

Lakes Simcoe and Couchiching/Black River

Source Protection Authority

Meeting No. SPA-01-24

Friday, April 26, 2024

9:00 a.m.

Agenda

120 Bayview Parkway, Newmarket

I. Acknowledgement of Indigenous Territory

II. Declarations of Pecuniary Interest and Conflicts of Interest

III. Approval of Agenda

Pages 1 – 3

Recommended: That the agenda for the meeting of Lakes Simcoe and Couchiching/Black River Source Protection Authority held on April 26, 2024 be approved as presented.

IV. Adoption of Minutes

a) Source Protection Authority

Pages 4 – 9

Recommended: That the minutes of the Lakes Simcoe and Couchiching/Black River Source Protection Authority Meeting No. SPA-01-23 held April 28, 2023 be approved as circulated.

b) Source Protection Committee

Pages 10 – 59

Recommended: That the minutes of the South Georgian Bay Lake Simcoe Protection Region Source Protection Committee Meetings held March 30, 2023, June 1, 2023, September 21, 2023, and November 2, 2023 be received for information.

V. General Updates

a) Correspondence

Pages 60 – 68

Included in the agenda are the following pieces of correspondence:

- i) January 25, 2023 letter from the Ministry of the Environment, Conservation and Parks regarding the Request for Extension of Policy Implementation Timelines Related to Section 58 Risk Management Plans, South Georgian Bay Lake Simcoe Source Protection Plan.
- ii) November 28, 2023 letter to Source Protection Region CAOs regarding replacement of municipal members.
- iii) December 15, 2023 letter from the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks, regarding the review of the amended Lake Simcoe Assessment Report and South Georgian Bay Lake Simcoe Source Protection Plan.

Recommended: That Correspondence items i) to iii) be received for information.

b) Source Protection Committee Chair's Update

Pages 69 – 70

Included in the agenda is an update from South Georgian Bay Lake Simcoe Source Protection Committee Chair, Innisfil Mayor Lynn Dollin.

Recommended: That the report by South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin regarding Source Protection Committee updates be received for information.

c) Annual Source Water Protection Progress Report

Pages 71 - 81

Source Water Protection Hydrogeologist, Mike Wilson, will provide a presentation regarding the 2023 Source Water Protection Annual Report to the Ministry. This presentation will be provided at the meeting.

Recommended: That the presentation by Source Water Protection Hydrogeologist, Mike Wilson, regarding the Annual Source Water Protection Progress Report be received for information.

Included in the agenda is Staff Report No. 01-24-SPA regarding the 2023 Source Water Protection Annual Report to the Ministry.

Recommended: That Staff Report No. 01-24-SPA regarding the 2023 Source Water Protection Annual Report to the Ministry be received; and

Further that the Annual Report be approved for submission to the Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks.

d) Source Protection Committee Member Appointments

Pages 82 - 84

Included in the agenda is Staff Report No. 02-24-SPA regarding appointments to the Source Protection Committee.

Recommended: That Staff Report No. 02-24-SPA regarding the appointment of members to the South Georgian Bay Lake Simcoe Source Protection Committee be received; and

Further That the appointment of Michelle Flaherty to the South Georgian Bay – Lake Simcoe Source Protection Committee for a term of five years beginning May 1, 2024 be approved.

e) Source Protection Plan Amendments

Pages 85 - 87

Included in the agenda is Staff Report No. 03-24-SPA regarding the regarding Source Protection Plan amendments.

Recommended: That Staff Report No. 03-24-SPA regarding amendments to the South Georgian Bay Lake Simcoe Source Protection Plan submitted to the Minister of Environment, Conservation and Parks be received for information.

VI. Other Business

VII. Adjournment

Lakes Simcoe and Couchiching/Black River

Source Protection Authority

Meeting No. SPA-01-23

Friday, April 28, 2023

Hybrid meeting

Meeting Minutes

Source Protection Authority Board Members Present

Regional Chairman W. Emmerson (Chair), Councillor P. Ferragine (Vice Chair), Councillor S. Bell, Deputy Mayor J. Dailoux, Councillor F. Drodge, Councillor J. Durnford, Councillor A. Eek, Mayor R. Greenlaw, Councillor B. Hamilton, Councillor S. Harrison-McIntyre, Mayor I. Lovatt, Councillor C. Pettingill, Mayor M. Quirk, Councillor C. Riepma, Councillor E. Strength, Councillor M. Taylor, Councillor M. Thompson, Deputy Mayor and Regional Councillor T. Vegh

Source Protection Authority Board Members Absent

Regional Councillor B. Garrod, Mayor V. Hackson, Councillor D. Le Roy, Councillor E. Yeo

LSRCA Staff Present

R. Baldwin, T. Barnett, D. Goodyear, B. Thompson, M. Wilson

Guests in Attendance

Mayor L. Dollin, South Georgina Bay Lake Simcoe Source Protection Committee Chair

I. Acknowledgement of Indigenous Territory

Chair Emmerson acknowledged the Lake Simcoe watershed as traditional Indigenous territory and thanked all generations of Indigenous peoples for their enduring and unwavering care for this land and water.

II. Declarations of Pecuniary Interest or Conflict of Interest

None noted for this meeting.

III. Approval of Agenda

Moved by: A. Eek

Seconded by: M. Thompson

SPA-01-23 **Resolved That** the agenda for the meeting of Lakes Simcoe and Couchiching/Black River Source Protection Authority held on April 28, 2023 be approved as presented. **Carried**

IV. Adoption of Minutes

a) Source Protection Authority

Moved by: P. Ferragine

Seconded by: R. Greenlaw

SPA-02-23 **Resolved That** the minutes of the Lakes Simcoe and Couchiching/Black River Source Protection Authority Meeting No. SPA-01-22 held April 22, 2022 be approved as circulated. **Carried**

b) Source Protection Committee

Moved by: P. Ferragine

Seconded by: R. Greenlaw

SPA-03-23 **Resolved That** the minutes of the South Georgian Bay Lake Simcoe Protection Region Source Protection Committee Meetings held March 29, 2022, May 3, 2022, June 21, 2022, July 5, 2022, September 22, 2022, October 26, 2022, and February 2, 2023 be received for information. **Carried**

V. General Updates

a) Correspondence

Included in the agenda were three letters from the Ministry of the Environment, Conservation and Parks dated November 14, 2022, February 9, 2023, and February 22, 2022.

Moved by: C. Pettingill

Seconded by: C. Riepma

SPA-04-23 **Resolved That** Correspondence items i), ii) and iii) be received for information. **Carried**

b) Source Protection Committee Chair's Report

South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin's report was included in the agenda. Chair Dollin provided a brief update noting that the Source Protection Committee met seven times in the past year and has received the annual report on implementation progress, which the Board would hear later in the meeting. She advised that delays in implementing the Source Protection Plan due to the COVID-19 pandemic are still being felt, but the Committee remains confident that the Risk Management Officials and other municipal staff in this Source Protection Region are committed to their role in delivering this program.

Chair Dollin noted that Source Protection Committee meetings have become more frequent than previous years, as the Committee has been involved in the following two significant undertakings:

- i) Reviewing and commenting on proposed amendments to the Source Protection Plan to add new municipal drinking water systems, a very important part of the Program that ensures all future municipal drinking water systems receive the same level of protection as existing systems and all the future residents in the Source Protection Region can have the same level of confidence in the water that they drink. The rate of growth and development in this area has led to the Source Protection Committee dealing with more amendments of this sort than any other committee in the province. This experience has made both the Committee and staff aware of inefficiencies in the process, and recommendations to address these efficiencies were forwarded by Source Protection Authority staff to Ministry staff. Questions have also been raised amongst the Committee regarding the relationship between the Committee's role and other Ministry approval processes associated with new wells.
- ii) Reviewing the policies in the Source Protection Plan in the light of recent changes by the Province to the technical rules underpinning the Program. In some cases, rules will change what is considered a significant drinking water threat, which will change where policies apply. The Committee has been reviewing the implications to ensure policies continue to find the right balance between protecting drinking water, without becoming overly onerous or providing unnecessary restrictions on people's livelihoods. The Committee has reviewed changes related to road salt, waste management, and the storage of fuel. Next will be a review of policies that relate to farming practices. Given the prevalence of farming in the Source Protection Region, the Committee recognizes that changes to provincial rules could have far-reaching implications, and it is expected that the committee will review these changes in some detail.

Lastly, Chair Dollin was pleased to advise that Minister Piccini had appointed her to another term as Chair of the Source Protection Committee, through to 2025.

Moved by: C. Pettingill

Seconded by: C. Riepma

SPA-05-23 **Resolved That** the report by South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin regarding Source Protection Committee updates be received for information. **Carried**

c) Drinking Source Water Protection Program Overview

Manager, Integrated Watershed Management, Bill Thompson, provided an overview of the Source Protection Program, noting that the inquiry into the contamination of Walkerton's municipal water supply in 2020, where seven people lost their lives and thousands have been left with severe, long-term illnesses, led to the *Clean Water Act*, with a purpose of protecting existing and future sources of drinking water from contamination and depletion. The Lake Simcoe Watershed is part of the South Georgian Bay-Lake Simcoe Source Protection Region, which includes four watersheds, 52 municipalities, 3 First Nation communities, 284 municipal wells and 16 surface water intakes. He reviewed the roles and responsibilities of the various committees with the Source Protection Region, specifically the Source Protection Committee, Source Protection Staff, Source Protection Authorities, Ministry of the Environment, Conservation and Parks, as well as the implementing bodies (municipalities, Province, Source Protection Authorities), who have a legal obligation to implement the Source Protection Plan. He went on to outline the roles of the Source Protection Authority; namely, to appoint members to the Source Protection Committee, to endorse amendments to the Source Protection Plan, and to review annual reports on implementation and support implementation where necessary.

Moved by: M. Taylor

Seconded by: J. Dailloux

SPA-06-23 **Resolved That** the presentation by Manager, Integrated Watershed Management, Bill Thompson, regarding an overview of the Source Protection Program be received for information. **Carried**

d) Annual Source Water Protection Progress Report

Source Water Protection Hydrogeologist, Mike Wilson, provided a presentation regarding the 2022 Source Water Protection Annual Report to the Ministry, noting a primary objective of monitoring and reporting is to assess if threats to municipal drinking water sources are being reduced through the implementation of the Source Protection Plan's (Plan) policies.

He reviewed some essential implementation actions that have been completed, such as establishing a Risk Management Office and drafting policies for municipal Official Plans across the Source Protection Region. All municipalities have begun negotiating risk management plans with landowners, and many municipalities have successfully completed some or all of their required risk management plans. Ontario Ministries have reviewed previously issued provincial approvals that were identified to address existing activities that

may pose a risk to sources of drinking water. A review by the Source Protection Committee of data provided identified the following key findings:

- All municipalities have submitted annual reports to Source Protection Authority staff.
- Most policies (98%) that address significant drinking water threats in the Plan have been or are in the process of being implemented in accordance with the timelines set out in the Plan or otherwise amended.
- An estimated 94% (4,070 of 4,317) of existing significant drinking water threats have been mitigated through policy implementation.
- A total of 271 risk management plans have been established, with an estimated 92 remaining to be negotiated across the Source Protection Region. Risk Management Officials have workplans indicating the remaining risk management plans will be established by the July 2024 deadline.
- Approximately 94% (1,954 of 2,083) of the round-two on-site sewage (septic) system inspections required have been completed, with the deadline having passed in the current reporting year (2022).

The Ministry of the Environment, Conservation and Parks approved an extension to the risk management plan deadline to July 1, 2024 for all municipalities (except for York Region, who had not sought an extension) in the South Georgian Bay Lake Simcoe Source Protection Region. This extension was granted along with a request that the Source Protection Authority submit a workplan for completing all remaining risk management plans. Risk Management Officials worked with Source Protection Authority staff and developed a comprehensive workplan that was presented to the Source Protection Committee on March 30, 2023. Based on the workplan, all remaining risk management plans will be established by the July 2024 deadline.

Source Protection Authority staff continues to bring progress reports to the Source Protection Committee, and the Committee is satisfied with the current rate of progress on plan implementation.

Moved by: B. Hamilton

Seconded by: T. Vegh

SPA-07-23 **Resolved That** the presentation by Source Water Protection Hydrogeologist, Mike Wilson, regarding the Annual Source Water Protection Progress Report be received for information. **Carried**

Staff Report No. 01-23-SPA regarding the 2022 Source Water Protection Annual Report to the Ministry was included in the agenda.

Moved by: B. Hamilton

Seconded by: T. Vegh

SPA-08-23 **Resolved That** Staff Report No. 01-23-SPA regarding the 2022 Source Water Protection Annual Report to the Ministry be received; and

Further that the Annual Report be approved for submission to the Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks. **Carried**

e) Source Protection Plan Amendments Update

Staff Report No. 02-23-SPA regarding an update to Source Protection Plan Amendments was included in the agenda. The Lakes Simcoe/Couchiching Black River Source Protection Authority is responsible for ensuring that the Source Protection Plan is amended to account for new or expanded municipal drinking water systems. Over the course of the last year, four amendments to the source protection plan to address changes in municipal drinking water systems were submitted to the Minister of Environment, Conservation and Parks for approval, three of which were approved as of the meeting date.

Moved by: E. Strength

Seconded by: J. Durnford

SPA-09-23 **Resolved That** Staff Report No. 02-23-SPA regarding amendments to the South Georgian Bay Lake Simcoe Source Protection Plan submitted for approval to the Minister of Environment, Conservation and Parks be received for information. **Carried**

VI. Adjournment

Moved by: S. Harrison-McIntyre

Seconded by: M. Quirk

SPA-10-23 **Resolved That** the meeting be adjourned at 9:53 a.m. **Carried**

Original to be signed by:

Original to be signed by:

Regional Chairman Wayne Emmerson
Chair

Rob Baldwin
Chief Administrative Officer



South Georgian Bay Lake Simcoe Source Protection Region

Source Protection Committee (SPC)

Minutes of Meeting SPC-02-2023

March 30, 2023

The Chair called the meeting to order at 1:00 pm and Bill Thompson conducted the Roll Call.

Members Present:

Lynn Dollin, Chair

Municipal

Andy Campbell, Chris Gerrits, Jeff Hamelin, Scott Lister, Kyle Mitchell, Katie Thompson, Stan Wells

Economic/Development

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

Public Sector

Geoff Allen, Peter Dance, Bob Duncanson, David Greenwood, Stephanie Hobbs, Tom Kurtz, Cate Root

First Nations

Sharday James

Liaisons

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

Staff Present

Bill Thompson, LSRCA
Mike Wilson, LSRCA
Mystaya Touw, LSRCA
Kathy Hillis, LSRCA (minutes)
Ryan Post, NVCA
Sarah Thompson, NVCA
Melissa Carruthers, SSEA
Nicole Stott, SSEA

Guests

Deborah Balika, Conservation Ontario
Colin Hall, Durham Region
Janet Ivey, CVC
Adam Leus, MECP
Dyana Marks, Township of Ramara
Gregory Meek, MECP
Neil Taylor, MECP
Stephanie Sabeau, City of Barrie
Chris Hibberd, NVCA
Lisa Douglas, MECP

Regrets:

Colin Elliott, Economic/Development – proxy to David Ritchie
Jessica Neto, Economic/Development
Sharday James, First Nations

1. Welcome & Opening Remarks

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

David Ketcheson declared a pecuniary interest to presentation e) Source Protection Region Update regarding the Edgar Road system in Oro-Medonte.

4. Approval of Agenda

Moved by: John Hemsted
Seconded by: Andy Campbell

SPC-12-23 **Resolved That** the agenda for the March 30, 2023 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Rick Newlove
Seconded by: Jeff Hamelin

SPC-13-23 **Resolved That** the minutes of the February 2, 2023 meeting of the Source Protection Committee be approved as amended and circulated. **Carried**

6. Announcements

a) Chair

i) Ryan Post has been seconded to the Town of East Gwillimbury. Sara Thompson is providing support for NVCA. The Chair wished Ryan all the best in his new endeavours.

b) MECP

ii) The Indigenous engagement project is ongoing related to best practices document for other communities like First Nations and small communities that are not attached to a municipal residential drinking water system or are outside a source protection area. The intent is to provide funding for two Indigenous communities, including Beausoleil, to use the guidance document and to do some of the technical work for source protection planning, and potentially have some policies or bylaws that can be implemented on Reserves. MECP and the First Nations communities are working through transfer payment agreements. Beth will continue to provide updates on progress.

- iii) SPC Chair Appointments – There were 12 Chairs reappointed and seven committees required new appointments, three of which have occurred.
- iv) The Branch is reviewing all the Section 34 amendments and Section 36 updates and are working toward Ministerial approval. There is a large volume of amendments and updates being reviewed which is lengthening the review timeline.
- v) The Technical Standards and Safety Authority project related to fuel handling and storage is moving forward. TSSA is planning on hosting engagement sessions with fuel suppliers to determine the location of private fuel storage sites and to determine if any of these private fuel outlets provide a risk to sources of drinking water.
- vi) Kirsten Service, Director, Conservation and Source Protection Branch is conducting one-on-one meetings with all SPC Chairs in the Province. Director Service is willing to have similar meetings with SPA project managers. The feedback the Ministry is getting is invaluable. If anyone has items that they want brought forward provide them to Chair Dollin. Bill Thompson has had his meeting with Director Service which was a very positive conversation, and the Director has indicated she wishes to continue with the good parts of the source water protection program while addressing the challenges.

