leading to the submission of the amended documents to them by HHSPR. The required steps are taken from the guidance for source protection authority staff: "Source Protection Planning Bulletin – Overview of Requirements for Plan and Assessment Report Amendments and Updates under sections 34, 35 and 36 of the Clean Water Act", MECP, October 2019.

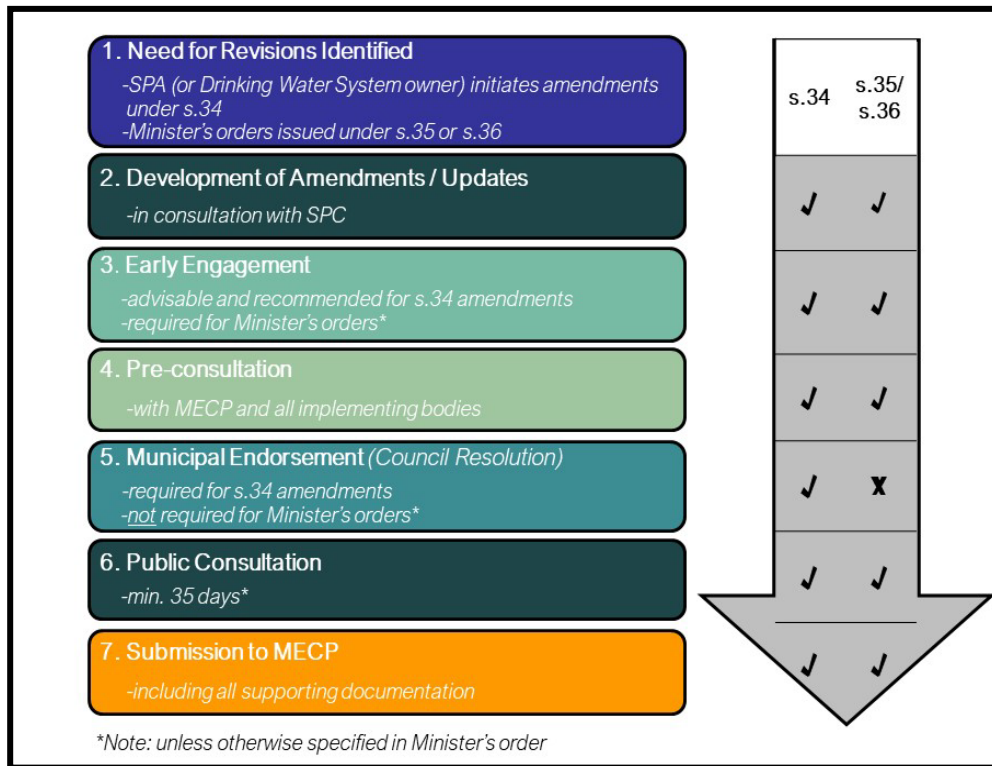


Figure 1: Assessment Report and Source Protection Plan Revision Process (MECP, October 2019)

The **Table 1** developed by HHSPR staff provides timelines that ensure adequate consultation and result a submission to the MECP. Note that the timeline for early engagement is dependent upon the MECP.

Table 1: Timelines for Comprehensive Updates for Source Water Protection

No.	Step	Timeline
1	Need for revisions/updates identified (Minister's Order issued under S. 35 or S. 36; SPA initiated S. 34)	2018 onwards
2	Development of amendments/update (in consultation with the HHSPC)	April 1, 2019 to May 31, 2021 Involves: <ul style="list-style-type: none"> Update documents by May 31, 2021 SPC meeting on June 15, 2021 Address SPC comments by June 20, 2021.
3	Early engagement (with MECP)	June 21 to July 16, 2021* (4 weeks) *Dates depend on MECP. Involves: <ul style="list-style-type: none"> Send documents to MECP on June 21, 2021 Receive MECP comments by July 16,

