

AGENDA

Source Protection Authority

Meeting No. SPA-02-20

May 22, 2020 - 9:00 a.m.

Virtual Meeting: Zoom

Source Protection Authority Members:

Regional Chairman W. Emmerson, Chair
Councillor P. Ferragine, Vice Chair
Councillor K. Aylwin
Mayor D. Barton
Mayor D. Bath-Hadden
Councillor J. Dailloux
Mayor B. Drew
Councillor A. Eek
Councillor K. Ferdinands
Councillor W. Gaertner
Councillor J. Gordon
Councillor R. Greenlaw
Mayor V. Hackson
Councillor S. Harrison-McIntyre
Councillor T. Lauer
Mayor M. Quirk
Councillor C. Riepma
Councillor M. Taylor
Regional Councillor T. Vegh
Councillor A. Waters
Councillor E. Yeo
No representative appointed

York Region (At Large)
Town of Bradford West Gwillimbury
City of Barrie
Durham Region (Uxbridge)
Durham Region (Brock)
Township of Algonquin Highlands
Durham Region (Scugog)
York Region (King)
York Region (Whitchurch-Stouffville)
York Region (Aurora)
District of Muskoka
Township of Oro-Medonte
York Region (East Gwillimbury)
Town of New Tecumseth
City of Orillia
York Region (Georgina)
City of Barrie
Township of Severn
York Region (Newmarket)
Town of Innisfil
City of Kawartha Lakes
Township of Ramara

Staff:

T. Barnett, Coordinator, BOD/CAO
B. Longstaff, General Manager, Integrated Watershed Management
B. Thompson, Manager, Watershed Plans and Strategies
M. Walters, Chief Administrative Officer
Mike Wilson, Source Water Protection Hydrogeologist

Guests:

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

I. DECLARATIONS OF PECUNIARY INTEREST

II. APPROVAL OF THE AGENDA (Pages 1-3)

RECOMMENDED: **THAT the agenda for the meeting of Lakes Simcoe and Couchiching/Black River Source Protection Authority held on May 22, 2020 be approved as presented.**

III. MINUTES

a) Source Protection Authority (Pages 4-9)

RECOMMENDED: **THAT the minutes of the Lakes Simcoe and Couchiching/Black River Source Protection Authority Meetings No. SPA-01-19 held April 26, 2019 and SPA-01-20 held February 28, 2020 be approved as circulated.**

b) Source Protection Committee (Pages 10-31)

RECOMMENDED: **THAT the minutes of the South Georgian Bay Lake Simcoe Source Protection Committee meetings held on March 29, 2019 and October 10, 2019 be received for information.**

IV. GENERAL UPDATES

a) Source Protection Committee Chair's Report (Page 32)

South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin's report is included in the agenda.

RECOMMENDED: **THAT the Source Protection Committee update by South Georgian Bay Lake Simcoe Source Protection Committee Chair Lynn Dollin be received for information.**

b) Annual Source Water Protection Progress Report to the Ministry (Pages 33-45)

LSRCA's Source Water Protection Hydrogeologist, Mike Wilson, will provide a presentation on progress made on the Annual Report to the Ministry regarding protecting sources of drinking water. 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 to the Ministry be received for information.**

Staff Report No. 02-20-SPA prepared by Source Water Protection Hydrogeologist, Mike Wilson, regarding Annual Source Water Protection Progress Report to the Ministry is included in the agenda.

RECOMMENDED: THAT Staff Report No. 02-20-SPA regarding the 2019 source water protection annual report to the Ministry be received; and

FURTHER THAT the Annual Report be submitted to the Director of Source Protection (MECP); and

FURTHER THAT staff be directed to seek a two-year extension on the deadline for risk management plan completion.

c) Source Protection Plan - Annual Reporting Process (Pages 46-48)

LSRCA's Manager, Watershed Plans and Strategies, Bill Thompson, will provide a presentation on the Source Protection Plan annual reporting process. This presentation will be provided at the meeting.

RECOMMENDED: THAT the presentation by Manager, Watershed Plans and Strategies, Bill Thompson regarding the Source Protection Plan annual reporting process be received for information.

Staff Report No. 03-20-SPA prepared by LSRCA's Manager, Watershed Plans and Strategies, Bill Thompson, regarding the Source Protection Plan annual reporting process is included in the agenda.

RECOMMENDED: THAT Staff Report No. 03-20-SPA regarding the annual reporting requirements associated with Source Protection Plan implementation be received; and

FURTHER THAT the Lakes Simcoe and Couchiching/Black River Source Protection Authority Board of Directors support staff's recommendation to request that the Minister of Environment, Conservation and Parks initiate a review of the Regulation.

V. OTHER BUSINESS

VI. ADJOURN

MINUTES

Source Protection Authority Meeting SPA-01-19

April 26, 2019

**Lake Simcoe Region Conservation Authority
120 Bayview Parkway, Newmarket, ON**

Source Protection Authority Members in attendance:

Regional Chairman W. Emmerson, Chair	York Region (At Large)
Councillor S. Macpherson, Vice Chair	Township of Oro-Medonte
Mayor D. Bath-Hadden	Durham Region (Brock)
Mayor D. Barton	Durham Region (Uxbridge)
Mayor B. Drew	Durham Region (Scugog)
Councillor A. Eek	York Region (King)
Councillor W. Gaertner	York Region (Aurora)
Councillor P. Ferragine	Town of Bradford West Gwillimbury
Mayor V. Hackson	York Region (East Gwillimbury)
Councillor N. Harris	City of Barrie
Councillor S. Harrison-McIntyre	Town of New Tecumseth
Mayor M. Quirk	York Region (Georgina)
Councillor C. Riepma	City of Barrie
Councillor M. Taylor	Township of Severn
Regional Councillor T. Vegh	York Region (Newmarket)
Councillor A. Waters	Town of Innisfil
Councillor E. Yeo	City of Kawartha Lakes
No representative appointed	Township of Ramara