7. Presentations

- a) A presentation by Greg Meek and Neil Taylor, Ministry of the Environment, Conservation and Parks, regarding overview of the permit to take water program.

Bill Thompson advised at the last meeting that water quality around wells is under the purview of the PTTW program so they could speak to the Snow Valley Road wells at today's meeting, but today Bill clarified that this is the responsibility of another group in the Ministry so will not be discussed in today's presentation.

The PTTW program is governed by the *Water Resources Act*. The program ensures the fair sharing, conservation, and sustainability of water, it monitors and tracks water use, informs provincial water management initiatives and provides a mechanism to resolve interference between water users. The program helps to shape provincial policies.

Section 34 of the *Water Resources Act* authorizes permitting and establishes exemptions. Generally, Section 34 allows for water takings up to 50,000 litres per day, and amounts over that require a permit. Exemptions to the PTTW requirements are:

- Taking less than 379,000 litres per day for domestic purposes, other than by a municipal water system.
- Taking less than 379,000 litres per day for the watering of livestock or poultry.
- Firefighting and other emergency purposes.
- 'Grand-fathered', constructed before March 30, 1961.

- Weirs constructed before March 29, 2016.
- Structures or works for wetland conservation.
- Active diversions to maintain a dewatered work area located within a waterbody.

The Water Taking Environmental Activity and Sector Registry (EASR) program allows applicants to self register their water taking activities with the Ministry without a formal review, but with supporting documentation from qualified persons, for certain low-risk water taking activities such as low-risk construction and rewatering, highway and transit projects and pumping tests.

Applications for Category 3 PTTW require supporting documentation prepared by qualified persons. The applications are reviewed by Ministry staff, who consider the findings of the studies to determine if it is likely to result in unacceptable impacts. Ministry staff will recommend monitoring, mitigation or contingency to be included in the PTTW. The Director will not issue a PTTW until it is satisfied that the proposed taking is unlikely to result in unacceptable impacts. The Director must consider the potential impacts on the natural functions of the ecosystem, water availability which includes source water protection, use of water and other issues such as the interest of other persons that have an interest in the water taking, or other matters the Director considers relevant.

PTTW conditions may include monitoring, establishing contingency measures and reporting. The PTTW program uses an adaptive management approach (ABM) to respond to evolving environmental conditions and new information and may amend or revoke the permit as necessary. The Ministry inspects water takings and responds to reports of unauthorized water takings.

How PTTW and source water protection intersect, and cumulative effects: PTTW applications falling within Wellhead Quantity Protection Areas (WHPA-Q) or Intake Quantity Protection Zones (IPZ-Q) may be subject to source protection plan (SPP) Prescribed Instruments policies. MECP is the implementing body. Where a Tier 3 Water Budget study has been undertaken, any qualifying Water Quantity Vulnerable Areas will have been delineated and assigned a risk based on the potential for impacts to municipal groundwater supply.

PPTWs within a moderate or significant risk WHPA-Q1 are deemed to be a significant threat if water is taken from an aquifer and not returned to the same aquifer, in which case SPP policies must be developed to ensure that the taking ceases to be or never becomes a threat to a municipal drinking water supply.

For WHPA-Q1 areas with a moderate risk level, only new water takings or increases to existing takings (future takings) are considered a significant threat and are to be managed by SPP policies. If a significant risk level in these areas, all water takings (both existing and future) are considered a significant threat to be managed by SPP policies. The policies can manage risks by considering a Tier 3 study conclusions and recommendations, permit holders to share

information or assessments with municipalities, or MECP requiring additional information from applicants.

Cumulative impacts of water takings are considered where relevant information about watershed or aquifer conditions exist eg. sustained or sudden decreases in groundwater or surface water levels or flows, possible water taking interference or significant changes to regional water use not previously assessed. Where cumulative impacts need to be considered, the Ministry may initiate a larger watershed-scale or aquifer-scale assessment. Area-based water quantity management (ABM) provides a framework for the Ministry to do a preliminary assessment of the state of water resources, declare a water supply to be under stress, compel permit holders to collaborate and engage local stakeholders and the public in the development of a Water Taking Management Strategy to guide PTTW conditions.

QUESTIONS AND COMMENTS

Tom Kurtz: When the Ministry requires an applicant to do an assessment and then MECP peer reviews this, is this information available to the SPC and the public?

Greg advised that many permits for new consumptive takings are posted for public comment on the Environmental Registry of Ontario (ERO) and allows for request of full documentation. For municipal projects the commenting period is generally up front during the Environmental Assessment stage but documents can also be made available during the ERO stage.

Cate Root: There seems to be lots of opportunity to get more data and conduct more monitoring. What initiates the monitoring of some of the permits?

Greg advised that the Director is required before signing a permit to consider all comments received. In reviewing this and risks to the water supply, it would be decided what level, if any, of monitoring is required. Where there are high risks, significant monitoring is required eg. quarries and pits that are required to monitor the quality of discharge, stream levels, etc.

Cate Root: Will results of monitoring be on the ERO?

Greg responded no, as the ERO is at the application stage. The water taking data is publicly available data that is available through Open Data Ontario. Any other data comes to the Ministry but is typically available through the Freedom of Information process.

Amanda Kellett: How frequently are permits amended or revoked?

Greg advised that revocation is typically started by the applicant. The Ministry does not commonly revoke permits as we are in a relatively water rich area. Amendments to permits are rare due to the up-front process when reviewing applications and the Ministry is conservative with issuing permits. If something unanticipated occurs that alters the risk level, than an amendment may be required.

David Ketchenson: If the SPC wanted to interface with PTTW staff about a water quantity issue, is that possible and what is the mechanism to do so?

Greg advised that when not looking at an active application, there is not a specific process. If there is a common issue then staff is happy to hear from the SPC. Beth advised that you can contact her and she will bring the issues to the Ministry staff. This process can be followed for any other Ministerial program as well.

Lynn Dollin: A lot of water budget exercises were conducted many years ago and based on Official Plans (OP) of the time. With significant changes in OP numbers due to current growth projections, if we did the water budget exercise today we would likely get a much different result. What is the process for this type of cumulative impact with current development pressures? How do we not get into a situation where the cumulative impacts are not causing a quantity issue?

Greg responded that the Ministry has to consider planned municipal takings. The Ministry would have a hard time addressing future growth that is not on the books now. New takings would have to go through the process and justify their impacts based on current projections. Beth mentioned that there is a water budget for the Midhurst area but it is a Tier 2. With all of the unplanned growth and development there is suggestions that it should be bumped up to a Tier 3 and the water budget be updated.

Don Goodyear: Is there an opportunity to partner on feedback of the water taking process with the changes in growth? The Source Protection Authority may be able to assist with review or individual applications.

Greg indicated that many source protection authorities are involved in specific applications. Beth can continue to bring the Committee's concerns forward, and if a more structured approach is wanted, this can be discussed.

Lynn Dollin: Is water quality considered in the review, or is the Ministry looking for the SPC to provide this review?

Greg indicated that they are considering the quality in terms of the potential to mobilize contaminants, but is not looking at the quality of water coming out. If there are known contaminants this information should be provided to the Ministry through various processes.

Cate Root: Is the documentation that goes into making decisions available to the public so that people can review what factors have been considered?

Greg advised that technical reviewers write out their decisions and provide this to the Minister, and this can be requested through the a Freedom of Information request.

David Ketcheson: Would engaging local stakeholders include an SPC?

Greg believes the answer is yes. The ABM is a new tool. Neil advised that it would be a public ERO process, and anyone who is interested will be notified and be given the opportunity to participate in the process.

Moved by: Stan Wells
Seconded by: Chris Gerrits

SPC-14-23 **Resolved That** presentation a) regarding an overview of the permit to take water program be received for information. **Carried**

b) A presentation by Mike Wilson, LSRCA, regarding Staff Report SPC2.1 – Annual Report on Plan Implementation (to December 31, 2022).

Reports due to the province include: supplemental form provided in the spring; annual report presentation with the key findings; annual progress report that is a public document, with a progress score on achieving SPP objectives.

Part IV powers under the *Clean Water Act* are where the Risk Management Officials (RMO) come in. They report on the establishment of a Risk Management Office, the number of Risk Management Plans (RMP) and the number of inspections. Every municipality that requires a Risk Management Official because they have vulnerable areas has an RMO. Options for having an RMO include delegating to a source protection authority, a conservation authority, to another municipality, or the municipality retaining responsibility.

There are approximately 92 RMPs remaining to be negotiated within the next 15 months. Some RMPs required for the Application of Commercial Fertilizer are not included in this number. The number of RMPs required is sometimes less than was identified when the SPP was approved due to ground truthing the numbers and an actual determination of threats. The detailed table outlines these changes.

Handling of DNAPLs and the application of commercial fertilizers make up a large amount of the significant threats. On average it took 22 months to complete agricultural RMPs in our jurisdiction. Many of the commercial fertilizer significant threats on the books will not have RMPs done for them, because SPC approved updates to managed lands mapping will remove them as threats in the future when the Section 36 Amendment is approved.

All municipalities and regions in our jurisdiction have begun or completed their OP updates. Zoning Bylaw amendments have begun in municipalities other than Springwater, Newmarket, Whitchurch-Stouffville and Ramara.

94% of second round Septic Inspections have been completed, with 129 left to complete. RMOs will reach out to these municipalities to discuss completion timelines.

The Ministry has finished reviewing all prescribed instruments in our source protection region.

The deadline to complete RMPs has been extended until July 1, 2024. Some RMOs have a larger workload to achieve completion. **ACTION ITEM:** Progress reports on status of outstanding RMPs will be brought to future SPC meetings.

SUMMARY POINTS

1. All municipalities submitted their 2022 annual reports to the Source Protection Authority. Municipalities in our source protection region have processes in place to ensure that their day-to-day planning decisions conform to our source protection plan.
2. 98% of the policies that address significant drinking water threats have been or are being implemented.
3. Approximately 94% of the existing SDWTs have been addressed through policy implementation.
4. While 271 RMPs have been established as of December 31, 2022, it will be challenging for many of our RMOs to complete the estimated 92 outstanding RMPs by the July 1, 2024, deadline.
5. 94% (1,954 of the estimated 2,083) of round-two on-site septic system inspections have been completed by municipal staff.

The Source Protection Authority staff recommends that the SPC provide a progress score of Satisfactory on achieving source protection plan objectives this reporting period. The majority of the policies have been implemented, but with RMPs being fundamental to source water protection it is believed that Satisfactory is appropriate.

QUESTIONS AND COMMENTS

David Greenwood: Is there opportunity to provide comments with the score as it is unlikely that the 92 RMPs will be completed by the deadline, or is this information captured elsewhere in the report?

Mike recommends that the SPC put their comments in the summary points. It is unlikely that the RMPs will not be completed as the RMOs have workplans established that are achievable. It will be hard work for some municipalities, but it is expected they will be completed.

David Greenwood: Of the 92 RMPs outstanding, will some of these be eliminated as it is determined in field work that there is not a threat on the ground?

Mike advised this is true. Every year some threats fall off through on-the-ground threats verification as RMOs. If the vulnerable areas have changed, this may also result in an RMP not being required.

Peter Dance: We never anticipate the number of RMPs required to get to zero as there are always new ones identified. The chart does not reflect the amount of work being done to establish that an RMP is not required, so maybe include this information to tell the full story of work completed. Regarding septic and zoning, some municipalities have not started and some are in progress, and we have been asking this to be done for quite some time whereas other areas have completed two rounds of inspections. How do we nudge them to complete this work?

Mike advised that staff will follow up with the municipalities, and we usually have a good response to this type of follow up. He does not anticipate any unstarted municipalities next year. Scott Lister advised that some Zoning reviews are behind as they waited until the upper tier municipality completed their OPs. In terms of septic inspections, East Gwillimbury completed their first inspection later which has pushed out the date that the second round inspection is required as they have five years from the first round.

Kyle Mitchell: The application of commercial fertilizer is 43% of the RMPs still to be done, but many of these will be removed from the list due to the new managed lands mapping, so should there not be a better than Satisfactory rating?

Mike responded that RMOs have been advised to keep them on the books until the Ministry approves the change in managed lands mapping. Most of the RMOs did not keep track of the ones that should drop off in their number of outstanding RMPs.

Cate Root: Handling and storage of fuel had 32 outstanding RMPs. Why are these not higher risk or are they ones that do not require an RMP?

Mike responded that personal fuel tanks are managed through education and outreach. Farm and municipal fuel storage is handled by the Ministry through managing prescribed instruments, but they did not always advise the RMO that they did this, so the number of threats is lower than the numbers indicate.

Moved by: David Ritchie
Seconded by: Rick Newlove

SPC-15-23 **Resolved That** presentation b) and Staff Report SPC2.1 regarding Annual Report on Plan Implementation (to December 31, 2022) be received for information; and

Further That the SPA staff be directed to rate progress as “Satisfactory”; 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. **Carried**

c) A presentation by Mike Wilson, LSRC, and Risk Management Officials regarding Risk Management Plans Update and Workplan.

The majority of initial site visits have been completed and relationships have been established. No major threats have been identified.

Severn Sounds Source Protection Area Workplan: Estimated 22 RMPs to finalize. Ongoing evaluation, including if orders are needed, will start December 1, 2023.

Nottawasaga Valley Source Protection Area: Approximately 25 RMPs to finalize. There are several properties where DNAPLs are the concern.

Lake Simcoe Source Protection Area: Ramara has approximately five RMPs to finalize. Targeting issuing Notice of Acceptance for all RMPs by September 20, 2023. Barrie, Durham and Kawartha has approximately 17 RMPs to finalize. One in Durham is on hold pending Section 34 WHPA approval under Section 34 amendments.

QUESTIONS AND COMMENTS

Peter Dance: In terms of getting to a steady state of managing RMPs as they come up, how do we explain to the Ministry that we are meeting the intent but that it will never get to zero? What can we do to the metrics to tell this story properly?

Bill responded that this presentation is speaking to the RMPs that are on the clock from the day the SPP was approved and have the original 5-year timeframe. Any that have come up since that approval have their own 5-year timeline. Staff will need to develop the messaging to make this clear.

Doug Hevenor: Thanked Sarah for the work that she has done with the departure of Ryan Post.

Lynn Dollin: Have talks begun with Springwater?

Katie responded that all of the RMPs on the books for Springwater have been completed.

Moved by: John Hemsted

Seconded by: Kyle Mitchell

SPC-16-23 **Resolved That** presentation c) and Staff Report SPC2.2 regarding Risk Management Plans Update and Workplan be received for information.

d) A presentation by Bill Thompson, LSRCA, regarding Staff Report SPC2.3 - Proposed Amendment to Transition Provision.

The Transition policy was intended to recognize the disconnect between development applications and the SPP coming into place. The Transition policy says that any applications that had been submitted and considered to a complete application the day before the SPP came into place would be considered to be an existing threat rather than a future threat. Amendments in the staff report are proposed to deal with new vulnerable areas identified through amendments to the SPP.

Moved by: Bob Duncanson
Seconded by: Peter Dance

SPC-17-23 **Resolved That** That presentation d) and Staff Report SPC2.3 regarding Proposed Amendment to Transition Provision be received for information; and

Further That amendments to policy TRANS-1 be endorsed, to extend that policy to new vulnerable areas identified through amendments to the Source Protection Plan, such that development proposals, building permits, and prescribed instruments in those new areas shall be treated as 'existing' rather than 'future' drinking water threats, if those applications are made prior to the day the relevant amendment comes into effect.

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

The Durham amendment for Sunderland and Cannington has been submitted for approval. Public consultation period has closed for Durham, Oro-Medonte and Shelburne. In each case only one comment was received, which is the first time we have received comments during the public consultation period.

The ownership comment in Oro-Medonte we cannot resolve as we do not have the information to respond, so it will be noted as an unresolved comment.

Responded to the Shelburne comment that tile draining is an acceptable practice, and the well in question is one of deepest wells in the area and as such would not be impacted by their farming practice.

QUESTIONS AND COMMENTS

Lynn Dollin: In the approved wellhead in Clearview in Stayner, construction has been put on hold so what effect does this have on our work?

Bill advised that as long as their licence does not need to be amended, any of the work done to date will carry forward.

Moved by: Stan Wells
Seconded by: Scott Lister

SPC-18-23 **Resolved That** presentation e) regarding Source Protection Region Update be received for information.

8. Determination of Items Requiring Separate Discussion

No items were identified under items requiring separate discussion.

9. Adoption of Items Not Requiring Separate Discussion

Moved by: David Greenwood

Seconded by: Cate Root

SPC-19-23 **Resolved 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. **Carried**

SPC1.1 – A memo dated January 15, 2023 from Peter Dance, SGBLS SPC Committee Member, regarding the Need for Review and Updating of Wellhead Protection Areas.