No.	Step	Timeline
		2021 <ul style="list-style-type: none"> • Address MECP comments and update documents for pre-consultation by July 30, 2021 • Email the pre-con package to the SPC on Aug. 10, 2021 • Address SPC comments by Aug. 16, 2021.
4	Pre-consultation (with MECP and all policy implementers)	Aug. 17 to Sep. 10, 2021* (4 weeks) Involves: <ul style="list-style-type: none"> • Send documents to MECP and policy implementers on Aug. 17, 2021 • Receive comments by Sep. 10, 2021 • Address comments and update documents for public consultation by Sep. 24, 2021 • SPC meeting on Oct. 5, 2021 • Address SPC comments and prepare all documents for public consultation by Oct. 15, 2021.
5	Municipal endorsement (Not applicable for Section 36 updates)	Not applicable for Section 36 updates
6	Public consultation (minimum 35 days)	Oct. 18 to Nov. 22, 2021 (36 days) Involves: <ul style="list-style-type: none"> • Public posting on Oct. 18, 2021 • Receive comments by Nov. 22, 2021 • Address comments and update documents by Dec. 3, 2021 • SPC meeting on Dec. 14, 2021 • Address SPC comments and prepare all documents for the Source Protection Authority (SPA) Boards by Jan. 15, 2022. • SPA board meetings on: Feb. 3 and Feb. 16 TBD, 2022. • Prepare all supporting documentation and files including GIS shapefiles by March 14 to submit to MECP.
7	Submission to MECP (including all supporting documentation)	March 15, 2022

During the consultation stage, HHSPR staff will raise awareness about the proposed updates to the source water protection science and policy using various means such as social media and website updates. It is possible that residents may pose questions or have comments about drinking water to the conservation authorities, municipal councillors and others. Staff will provide general information about the update process on the website www.protectingwater.ca to help answer questions.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Water Management**
 - Initiatives – Invest in programs to address the impacts of nutrient and sediment loading on watershed stream, creeks, rivers and receiving water bodies.

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

The Minister's amended Order pursuant to Section 36 of the Clean Water Act lists the updates for the Halton-Hamilton Source Protection Plan and the assessment reports. Staff are implementing the updates as required and are scheduled to fulfill the necessary consultation process.

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement,
de la Protection de la nature et des
Parcs



Office of the Minister

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Mr. Gerry Smallegange, Source Protection Authority Chair (A)
Conservation Halton
2596 Britannia Road West
Burlington, ON L7P 0G3

Ms. Susan Fielding, Source Protection Authority Chair (A)
Hamilton Conservation Authority
838 Mineral Springs Road P.O. Box 7099
Ancaster, ON L9G 3L3

Mr. Robert Edmondson, Chair
Halton-Hamilton Source Protection Committee
2071 Deer Run Avenue
Burlington, ON L7M 2S7

Dear Mr. Smallegange, Ms. Fielding and Mr. Edmondson

I am following up on your proposed workplan for the comprehensive review and update of the Halton Region and Hamilton Region assessment reports and source protection plan for the Halton Region and Hamilton Region source protection areas. The workplan, dated November 22, 2018, was submitted in compliance with the order dated August 5, 2015 issued under section 36 of the *Clean Water Act*.

I am pleased to note that your workplan confirms that implementation of the source protection plan is going well and I appreciate the level of effort you put into your analysis of your assessment reports and plan.

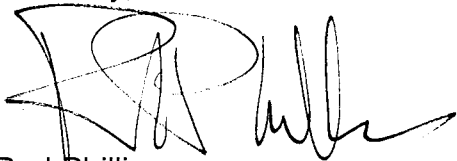
Pursuant to subsection 36 (1) of the *Clean Water Act*, I am amending the order dated August 5, 2015, to establish requirements governing the content and timeframes of the review and the process to be followed for any updates to your assessment reports and plan. The source protection committee shall update the assessment reports and source protection plan to address the workplan items identified in the attachment to this order and ensure those changes comply with the recent amendments to the General Regulation and Director's Technical Rules.

You may proceed with any other items in the workplan that are consistent with the Act, its regulations and technical rules that are in effect at the time of the updates; staff in the Ministry's drinking water source protection program can provide you advice on this. You can contact Debbie Scanlon, Manager Approvals Section (416-212-8839) if you have any questions. I will leave it to the source protection committee and source protection authorities, with the local municipalities, to determine which of these other updates proceed.

When undertaking any updates, the source protection committee and lead source protection authority must follow the amendment process and consultation requirements set out in the attachment to this letter. All updates carried out under section 36 of the *Clean Water Act* are to be submitted to the Ministry within six (6) months after the completion of the required updates and consultation.

I want to thank you for the continued efforts of the source protection authorities, committee and local communities to ensure sources of drinking water are protected. Significant progress has been made in source protection and the province looks forward to continuing to work with you and all stakeholders to protect sources of drinking water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rod Phillips', with a stylized, cursive script.