Regrets:

Councillor J. Dailloux	Township of Algonquin Highlands
Councillor K. Ferdinands	York Region (Whitchurch-Stouffville)
Councillor J. Gordon	District of Muskoka

Guests:

Mayor L. Dollin, Chair	South Georgina Bay Lake Simcoe Source Protection Committee
Councillor T. Lauer	City of Orillia (SPA appointment pending)

Staff in attendance:

T. Barnett, Coordinator, BOD/CAO
B. Longstaff, General Manager, Integrated Watershed Management
B. Thompson, Manager, Watershed Plans and Strategies
M. Walters, Chief Administrative Officer
M. Wilson, Source Water Protection Coordinator

I. WELCOME FROM CHAIR AND INTRODUCTIONS

Chair Emmerson welcomed everyone to the meeting, and all members and staff introduced themselves.

He went on to outline the three key stages of the source protection process:

- i) Technical evaluation of the watersheds and an assessment of existing water supplies and their vulnerability;
- ii) Preparation of plan containing policies to address future and existing threats/risk to municipal water supplies; and
- iii) Implementation and enforcement of policies in the plan and monitoring and review off policy effectiveness.

He was pleased to note we are now in the very final stage of the source protection process with the focus now on getting municipalities engaged and ready for the long-term implementation and enforcement of source protection.

To view this presentation, please click this link: [Sourcewater Protection Overview](#)

Moved by: W. Gaertner

Seconded by: T. Vegh

SPA-04-19 **RESOLVED THAT the presentation by Bill Thompson, Project Manager, SGBLS Source Protection Region, regarding an overview of the Source Protection Program be received for information. CARRIED**

(b) SPC Update

Lynn Dollin, Chair, South Georgian Bay Lake Simcoe (SGBLS) Source Protection Committee (SPC), provided an update on the activities of the SGBSL SPC. She thanked LSRCA staff member Bill Thompson for the great job being done, noting there is lots of work being done and progress being made by this very busy and complex region. She noted that her term as Chair ended August 2018 and she was pleased to be reappointed. She noted the region is an engaged community and she is pleased with the policies in the program. Although there have been concerns of progress taking longer than hoped, it needs to be kept in mind that this is an area of large growth and complex considerations that require more coordination.

Moved by: C. Riepma

Seconded by: D. Barton

SPA-05-19 **RESOLVED THAT the verbal update by Lynn Dollin, Chair, South Georgian Bay Lake Simcoe Source Protection Committee regarding the activities of the SGBLS Source Protection Committee be received for information. CARRIED**

(c) Annual Source Water Protection Progress Report to the Ministry

Mike Wilson, SWP Coordinator/Hydrogeologist, provided a presentation regarding the Annual Source Water Protection Progress Report to the Ministry, noting the primary goal of the annual report is to assess if threats to drinking water supplies have been reduced through the implementation of the Source Protection Plan. Secondary goals include ensuring program effectiveness and efficiency; providing accountability and transparency through public reporting; informing future budget requests; reducing uncertainty of plan success or failure; informing decision-making and implementation; and enabling more effective on-the-ground management of significant drinking water threats.

MINUTES

Source Protection Committee Meeting No. SPC-01/2019
Meeting No. 1
Office Inc! (Training Room)
54 Cedar Pointe Drive, Unit 1207, Barrie, ON
Thursday March 28, 2019
1:00 pm – 4:00 pm

MEMBERS:

Lynn Dollin, Chair

Municipal

Herb Proudley
John Boucher
Stan Wells
Don Goodyear
Katie Thompson
Kyle Mitchell

Economic/Development

Colin Elliott
David Ketcheson
David Ritchie
John Hemsted
Ian Chadwick
Rick Newlove
Colin Nisbet

Public Sector

Clayton Cameron
Bob Duncanson
Fred Ruf
Larry Slomka
Stephanie Hobbs
Dianne Corrigan
Tom Kurtz

First Nations

Liaisons

Lake Simcoe Region Conservation Authority – Ben Longstaff
Severn Sound Environmental Association – Julie Cayley
Nottawasaga Valley Conservation Authority – Doug Hevenor
Ministry of the Environment and Climate Change – Elizabeth Forrest

Staff

Kate Thomson, NVCA	Sandra Ingott, minutes, LSRCA
Mike Wilson, LSRCA	Melissa Carruthers, SSEA
Bill Thompson, LSRCA	Tara Harvey, LSRCA

Guests

Steven Holden, Barrie	Scott Lister, York Region
Jenee Wallace, SMDHU	

Regrets

Ryan Post, NVCA	Christina Wieder, SMDHU
Dan Shilling	Colin Nisbet
Debbie Korolnek	

I. WELCOME & OPENING REMARKS

All were welcomed to the meeting. A roundtable of introductions took place.

II. DECLARATION OF PECUNIARY INTEREST

No pecuniary interests were declared.

III. APPROVAL OF THE AGENDA

The agenda was approved as printed and circulated.

Moved by: Rick Newlove Seconded by: John Hemsted

RESOLVED: **THAT** the agenda for the March 28, 2019 meeting of the Source Protection Committee was approved as presented.

CARRIED BY CONSENSUS

IV. ADOPTION OF MINUTES

(a) Source Protection Committee

The minutes from the September 6, 2018 Source Protection Committee (SPC) meeting were approved as printed and circulated.

Moved by: Ian Chadwick Seconded by: Rick Newlove

An update on action items from the September 6, 2018 SPC meeting was provided. Action items re-inserted below for reference.