SPC1.2 – A letter dated January 25, 2023 from Jennifer McKay, Ministry of the Environment, Conservation and Parks, Conservation and Source Protection Branch, regarding Request for Extension of Policy Implementation Timelines Related to Section 58 Risk Management Plans, South Georgian Bay Lake Simcoe Source Protection Plan.

SPC1.3 – An email dated February 27, 2023 from Bill Thompson, Manager, Watershed Plans and Strategies, LSRCA, regarding South Georgian Bay - Lake Simcoe Source Protection Committee concern - Colgan drinking water system.

SPC1.4 – A letter dated February 9, 2023 from Rob Baldwin, Chief Administrative Officer, LSRCA, regarding Request for Regulation Change to Streamline Source Protection Processes.

SPC1.5 – A letter dated February 22, 2023 from Kirsten Service, Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks, in response to Rob Baldwin's February 9, 2023 letter regarding Request for Regulation Change to Streamline Source Protection Processes.

SPC-20-23 **Resolved That** correspondence SPC1.1 to 1.5, inclusive, as listed in the agenda be received for information. **Carried**

10. Next Meeting and Adjournment

Moved by: David Ritchie

Seconded by: Peter Dance

SPC-21-23 **Resolved That** the next meeting of the Source Protection Committee scheduled to be held on Thursday, June 1, 2023 from 1:00 – 4:00 pm at NVCA; and

Further that the March 30, 2023 meeting of the Source Protection Committee be adjourned at 3:21 pm. **Carried**



South Georgian Bay Lake Simcoe Source Protection Region

Source Protection Committee (SPC)

Minutes of Meeting SPC-03-2023

June 1, 2023

The Chair called the meeting to order at 2:05 pm.

Members Present:

Lynn Dollin, Chair

Municipal

Andy Campbell, Scott Lister, Kyle Mitchell, Katie Thompson, Stan Wells

Economic/Development

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

Public Sector

Geoff Allen, Peter Dance, Stephanie Hobbs, Tom Kurtz, Cate Root

Liaisons

Julie Cayley, Severn Sound Environmental Association (SSEA)

Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)

Doug Hevenor, Nottawasaga Valley Conservation Authority (NVCA)

Staff Present

Bill Thompson, LSRCA

Mike Wilson, LSRCA

Mystaya Touw, LSRCA

Kathy Hillis, LSRCA (minutes)

Sarah Thompson, NVCA

Guests

Hayley Wallace, WSP

John Piersol, WSP

David Luc, Clareose Midhurst GP

Andrew Webster, Clareose Midhurst GP

Evan Finbow, Crozier Consulting Engineers

Regrets:

Bob Duncanson, Public - proxy to Tom Kurtz

Chris Gerrits, Municipal – proxy to Scott Lister

David Greenwood, Public – proxy to Cate Root

Jeff Hamelin, Municipal – proxy to Andy Campbell

Colin Elliott, Economic/Development – proxy to David Ritchie

Jessica Neto, Economic/Development

Sharday James, First Nations

1. Welcome & Opening Remarks

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

David Ketcheson declared a conflict of interest regarding presentations a) and b) and corresponding staff reports SPC2.1 and SPC2.2 regarding Midhurst Heights.

4. Approval of Agenda

Moved by: John Hemsted

Seconded by: Rick Newlove

SPC-22-23 **Resolved That** the agenda for the June 1, 2023 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Peter Dance

Seconded by: Amanda Kellett

SPC-23-23 **Resolved That** the minutes of the March 30, 2023 meeting of the Source Protection Committee be approved as amended and circulated. **Carried**

6. Announcements

There were none.

7. Deputations

There were none.

8. Presentations

- a) A presentation by Hayley Wallace and John Piersol, WSP regarding staff report SPC2.1 – Source Protection Plan and Assessment Report Update – Technical Report in Support of the Midhurst Heights S34 WHPA Update.

Two developments in the Midhurst Secondary Plan in Springwater; a portion of the Doran Road development with wells PW1 and PW2. PW1 has a capacity of 45 L/sec. PW2 is 200 m west of PW1 and is a twin well as the aquifer at PW1 is very extensive. The two wells combined could supply 100 L/sec. They are located on the same development parcel of land.

Key reports used in the study include South Simcoe Groundwater Study (Golder, 2004), referred to as the Kempenfelt Bay FEFLOW model and Midhurst Water Supply Exploration Program (Golder, 2018).

PW1 yield testing was conducted in 2008 and again in 2014. The maximum drawdown was in 2014 at 17.94 m. Quality showed no exceedances in health-based standards.

Pumping rates of the wells is approximately 69 L/sec. Included parameter sensitivities to increase and decrease hydraulic conductivity by a factor of two and a decrease in porosity.

Groundwater vulnerability: Final scoring is a high of 10 and low of 8 and decreases as move away from the well.

Significant Threats: The 100m zone has potential for significant threats due to a score of 10, whereas everywhere else it is 6 or less. Required to notify the landowners in the area of the source protection implications of these new wells, so a letter was sent to all landowners. There are unlikely to be DNAPL threats in the area due to land use.

Management Land: Agricultural land in PW2 WHPA is in the highest category due to actively farmed land in the area. May be a need for an interim risk management plan while the area is being farmed. Discussions are ongoing with the tenant farmer, owner and developer.

- Livestock Density: Low.
- Impervious Surfaces: Low for salt applications.

MECP commented on the technical work and required some clarifications on the sensitivity modelling.

QUESTIONS AND COMMENTS

Peter: Have concerns about water budgets which may not be the case here, but we have not seen the technical report to support this. Has anyone thought about the water budget impacts on the downstream properties? What effects are these wells having on other municipal wells in the area?

John advised that the 2018 Environmental Assessment completed an evaluation of the various well sites and concluded that there was no interference between these wells and other existing wells.

Peter: Willow Creek has baseflow issues, but are these wells too deep to affect that?

John responded that the 2018 report reviewed potential impacts to Willow Creek and other takings in the area and determined there is no significant impact to the Creek. Bill advised that presentations he provided in the past included these wells in the modelling.

Geoff Allen: What was the content of letters to the landowners and what kind of feedback was received?

John advised they were sent by the municipality and therefore they would need to provide what the feedback was. The letters provided a general overview of the project. Katie advised that no negative feedback was received.

Amanda Kellett: Did the modelling make considerations for climate change and conditions?

Haley advised they did not as the wells are so deep they will have little impact from surficial recharge.

Amanda Kellett: Did you look at what the effect of the future development would be?

John advised that information was not available at the time of the 2018 study, but it would have little impact.

David Ritchie: What is the recharge area for these wells?

John referred to slide 7 of his presentation to show the capture zone from the northeast, towards Forbes Road. The 25-year capture zone extends out 4-5 kms northeast.

Cate Root: What draw would the two developments combined take?

John advised that the EA included a full assessment of the demands of the area and concluded that these demands will be met. The pumping rate in the summer is quite a bit higher than the other seasons.

Cate Root: Would the development by the farmer be using the same wells?

John is not aware of these takings, but it has been determined there is sufficient supply for these two areas.

Moved by: Andy Campbell

Seconded by: Peter Dance

SPC-24-23 **Resolved That** presentation a) and Staff Report SPC2.1 regarding Source Protection Plan and Assessment Report Update – Technical Report in Support of the Midhurst Heights S34 WHPA Update be received for information. **Carried**

David Ketcheson abstained from voting.

b) A presentation by Sarah Thompson, NVCA regarding staff report SPC2.2 – Source Protection Plan and Assessment Report Update - Amendment to Township of Springwater Chapter.

Four identified threats on two properties which will be included in the assessment report. There are no anticipated policy changes.

Early engagement began in February with comments received in May 2023. Doing 30-day pre-consultation with affected municipalities and their endorsement to be mid-June to mid-July. Next step is 35-day consultation period in late July-August, with wrap up and submission to MECP in August-early September.

QUESTIONS AND COMMENTS

Lynn Dollin: County of Simcoe does not have any July meetings.

Sarah advised that will adjust the timeline if required. Lynn Dollin indicated that it may be a good idea to send a letter to Minister Parminder Gill as the Minister of Red Tape Reduction to discuss ways to make it a more efficient process.

Moved by: Kyle Mitchell

Seconded by: Rick Newlove

SPC-25-23 **Resolved That** presentation b) and Staff Report 2.2 regarding Source Protection Plan and Assessment Report Update - Amendment to Township of Springwater Chapter be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee agree that the proposed amendments to the Source Protection Plan and the Springwater chapter of the Nottawasaga Valley Assessment Report are advisable.
Carried

David Ketcheson abstained from voting.

c) A presentation by Bill Thompson, LSRCA regarding an Update on Source Protection Plan Amendments for New Drinking Water Systems.

Horseshoe Highlands and Craighurst submissions have moved from Submission to Approval stage since the agenda was circulated.

One comment received on Craighurst from a farmer who objects if it is going to negatively affect the ability to farm using normal, approved, best farm management practices. The farmer was advised that farming operations are not a significant threat on this property; dense non-aqueous phase liquids may require a risk management plan.

Moved by: Stan Wells

Seconded by: Peter Dance

SPC-26-23 **Resolved That** presentation c) regarding an Update on Section 34 Amendments be received for information. **Carried**

d) A presentation by Mike Wilson, LSRCA regarding Education and Outreach - Handling and Storage of Fuel.

In 2019 LSRCA teamed up with Ontario Petroleum Transporters and Technicians (OPTTA) to conduct a source water protection workshop with fuel providers. Staff met with select fuel providers. Goals of the meeting included:

- Increase awareness of source water protection.
- Identify location of most vulnerable areas.
- Brainstorm ideas of protection fuel providers can provide in future.

Showed them where the vulnerable areas are in their distribution areas. The proportion of land where policies apply for fuel are a small proportion of the greater vulnerable areas. The areas are generally the WHPA-A (100m radius around the well) for well supplies, but if there is a fuel spill in this area it can potentially contaminate the surrounding land and water and spoil a municipal drinking water system.

From 2020 onward LSRCA and OPTTA staff met with fuel providers at their head offices. LSRCA provided a demonstration of our online mapping tool that is available on www.ourwatershed.ca. This was so fuel providers could identify the most vulnerable areas prior to delivering the fuel.

Pointed out to them that policies are not necessarily the same in our region as they are in other regions, and it is beneficial for them to be familiar with the policies in all the areas they deliver to.

Showed them what educational resources are available on www.ourwatershed.ca and the tag that is often placed on an oil tanks fill pipe in vulnerable areas.

Fuel providers have advised that they print off a ticket that is provided to the driver of the truck on specifics of each delivery location, and that they can add information about vulnerable areas to the ticket. If a homeowner stores fuel in a vulnerable area, the fuel provider could put this on the list of high priority tanks to replace when they are old and are at risk for leaking/spilling fuel. They also indicated that they could add source water protection to their weekly safety meetings.

Mike will continue to meet with companies we have not met with already. TSSA is having engagement with fuel providers, RMOs and OPTTA. Private fuel outlets are not all registered with the TSSA so they do not know where they are. However, most RMOs have a good idea of where fuel is stored in vulnerable areas, so if TSSA and RMOs work together they can create a complete list.

QUESTIONS AND COMMENTS

David Ritchie: Sargents and UPI are big suppliers in this area.

Katie Thompson: Do fuel providers have a spill response protocol and do they have tools like spill kits with them when they deliver fuel?

Mike said that he doesn't know if they have spill kits with them when they deliver fuel. He also doesn't know exactly what spill response protocol fuel providers have but he would be surprised if they didn't have a robust spill response protocol in place as there have been a significant number of fuel spills in the province in the past and the fuel industry is highly regulated. Mike said he would ask fuel providers about this at future meetings.

David Ketcheson: Do you have a sense of what they believe the biggest threat to be?

Mike advised that prior to his meetings with fuel providers, they were not aware of where the municipal wells and intakes were, and this creates some risk. A potential big threat in the future is a service whereby a fuel provider comes and fills vehicle fuel tanks onsite. These are often temporary filling sites (construction sites or parking lots for example) that don't have fuel handling and storage safety features (such as secondary containment) and the locations are harder for an RMO to track.

Cate Root: Are the fuel providers Mike engaged only those in the area and ones that deliver to vulnerable areas?

Mike advised that they generally have large distribution areas, but we are focussing the education on the vulnerable areas.

Cate Root: Waubaushene Welding has won an international competition for putting pumps on the front of ships so that if there is a spill from the ship they can use these pumps to extract the spilled fuel from the water right away.

Moved by: Scott Lister
Seconded by: Amanda Kellett

SPC-27-23 **Resolved That** presentation d) regarding an Education and Outreach – Handling and Storage of Fuel be received for information. **Carried**

e) A presentation by Mystaya Touw, LSRCA regarding Staff Report SPC2.3 – 2021 Fuel Handling and Storage Circumstances.

Various changes have occurred to the Circumstances since 2013. Removed the differentiation between fuel and fuel oil. There are nearly 1,000 properties in the LSRCA jurisdiction with a vulnerability score of 10. Of these, over 750 are residential properties covered by outreach and education.

Recommending no change to current policies.

QUESTIONS AND COMMENTS

David Ketcheson: Going back to the new 2021 handling and storage circumstances, why do the numbers for the WHPA-E value go down for larger volumes of fuel?

Bill advised that the larger areas are a more significant threat.

Moved by: Kyle Mitchell

Seconded by: Andy Campbell

SPC-28-23 **Resolved That** presentation e) and Staff Report SPC2.3 regarding the 2021 Fuel Handling and Storage Circumstances be received for information; and

Further That the Source Protection Committee endorse that the current policies to manage fuel handling and storage are adequate for managing the new fuels storage threats. **Carried**

f) A presentation by Mystaya Touw, LSRCA regarding Staff Report SPC2.5 – Waste Generating Facilities (Threats 1.12 & 1.13).

The SPC supported the policy direction on September 22, 2022 but not the specific wording. Waste generation is separated into two threat categories: Threat 1.12 and 1.13.

Subject Waste Generating Facilities, regardless of storage above or below ground have a vulnerability score of 10. Includes hazardous waste and liquid industrial waste. Facilities are required to report through the HWIN system with the province.

General Waste Generating Facilities are only considered a threat when waste is stored partially or fully below-grade in vulnerable areas with a score of 10. These facilities are those that are not required to report to the province. This relates only to chemicals and not pathogens.

Proposal of the threshold is to use 5 kg with less than this being education and outreach whereas more than 5 kg would be an RMP, except for residential which is education and outreach for any amount.

Have approximately 150 commercial/industrial and institutional properties in WHPA 10. Many of these would likely not be threats after further investigation.

QUESTIONS AND COMMENTS

Rick Newlove: What about electric cars in parking lots?

Bill advised it pertains to waste and not a parked vehicle. This policy does not apply to something that is not waste.

Katie Thompson: Did the account of parcels look at the land parcels or the units on these parcels because if the number of units it could be a significantly larger number?

Mystaya advised the review was done at the parcel level and some Google street view, so the number of sites may be higher.

John Hemsted: The number of car batteries on properties may be large.

Andy Campbell: One computer may be 5 kg, as well as waste paint. These volumes are not a number considered by the province so we are trying to do more than the province requires?

David Ritchie: Battery parks are established as back up power sources, and some are 4-5 acres in size. It is unclear what is happening with these sites. Is there something we should be preparing ourselves for with this legislation?

Bill commented that these policies refer to waste and these are not waste so they do not fall under this category. However this is a good question on how to manage these. Bill will follow up with the province.

Peter Dance: For some of the wastes 5 kg is too small of an amount. Waste is such a broad category and in some other waste items 5 kg is a very large amount. Is there discretion for the RMO to review they type of waste and determine the risk?

Katie Thompson: Is there any information that compares the items that are exempt from being registered?

Mystaya advised that the section of the Regulation does not have volumes attached to it.

David Ketcheson: Every time there is a spill and you are cleaning it up, you are mandated to get a waste generator number, which puts it into a category 10.

Amanda Kellett: Is it too much of a burden to continue with different volumes for different waste streams?

Bill indicated it would not be too much work to recreate the list, but this would not deal with the comment of 5 kg being too low. The province has indicated that these are all significant threats regardless of the volume, but we are struggling with what a reasonable number is. Katie Thompson advised that many want to dispose of waste in a proper manner but that they are not sure of how to do so, so education and outreach may be necessary.

Geoff Allen: The smaller amounts come from residential use and it can be taken to municipal hazardous waste days.

Peter Dance: For residential we have education and outreach, and for all others we have the threshold. Can we break it out to different thresholds for different categories of waste?

David Ketcheson: As a retailer, you will take your waste and put it downstairs rather than use up retail space. Telling someone they have to use up some of their retail space is a challenge.

Bill advised we are not proposing a prohibition of storage, but rather to complete risk management plans. Bill asked the RMOs what would make their jobs easier? Scott Lister is comfortable with 5 kg but if the SPC prefers he is comfortable with 25 kgs. The simpler the policy can be the better so Scott prefers the number(s) be defined.