Rod Phillips
Minister

C: Diane Bloomfield, Project Manager, Halton Hamilton Source Protection Region
Hassaan Basit, CAO Conservation Halton
Lisa Burnside, CAO Hamilton Conservation Authority
Judy Love, Administrative Assistant, Hamilton Conservation Authority
Director, Source Protection Programs Branch, MECP
Debbie Scanlon, Manager, Source Protection Programs Branch, MECP
Stacey Baker, Program Analyst, MECP
Bilal Kidwai, Liaison Officer, MECP

Mandatory Updates to the Assessment Reports and Source Protection Plan

The Halton-Hamilton Region source protection committee shall ensure that the review includes updates to the assessment reports and source protection plan to:

- comply with the amendments made to the Director's Technical Rules, published on the Environmental Registry in March 2017 under posting number 012-8507. In particular for your source protection areas, this includes assessing the vulnerability of the Great Lakes intakes that the workplan indicates are vulnerable (Burlington, Oakville and Woodward) and identifying locations where the above grade handling and storage of fuel poses a risk;
- update liquid hydrocarbon pipeline references in the current assessment reports and plan from a local threat to a prescribed drinking water threat of provincial interest and ensure policies apply to all relevant protection zones to align with 2018 amendments to the General regulation (O.Reg. 287/07) under the *Clean Water Act* and Director's Technical Rules;
- make updates to align with neighboring Source Protection Plans to incorporate the water quantity risk assessment and policies when included in the approved Grand River source protection area for Guelph-Eramosa;
- include technical work completed within the timeframe of the comprehensive review for changes to drinking water systems, including Freelon, Carlisle, Burloak, Campbellville, Cedarvale, Woodward and Walkers Line drinking water systems where appropriate, as necessary under O.Reg 205/18 of the *Safe Drinking Water Act*.
 - The source protection committee, authorities and affected municipality should jointly determine if it would be more appropriate to have the source protection authority propose amendments under section 34 of the *Clean Water Act* to deal with the changes to any drinking water systems, as opposed to including these updates as part of the review under section 36.
- revise policies that support improved implementation, such as policy G-2 for the County of Wellington.

Amendment Process for Updates including Consultation:

The rules that source protection committees and source protection authorities were required to follow under the *Clean Water Act* in preparing, consulting on and submitting assessment reports and source protection plans to the Ministry will generally apply when making updates as part of this review. However, as with locally initiated amendments, any proposed updates to the assessment reports and plan are to be consulted on concurrently and submitted together as one package to the Ministry by the source protection authority.

Only those provisions of the *Clean Water Act* and the General regulation referred to below apply to the update of the assessment reports and source protection plan. For example, as no terms of reference is being required for the review and update of the assessment report and plan, subsection 36 (3) of the *Clean Water Act* does not apply.

Accordingly, for the updates to the assessment reports and source protection plan, the following provisions apply:

- Assessment report content outlined in section 15 of the *Clean Water Act* and sections 11 to 14 of the General regulation.
- Source protection plan content outlined in subsections 22 (2) to (15) of the *Clean Water Act* and sections 20 to 34 of the General regulation.

Updates to the assessment reports and source protection plan shall be made in consultation with affected municipalities, the Ministry, and any other bodies responsible for implementing a policy that may be revised as part of the updates. Consultation shall include the following minimum requirements:

- Early consultation on any draft updates to the assessment reports and plan with the Source Protection Programs Branch prior to carrying out pre-consultation with other bodies.
- Pre-consultation with all implementing bodies as well as persons and businesses engaged in significant drinking water threats in the geographic areas affected by the updates in accordance with sections 35 to 39 of the General regulation.
- Consultation for a minimum of 35 days, as outlined below.

The Explanatory Document that accompanies the plan (section 40, General regulation) shall also be updated to reflect the proposed changes to the plan and made available for consultation.

While consulting on the proposed updates to the assessment reports and source protection plan in accordance with the requirements set out above, comments received shall be documented, considered and addressed prior to advancing to the next consultation stage or finalizing the proposed updates to the assessment reports and plan.

Notification and publication of the proposed updates shall follow the provisions included in the General regulation for assessment reports and plans as described below. This includes making the proposed updates available on the Internet and in locations that are accessible to give the public and other interested parties an opportunity to inspect and comment on the updates. Specifically, consultation on the proposed updates to the assessment reports and plan shall occur concurrently and sections 23 to 25 of the *Clean Water Act* and section 41 of the General regulation apply with modifications noted below:

- References to a draft or proposed source protection plan shall be read as references to the proposed updates to the assessment reports and source protection plan that result from the review carried out under section 36 of the *Clean Water Act*.
- Notices shall be provided to the clerk of each municipality and all other persons and bodies listed in section 41 that are affected by the proposed updates.
- A public meeting referred to in clause (c) of subsection 41 (3) and in subsection 41 (7) is optional as determined by the source protection committee in consideration of the nature and scope of the proposed updates.