Action Item 1	Mike Wilson to look into the status of a well added to the Horseshoe Highlands system in Oro-Medonte.
Responsibility	Mike Wilson

Bill informed the committee that changes were in fact made; however, because of staff turnover, it was overlooked.

CARRIED BY CONSENSUS

V. ANNOUNCEMENTS

(a) Activities of the Chair & Committee

Virtual meeting with Chairs and Minister Phillips approximately a month ago. The Minister was updated on source water, what the committee does and would like to do, progress, etc.

(b) RMO Working Group

Working group meets four times a year. Next week's meeting will focus on Enforcement as they're working towards a July 1, 2020 deadline in setting up a process for an enforcement order note. These meetings are an opportunity for RMOs to share their experiences and troubleshoot.

(c) MECP Update

Susan Ecclestone, new Acting Director, Source Protection Programs Branch, started mid-February. Susan has worked for the Ministry for over 10 years and worked on the Source Protection Implementation Fund when it was in development.

MECP has been focused on Section 36 work plans and getting them through the various stages of approval. Working on a number of Section 34 amendments as well.

Source Protection information atlas updated in January. It now shows locations of PTTWs. Working to resolve some issues with location data. Tier 1 and 2 water quantity information is also available.

Draft Made in Ontario Environment Plan was posted for public comment. Received over 1,400 comments. Working to review those comments and determine if changes need to be made to the Plan.

Sourcewater funding approved for this year. Bill is meeting with the Ministry next week to discuss the SGBLS funding application.

Additional Announcements:

Dave R. offered copies of Better Farming Magazine. Article on groundwater taking with focus on Aberfoyle and some of the work being done at Nestlé. It defines some of the protocols source water has put in place.

Colin E. asked to meet with Beth to discuss the groundwater taking in north Simcoe. The Ministry informed property owners that their wells were improperly installed. Beth agreed to meet with Colin.

VI. DELEGATIONS

None.

VII. PRESENTATIONS

(a) Source Protection Overview

Bill Thompson provided a general overview and update from the Source Protection Region. Some program elements touched on are outlined below.

In 2019 the SPC will be working on the second annual report to the Minister. The report will outline programs and implementation. Other items on the agenda for the year are a review and update of the source protection plan (anticipate submitting to the Ministry in 2021 or 2022), and SPC membership renewal exercise.

SPC membership renewal - 15 members' terms will end in December. A selection committee will be struck to recruit applications, review, shortlist, and interview those individuals, and then seek appointments from the SPA. Current members interested in being reappointed to the committee are welcome to apply to rejoin. Bill to provide details at the next SPC meeting in the fall, before the process is launched.

SPP Section 36 amendment: staff undertook consultation with municipalities and others to discuss what has changed since second report and when the plan was approved, and their challenges in implementing policies. 36 items for consideration include: emerging new water quality issues, challenges with implementing some of the policies, new drinking water systems, changes the Minister requires based on changes to the technical rules. This was submitted to the province as a workplan with a projected submission date of 2022.

SPP Section 34 amendment: new regulation in Safe Drinking Water Act intended to ensure that new wells and new intakes are protected under source protection plans; municipalities can only apply for drinking water works permit if they have confirmation from the SPA that the technical work is complete; municipalities cannot provide water until the source protection plan is amended and approved. Expect to receive packages from Durham (emergency replacement well in Sunderland), York (new wells in East Gwillimbury and Aurora), and Oro-Medonte (municipality to take ownership of privately owned Braestone system). Environmental assessments are anticipated in Durham, Oro, Wasaga, and Peel in the near future, so staff will need to ensure those municipalities understand this new requirement.

A list of changes that will or may occur to drinking water systems, at some point in the future, was made based on consultations with municipalities last year. Those municipalities include: eight local municipalities in Simcoe County, Durham, Orillia, Kawartha Lakes, and Shelburne.

One Annual Reporting Working Group and two Technical Working Group meetings are projected for this year. ARWG meeting agenda items to include: evaluating information provided by RMO's and implementing bodies, i.e., is information accurate, valuable, etc.; and, RMO request to streamline the reporting process. Technical Working Group meetings are projected for late summer and fall. Agenda items are to include WHPA review and water quality issues. Working group deliberations and SPC renewal will be discussed at the next SPC meeting in September/October.

Questions/Comments:

Ian asked what the implications are of Collingwood expanding their water treatment system. Bill stated that the original technical work would need to be reviewed in order to see what impact, if any, to the intake protection zone.

Beth mentioned that funding is confirmed for this fiscal year, and starting negotiations with source protection authorities across Ontario. Funding was delayed due to new government; however, it's business as usual.

Dave K. commented on section 34 i.e. municipalities trying to get systems online, and the difficulty in getting through the provincial approval process. He also warned that Municipalities, and possibly the Ministry, should consider the additional funding required when a private communal system (un-vetted through the source protection process), comes into municipal use due to bankruptcy.

Chair Dollin asked the committee for their input regarding the opportunity of reducing the size of the SPC. This may mean only 5 representatives per sector. Beth stated that under Reg. 288, the committee can be reduced at any time. Don expressed concern over the representation over such a large watershed, and posed an idea that members who express an interest to be on the committee could offer to wave per diem and mileage. Most members present don't feel that reducing the size of this committee is viable. Bill said members whose terms are not ending in December include: Rick, Clayton, Kyle, Don, Katie, Debbie, and Ian.

Chair Dollin suggested the need to educate new members of council across the region and asked the committee for their ideas. Some of the suggestions/comments from the group included:

- Workshop for all new council members at large venue. It was noted however that some in the past were not well attended.
- Deputations at each municipality may not work due to 5 minute limit.
- Web seminar for both staff and councillors. Bill stated that source water municipal funding was used to develop a source water presentation and handout. The Sourcewater website was to provide resources to municipal staff and councillors; however, still believes there is value in a face to face approach.