Peter Dance: Is 25kg a good number and if an RMO is onsite and sees a very high risk item that is in a smaller quantity they could try to incorporate suitable mitigation measures in the RMP?

Moved by: Peter Dance

Seconded by: Andy Campbell

SPC-29-23 **Resolved That** presentation f) and Staff Report SPC2.5 regarding New and Updated Circumstances for Waste Generation be received for information; and

Further That the Source Protection Committee endorse addressing Subject Waste Generating Facilities (Threat 1.12) significant drinking water threat activities through Environmental Compliance Approvals and Risk Management Plans; and

Further That the Source Protection Committee endorse addressing Waste Generating Facilities (Threat 1.13) significant drinking water threat activities through Risk Management Plans for quantities of 5 Kg or more, and education and outreach for quantities less than 5 Kg.

Andy Campbell: If the number is kept at 5 kg, there will too much to be reported.

Bill indicated that they will not contact the RMO to report them, so it is up to the RMO to find them. We are doing what the Ministry is requiring us to do, but without making it too onerous. If we do not define the limit, every volume would have the policy apply.

David Ketcheson: About a 200 L drum of waste seems like a reasonable number.

Cate Root: Where did the 5 kg number come from?

Mystaya advised this was an idea from staff due to the previous levels being 1-5 kg. These were specific to chemicals rather than the larger category of waste.

John Hemsted: Can mercury be removed and be dealt with separately?

Mystaya looked at the waste Regulation O.Reg. 347 and it indicates common mercury waste refers to things like electrical switches, thermometers, and dental waste which likely rules out concerns of large amounts of mercury which would be dealt with Subject Waste that is regulated.

David Ritchie: For some of this there are rules in place already. Eg. City of Barrie requires all dentists to put traps in place to capture mercury. As far as batteries, they are generally turned in by consumers when they are replaced. Counties have designated places to deal with these. We may be worrying about things that are not a big issue.

Katie Thompson: Some of these industries have sewer use discharge agreements, so do they need to be looked at?

Moved by: Peter Dance
Seconded by: Andy Campbell

Amendment

SPC-30-23 **That** the last paragraph of the main motion be amended to read as follows:

Further That the Source Protection Committee endorse addressing Waste Generating Facilities (Threat 1.13) significant drinking water threat activities through 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.

The Amendment was Carried

The Main Motion, as Amended, was Carried

The Resultant Motion Reads as Follows:

Resolved That presentation f) and Staff Report SPC2.5 regarding New and Updated Circumstances for Waste Generation be received for information; and

Further That the Source Protection Committee endorse addressing Subject Waste Generating Facilities (Threat 1.12) significant drinking water threat activities through Environmental Compliance Approvals and Risk Management Plans; and

Further That the Source Protection Committee endorse addressing Waste Generating Facilities (Threat 1.13) significant drinking water threat activities through 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.

9. Determination of Items Requiring Separate Discussion

No items were identified under items requiring separate discussion.

10. Adoption of Items Not Requiring Separate Discussion

Item SPC1.1 was deferred by staff to Meeting SPC-04-2023 scheduled to be held on June 29, 2023.

SPC1.1 - An email dated April 12, 2023 from Kirsten Service, Director, Conservation and Source Protection, Ontario Ministry of the Environment, Conservation and Parks, regarding the 5-year Summary of Source Protection Outcomes.

11. Consideration of Items Requiring Separate Discussion

There were no items requiring separate discussion.

12. Other Business

None.

13. Closed Session

None.

14. Next Meeting and Adjournment

Moved by: Kyle Mitchell

Seconded by: Geoff Allen

SPC-31-23 **Resolved That** the next meeting of the Source Protection Committee is scheduled to be held on Thursday, September 21, 2023 from 1-4 pm to be held at Jose Building – Great Room, located at the Tiffin Centre for Conservation at 8195 8th Line of Essa, Utopia; and

Further that the June 1, 2023 meeting of the Source Protection Committee be adjourned at 4:04 **Carried**



South Georgian Bay Lake Simcoe Source Protection Region

Source Protection Committee (SPC)

Minutes of Meeting SPC-04-2023

September 21, 2023

The Chair called the meeting to order at 1:05 pm.

Members Present:

Lynn Dollin, Chair

Municipal

Andy Campbell, Jeff Hamelin, Scott Lister, Katie Thompson, Stan Wells

Economic/Development

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

Public Sector

Geoff Allen, Peter Dance, Bob Duncanson, David Greenwood, Stephanie Hobbs, Cate Root

Liaisons

Karen Kivilahti, Simcoe Muskoka District Health Unit (SMDHU)

Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)

Staff Present

Bill Thompson, LSRCA

Mike Wilson, LSRCA

Mystaya Touw, LSRCA

Kathy Hillis, LSRCA (minutes)

Sarah Thompson, NVCA

Melissa Carruthers, SSEA

Nicole Stott, SSEA

Guests

Shelly Cuddy, Region of Durham

Hailey Wallace, WSP Golder

David Dillon, WSP Golder

Amanda Jones, Township of Springwater

Regrets:

Chris Gerrits, Municipal

Jessica Neto, Economic/Development

Tom Kurtz, Public Sector

Sharday James, First Nations

1. Welcome & Opening Remarks

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

David Ketcheson declared a conflict of interest regarding presentations c) and d) and items SPC2.3 and SPC 2.4 pertaining to Cassell Drive as he represents a client on the adjacent property.

Andy Campbell advised the Committee that he is an employee of the Town of Midland since presentations a) and b) and items SPC2.1 and SPC2.2 pertain to the Midland s.34 WHPA Update. Mr. Campbell is not declaring a pecuniary interest or conflict of interest.

4. Approval of Agenda

Moved by: John Hemsted

Seconded by: Peter Dance

SPC-32-23 **Resolved That** the agenda for the September 21, 2023 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Rick Newlove

Seconded by: Andy Campbell

SPC-33-23 **Resolved That** the minutes of the June 1, 2023 meeting of the Source Protection Committee be approved as amended and circulated. **Carried**

6. Announcements

- a) Kyle Mitchell is no longer with the Town of Orillia so will go through the process for assignment of a new member.
- b) MECP is no longer sending a representative to each meeting and will come when they have particular interest in items or the Committee requires their attendance.

7. Deputations

There were none.

8. Presentations

- a) A presentation by Hailey Wallace, WSP Golder regarding staff report SPC2.1 – Source Protection Plan and Assessment Report Update – Technical Report in Support of the Midland s.34 WHPA Update.

Reviewed past studies including North Simcoe Groundwater Study, Appendix D (*Golder, 2005*) and Wellhead Protection Area and Vulnerability Update (*Golder, 2014*), and current study Wellhead Protection Area and Vulnerability Update for Vindin Street and Dominion Avenue Wells (*Golder, 2022*).

Examined the Conceptual Model. The Calibration Model was used for the current delineation based on pumping rates representing future average daily demand. The new updated WHPAs were defined. The major change is the area to the northeast around Well 1A was removed with the removal of pumping at Well 1A. Uncertainty was addressed through six sensitivity simulations. The final WHPA delineation represents the composite shape of the reverse particle tracks for each uncertainty simulation and the base case.

Vulnerability scores were assigned using the Aquifer vulnerability index mapping completed as part of the Golder 2010 WHPA study, based on the modelled hydraulic conductivity and thickness of each unit. Mapping was also modified to account for constructed transport pathways. Scores range from low to medium vulnerability. The scoring is consistent with the scoring of the existing WHPAs, just that the areas changed to remove portions that are no longer within the delineated WHPA.

An update to the WHPA delineation was done based on plans to decommission the Fourth Street Well (1A) and Vindin Street Well 12.

Moved by: Bob Duncanson

Seconded by: Katie Thompson

SPC-34-23 **Resolved That** presentation a) and Staff Report SPC2.1 regarding Source Protection Plan and Assessment Report Update – Technical Report in Support of the Midlands.s.34 WHPA update be received for information. **Carried**

b) A presentation by Melissa Carruthers, SSEA regarding staff report SPC2.2 - Source Protection Plan and Assessment Report Update – Amendment to Town of Midland Chapter.

Chapters in the Severn Sound Assessment Report will need to be updated due to the removal of two wells which are being decommissioned. Amendment is being conducted using the 2021 Directors Technical Rules.

Managed lands, livestock density and impervious surfaces were re-evaluated. Impervious surfaces have been updated with new values but with no changes to where the policies apply. There are no changes proposed to where policies apply regarding managed lands and livestock density.

The threat assessment anticipated no new significant drinking water threats, and the six estimated threats associated with Fourth Street will be removed.

Comments were received from the Ministry in June around pumping rates and general contextual details. Anticipate final submission to the Ministry in March 2024.

QUESTIONS AND COMMENTS

David Ritchie: How are they going to go about decommissioning the wells?

Andy Campbell advised both wells have been offline for years so they will pull the casing.

Moved by: David Ritchie

Seconded by: Amanda Kellett

SPC-35-23 **Resolved That** presentation b) and Staff Report SPC2.2 regarding Source Protection Plan and Assessment Report Update – Amendment to Town of Midland Chapter be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee agree that the proposed amendments to the Source Protection Plan and the Midland chapter of the Severn Sound Assessment Report are advisable. **Carried**

c) A presentation by Hailey Wallace and David Dillon, WSP Golder regarding staff report SPC2.3 - Source Protection Plan and Assessment Report Update – Technical Report in Support of the Cassell Drive s.34 WHPA Update.

There is new residential development proposed in the Hillsdale growth area. The water supply for Phase 1 & 2 is to be from a groundwater source south of the development at Cassell Drive. The study was initiated to meet the source water protection requirements.

Wells were drilled in 2007 and the drinking water quality met all provincial standards. The groundwater model showed the pumping rates for Wells 1 & 2 used to delineate the WHPAs are based on the future state average demand at approximately 24L/s. The WHPA delineation was modelled with a 20% increase in size and 5-10 degrees rotation. Intrinsic vulnerability is Medium within WHPA-A and WHPA-B, and Low within WHPA-C and WHPA-D.

A threat assessment was conducted for managed land and livestock density. Both were considered Low threats. Impervious surface threat assessment focussed on two development properties. The parking areas for these properties are gravel surfaces and therefore are not considered to be impervious. If the lots are paved in the future the percent of impervious surface would increase in WHPA-A and WHPA-B. The majority of the impervious surface in the area is the highway.

There are four potentially significant threats in WHPA-A and one in WHPA-B. Road salt may be considered a significant drinking water threat should the impervious area rise above the 30% threshold where it is considered to be significant, if the parking areas were to be paved in the future.

Study flags potential issues on the site based on the land use. That is not to say that they are currently issues.

QUESTIONS AND COMMENTS

Andy Campbell: What is the chloride level?

David Dillon advised it is less than 5 so there is no signs of chloride impact on the water.

Peter Dance: There is a huge overlap in the Craighurst and Cassell Drive capture zones, which would affect what they would look like. Can the potential for interference be explained when considered this way?

Hailey advised that incorporated wells that are currently permitted, not proposed wells. They did not have the data on the simulation of this proposed pumping, but if it was incorporated it could change the shape of the pathlines. However have included a significant buffer in flow direction due to pumping so this should account for this. Based on pumping tests data are only seeing less than 0.5m when 800 m away, so in terms of potential for interference, it is quite a distance away to see the impacts from that well. From the Cassell Drive Well would not necessarily see the impacts from drawdown. David D. advised that the WHPA delineation is not the same as the zone of influence such that the Cassel Drive well may not affect the Craighurst well, even though their WHPAs overlap.

Peter Dance: It may not draw down but it is a 25-year capture zone so it will draw down faster.

David D. advised a water budget has not been completed (based on these amendments), and they do not have the data from Craighurst directly.

Peter Dance: Why was only 2D modelling done rather than 3D, so what are we missing?

Hailey advised that based on the data available it was determined to be a simple system so the 2D model would suffice. David advised that the Ministry agreed this was the appropriate approach to take.

Geoff Allen: How many homes are these wells designed to support and is there a maximum population this can support?

David D. advised there is a maximum population number but he does not have that number.

David Ritchie: The two existing Scarlett Line wells, are they not capable of servicing this area?

David D. advised they were investigated in 2008 and it was determined that would not be able to support the proposed development. They are going to stay online.

David Ritchie: Hillsdale has had an issue getting water for a number of years. If cross over the other highway and head to Craighurst where a lot of development is occurring, will there be an issue when they are only a mile apart?

David D. advised that it does get to the question of water balance and the ability to supply it. An overall study in the regional context has not been done, but it is believed that overall there is enough capacity.

Cate Root: Who owns these wells? Does the developer put the wells in and then the municipality take over responsibility?

David D. advised that the municipality will assume control. Lynn Dollin it is no different then the assumption of roads to the municipality.

Cate Root: Does the Committee get involved again when responsibility is turned over?

Bill Thompson advised that it is a provincial responsibility to ensure everything is in place when responsibility is handed over.

Amanda Kellett: If we do not capture road salt now in the threat assessment, will it be considered as a threat later if there are no site plan controls over changing from gravel to paved? Is there latitude to say although it is gravel there is potential for it to be asphalt and therefore consider it as such?

David D. advised that the Risk Management Official is aware of the concerns and have the property on their radar. Bill advised that we can treat gravel areas as impervious but we traditionally have not. The challenge would be it would require a Risk Management Plan that does not really say anything and therefore not a good use of the Risk Management Officials time. Could put in the Assessment Report the potential risk and an Risk Management Plan could be initiated if paving occurs.

Lynn Dollin: How close is it to the 30% threshold?

Hailey advised it is at about 17%.

Moved by: Andy Campbell

Seconded by: David Greenwood

SPC-36-23 **Resolved That** presentation c) and Staff Report SPC2.3 regarding Source Protection Plan and Assessment Report Update – Technical Report in Support of the Cassell Drive s.34 WHPA Update be received for information. **Carried**

- d) A presentation by Nicole Stott, SSEA regarding staff report SPC2.4 - Source Protection Plan and Assessment Report Update – Amendment to Township of Springwater and Oro-Medonte Chapters.

Springwater and Oro-Medonte Chapters of the Assessment Reports would need to be updated. The Risk Management Official will be doing a threat assessment upon Ministry approval. There are anticipated to be five new threats.

Early engagement was conducted with the Ministry in July/August 2023. Final submission to the Ministry anticipated to be in March 2024.

QUESTIONS AND COMMENTS

Lynn Dollin: Preconsultation and consultation, do they require newspaper ads to be printed as the only local paper in the area has stopped print production and is only online?

Melissa advised that this occurred in the past where they submitted to the papers for online and print, but it would just go online. It stays posted longer online than it does in print. It may be up to the Ministry to decide best practices, but it is the best we can do with the available local media.

Moved by: Stan Wells
Seconded by: David Ritchie

SPC-37-23 **Resolved That** presentation d) and Staff Report SPC2.4 regarding Source Protection Plan and Assessment Report Update – Amendment to Township of Springwater and Oro-Medonte Chapters be received for information. **Carried**

Moved by: Stan Wells
Seconded by: Bob Duncanson

Geoff Allen: Do we have an opportunity to comment again before approval? Geoff does not believe there is enough information available based on the information that Peter Dance brought forward and the answers to the questions. Will the study of the overall area be brought forward.

Bill advised this is typically the only opportunity in the system. There is not second round of approval.

Peter Dance: Requested that the clauses be separated. Peter believes we will have two capture zones that will be incorrect from the get go, and we do not have a mechanism to correct them.

David Ritchie: If you look at the Cassell Drive well, in the area there is garbage depot, a gravel pit and the MTO storage shed where they have had issues with water and their wells. Based on these problems David does not believe the threat assessment is high enough for the Cassell well.

Bill advised that one of the restrictions of the *Clean Water Act* is that the threat assessment only applies where the activity would be a significant threat. In many cases as is in this one, there are other areas that may have a significant threat but they fall outside of the WHPA-A and therefore do not meet the circumstances to be a significant threat.

Katie Thompson: The municipality has known this well has been coming for some time so I have worked with the municipality to proactively ensure measures were put into place to manage risks.

That the South Georgian Bay Lake Simcoe Source Protection Committee agree that the proposed amendments to the Source Protection Plan and the Springwater and Oro-Medonte chapters of the Severn Sound and Nottawasaga Assessment Reports, and Oro-Medonte Chapter of Lake Simcoe Assessment Report are advisable. **Not Carried**

New Motion

Moved by: David Ritchie

Seconded by: Peter Dance

SPC-38-23 **That** the South Georgian Bay Lake Simcoe Source Protection Committee refer the proposed amendments to the Source Protection Plan and the Springwater and Oro-Medonte chapters of the Severn Sound and Nottawasaga Assessment Reports, and Oro-Medonte Chapter of Lake Simcoe Assessment Report back to staff for further recommendation. **Carried**

David Ketcheson: If the Committee has issues of concern, it would be beneficial to the consultant that the specifics of concerns be outlined so they can be properly addressed.

Bill will prepare a letter to the consultants for review by Geoff and Peter to ensure specific concerns are captured.

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

The presentation is a reminder that changes to Circumstances under the Directors Technical Rules are being reviewed by staff and recommendations on changes to policies are being brought to the Committee as they are completed.

There are 22 activities that the Committee is responsible for. Industrial significant drinking water threats have been updated. Municipal significant threats are being reviewed and action items are still remaining, as well as a new proposed provincial policies established to streamline stormwater approvals. Source Protection Authority staff will bring staff reports to the Committee when recommendations and updates are ready for consideration. The largest category that is remaining to be reviewed is Agriculture, including pesticides, livestock grazing and processed organic waste.

The new proposed provincial policy would allow owners of low-risk stormwater management works to register on Environmental Activity and Sector Registry rather than seek approval.

Bill intends to bring the remaining items to the Committee by early 2024, and compile Committee decisions into a draft revised Source Protection Plan in mid-2024. Consultation will begin in late-2024.

The three plan amendments scheduled to come forward in the next year are Eagle's Crest, New Tecumseth and Ballantrae.

Staff is going through a screening exercise to see how accurate the water budget projections are given new growth projections and climate change implications. Will bring results back to the Committee. Staff intends to update the Willow Creek subwatershed water budget, action that the Ministry supports. Staff will pursue opportunities to update other water budgets as/when necessary. Bill expects that there he will be making a future budget request of the Province of Ontario for funding this work.

Significant process has been made on updates to Risk Management Plans since December 2022. The deadline is July 2024 to complete these RMP updates.

Beausoleil First Nation requested information on how to ensure their drinking water systems were updated so Source Protection Authority staff engaged in conversations with Beausoleil representatives, and assisted them in them obtaining Provincial funding. Technical work and consultation with their community is currently underway. This is a direct relationship between Beausoleil and the Province, but we have advised that we are available to assist as needed.

QUESTIONS AND COMMENTS

David Greenwood: Population projections do not always match the post-development actual population due to more concentrated populations resulting from multi-generations in homes and the as-of-right second dwellings.

Colin Elliott: Can the water budget be inacted in the Barrie area to help Willow Creek?

Bill advised that are hoping to update the Willow Creek water budget which would assess to what extent there is significant pressure on water quantity in the Willow Creek area. If there is it would come back to the Source Protection Plan and trigger any policies related to water quantity. Bill can not speak to what the Province would do with that with respect to approval of new wells.

Colin Elliott: Issue with farmer in Cannington area has been around for a long time, and it needs to be settled. Maybe time for some farmers to have these discussions with the farmer and the Risk Management Official.

Bill advised that the Durham Region is the Risk Management Official. Bill will take this discussion offline with Colin.

Amanda Kellett: On the stormwater Environmental Compliance Approval (ECA), in terms of the Clean Water Act, is it clear to you that it is really strictly scoped to just if the low risk stormwater facilities can be registered instead of needing an ECA? Does it appear that those Clean Water Act changes are just to address those changes because in reading it seems more vague in needing changes to the Source Protection Plan.

Bill indicated that this is one of the less clear items in the posting on the Environmental Registry of Ontario (ERO), and that staff hope to get clarity in webinars the Province is hosting on the topic.

Amanda Kellett: Has the SPC been in the habit of responding to ERO postings and providing comments if there are concerns or does that come from Source Protection Committee or Authority?

Bill advised that the Committee has not typically responded, primarily due to the short timeline of posting. If SPC members have concerns then they should look at the posting and register their own concerns.

David Ketcheson: When it goes from an ECA to the Environmental Activity and Sector Registry (EASR), there is very little process and vetting. Should the Committee be commenting on potential EASR status, and what is the Committee's comfort level that no eyes will really go on an EASR related permit that falls within a source protection area?

Peter Dance: Maybe those in the source protection area should not be included in the streamlined process, that way the eyes will still be on them. How do we make that comment back? In streamlining those there will not be that many of them.

David Ketcheson: Perhaps the EASR process could be updated so that if you check that you are in a source protection area it could exempt you from the process.

Amanda Kellett: Proponents are required to identify if an activity is a significant drinking water threat and if it is they are required to consider additional design measures, so you can still register for an EASR if you have significant threats, however the SPA would have very little control.

Bill indicated he has identified the same concerns as those raised as the threats identification are very proponent driven. The staff report may identify a way to deal with these concerns. In response to Peter's comment, there was a stormwater

exemption process about six months ago where they just exempted single family homes, and at that time we made the comment to the ERO posting to not exempt those in the source protection area and that advice was not taken. Perhaps they will take the recommendation this time around. In response to Amanda's points, there is wording in the posting that suggests restricting the Source Protection Authority's ability to write policies.

Lynn Dollin: Will raise these issues with Minister Piccinni in an upcoming meeting. Getting a handle on growth and population is quite tricky. Simcoe County went through their municipal comprehensive review process OPA 7 has been at Queen's Park for review for quite awhile with no comment. The 27 larger municipalities in Ontario received a housing target letter from the Province, and some smaller municipalities have now also received it, and are required to sign it and commit to build a certain number of units by 2031. Letters indicate that if they do not sign them you will not receive provincial funding that is available for infrastructure, and you have to reach 80% of the target to get the funding. Some municipalities get their water from a different municipality, but are signing the letters without any consultation with the municipality that supplies the water.

Rick Newlove: What is the money for that the Province has identified?

Lynn advised it is growth related infrastructure. This will make our work even more relevant yet harder to do.

Lynn Dollin: Did the Rama First Nations adopt the bylaw that was worked on?

Bill advised that he and Don Goodyear are arranging a meeting with Chief Williams to discuss First Nations representation on the Committee.

Moved by: Rick Newlove

Seconded by: John Hemstead

SPC-39-23 **Resolved That** presentation e) regarding a Source Protection Region Update be received for information. **Carried**

f) A presentation by Mike Wilson, LSRCA regarding Education and Outreach to Fire Departments.

Presented source water protection concepts to Central York Fire Services. Discussed ways York Fire could incorporate source water into their policies and processes, and the results of these discussions were presented to the York Fire Chiefs. Goals of the meetings were to increase awareness of source water protection, identify the most vulnerable areas (generally WHPA-C and down), brainstorm source water protection strategies Firefighters can use, share the location of hazardous liquid threat sites, provide information to York Fire

of what they can expect if they call the Spills Action Centre, and identify the best way to educate Firefighters going forward.

Provided the basics of what source water protection is, identified where the vulnerable areas are, and where the policies apply. Reviewed the proposed change for the DNAPL prohibition policy as believed this is where Firefighters could have a big impact, because if they are aware of locations with DNAPLs they could potentially divert them away.

Had a brainstorming session on how to protect source water when responding to a fire or spill. York Fire is interested in training fire services staff about source water protection. They are going to add DNAPL sites to their Pre-plan and Dispatch software and a GIS layer to their mapping system. York Region Fire Services has discussed collaborating with the York Region Risk Management Inspector for future inspections.

Will present to Simcoe County Fire Chiefs Administrative Group in October 2023. Trying to arrange meeting with the Fire Chiefs from the “Northern Six” local municipalities.

QUESTIONS AND COMMENTS

David Greenwood: For new Rama Fire hall, the entire contingency budget was used up on the poured concrete due to the aquifer.

David Ritchie: When talking to the Chiefs, some of the newer fire fighting procedures they are using due to new technologies like electric vehicles may be more hazardous to the environment. Do some industrial plants have to post what chemicals are onsite at the facilities?

Mike believes they do inspections so they know where the chemicals are, but is unsure if they have to post these onsite. Chief Duvall brought up the chemicals that they are using for fire fighting and said they are using chemicals safer for the environment, which they test on fish, and has offered to provide information on these chemicals. Used 10-20x more water to put out electric vehicle fires than regular vehicles, but they take extra effort to divert this water than they do in other fires.

Moved by: Katie Thompson

Seconded by: Stephanie Hobbs

SPC-40-23 **Resolved That** presentation f) regarding Education and Outreach with Centre York Fire Services 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 - SPC1.3, inclusive, were identified under items not requiring separate discussion.

SPC1.1 – An email dated April 12, 2023 from Kirsten Service, Director, Conservation and Source Protection, Ontario Ministry of the Environment, Conservation and Parks, regarding the 5-year Summary of Source Protection Outcomes.

SPC1.2 – A letter dated June 9, 2023 from Lynn Dollin, Chair, regarding a Request for a Prohibition on the Sale and Importation of DNAPLs in Canada.

SPC1.3 – An email dated July 11, 2023 from Nicole Davidson, Acting Director General, Safe Environments Directorate, Health Canada, responding to correspondence item SPC1.2 - Request for a Prohibition on the Sale and Importation of DNAPLs in Canada.

Moved by: Rick Newlove

Seconded by: Peter Dance

SPC-41-23 **Resolved That** correspondence SPC1.1 – SPC1.3, 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

None.

13. Next Meeting and Adjournment

Moved by: Cate Root

Seconded by: David Ritchie

SPC-42-23 **Resolved That** the next meeting of the Source Protection Committee scheduled to be held on Thursday, November 2, 2023 from 1-4 pm, location to be confirmed; and

Further that the September 21, 2023 meeting of the Source Protection Committee be adjourned at 3:26 pm. **Carried**



South Georgian Bay Lake Simcoe Source Protection Region

Source Protection Committee (SPC)

Minutes of Meeting SPC-05-2023

November 2, 2023

The Chair called the meeting to order at 1:01 pm.

Members Present:

Lynn Dollin, Chair

Municipal

Chris Gerrits, Scott Lister, Katie Thompson

Economic/Development

Colin Elliott, John Hemsted, Amanda Kellett, David Ketcheson, Rick Newlove

Public Sector

Geoff Allen, Peter Dance, Bob Duncanson, David Greenwood, Stephanie Hobbs, Tom Kurtz, Cate Root

First Nations

Vacant

Liaisons

Julie Cayley, Severn Sound Environmental Association (SSEA)

Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)

Doug Hevenor, Nottawasaga Valley Conservation Authority (NVCA)

Staff Present

Bill Thompson, LSRCA

Sarah Thompson, NVCA

Mike Wilson, LSRCA

Melissa Carruthers, SSEA

Mystaya Touw, LSRCA

Nicole Stott, SSEA

Kathy Hillis, LSRCA (minutes)

Guests

Shelly Cuddy, Region of Durham

Hayley Wallace, WSP

David Dillon, WSP

Regrets:

Jeff Hamelin, Municipal

Stan Wells, Municipal – Proxy to John Hemsted

Andy Campbell, Municipal

David Ritchie, Economic/Development – Proxy to Colin Elliott

Jessica Neto, Economic/Development

Karen Kivilahti, Simcoe Muskoka District Health Unit (SMDHU)

Christina Wieder, York Region Public Health Branch

1. Welcome & Opening Remarks

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

David Ketcheson declared a Pecuniary Interest regarding Deputation a) and Staff Report SPC2.1 as his firm represents a client adjacent to the Cassel Drive wellhead.

4. Approval of Agenda

Moved by: Rick Newlove

Seconded by: John Hemsted

SPC-43-23 **Resolved That** the agenda for the November 2, 2023 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Cate Root

Seconded by: Peter Dance

SPC-44-23 **Resolved That** the minutes of the September 21, 2023 meeting of the Source Protection Committee be approved as circulated. **Carried**

6. Announcements

Chair Dollin attended a Simcoe fire chiefs presentation with Mike Wilson. They are looking at ways to improve their emergency response as it relates to source water.

7. Deputations

a) A deputation by Hayley Wallace of WSP regarding Staff Report SPC2.1 regarding Technical Memorandum – Proposed Cassel Drive Wellhead Protection Area.

WSP provided a technical memorandum on October 17th to Source Protection Authority staff to respond to SPC questions.

Question 1. Explain why 2D rather than 3D modelling was used? Would there be benefits of one over the other in describing impacts between these two drinking water systems?

Answer: Analytical models are exact solutions to equations that are generally used to simulate simple flow conditions, while numerical models are approximations of equations that are generally used to simulate complex conditions.

- Relatively low hydrogeologic complexity of the area.

- No existing major groundwater supply wells in close enough proximity to the Cassell Drive wells to be in the zone of influence per testing results.
- Relatively low data density available for use in constructing, calibrating, and parameterizing the model.

Regarding the question of assessing the potential ‘impacts’, both approaches (2D or 3D) allow for an assessment of the interactions between the Cassell Drive Wells and proposed Craighurst Well 4 (or the Horseshoe Valley supply wells; see response to Question 2).

Question 2. The modelling approach you used requires hydraulic gradient and flow direction as input parameters. You derived those values from an equipotential map that you developed using best estimated values, given field data and MECP’s water well record. If the proposed new Craighurst well (located north of Horseshoe Valley Road and east of Penetanguishene Road, screened in aquifer A3 and operating to meet a maximum daily demand of 22 L/s) were included in that estimate, how would it change the equipotential map, and the resulting WHPA delineation? Please provide us a figure showing the WHPA boundaries as presented to the SPC (including the measures introduced to account for model uncertainty) and a WHPA boundary delineated with the presence of the Craighurst well considered).

Answer: Additional simulations were run using the analytical model, adding the planned Craighurst Well 4 into the model domain as a pumping well with a defined pumping rate of 22 L/s. Details on the well location and pumping rate information were derived from the SGBLS Source Protection Committee meeting presentation prepared by Stantec and provided to WSP by the SSEA.

The results of the new analytical model analysis produced a simulated equipotential map with a local decline (i.e., depression) in groundwater levels in the immediate area of Craighurst Well 4, and a change in the groundwater flow direction in the area of Craighurst Well 4, with a slightly more west to east flow direction, compared to the initial simulated equipotential map.

Figure on the next slide shows the simulated equipotential map, backward particle traces, and delineated Wellhead Protection Areas (WHPA) for the Cassell Drive wells, for each scenario; (1) without Craighurst Well 4 included, and (2) with the Craighurst Well 4 included.

The combined WHPA for each simulated case (i.e., with and without the proposed Craighurst Well 4 included) cover the same approximate an area (about 8.5 km²). The result of inclusion of Craighurst Well 4 is a shift in the particle traces from the Cassell Drive wells approximately 50 to 70 m in a northeast direction. There are no changes to the threats assessment to account for the difference in the WHPA layout.

WSP provided figures of both Simulated Groundwater Head and WHPA with and without Craighurst Well 4. With Well 4 the path shifted 50-70 m north. Applied changes to the base case

pathlines that were simulated with Well 4. There would be no changes to the threat assessment in these locations.

QUESTIONS AND COMMENTS

Peter Dance: Thanked WSP for providing the additional information so that the Committee can be sure that the correct amendments are applied the first time.

Tom Kurtz: There has been evidence of recent pump testing at Well 4 in Craighurst. Was this taken into account?

David Dillon advised that they factored into the model the actual pumping rates, but do not have their most recent actual pumping tests. They are not aware of additional work. The Stantec work included a previous pumping test at Craighurst and they would have included this data in their modelling.

Moved by: Peter Dance

Seconded by: Tom Kurtz

SPC-45-23 **Resolved That** That Deputation a) and Staff Report SPC2.1 regarding WSP's response to SPC questions on the Cassel Drive wellhead protection area be received for information; and

Further That the South Georgian Bay Lake Simcoe Source Protection Committee agree that the proposed amendments to the Source Protection Plan and the Springwater and Oro-Medonte chapters of the Severn Sound and Nottawasaga Assessment Reports, and Oro-Medonte Chapter of Lake Simcoe Assessment Report are advisable. **Carried**

8. Presentations

a) A presentation by Bill Thompson, LSRCA regarding Staff Report 2.2 - Changes to Pesticide Circumstances: Application and Storage.

Most recent testing in 2021/22 included 80 systems and there were 43 pesticides tested for with no exceedances found. York Region expanded their testing for additional pesticides at three production wells and six monitoring wells with no pesticides detected.

Policies for application are with Risk Management Plans (RMP) for Existing and Future Threats. The Province was encouraged to review pest management training courses to incorporate additional precautions. Handling and Storage is managed through RMPs for Existing Threats only, and Prohibition policy for Future Threats.

The definition of pesticides has been expanded. As a result we need to look beyond agricultural operations and include things like golf courses, sports fields and larger institutional properties.

Could now include a marina, municipality, conservation authority or private cottage owner managing pests on their properties.

The cosmetic pesticide ban does not apply to public health and safety, natural resources, golf courses, sports fields, specialty turf, trees, agriculture, forestry and public works. There is a list of cosmetic allowable items.

The current policy approach is believed to still be the right approach. For Application, staff is proposing to add a Prescribed Instrument policy for applications that already require a Pesticide Permit or Environmental Compliance Approval (ECA). Recommending to refine the Education and Outreach policy for non-farm application. In all other cases, recommended to use RMPs. For Storage, proposing to add an Education and Outreach policy for residential handling and storage, and in all other cases, RMPs.

Proposing to add a glossary to the Source Protection Plan (SPP) to clarify that RMPs should only apply to pesticides registered for use in Canada.

QUESTIONS AND COMMENTS

Colin Elliott: Does the ability to apply pesticides needed for best possible crop growth change?