Moved by: Fred Ruf

Seconded by: Herb Proudley

RESOLVED: **THAT** the presentation provided by Bill Thompson on the Source Protection Region, be received for information.

(b) Annual Reporting

Mike Wilson provided a presentation of the annual implementation progress report (reference Staff Report No. SPC-2019-01-01). Elements of the annual reporting process are outlined below.

Reports due to the province May 1, 2019:

- Annual Progress Reporting Supplemental Form for Source Protection – Answers to a set of approximately 35 questions determined by MECP and asked of various implementers of the source protection plan about progress made in implementing the Plan.
- Source Protection Annual Progress Report – a public facing document (posted on our source protection website) that outlines progress made in implementing the South Georgian Bay Lake Simcoe Source Protection Plan. This report includes a progress score and important message from the SPC.

Some key components of annual reporting include: the progress made in establishing risk management plans; completed inspections for prohibited activities and threats managed through a risk management plan; mandatory septic inspections; and, the status of the official plan updates and zoning by-law amendments.

Every municipality with significant drinking water threats (SDWT) requires an RMO. Municipalities can retain an RMO by delegating to the SPA or their CA or, the municipality can retain responsibility or delegate to another municipality.

Mike presented a map illustrating the progress to-date in negotiating RMPs across the region. A municipality is considered in-progress with regards to RMPs if at least one RMP is in-place. It is estimated that less-than 287 RMPs need to be negotiated in the next 15 months to meet the 2020 deadline. This will be a challenging task for RMOs in our region however, the rate of RMP completion increased 50% from the previous year: so we are becoming more efficient at negotiating RMPs. Also, RMOs will be directing much of their attention towards development of RMPs in 2019. RMOs have indicated that there were at least 122 RMPs considered in-progress (contact has been made with the landowner) as of December 31, 2018. That leaves 167 RMPs that have not yet been started.

In early 2015 the source protection region had 3,340 SDWTs. As of December 31, 2018, the region had 692 SDWTs. That means that 77% of SDWTs that existed at the time of source protection plan approval have been addressed through policy implementation. There are factors contributing to delays in establishing RMPs for agricultural-based and DNAPL threats in the SGBLS Region. Annual reporting results show that on average it took 22 months to complete agricultural-based RMPs in our

region. Also, RMOs are somewhat hesitant to establish RMPs for DNAPL threats as there may be changes to DNAPL policies in the future. There is also no clear guidance from the province on how to deal with some of the challenges associated with complex DNAPL threats.

Both upper and lower Tier municipalities must update their Official Plans for Sourcewater. Durham, York, Peel, and Dufferin County are in process of updating their OPA. Simcoe County has completed their OP amendment to include SWP. Although it is difficult for lower tier to complete their OPA prior to the County/Region, some have. Mike stated that some lower tier municipalities started at the same time as their upper tier municipality, and communicated what they were doing; however, it's unclear how they completed prior to upper tier and will follow-up. Don mentioned that although York is in progress of completing their OPA, they have approved Georgina's.

The deadline to complete the initial round of septic inspections was January 2017. Within our source protection region 1,970 of the 2,105 septic system inspections required have been completed. One municipality, who has not started the process yet, indicated they would complete all required inspections in 2019. Some municipalities are seeking out compliance orders in 2019 for a small number of landowners that have not cooperated in the mandatory septic inspection program.

A proposed major development could pose a threat to water quantity if pre-development infiltration is not maintained in the WHPA-Q2 area. All major development applications within the York WHPA-Q2 are being reviewed by an LSRCA Hydrogeologist to ensure pre-development infiltration is maintained on the site through use of LID measures. Where near pre-development infiltration cannot be maintained, applicants may take part in LSRCA's off-site compensation program (cash in-lieu). LSRCA successfully completed their first compensation project in WHPA-Q at the Magna Centre in Newmarket (LID project), and have recently applied similar policies across the entire watershed.

The Ministry has completed review of all prescribed instruments addressing existing SDWTs. This includes permits to take water (PTTW), Environmental Compliance Approvals (ECAs) for existing sewage works, and Nutrient Management Strategies (NMS) within the Region. For the three years spanning 2016-2018, there were eight NASM plans reviewed across the entire province. Four of these NASM plans were within the SGBLS region; however, it was determined that none of the activities associated with the NASM plans were SDWTs.

Potential issues that the SPC needs to be aware of: In order to complete the required RMPs by the 2020 deadline, some RMOs will need to increase the rate of RMP establishment s; the deadline to complete mandatory septic inspections was January 2017 and one municipality has not started their septic inspection program; and, for the

second consecutive year one municipality has not reported to the SPA by the February 1st deadline.

Due to changes with new CAO, and Public Works staff, Adjala-Tosorontio does not have an RMO, however NVCA have met with staff to discuss the potential of their providing that service to the municipality. Beth adds that under the regulations and Clean Water Act, there are pushback mechanisms (orders) that have powers behind them if a landowner refuses to sign-off on an RMP. Katie stated that a couple of RMOs mentioned that they are aware of business owners who have indicated that they will not sign an RMP until they are ordered to do so. Don suggested it should be made known to RMOs the time it would take to work through the legal process of a compliance scenario. Katie stated that MECP staff will be attending the next RMO meeting next week to speak about enforcement and the legal process.