Bill advised that the proposal is to not change that part of the policy.

Colin Elliott: Why should we bow to non-scientific information?

Bill advised that the recommendation is to maintain the policy that says a RMP is required, but it does not prevent the RMO from speaking to farmers and continuing education on use of pesticides in vulnerable areas.

David Ketcheson: By recommending that only pesticides registered in Canada are allowed, how many pesticides will this reduce it by? Will this propose problems to municipal systems that will be required to do enhanced pesticide evaluations?

Bill does not have the number of pesticides but believes it is in the hundreds. There will not be a requirement for municipalities to test for all pesticides, but they will need to do RMPs for pesticides not covered in the Clean Water Act, if they are using them.

David Ketcheson: If we never test for it we never have a problem, which is concerning. If the Ministry is forcing the list to be expanded from what they previously approved, how will we incorporate these when we do not have data on the expanded list of pesticides?

Lynn Dollin advised that the Clean Water Act and Safe Water Drinking Acts would need to align. The change in policy was made because SPCs advised that the list of pesticides was too prescriptive and needed to be updated as many were not even used anymore, which resulted in this change of a new, broad definition.

Peter Dance: The former list did not provide protection of many things. Just because we know that all chemicals have been listed and we are trying to narrow it down to those which need approval for use, the RMP will only address the chemicals used on the land.

David Ketcheson: Should we recommend that municipal operators consider doing enhanced pesticide scans in order to meet the difference between what the Safe Water and Clean Drinking Water Acts require?

Peter Dance: Rather than chasing the unknowns, maybe there can be an advice cycle back to municipalities to advise what is being used around their wells.

Bill Thompson: We can provide RMOs with known pesticides in use and compare it against the list of pesticides.

Scott Lister: It is difficult to find labs to test for a large number of chemicals, so we potentially will not be able to test for a lot of them. Pesticides used will change based on crops and other application needs, so may be better to do a more general approach and ensure they are being applied properly. Keeping a closer eye on it with RMPs than was previously done is a good approach.

Colin Elliott: Chemicals have changed a lot in the last few years. Colin doubts that the municipalities can keep on top of what farmers are applying. When taking the pesticide course are you considered a professional?

Bill advised the wording has not changed, and yes that is Bill's understanding that you are a professional.

Peter Dance: Should the wording "Shall require that the pesticides be applied by a certified or registered professional" be carried over? Are we overstepping and restricting ourselves in that you may have a farmer applying pesticides but he is not registered or certified? Is this ever going to happen and if so should it be taken out?

Bill advised that there are 5 classes of pesticides in Ontario: A-E. The Class D chemicals for household use often do not require any training and certification. All other Classes require training and certification. Farming operations are Class C so have training and certification requirements.

Peter Dance: Will farmers continue to follow the laws in obtaining certification?

Bill advised that if someone applies pesticides who is not certified, the change gives the RMO the opportunity to discuss this with the individual rather than reporting it to authorities.

Peter Dance: Should we have wording to say with the exception of Class D pesticides, if we know there is a gap?

Amanda Kellett: Can we amend it to say where required by law rather than being too prescriptive?

Katie Thompson: In this context, is the pesticide permit the certification?

Bill advised that no, the pesticide permit is a prescribed instrument and the training is the certification.

Doug Hevenor advised domestic pesticides are available for retail sale. The Classes of pesticides that horticulturalists and nurseryman would use require a course to administer. The prescription is already there in that if you can purchase as a homeowner you can apply as it is a Class D chemical.

Bill advised that the SPC could remove Class D pesticides from the policy of requiring an RMP, and could deal with them through Education and Outreach.

Geoff Allen: Should the glossary definition be the same as the one in the Pesticide Act?

Bill recommends changing the definition to remove items that should not be included and only focus on those items that are truly considered a pesticide eg. remove things like vinegar.

Colin Elliott: There is a definite difference between what a farmer can do versus a Co-op as sprayers. The Co-op staff have more training and education to allow them to provide this more extensive pesticide coverage.

John Hemsted: The rules to obtain certification, and when and where they can use and apply pesticides, are very prescriptive and restrictive.

Peter Dance: Can wording be reviewed by SPA staff with RMOs to finalize a recommendation for when bringing this back?

Bill is comfortable doing this as conceptually staff is moving in the same direction as the SPC.

Lynn Dollin: How do we educate municipalities on the new circumstances as they are treating for things like phragmites?

Doug advised that there has been extensive testing in Long Region Conservation and Point Pelee on water based application of chemicals for phragmites, and you will see licenced operators being able to do this in future.

Chris Gerrits: If there is a summary document available Chris would be happy to bring it to municipalities for Education and Outreach.

Moved by: Rick Newlove

Seconded by: Geoff Allen

SPC-46-23 **Resolved That** presentation a) and Staff Report SPC2.2 regarding changes to the Circumstances wherein the storage or application of pesticides can be a significant drinking water threat be received for information; and

Further That the Source Protection Committee endorse staff's recommendation for addressing the application of pesticides to land, as well as the handling and storage of pesticides, significant drinking water threat activities through a combination of Prescribed Instruments, Risk Management Plans, and Education and Outreach; and

Further That staff be directed to incorporate the proposed policies for the application of pesticides to land as part of the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

Moved by: Rick Newlove

Seconded by: Geoff Allen

AMENDMENT

SPC-47-23 **That** the last paragraph of the main motion be amended to read as follows:

Further That staff be directed to incorporate the proposed policies as revised in accordance with the intent of the Source Protection Committee discussion, for the application of pesticides to land as part of the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.

The Amendment was Carried

The Main Motion, as Amended, was Carried

The Resultant Motion Reads as Follows:

Resolved That presentation a) and Staff Report SPC2.2 regarding changes to the Circumstances wherein the storage or application of pesticides can be a significant drinking water threat be received for information; and

Further That the Source Protection Committee endorse staff's recommendation for addressing the application of pesticides to land, as well as the handling and storage of pesticides, significant drinking water threat activities through a combination of Prescribed Instruments, Risk Management Plans, and Education and Outreach; and

Further That staff be directed to incorporate the proposed policies as revised in accordance with the intent of the Source Protection Committee discussion, for the application of pesticides to land as part of the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act. **Carried**

- b) A presentation by Mystaya Touw, LSRCA regarding Staff Report 2.3 - Policy Recommendations to Manage Processed Organic Waste Threats.

This is a new threat. The Director's Technical Rules are only concerned about waste that contains sewage. This is filling the gap that exists on application of a Category 3 NASM on a non-farm property, for example at a reclaimed gravel pit.

Storage Circumstances are all the same as a NASM. Proposed policies are focused on ECAs and in keeping with the objectives of existing NASM policies.

QUESTIONS AND COMMENTS

Colin Elliott: What do you call the finished product? Is it a fertilizer?

Mystaya advised the finished product is processed organic waste. This is only if you are storing and using it on a non-farm property.

Chris Gerrits: It requires an ECA currently. Would this be captured in one of the proposed changes on the Environmental Registry of Ontario (ERO) postings?

Mystaya advised that it is an ECA until MECP says otherwise.

Scott Lister: If the Province is not changing it now to an Environmental Activity and Sector Registry (EASR) they may consider this in future. We may want to consider the impact on our policies.

Lynn Dollin: We can ask a chair of an RMO meeting to request that the Province let us know if any changes in this regard are happening in future.

Moved by: Bob Duncanson

Seconded by: John Hemsted

SPC-48-23 **Resolved That** presentation b) and Staff Report SPC2.3 regarding processed organic waste be received for information; and

Further That the Source Protection Committee adopt the recommended new policies to manage the threats of application of processed organic waste, and the handling and storage of processed organic waste; and

Further That staff be directed to incorporate the new policies for processed organic waste threats as part of the forthcoming amendment to the Source Protection Plan, Under Section 36 of the Clean Water Act. **Carried**

- c) A presentation by Bill Thompson, LSRCA regarding Staff Report 2.4 - Overview of ERO Posting 019-6928, "Streamlining environmental permissions for stormwater management under the Environmental Activity and Sector Registry".

New approach provides use of Municipal Consolidated Linear Infrastructure Environmental Compliance Approvals (CLI ECA) which rolls up all stormwater ECAs for systems into one CLI ECA. The addition is allowing certain stormwater management works to self-register on the EASR.

Part 1: Specific to source water, where works are in a source water vulnerable area and if it meets the Circumstances to be a significant drinking water threat. If it does then the relevant SPP must be reviewed and measures put in place to ensure the threat is managed.

Issues:

- Initial compliance responsibility shifts away from the Province and onto the proponent.
- Engineering professionals may not be very well versed in source water protection.
- Inspection and compliance approach post-registration by MECP yet to be finalized.
- Possible land uses the exemptions could apply too is broad.

Part 2: Expanded exemptions for low impact development facilities. It is unclear as to whether it applies to just residential properties or all properties. MECP indicated in an October 10th webinar that it would only pertain to residential properties.

For source water, it takes many low impact development facilities to equate to one stormwater pond.

Part 3: Source Water Policy - To “remove the need for, limit, or restrict the types of policies to be included in source protection plans where a significant drinking water threat is being managed through registration on the EASR”.

Issues:

- EASR is still considered a Prescribed Instrument, despite lack of Provincial oversight.
- Expect that the committee will be restricted from introducing that oversight through SPP policies.
- Expect that the committee will be restricted from introducing RMP policies.
- Prohibition policies could still apply (though not in place in our Region).

The Province does not intend to put restrictions on an EASR. Prohibition policies could still apply. There is a lack of provincial oversight.

Conservation Ontario has provided comments to include a request that significant drinking water threats remain in the ECA process and an EASR not be allowed in these cases. Staff will report back to the SPC to discuss policy implications and options.

QUESTIONS AND COMMENTS

Peter Dance: Hopefully what the Province is doing is focussed on big problems and not little ones. Peter hopes that we do not spend a lot of time chasing this issue when there are bigger issues to resolve like salt use.

Amanda Kellett: In terms of stormwater facilities, they are an entry point for some of the larger concerns like salt to groundwater. Right now the review is falling to MECP but this recommended new policy is to pass this review to municipalities, and for engineering professionals to decide what passes the test. It would be good if it could be required to have hydrogeology professionals make these decisions. Can a prohibition have clauses to prohibit, except in certain circumstances?

Katie Thompson advised that maybe prohibitions could be considered where there are existing contamination issues.

Geoff Allen: Shares Bill's concerns about EASRs as it can be easily abused by large developers.

David Ketcheson: Clean Water Act states that if there are two regulations, the one that is more prescriptive in protecting water applies. It never considered what happens if the regulation changes. It makes it very difficult to determine whether or not what is proposed meets the law. What happens to the standard of care with many engineers being able to self-register?

Rick Newlove: Most municipalities will have their standards on stormwater that developers will need to meet. If a municipality is a little weak on this they will hire a consultant to manage it. Rick believes it can be done.

David Ketcheson: Does approval of a municipality include sign-off by the RMO?

Amanda Kellett: Most municipalities would circulate to the RMO for comment. In terms of the EASR process, this is used a lot for water takings and other similar works. The onus is on the professional to prepare proper documentation.

Peter Dance: This is a big offloading of the Province. Some of the smaller municipalities have no capacity for this. There are engineering firms that are "stamp for hire".

Scott Lister: RMOs share all of the concerns stated so far. RMOs are putting comments to the ERO process that if it is a significant drinking water threat that it should be an ECA and not an EASR. If this advice is not heeded, an option is to prohibit them which is perhaps an extreme position.

Cate Root: Are there things the SPC can do to add our voice to this?

Bill advised that staff has commented and that the commenting period has closed.

Peter Dance: Could an SPC comment be submitted to the Province about keeping those in a significant drinking water threat as an ECA?

Amanda Kellett: Can we ask staff to look at prohibitions but with exemptions to where they could be justified?

Chris Gerrits: Prefers to take a stronger approach and not allow EASR use at all in any source protection area. Ministry inspectors are no longer out inspecting and are only reactive rather than proactive.

Geoff Allen: Agrees with Chris, but the pressure needs to be taken to the politicians.

Rick Newlove: Is the Province trying to speed up the process by giving it to the municipalities as they have someone who reviews the stormwater management proposals?

Bill confirmed the Province is doing this to try to speed up approvals. Stormwater management facilities in source protection areas are a fraction of the number of facilities.

Lynn Dollin: Coming from a municipality with a legacy of flooding issues and with the significant rain events, if you have a development with low impact development do they downgrade the stormwater management requirements? In Lynn's experience, homeowners often rip out the low impact development feature once they take possession, so a bigger pond is needed anyway.

Chris Gerrits: Developers do not apply with enough lead time to facilitate approval.

Moved by: Chris Gerrits

Seconded by: Amanda Kellett

SPC-49-23 **Resolved That** presentation c) and Staff Report SPC2.4 regarding Overview of ERO Posting 019-6928, "Streamlining environmental permissions for stormwater management under the Environmental Activity and Sector Registry" be received for information; and

Further That staff be directed to bring a proposal for policy changes back to the committee at a future date.

Moved by: Chris Gerrits

Seconded by: Amanda Kellett

AMENDMENT

SPC-50-23 **That** the following be added after the last clause of the main motion:

Further that a letter be sent to the Minister and Ministry of the Environment, Conservation and Parks on behalf of the South Georgian Bay Lake Simcoe Source Protection Committee, echoing the Conservation Ontario submission.

The Amendment was Carried

The Main Motion, As Amended, was Carried

The Resultant Motion Reads as Follows:

Resolved That presentation c) and Staff Report SPC2.4 regarding Overview of ERO Posting 019-6928, “Streamlining environmental permissions for stormwater management under the Environmental Activity and Sector Registry” be received for information; and

Further That staff be directed to bring a proposal for policy changes back to the committee at a future date; and

Further that a letter be sent to the Minister and Ministry of the Environment, Conservation and Parks on behalf of the South Georgian Bay Lake Simcoe Source Protection Committee, echoing the Conservation Ontario submission.

9. Determination of Items Requiring Separate Discussion

No items were identified under items requiring separate discussion.

10. Adoption of Items Not Requiring Separate Discussion

No items were identified under items not requiring separate discussion.

11. Consideration of Items Requiring Separate Discussion

There were no items requiring separate discussion.

12. Other Business

None.

13. Closed Session

None.

14. Next Meeting and Adjournment

Moved by: Scott Lister

Seconded by: Katie Thompson

SPC-51-23 **Resolved That** the next meeting of the Source Protection Committee scheduled to be held on Thursday, February 1, 2024 from 1-4 pm, in person at a location to be determined; and

Further that the November 2, 2023 meeting of the Source Protection Committee be adjourned at 2:48 pm **Carried**



Office of the Minister

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777, rue Bay, 5^e étage
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Tél. : 416.314.6790

December 15, 2023

Wayne Emerson, Regional Chair, York
Lake Simcoe Region Conservation
Authority
120 Bayview Parkway
Newmarket, ON L3Y 3W3

Lynn Dollin, Chair
South Georgian Bay Lake Simcoe Source
Protection Committee
120 Bayview Parkway
Newmarket, ON L3Y 3W3

Dear Mr. Emerson and Ms. Dollin,

It is a pleasure to inform you that the Ministry has completed the review of the amended Lake Simcoe Assessment Report and South Georgian Bay Lake Simcoe Source Protection Plan related to proposed changes to the drinking water systems in the communities of Sunderland and Cannington in Durham Region, developed in accordance with the *Clean Water Act, 2006*.

I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006*. These amendments will take effect on the day a notice of this decision is posted to Ontario's Environmental Registry.

I appreciate the dedication of the local municipalities, source protection authorities and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that the quality of Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Khanjin".

Andrea Khanjin
Minister of the Environment, Conservation and Parks

C: Bill Thompson, Source Water Protection Project Coordinator, Lake Simcoe Region
Conservation Authority
Kirsten Service, Director, Conservation and Source Protection Branch, MECP

January 25, 2023

Bill Thompson
Manager, Watershed Plans and Strategies
South Georgian Bay – Lake Simcoe Source Protection Region

Re: Request for Extension of Policy Implementation Timelines Related to Section 58 Risk Management Plans, South Georgian Bay Lake Simcoe Source Protection Plan

Dear Bill,

I am writing in response to your request for an extension to the timeline for implementing a source protection plan policy relating to various activities designated as requiring a risk management plan (RMP) under section 58 of the *Clean Water Act, 2006* in the South Georgian Bay – Lake Simcoe Source Protection Region.

In June 2020, the source protection authority requested a 2-year extension of this deadline to July 1, 2021 for Bradford-West Gwillimbury and York Region, and to July 1, 2022 for the remaining municipalities. As you note in your letter of April 22, 2022, risk management officials for Bradford-West Gwillimbury and the municipalities in York Region were able to complete their outstanding risk management plans (RMPs) by the new deadline. We understand that risk management officials in the remaining municipalities have made progress, however, there were challenges to negotiating and establishing all RMPs including public health restrictions imposed to manage the COVID-19 pandemic.

Policy TIME-1 in the South Georgian Bay – Lake Simcoe Source Protection Plan sets out a timeline of 5 years (i.e., July 1, 2020) for the establishment of RMPs for designated existing threat activities. Section 58 of the *Clean Water Act, 2006* (CWA) provides that the prohibition on engaging in designated activities (that were engaged in immediately before the source protection plan took effect) without an RMP does not apply until on or after the date specified by the source protection plan, if any. This essentially allows for a source protection plan to create a “grace period” for persons to continue engaging in activities that were engaged in *prior* to the source protection plan taking effect in December 2015 (i.e., defined as “existing” activities in the source protection plan) without an RMP. It is an offence under section 106 of the CWA for “existing” activities to be engaged in without an RMP after the “grace period” has passed.

The source protection authority has proposed a new policy implementation deadline of July 1, 2025 to complete the risk management plans that may be required under policies for managing risks related to agricultural source material and livestock grazing (ASM(App)-1, ASM(Store)-1 and LSTOCK-2), commercial fertilizer (FERT(App)-1, FERT(H&S)-1, and FERT(ICA)-1), pesticides (PEST(App)-1 and PEST(H&S)-1), road salt (SALT(ICA)-1,

SALT(ICA)-2, and SNOW(ICA)-1), fuel (FUEL-1), and dense non-aqueous phase liquids (DNAPL-1). In consideration of the challenges outlined in your letter, and considering the ministry's desire for the source protection authority to continue to work with their municipalities to have these RMPs finalized to manage existing significant drinking water threats, I hereby grant an extension to **July 1, 2024**.

I acknowledge the significant work you are doing with the affected municipalities to implement source protection plan policies. I appreciate you identifying the remaining activities that require a risk management plan and prioritizing them for completion. To assure the ministry and local communities of the intent and ability to comply with the policies by this new deadline, I request that the source protection authority, municipalities, and risk management officials work together to summarize what is necessary to complete risk management plans by the new policy timeline. I am requesting this summary by **April 1, 2023**. In advance of this date, I encourage you to continue working with your liaison officer and program analyst to address any questions or issues with this approach, as well as to review and provide feedback in advance of your formal submission. All other requirements of the CWA and Ontario Regulation 287/07 continue to apply.

When you next move forward with amendments or an update to your source protection plan, it is recommended you include revisions to the text of policy TIME-1 to reflect the extended policy timelines. Until that time, you may wish to include a note for readers about the extended policy timeline.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Jennifer McKay

Manager, Source Protection Section, Conservation and Source Protection Branch

c: Wayne Emmerson, Chair, Lake Simcoe Region Source Protection Authority
Steffen Walma, Chair, Severn Sound Source Protection Authority
George Watson, Chair, Nottawasaga Valley Source Protection Authority
Lynn Dollin, Chair, South Georgian Bay – Lake Simcoe Source Protection
Committee
Kirsten Service, Director, Conservation and Source Protection Branch

January 25, 2023

Bill Thompson
Manager, Watershed Plans and Strategies
South Georgian Bay – Lake Simcoe Source Protection Region

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When you next move forward with amendments or an update to your source protection plan, it is recommended you include revisions to the text of policy TIME-1 to reflect the extended policy timelines. Until that time, you may wish to include a note for readers about the extended policy timeline.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Jennifer McKay

Manager, Source Protection Section, Conservation and Source Protection Branch

- c: Wayne Emmerson, Chair, Lake Simcoe Region Source Protection Authority
- Steffen Walma, Chair, Severn Sound Source Protection Authority
- George Watson, Chair, Nottawasaga Valley Source Protection Authority
- Lynn Dollin, Chair, South Georgian Bay – Lake Simcoe Source Protection Committee
- Kirsten Service, Director, Conservation and Source Protection Branch

November 28, 2023

Ms. Angie Bird, Township of Algonquin Highlands
Mr. Gary Dyke, Haliburton County
Mr. Scott Lucas, Town of Gravenhurst
Mr. Greg Mariotti, Township of Georgian Bay
Mr. Derrick Hammond, Township of Muskoka Lakes
Ms. Gayle Jackson, City of Orillia
Ms. Laurie Kennard, Township of Severn
Ms. Vicky Bull, Township of Minden Hills
Mr. Bryan Brown, Township of Lake of Bays
Mr. Zach Drinkwater, Township of Ramara
Mr. Stephen Rettie, Town of Bracebridge
Mr. Ron Taylor, City of Kawartha Lakes

Dear Couchiching-Black River Source Protection Region Chief Administrative Officers:

Subject: Source Protection Committee – Replacement of Municipal Members

The Lakes Simcoe and Couchiching/Black River Source Protection Authority is seeking to fill a vacancy on the South Georgian Bay – Lake Simcoe Source Protection Committee with a member representing municipalities in the Couchiching-Black River Source Protection Area.

The Source Protection Committee has been in place since 2007 and has always included one member representing municipalities in the Couchiching-Black River Source Protection Area. However, due to a staffing change, that position has recently become vacant. Fortunately, an experienced and suitable candidate has come forward from the City of Kawartha Lakes to fill this position.

Michelle Flaherty has 15 years of experience as a Water Plant Operator at the City of Kawartha Lakes and has recently taken on a role in liaising between the City and the Ontario Clean Water Agency for the water and wastewater treatment plants that OCWA operates within the City. In addition, Michelle is part of the oversight committee that coordinates Risk Management Services between the City and Kawartha Conservation.

While the City of Kawartha Lakes has offered this very qualified candidate, there also exists an opportunity for all municipalities in the Source Protection Area to nominate staff or members of Council. Please consider this email a request for Committee member nominations. Should other nominations be received, an election will be held. The process for nominations and member selection is outlined below, along with some background on the role and commitment of Committee members.

Source Protection Committee Member Selection Process

The *Clean Water Act* stipulates that the process for replacing a member on the Committee must follow the same process used to select the member originally. As you may recall, the process involved:

1. Notify all municipalities in the watershed of the membership opportunity (by way of this letter).
2. Request all 12 municipalities:
 - Put forward the name of a candidate if interested in doing so, and
 - Authorize someone to vote for the municipal representatives in the event there are more interested candidates than the one seat available.
3. Hold an election if required;
 - All municipalities (Upper Tier, Local Area, and Single Tier) in the watershed receive one vote.
4. Affirm election results at the Lakes Simcoe and Couchiching/Black River Source Protection Authority meeting and formally appoint the new members to the Committee.

Next Steps: Action Required from You

By **January 25, 2024**, please email Kathy Hillis at k.hillis@lsrca.on.ca with the following information:

- Name and contact information for any municipal nominee you may have;
- Or your satisfaction with the nomination of Michelle Flaherty as described above and that no other nomination is being put forth; and
- The name and contact information for the person authorized to vote on behalf of your municipality.

In the event there are more nominations than the one seat available, an election will be held via electronic ballot (email). For the election, quorum will be 50% plus one (7 municipalities).

Background

The *Clean Water Act* is legislation put forward by the Ministry of the Environment, Conservation and Parks (Ministry) aimed at preventing the overuse and contamination of municipal drinking water supplies. This legislation divested much of the responsibility to local stakeholder groups, known as Source Protection Committee. Locally, the Committee is comprised of 1 first nation member, 7 municipal members, 7 public members, and 7 economic members intended to represent the various interests from across the watershed region and ensure a balanced and practical approach to drinking water protection.

The Committee has been meeting since December 2007 and was responsible for three deliverables:

- A Terms of Reference describing the work to be done, who was responsible, and the approximate timelines and costs,
- Technical Assessment Reports describing vulnerable areas specific to municipal water quality and quantity, and risks to water supplies, and
- Source Protection Plans that include strategies and policies intended to manage existing risks and prevent new risks from occurring.

The Ministry approved the Source Protection Plan on January 26, 2015, at which time the function of the Committee transitioned primarily to evaluating the implementation of the Plan policies and conducting periodic updates to ensure the Plan is supporting the desired protection to the sources of municipal drinking water.

Commitment

Members are asked to commit to serving a five-year term on the Committee. During this period, the committee will meet 2 to 3 times per year in the Barrie area (or virtually). Meetings are typically held weekday afternoons, and Committee members receive a per diem and mileage reimbursement for meetings attended.

Thank you in advance for your interest and assistance with the Source Protection program. Should you have any questions, please do not hesitate to contact Bill Thompson at 905-895-1281 ext. 271 or b.thompson@lsrca.on.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Baldwin', with a horizontal line extending to the right.

Rob Baldwin
Chief Administrative Officer
Lake Simcoe Region Conservation Authority

Copies: Wayne Emmerson, Chair, Lakes Simcoe and Couchiching / Black River Source Protection Authority
Lynn Dollin, Chair, South Georgian Bay Lake Simcoe Source Protection Committee
Don Goodyear, General Manager, Integrated Watershed Management
Bill Thompson, Manager, Watershed Plans and Strategies



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December 15, 2023

Wayne Emerson, Regional Chair, York
Lake Simcoe Region Conservation
Authority
120 Bayview Parkway
Newmarket, ON L3Y 3W3

Lynn Dollin, Chair
South Georgian Bay Lake Simcoe Source
Protection Committee
120 Bayview Parkway
Newmarket, ON L3Y 3W3

Dear Mr. Emerson and Ms. Dollin,

It is a pleasure to inform you that the Ministry has completed the review of the amended Lake Simcoe Assessment Report and South Georgian Bay Lake Simcoe Source Protection Plan related to proposed changes to the drinking water systems in the communities of Sunderland and Cannington in Durham Region, developed in accordance with the *Clean Water Act, 2006*.

I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006*. These amendments will take effect on the day a notice of this decision is posted to Ontario's Environmental Registry.

I appreciate the dedication of the local municipalities, source protection authorities and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that the quality of Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Khanjin".

Andrea Khanjin
Minister of the Environment, Conservation and Parks

C: Bill Thompson, Source Water Protection Project Coordinator, Lake Simcoe Region
Conservation Authority
Kirsten Service, Director, Conservation and Source Protection Branch, MECP

Source Protection Committee Chair's Update

To: Lakes Simcoe and Couchiching/Black River Source Protection Authority

From: Lynn Dollin, Chair – South Georgian Bay Lake Simcoe Source Protection Committee

Date: April 3, 2024

Subject

Source Protection Committee Chair's Update

Recommendation

That the report by South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin regarding Source Protection Committee updates be received for information.

Chair's Update

Below is a brief update from the Source Protection Committee since the last meeting of the Lakes Simcoe and Couchiching/Black River Source Protection Authority Board.

The Source Protection Committee has met four times in the past year and most recently received the annual report on implementation progress, which will be presented by Mike Wilson. The Committee was very pleased to see the level of progress that has been made in implementing the Source Protection Plan. We recognize that this has been challenging for all involved, from understanding new responsibilities that municipalities had under the plan, to staff recruitment and process development, and eventually having to deal with the disruption of the COVID-19 pandemic, the path to implementing this plan has been very challenging. The Committee is very pleased to see that those difficult days are behind us, and thank member municipalities, provincial agencies, and others with implementation responsibilities for their hard work.

In submitting the annual report to the Ministry, the Source Protection Committee can provide its opinion on progress. In addition to recognizing the hard work of everyone involved, the Committee intends to also make use of this opportunity to share their concerns about recent proposed changes to Provincial policy. As we all know, the Provincial government has a strong focus on promoting housing development and have been revising policies to remove as many barriers as possible. Through some of that policy review unfortunately, some policy revisions would have the, perhaps unanticipated, effect of removing "tools" from the "toolbox" that the

Source Protection Committee has relied upon to protect municipal drinking water sources. Authority staff have shared these concerns with the Ministry, and we hope that a resolution can be found which avoids unnecessary delay in housing development, without any increased risk to municipal drinking water.

The Committee is aware that, despite these concerns, the Province does remain strongly supportive of the *Clean Water Act* and the Source Protection Program, including the ongoing role of the Source Protection Committee. The Committee in fact does remain engaged, despite several members having served since its inception. I am confident that those few Committee members who have had to step back due to job changes will be replaced, and that new members will add valuable new perspectives and new experiences to the Committee.

Respectfully submitted,

Lynn Dollin, Chair

Source Protection Authority Staff Report

To: Lakes Simcoe and Couchiching/Black River Source Protection Authority

From: Mike Wilson, P. Geo., Source Water Protection Hydrogeologist

Date: April 17, 2024

Subject

Annual Source Water Protection Progress Report

Recommendation

That Staff Report No. 01-24-SPA regarding the 2023 Source Water Protection Annual Report to the Ministry be received; and

Further that the Annual Report be approved for submission to the Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks.

Purpose of this Staff Report

The purpose of this Staff Report No. 01-24-SPA is to provide an overview of the South Georgian Bay Lake Simcoe Source Protection Plan annual progress report, as well as to obtain approval to submit the annual report to the Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks (the Director).

Background

The South Georgian Bay Lake Simcoe Source Protection Plan (the Plan) has been in effect since July 1, 2015. The *Clean Water Act* (Section 46) requires that the lead Source Protection Authority report to the Director on the implementation of all policies each year. It also requires that the Source Protection Committee be provided an opportunity to comment on the draft report before its submission (draft report attached).

A primary objective of monitoring and reporting is to assess if threats to municipal drinking water sources are being managed through the implementation of the Plan's policies. This information will help support any future amendments to the Plan and provide accountability and transparency to stakeholders.

Essential implementation actions, such as establishing a Risk Management Office and drafting policies for municipal Official Plans, have been completed across the Source Protection Region. Risk Management Officials, on behalf of applicable municipalities, have been negotiating risk management plans with landowners. Most municipalities have successfully established all their required risk management plans and are currently monitoring compliance with the contents of

those plans. Similarly, Ontario ministries have completed the task of reviewing previously issued provincial approvals (prescribed instruments such as Nutrient Management Plans and Environmental Compliance Approvals), where they have been identified to address existing activities that may pose risks to sources of drinking water.

Issues

At their most recent meeting, the Source Protection Committee reviewed source protection plan implementation progress data and identified the following key findings:

- All municipalities have submitted their annual reports to Source Protection Authority staff.
- Most policies (98%) that address significant drinking water threats in the Plan have been or are in the process of being implemented in accordance with the timelines set out in the Plan or otherwise amended.
- It is estimated that 96% of existing significant drinking water threats have been mitigated through policy implementation.
- A total of 314 risk management plans have been established and an estimated 27 risk management plans remain to be negotiated across the Source Protection Region. Risk Management Officials have workplans that indicate the remaining risk management plans will be established by the July 2024 deadline.

The risk management plan deadline for the South Georgian Bay Lake Simcoe Source Protection Region is July 1, 2024. Significant progress has been made in establishing risk management plans in 2023. There are 27 risk management plans spread across 9 municipalities that remain to be completed, and Risk Management Officials have workplans in place to complete the risk management plans by the deadline. There may be occasions when a Risk Management Official will need to proactively issue an Order for potential contravention of section 58 (Risk Management Plans) to a landowner who is procrastinating or not cooperating with the Risk Management Official. The issuance of an Order will not negate the need for positive working relationships with landowners.

Source Protection Authority staff will monitor progress on risk management plan completion closely over the next two months and report back to the Source Protection Committee prior to the deadline. Source Protection Authority staff will also assist Risk Management Officials in completing risk management plans if necessary.

Considering Risk Management Officials are on target to complete all their risk management plans by the deadline, the Source Protection Committee has indicated it is confident that Plan implementation is progressing well.

The Source Protection Committee has the option to include a message to the Ministry in the annual report. The Committee has opted to rate progress as being 'on target' (the highest of three options available), but also wishes to share concerns they have about recent proposed changes to Environmental Assessment and Environmental Approvals processes, which may make implementing the Source Protection Plan more complicated in future years. Staff will work with Committee members to draft a message that the Committee feels is appropriate.

Summary and Recommendations

The various implementers of the South Georgian Bay Lake Simcoe Source Protection Plan have submitted their 2023 annual reports to the Source Protection Authority as required under the *Clean Water Act*. These reports show that implementation of the Plan is currently progressing well as detailed in this report.

It is therefore **Recommended that** Staff Report No. 01-24-SPA regarding the 2023 Source Water Protection Annual Report to the Ministry be received; and **Further that** the Annual Report be approved for submission to the Director, Conservation and Source Protection Branch, Ministry of the Environment, Conservation and Parks.

Pre-Submission Review

This Staff Report has been reviewed by the General Manager, Integrated Watershed Management and the Chief Administrative Officer.

Signed by:

Signed by:

Don Goodyear
General Manager, Integrated Watershed
Management

Rob Baldwin
Chief Administrative Officer

Attachments:

1. Source Protection Annual Progress Report, South Georgian Bay Lake Simcoe Region Source

Source Protection Annual Progress Report

South Georgian Bay Lake Simcoe Region



On the Implementation of the South Georgian Bay Lake Simcoe Source Protection Plan

Reporting period January 1 to December 31, 2023

Ourwatershed.ca



2023 Source Protection Annual Progress Report

I. Introduction

This annual report briefly summarizes the progress made in implementing the source protection plan for the Lakes Simcoe & Couchiching Black River, Nottawasaga Valley and Severn Sound Source Protection Areas for the 2023 calendar year, as required by the Clean Water Act and its regulations.