Action Item 1	An update on Ramara and AdjTos will be provided at the next SPC meeting.
Responsibility	Mike Wilson

Action Item 2	Investigate whether other areas have had to go through the compliance process to determine a timeline.
Responsibility	Elizabeth Forrest

Next steps: determine if RMOs have a plan in-place to meet the deadline for establishing RMPs with the assistance of the SPA; SPA to seek clarification on policy direction and circumstances required for DNAPL SDWTs (mainly discussions with MECP); SPA to work with Part 8 sewage system inspectors and Chief Building Officials who did not complete mandatory septic inspections so they are completed in a timely manner (well underway); and, through the section 36 work and proposed workplan submitted in 2018, undertake a review of septic inspection methodologies used by municipal partners during initial inspections and determine a consistent method for follow-up inspections (planned workshops).

The committee was asked to consider the following key summary points which will be included in the Source Protection Annual Progress Report (report card) being submitted to MECP on May 1, 2019. Summary points are marked in bold and comments/questions are italicized below.

Item 1 - 98% of the policies that address significant drinking water threats have been or are being implemented.

What is the distinction is between “have been” and “being implemented”? Tara explained that for legally binding significant drinking water threat polices, 39% have been implemented and 61% are currently in the process of being implemented.

Item #4 - A number of municipalities with many SDWTs requiring a RMP have not yet started negotiating these RMPs. These municipalities may require assistance to complete RMPs by the deadline*

What is the number of municipalities who have not started negotiating RMPs? Mike stated that there's only a couple of municipalities with RMPs who have not started (possibly 15% may be struggling). Bill added that he asked Mike to be vague with wording as some RMOs are shared between municipalities. Two municipalities with red flags are Ramara (potentially 30+ RMPs left), and AdjTos (Potentially 30+ RMPs left).

"A number of municipalities at this time", should be worded as "According to the information received from municipalities, two municipalities have not yet started".

The comment "municipalities may require assistance" sounds like assistance in the way of financial aid. "Assistance" should be worded as "support".

Rather than "may require assistance", it should be worded as "will require assistance".

Action Item 3	Reach out to RMOs, and formulate a plan for assistance where necessary.
Responsibility	Bill Thompson

Item #3 - While 179 RMPs have been established as of December 31, 2018, the rate at which the RMPs are established will need to increase to complete all required RMPs by the 2020 deadline.

The estimated remaining number of RMPs to be completed should be emphasised.

Item #6 - All municipalities, with the exception of one, submitted their 2018 annual reports to Source Protection Authority staff.

Suggest there be further clarification that the SPC is making an effort to reach out to those municipalities.

There are three possible progress scores the SPC can choose from to rate progress on achieving source protection plan objectives i.e. *Progressing Well / On-target, Satisfactory, and Limited Progress*. Last year, the SPC rated as Satisfactory, and the SPA is recommending a Satisfactory rating again this year because of the pressure to complete all RMPs within the next 15 months, and one municipality has not started their septic inspection program.

Colin E. asked if reports are useful and if they could be simplified for the municipalities if there's no funding. Mike stated that most reports are useful; however, other than the 35 questions from MECP, some questions from the ARWG could be omitted. Bill added that he will ask the ARWG to review the information received to see if it's helpful, and suggest the SPC sent a letter to the Province suggesting they streamline reporting if there is no funding to support it.

Moved by: Rick Newlove

Seconded by: Bob Duncanson

RECOMMENDATION: **THAT** the presentation provided by Mike Wilson on the Annual Reporting, be received for information. **FURTHER THAT** the Source Protection Committee utilizes Section II of the Annual Report template to make the MECP aware of progress made on Source Protection Plan implementation, as outlined in the Issues section of Staff Report No. SPC-2019-01-01 **AND** that changes to the report be circulated to the committee members for review, **AND FURTHER THAT** the SPA staff be directed to rate progress as Satisfactory in Section II of the Annual Report template.

CARRIED BY CONSENSUS

VIII. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Moved by: John Hemsted

Seconded by: Stan Wells

RESOLVED: **THAT** the recommendations respecting items not requiring separate discussion be approved, and staff be authorized to take all necessary actions to effect those recommendations.

CARRIED BY CONSENSUS

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

XI. OTHER BUSINESS

None.

XII. CLOSED SESSION

None.

XIII. ADJOURNMENT

The next meeting of the SPC will take place in the fall. The date and location is to be determined.

Motion to adjourn the meeting was moved by Clayton Cameron at 3:16 pm.

MINUTES

Source Protection Committee Meeting No. SPC-02/2019
Meeting No. 2
Office Inc! (Training Room)
54 Cedar Pointe Drive, Unit 1207, Barrie, ON
Thursday, October 10, 2019
1:00 pm – 4:00 pm

MEMBERS:

Lynn Dollin, Chair

Municipal

Herb Proudley
Kyle Mitchell
Stan Wells
Don Goodyear

Economic/Development

Colin Elliott
David Ketcheson
David Ritchie
Colin Nisbet
Ian Chadwick

Public Sector

Clayton Cameron
Tom Kurtz
Fred Ruf
Larry Slomka
Stephanie Hobbs

First Nations

Sharday James

Liaisons

Simcoe Muskoka District Health Unit (SMDHU) – Christina Wieder
Ministry of the Environment and Climate Change – Elizabeth Forrest
Severn Sound Environmental Association – Julie Cayley
Nottawasaga Valley Conservation Authority – Ryan Post
Lake Simcoe Region Conservation Authority – Ben Longstaff

Staff

Ryan Post, NVCA	Melissa Carruthers, SSEA
Bill Thompson, LSRCA	Mike Wilson, LSRCA
Tara Harvey, LSRCA	Sandra Ingott, minutes, LSRCA

Guests

Scott Lister, York Region	Blythe Reiha, York Region
Mike Fairbanks, York Region	Danielle Marcoux, City of Barrie
John Piersol, Golder Associates	Cody Avery, SSEA
Stephanie Sabeau, City of Barrie	Steven Holden, City of Barrie

Regrets

Bob Duncanson	Rick Newlove
Dianne Corrigan	John Boucher
Debbie Korolnek	Doug Hevenor
Katie Thompson – proxy to David Ketcheson	
John Hemsted – proxy to David Richie	

I. WELCOME & OPENING REMARKS

All were welcomed to the meeting. Sharday James was introduced to the group and a roundtable of introductions took place.