Protecting the sources of our drinking water is the first step in a multi-barrier approach to safeguard the quality and quantity of our water supplies. The source protection plan is the culmination of extensive science-based assessments, consultation with the community, collaboration with local stakeholders and the province, and research. The implementation of the policies contained in the source protection plan ensure that activities carried out in the vicinity of municipal drinking water supply wells and lake-based drinking water intakes do not pose a significant risk to those supplies.



II. A Message from your local Source Protection Committee

Our source protection committee was asked to provide a progress score on achieving source protection plan objectives this reporting period, with three progress scores to choose from as follows:

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

The progress score selected for achieving source protection plan objectives this reporting period is progressing well.

All municipalities that had implementation actions to complete have submitted their 2023 annual reports to the Source Protection Authority. Municipalities in our source protection region have processes in place to ensure planning decisions conform to our source protection plan. Ninety-eight percent of the policies that address significant drinking water threats in our Plan have been or are being implemented. Approximately 96% of the 3,313 significant drinking water threats that existed at the time of source protection plan approval have been addressed through policy implementation.

A total of 314 risk management plans have been established as of December 31, 2023, and workplans have been established by Risk Management Officials to complete the estimated 27 outstanding Risk Management Plans by the July 1, 2024 deadline. Progress will be closely monitored on outstanding Plans and reported to the Source Protection Committee until they are all complete.

Twelve percent (250 of the estimated 2,106) of round-three on-site septic system inspections have been completed by municipal staff. Most municipalities in our region have three years left to complete their remaining inspections.

III. Our Watershed

The South Georgian Bay Lake Simcoe source protection region contains four watersheds and spans over 10,000 km², from the Oak Ridges Moraine in the south to the Canadian Shield in the north and is comprised of the Black-Severn, Lake Simcoe, Nottawasaga Valley and Severn Sound watersheds. The region contains portions of the Niagara Escarpment, Oak Ridges Moraine, Oro Moraine, Peterborough Drumlin Fields, Simcoe Uplands and Lowlands and the Canadian Shield. The region includes:

- 4 watersheds
- 52 municipalities
- 3 First Nations communities
- 107 drinking water systems
- 276 municipal supply wells
- 16 municipal surface water intakes
- More than 50,000 private wells

All told, the South Georgian Bay Lake Simcoe region has approximately one third of the municipal drinking water systems in the province.

The region is complex and diverse in terms of geology, physiography, population, and development pressures, with many, often conflicting, water uses including drinking water supply, recreation, irrigation, agriculture, commercial and industrial uses, as well as ecosystem needs.

These differences represent a significant challenge for the development of a source protection plan because of the associated variability of available information upon which to base the technical work, the differing stresses on water resources related to development pressure and population growth, and the differences in the nature, density and locations of threats to the quality and quantity of water resources.

To learn more, please read our assessment reports and source protection plan.

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

1. Source Protection Plan Policies and Addressing Significant Risks

The South Georgian Bay Lake Simcoe Source Protection Committee includes 129 policies in their source protection plan to address 22 prescribed threats, protect sources of drinking water and monitor the progress of policy implementation.

Since the source protection plan took effect over 9 years ago, much has been accomplished. To date, 100% of the legally binding policies that address significant drinking water threat activities have been or are being implemented. 42% have been implemented, 51% are in the process of being implemented, and 7% have been evaluated and determined no further action is required.

The progress score for implementing Plan policies is progressing well/on target.

2. Municipal Progress: Addressing Risks on the Ground

Of the 52 municipalities (upper, lower and single-tier) within the South Georgian Bay Lake Simcoe Source Protection Region, 43 of these are subject to one or more source protection plan policies. The remaining nine municipalities do not have vulnerable areas where policies apply.

Planning departments and building officials are screening applications for locations within vulnerable areas where threats to drinking water sources are possible and policies may apply.

Municipalities in our source protection region are also required to review and update their Official Plan to ensure it conforms with the local source protection plans the next time they undertake an Official Plan review under the Planning Act. All 43 of the municipalities that are subject to source protection plan policies have amended or are in the process of amending their Official Plan to conform with the source protection plan for our region.

The municipal progress score is progressing well/on target.

3. Septic Inspections

Within our source protection region, 2,106 septic systems are required to be inspected as part of the 5-year inspection cycle. We are 2 years into the 5-year inspection cycle and approximately 250 (12%) on-site sewage systems have been inspected in accordance with the Ontario Building Code.

The progress score for the septic inspection program is progressing well/on target.

4. Risk Management Plans

314 risk management plans were established in our source protection region as of December 31, 2023 with 43 of those being completed within the 2023 calendar year. This represents 92% of the risk management plans required to manage existing significant threat activities.

73 inspections were carried out in 2022 by a Risk Management Official/Inspector for regulated activities. 14 of these inspections demonstrated non-compliance with the contents of a risk management plan. 12 of the 14 inspections that demonstrated non-compliance were the result of businesses not training all staff on source water protection principals, while the other inspections were in response to new businesses opening at an existing threat property and therefore requiring a new risk management plan. RMOs are working with business owners to facilitate source water training in the future.

Workplans have been established by Risk Management Officials to complete the 27 outstanding Risk Management Plans by the July 2024 deadline. Progress will be closely monitored on outstanding Plans and reported to the Source Protection Committee until they are all complete.

The progress score for establishing risk management plans is progressing well/on target.

5. Provincial Progress: Addressing Risks on the Ground

Ontario ministries are reviewing applications for new or amended and previously issued provincial approvals (i.e. prescribed instruments, such as environmental compliance approvals under the Environmental Protection Act) where they have been identified as a tool in our plan to address activities that pose a significant risk to sources of drinking water. The provincial approvals are being issued, denied, amended or revoked, where necessary, to conform to plan policies. Our policies set out a timeline of five years from the date the source protection plan took effect (July 1, 2015) to complete the review of existing activities and make any necessary changes to previously issued approvals. The timeline for new or amended prescribed instruments is outlined in the Plan as the day the Source Protection Plan took effect. The Ministries have reported 100% completion of previously issued provincial approvals in our source protection region and have a review protocol in place to screen all new applicable approval applications.

The progress score for the addressing risks using prescribed instruments is progressing well/on target.

6. Source Protection Awareness and Change in Behaviour

Staff from Lake Simcoe Source Protection Authority met with Fire Chiefs from local municipalities in York Region and Simcoe County with a goal of increasing awareness of source water protection and exploring ways fire services staff can assist in preventing contamination of municipal water sources. As a result of these meetings, Central York Fire Services plans to include source water protection in their staff training program, add a source water protection geographic information system (GIS) layer to their mapping system, and add known DNAPL and organic solvent threat sites to their Pre-Plan and Dispatch notification system.

7. Source Protection Plan Policies: Summary of Delays

Of the 129 policies included in the Source Protection Plan, all (with the exception of one) are currently being implemented or are in the process of being implemented. The only policy that has had no progress made to date is the non-legally binding policy on transport pathways (TP-1). This policy only applies to one municipality in the Severn Sound Source Protection Area. Within this area there are numerous significant drinking water threats and managing these threats through the use of legally binding policies has been the main priority to date. This policy will continue to be considered in future work plans.

8. Source Water Quality: Monitoring and Actions

City of Barrie - Barrie Well Supply - Central Well Field Issue contributing area for:

Sodium and Chloride

An increasing concentration/trend has been observed.

Risk management plans have been established for large users of salt to ensure best management practices are implemented for storage and application. The City of Barrie staff follow Smart About Salt best practices for salt application on municipal parking lots.

Town of Penetanguishene - Robert Street West Supply Well Issue contributing area for:

Trichloroethylene

Not enough data is available to determine changes in concentration/trend. No water quality data was collected in 2023 at this decommissioned well location. However, a decreasing concentration has been observed in the long-term data.

Township of Brock – Cannington Well Supply – Arena Well Field

Trichloroethylene

A decreasing concentration/trend has been observed.

Township of Severn - Coldwater Well Supply Issue contributing area for:

Trichloroethylene

No change in concentration/trend.

Tiny Township - Lafontaine Well Supply Issue contributing area for:

Nitrate

No change in concentration/trend.

Tiny Township - Georgian Sands Well Supply Issue contributing area for:

Nitrate

No change in concentration/trend.

9. Science-based Assessment Reports: Work Plans

No work plans were required to be implemented for our assessment reports.

10. More from the Watershed

To learn more about the South Georgian Bay-Lake Simcoe Protection Region, visit:

www.ourwatershed.ca

Education and outreach are an important part of implementing Source Protection. Source Protection Authorities, municipalities and Risk Management Officials within the region continue to engage the community through site visits, social media, and workshops.

Source Protection Authority Staff Report

To: Lakes Simcoe and Couchiching/Black River Source Protection Authority

From: Bill Thompson, Manager, Watershed Plans and Strategies

Date: April 17, 2024

Subject

Appointment of members to the Source Protection Committee

Recommendation

That Staff Report No. 02-24-SPA regarding the appointment of members to the South Georgian Bay Lake Simcoe Source Protection Committee be received; and

Further That the appointment of Michelle Flaherty to the South Georgian Bay – Lake Simcoe Source Protection Committee for a term of five years beginning May 1, 2024 be approved.

Purpose of this Staff Report

The purpose of this Staff Report No. 02-24-SPA is to seek the Source Protection Authority's approval of the appointment of a member to the Source Protection Committee.

Background

The *Clean Water Act* directs all Source Protection Regions to establish a Source Protection Committee, the members of which shall be responsible for developing and monitoring the implementation of a Source Protection Plan. In the case of the South Georgian Bay – Lake Simcoe Source Protection Region, the committee has been defined as being composed of a Chair, plus 22 members. Furthermore, members are to include one First Nation representative and seven representatives from the municipal, economic/industrial sectors, and the public at large. In the case of Source Protection Regions, the Lakes Simcoe and Couchiching/Black River Source Protection Authority as the lead Source Protection Authority is responsible for appointing members to the Source Protection Committee, as well as filling vacancies which may arise due to members reaching the ends of their terms, changing jobs, moving outside of the Source Protection Region, or otherwise becoming ineligible to participate on the Committee.

Issues

Over the course of the past year, several vacancies have arisen on the Source Protection Committee due to change in employment status (one municipal representative representing the Black River watershed, one municipal member representing the Severn Sound watershed,

and the First Nation representative) the passing of a municipal member representing the Nottawasaga Valley watershed, and a change in capacity to participate (one public member). Source Protection Authority staff have also been advised of a forthcoming additional vacancy, due to a change in career of a member from York Region representing municipalities in the Lake Simcoe watershed.

Regulation 288/07 under the *Clean Water Act* specifies the process that Source Protection Authorities are to follow when appointing members to the Committee.

Municipal sector representatives are to be appointed by local (rather than lead) Source Protection Authorities and are to be based on candidates recommended by local municipalities. As such Severn Sound Environmental Association and Nottawasaga Valley Conservation Authority will be appointing members to fill their two vacancies. This Board is responsible for appointing a replacement for the vacancy representing municipalities in the Black River watershed. Members representing First Nation interests are to be recommended by Band Councils of First Nation, whose Reserve sits (wholly or partly) in the Source Protection Region.

Following the standard process, letters seeking nominees were sent to Chief Administrative Officers of all municipalities in the Black River watershed. As a result of that process, Michelle Flaherty from the City of Kawartha Lakes was recommended for appointment. Ms. Flaherty has 15 years of experience as a Water Plant Operator with the City and has recently taken on a role in liaising between the City and the Ontario Clean Water Agency (OCWA) for the water and wastewater treatment plants that OCWA operates within the City. In addition, Ms. Flaherty is part of the oversight committee that coordinates Risk Management Services between the City and Kawartha Conservation.

Source Protection Authority staff are continuing to seek nominees to replace the vacant public representative, as well as to seek a new representative of First Nation interests. As noted above, a vacancy from York Region is expected due to a career change, which staff will work with municipalities in the Lake Simcoe watershed to seek a nominee to fill. This nomination is expected in the coming months and due to the infrequency of Source Protection Authority meetings, staff propose to circulate a staff report to the Source Protection Authority Board of Directors to request approval of the recommendation nominee, once available.

Summary and Recommendations

As the lead Source Protection Authority, the Lakes Simcoe/Couchiching Black River Source Protection Authority is responsible for ensuring the Source Protection Committee meets the size and structure guidelines of the *Clean Water Act*. There are currently five vacancies on the Committee, including three municipal representatives, one public member, and one

representative of First Nation interests. Michelle Flaherty has been recommended by municipalities in the Black River watershed to represent their interests on the Committee.

It is therefore **Recommended That** Staff Report No. 02-24-SPA regarding the appointment of members to the South Georgian Bay – Lake Simcoe Source Protection Committee be received; and **Further that** the appointment of Michelle Flaherty to the South Georgian Bay – Lake Simcoe Source Protection Committee for a term of five years beginning May 1, 2024 be approved.

Pre-Submission Review

This Staff Report has been reviewed by the General Manager, Integrated Watershed Management and the Chief Administrative Officer.

Signed by:

Don Goodyear
General Manager, Integrated Watershed
Management

Signed by:

Rob Baldwin
Chief Administrative Officer

Source Protection Authority Staff Report

To: Lakes Simcoe and Couchiching/Black River Source Protection Authority

From: Bill Thompson, Manager of Watershed Plans and Strategies

Date: March 28, 2024

Subject

Update on Source Protection Plan Amendments

Recommendation

That Staff Report No. 03-24-SPA regarding amendments to the South Georgian Bay Lake Simcoe Source Protection Plan submitted to the Minister of Environment, Conservation and Parks be received for information.

Purpose of this Staff Report

The purpose of this Staff Report No. 03-24-SPA is to provide an update on amendments to the South Georgian Bay Lake Simcoe Source Protection Plan that have recently been submitted for approval.

Background

Regulation 205/18 under the *Safe Drinking Water Act* requires that any amendments to municipal residential Drinking Water Works Licences and Permits be accompanied by an amendment to the appropriate Source Protection Plan. The intent of this Regulation is to ensure that raw sources of municipal drinking water remain protected, even as drinking water systems change (or expand). As such, new or upgraded municipal wells or water treatment plants generally require new or revised Wellhead Protection Areas and Intake Protection Zones in Source Protection Plans and may lead to new restrictions associated with Source Protection Plan policies in those areas.

As the lead Source Protection Authority for the South Georgian Bay Lake Simcoe Source Protection Region, staff are responsible for ensuring these amendments are completed and ultimately approved by the Minister of Environment, Conservation and Parks (Ministry). The process that staff are directed to follow is a consultation-rich one, with engagement occurring with the Source Protection Committee, Ministry staff, municipal staff and Councils, and affected local landowners. After completing the consultation and drafting the amendment to the Plan, with the Committee's agreement the amendments are submitted to the Minister for approval.

Issues

At the February 26, 2021 meeting of the Source Protection Authority, staff were delegated the authority to submit such amendments after consultation is complete. In return, staff committed to providing annual updates on any such amendments submitted.

Over the course of the past year, Source Protection Authority staff have submitted the following six Source Protection Plan amendments to the Ministry for approval and have received approval on four, with the remaining two still under review by the Ministry:

- Durham Region, to incorporate a new well in the Sunderland drinking water system and to add two new wells to the Cannington drinking water system and remove two others which have been decommissioned. This amendment was submitted in March 2023 and approved in December 2023.
- Town of Shelburne, to allow for increased demand in their drinking water system to support growth in that community. This amendment was submitted in March 2023.
- Township of Adjala-Tosorontio, to allow for increased demand in the Colgan drinking water system, to support a new subdivision in that community. This amendment was submitted in April 2023 and approved in December 2023.
- Township of Oro-Medonte, to incorporate a planned new well to support growth in the community of Craighurst. This amendment was submitted in April 2023 and approved in March 2024.
- Township of Oro-Medonte, to incorporate a third well at the existing Horseshoe Highlands drinking water system. This amendment was submitted in May 2023 and approved in March 2024.
- Peel Region, to allow for increased demand in the Palgrave drinking water system, to support growth in that community. This amendment was submitted in January 2024.

Summary and Recommendations

As the lead Source Protection Authority, the Lakes Simcoe/Couchiching Black River Source Protection Authority is responsible for ensuring that the Source Protection Plan is amended to account for new or expanded municipal drinking water systems. Over the course of the last year, six amendments to the source protection plan to address changes in municipal drinking water systems were submitted to the Minister of Environment, Conservation and Parks for approval. Approval has been received on four, with the remaining two still undergoing Ministry review.

It is therefore **Recommended That** Staff Report No. 03-24-SPA regarding amendments to the South Georgian Bay Lake Simcoe Source Protection Plan submitted to the Minister of Environment, Conservation and Parks be received for information.

Pre-Submission Review

This Staff Report has been reviewed by the General Manager, Integrated Watershed Management and the Chief Administrative Officer.

Signed by:

Signed by:

Don Goodyear
General Manager, Integrated Watershed
Management

Rob Baldwin
Chief Administrative Officer