II. DECLARATION OF PECUNIARY INTEREST

No pecuniary interests were declared.

III. APPROVAL OF THE AGENDA

The agenda was approved as printed and circulated.

Moved by: Colin Nisbet

Seconded by: Larry Slomka

RESOLVED: **THAT** the agenda for the October 10, 2019 meeting of the Source Protection Committee was approved as presented.

CARRIED BY CONSENSUS

IV. ADOPTION OF MINUTES

(a) Source Protection Committee

The minutes from the March 28, 2019 Source Protection Committee (SPC) meeting are to be amended as follows:

AMDENDMENT: The list of members whose terms are not ending December 2019 should have read, “Debbie” and not “Dave K.”.

Moved by: Fred Ruf

Seconded by: Herb Proudley

(b) Annual Reporting Working Group Committee

The minutes from the August 26, 2019 Annual Reporting Working Group Committee (ARWG) meeting were approved as printed and circulated.

Moved by: Herb Proudley

Seconded by: Don Goodyear

An update on action items from the March 28, 2019 SPC meeting was provided. Action items re-inserted below for reference.

Action Item 3	Reach out to RMOs, and formulate a plan for assistance where necessary.
Responsibility	Bill Thompson

Bill reached out to RMOs to see whether they were on track to complete RMPs by July 2020, and received cautiously optimistic responses. Ramara confirmed that there are 5 - 6 RMPs needed (not 30, as had been reported), all of which have been initiated. NVCA was delegated as RMO for Adj-Tos, effective July 1, 2019. Ryan stated there are 6-8 RMPs to be completed (2 in progress) - majority are in agricultural communities. Optimistic they will be completed before the deadline.

Bill also addressed a comment from Mike's presentation at the last SPC meeting regarding a municipality who had not started septic system inspections. Bill reported that they have all been completed.

CARRIED BY CONSENSUS

V. ANNOUNCEMENTS

(a) Activities of the Chair & Committee

Lynn stated that her term ended August 19, 2019 and was reappointed as Chair for a 3 year term on Sept 5.

Chairs teleconference was held on October 1st mainly to bring new Chairs up-to-date on current events.

(b) MECP Update

16 Chairs have been appointed, however, waiting for the Ministers decision on the Chairs selection for the Niagara, Sauble Bayfield, and Sudbury source protection areas.

The Ministry initiated a Phase 2 Technical Director rule changes two years ago. Some of those changes included: where you can have significant threats (fuel handling and storage for surface water), and the addition of pipelines as a prescribed threat (2017). The Ministry is ready to share recommendations and their suggestions for changes with stakeholders. Initiated stakeholder engagement sessions with source protection authorities and municipalities to inform them of these changes and get their feedback. Sessions not scheduled yet, however, communication should go out shortly. Four sessions in total will include three in person (southwest, central and eastern regions), and one teleconference for northern areas.

MECP recently had a conference call with their project managers, the Technical Standards and Safety Authority, the Ontario Energy Board, and the Canada Energy Regulator to discuss hydrocarbon pipelines (now a prescribed drinking water threat). Only six source protection areas / committees added those as a local threat in initial source protection plan development and the Ministry determined that it be added as a prescribed threat. The remainder of source protection areas / committees are to assess if these pipes would be a significant threat in their communities.

A number of s34 amendments have been submitted (initiated by the SPA) to the Province. Received 16 of 19 s36 workplans and the Minister's order issued. One amendment completed and submitted to the province. Expect final three s36 workplans to be submitted in November of this year.

Presentation:

Beth presented an overview of SPA annual reporting on plan implementation from 2018 data. The presentation included a graph that showed the percentage of legally binding significant drinking water threat (SDWT) policies that have been implemented or are being implemented, which is 98% on average across the province.

31 threat policies across the province are experiencing implementation challenges due to: time constraints; not a priority (could be non-legally binding policies); implementation timeline not yet expired; amendments could alter size and shape of a protection zone, etc.

75% of identified SDWTs across the province have been addressed, up from 73% in 2017.

In 2018 there were a total of 866 RMPs in place across the province, on over 1000 properties and addressing 2240 SDWTs. 166 s57 inspections were carried out for activities that were prohibited, with a 99% compliance rate. Contraventions existed in cases where RMPs were required, but had not yet been established. There were 957 s58 inspections carried out (857 properties), also with a 99% compliance rate, with six inspections revealing non-compliance with the contents of the RMP.

All nine Ministry program areas reported having the following processes in place: staff training on source protection; guidance documents; mapping of PIs; tracking of PIs; and screening of incoming applications. Most program areas have additional process in place, such as: tools to support stakeholders during applications, and tracking and screening of moderate and low threats. 27% of incoming applications were assessed as SDWT. In addition, 98% of existing PIs have been reviewed to ensure compliance with SDWT policies.

For municipal planning documents, 45% of municipalities have incorporated Source Protection in their Official Plans, with 44% in process or under appeal, and 11% not started. 42% of municipalities in process of ensuring Zoning By-laws are in conformity, and 23% not yet started.

Some of the tools used for education and outreach include: workshops; site visits; and, educational videos; use of education materials for general public; source protection content for websites; use of education material for a targeted audiences, etc.

1,636 signs have been installed throughout the province on provincial, municipal, and rural roadways. Over 500 signs were installed in 2018.

Incentive programs include: municipal funding for well decommissioning; municipal funding provided to address SDWTs; and, the source protection municipal implementation fund.

By 2018, 6,554 septic systems had been identified as requiring inspections. 2,271 of those systems were inspected. 52% of those inspected required no maintenance, 46% required minor maintenance, and 4% required major maintenance.

Of the 60 drinking water issues (environmental monitoring and drink water), 37% showed no change in concentration, 30% increase in trend in concentration, 15% decrease in concentration; 15% no definitive trend; and, 3% no longer had to be monitored.

13 transport pathway notices were submitted to SPAs. Actions taken included: information regarding changes in vulnerability was provided to those municipalities; provided notices of the SPA confirmation; or, continual monitoring of the situation.

Questions / Comments:

Colin E. asked why the NMP is at 89%. Beth stated that this is the information they received from OMAFRA, but said she could look into it.

Don asked what the approval time has been for s34. Beth stated that with the new government and new Minister, there were some delays, however the time for approval has decreased and is currently around 2 months.

ACTION: Beth to contact OMAFRA regarding the 89% rating for NMPs.

Lynn asked that with MNR engaging in new possible changes to the Aggregate Resource Act, whether they have consulted with the Source Protection Branch or whether the Branch will be contributing. Beth said that began a few years ago and the Branch was engaged in that. They are proposing a more rigorous application process for existing aggregate operations, seeking approval to extract vulnerable water table. This will allow municipalities and others to officially obtain an application and provide the opportunity to have their concerns heard by the Local Planning Appeal Tribunal.

Other:

Dave R. stated that since the NMP began, farm supply outfits are now being accredited under the 4R program. Colin E. stated that Severn Sound should be on that program, as should the counties around Lake Erie and Lake Ontario.

Lynn suggested Colin reach out to the representative for the Great Lakes Initiative (George Cornell).

VI. DELEGATIONS

None.

VII. PRESENTATIONS

(a) Source Protection Region Update

Bill Thompson provided a general overview and update from the Source Protection Region. Some program elements touched on are outlined below.

Many of the threats have associated education and outreach policies in the plan. Responsibility for delivering those policies is split between the SPAs and municipalities. Went through an exercise a couple of years ago (led by Sue Jagminas, LSRCA) to define the most effective way to do this. It was decided that the RMO would remain in contact with anyone who requires a RMP, and SPA would lead on broader audiences that don't necessarily need a RMP, and therefore may never meet an RMO.

Mike has been working on education and outreach related to residential fuel storage in partnership with Jim Wood from the Canadian Oil Heat Association. Mike and Jim went to a local distributor to speak with them and asked questions about the mapping the distributors use and if there's a way we can embed the WHPA mapping into the maps they use.

The Minister responded to our section 36 workplan (included in the agenda package as "Correspondence" Item 3). The Minister identified some mandatory amendments (update technical rules, add new drinking water systems, and revise policies, if necessary); the remaining items are at the discretion of the committee and authorities. The budget request for this year included funding to work on discretionary items, and was approved.

Work has begun on the s36 amendment. Melissa has been following up with staff at Oro-Medonte to pursue some of the issues and concerns with drinking water in two of their systems. Melissa has also taken the lead on some of the wells that have come online since the assessment report was approved. Ryan has taken the lead on a similar change to the water system in Stayner, as well as some work to update the mapping of percent managed lands and livestock density. LSCRA is working on background research and jurisdiction scan to see what some of the policy options may be available to the SPC/SPA to deal with issues regarding fuel storage in IPZs, future storage of DNAPLs, and the optimal expansion of policies related to salt.

The three systems currently being worked on as potential s34 amendments are: York Region (twinning in Aurora); Durham Region (Sunderland); and, Oro-Medonte (Braestone). The Braestone system is owned by a developer, however ownership will shift to the municipality. When this system shifts to the municipality it will trigger Regulation 205 under the Safe Drinking Water Act, requiring an amendment to the plan. There are 34 such systems across the Region that may or could have an expansion or change in the next few years, 17 of which the SPC / SPA are actively engaged in (with Cannington, Sunderland, Springwater, Midhurst, Collingwood, and Orangeville expected to require amendments the soonest).

The regulation for SPC membership is split evenly between municipal, industry, and other public interests (for a total of 9 to 21 members). First Nations may take seats in addition to that. Some existing members' terms will end by December 31, 2019. Members may reapply if their term is ending. Bill asked the committee to contact him if they know anyone who would be interested in joining. Larry pointed out that his name was not on the list. Bill to make the change. For members who represent industry or public interest sectors, a notice will be posted on the www.ourwatershed.ca website and in SPA offices by Nov. 11th. Appointments of municipal representatives are made by the local SPA. A letter will be sent out to municipalities in their watershed. Applications will be received until January 2020.

Questions / Comments:

Tom mentioned that the Horseshoe Highlands (zone 2, municipally owned) will be supplying water to zone 1 (owned by Skyline) and asked what the implications could be. Bill said that if the licence is amended, then the prohibition would come into place. Dave K. added that he dealt with a similar issue for a new well at Pinewood Down (down to one well). The Ministry wrote in special conditions into the DWWP that if a community is out of water, it can be turned on but only as long as it takes to fix the wells that are already registered. Once they have gone through the source water process, the special provision would no longer apply. Beth added that it is written in the regulation that exemption provisions can be provided for emergency situations.

RESOLVED: **THAT** the presentation provided by Bill Thompson on the Source Protection Region, be received for information.

Moved by: Ian Chadwick Seconded by: Don Goodyear

CARRIED

(b) Source Protection Plan and Assessment Report Update

Bill Thompson, Tara Harvey, Blythe Reiha, and Scott Lister provided an overview of a proposed amendment to the Source Protection Plan required under Regulation 205 of the Safe Drinking Water Act as a result of adding a new well (PW7) in Aurora and removing a well (PW14) in Newmarket.

Previously, work of this sort was funded by the Province and vetted through the SPC / SPA; however, the responsibility to complete the technical work has now shifted to the municipalities. Once the municipality submits their package to the SPA and it is confirmed to be complete, the SPA will go through the SPP amendment process as defined under the Clean Water Act. This process includes the SPA seeking agreement from the SPC that the amendment is “advisable”.

Overview of the technical work completed by York Region for the new Aurora PW7 production well was presented by Blythe and Scott.

The regional stratigraphy and hydrostratigraphy in the Newmarket / Aurora area has been previously studied with numerous documents describing the system. This work indicates that production wells within the Newmarket/Aurora wellfield (with the exception of Newmarket PW14) obtain water from a deep aquifer unit that is overlain by several thick confining units, which act as protective barriers to the aquifer.

York Region is proposing the addition of Aurora well PW7 to the Newmarket / Aurora wellfield and removal of Newmarket PW14 due to aging infrastructure and performance declines. In 2016 the Groundwater Exploration Program identified a suitable location at Aurora well 5 site for the new Aurora well. This location indicated that Aurora well PW7 had the ability to produce 55 L/s and is fairly well protected (~40 m of overlying confining units).

Since 2007, significant work on the groundwater flow model has been undertaken as part of the Tier 3 water budget and risk assessment study. As a result there are structural and conceptual differences between the 2007 and 2013 models. The 2013 model was the starting point for the 2019 updated groundwater flow model. The expectation is that the two models used to delineate WHPAs (2007 and 2019) will not be identical and therefore we should see some changes to the WHPAs and vulnerability assessment.

Due to recent field investigations and evaluation of data collected from continuous monitoring, the biggest model adjustments were made to the lower numerical model layers which included: reduction in hydraulic conductivity of the overlying confining unit; adjustments to horizontal hydraulic conductivity of the deep aquifer; structural adjustments to model layers; and, recharge adjustment. The model was calibrated under several scenarios and once reasonable calibration was achieved the model was deemed fit for forecasting purposes, such as delineating wellhead protection areas.

Wellhead protection areas are generated by using the output from the groundwater flow model as the input for the particle-tracking program. Particle tracking is achieved by placing virtual groundwater particles around the production well and reverse tracking to their point of entry within the model domain. Using time markers you can distinguish the spatial extent of the 2, 5, and 25 year times of travel (i.e. WHPA-B, WHPA-C, and WHPA-D). The results of the 2019 WHPA delineation are similar to existing WHPAs.

The intrinsic vulnerability (used in conjunction with WHPAs to determine vulnerability scores) was also determined using particle tracking, where particles are placed at the simulated water table and forward tracked to their point of termination. The 2007 work calculated the simulated water table to be within the both the shallow and deep aquifers (where production wells are screened); however, new shallow monitoring data since 2007 indicates that the deep aquifer is saturated. Thus, the 2019 work calculated the simulated water to only be within the shallow aquifer, above the confining units and resulting in an intrinsic vulnerability of 'low' for the entire wellfield.

Evidence to support the intrinsic vulnerability category of 'low' can be found from the analysis of chloride concentrations. Road salt applications began more than 45 years ago yet deep production wells installed more than 40 years ago have low chloride concentrations (well below aesthetic objective) which is in contrast to high concentrations in the shallow production well (Newmarket PW14) which is clearly impacted by road salt. This chloride analysis indicates that it takes more than 25 years to get through the system to the deep production wells.

The original threats assessment was completed by Stantec in 2010 and hundreds of potential significant threats were identified. Over the past nine years York Region have completed surveys with local businesses and farmers in the area and removed a large number of those threats. Since 2014, 79 RMPs have been completed, with only 11 remaining. As a result of the expanded WHPAs, York Region completed a windshield survey and used Google maps to identify new potential threats. No new threats were found. It was determined that four sites with existing RMPs for DNAPL and fuel will have fuel removed from the RMP as a result of the decreased vulnerability scoring. York Region has notified all local municipalities affected to ensure they know a council resolution is required and to see how these changes might impact them with new proposed developments.

Screening of Policy Suitability was presented by Tara.

The 2019 threat assessment identified that there were no new significant threats from the expanded WHPA areas, and that four fuel threats would be removed. Overall, there are no changes to the type of threats in the Newmarket and Aurora well field, and therefore no need for changes to any policies.

RECOMMENDATION: **THAT** Staff Report No. 2019-02-01 be received for information and **FURTHER THAT** the Source Protection Committee agree that the proposed revisions to the Aurora/Newmarket wellhead protection area mapping and assessment report are advisable.

Moved by: Don Goodyear

Seconded by: Larry Slomka

CARRIED

(c) Prohibition of Commercial Fertilizer Application in the Lafontaine / Georgian Sands area

Melissa Carruthers provided an update on the prohibition of the application of commercial fertilizer on residential lawns within the Lafontaine and Georgian Sands ICA as well as the education and outreach efforts that accompanied the prohibition.

The Lafontaine and Georgian Sands system has a nitrate Issue Contributing Area identified, associated with average nitrate levels of 5-6 mg/L. Based on policies in the plan, the application of fertilizer containing nitrates is prohibited. All other areas require an RMP.

Surveys were sent out to various residential property owners to find out if they were using fertilizers that could require a prohibition or RMP, 57% of whom were in the area requiring a prohibition. 75% of surveys were returned, 86% said they were not applying commercial fertilizer. After approaching the township, a blanket prohibition for that area (excluding farm areas where RMPs are still being done) was agreed upon and endorsed by council. The blanket prohibition included 270 properties (municipal and residential).

A letter was sent out early August to affected property owners to explain the prohibition. It suggested alternatives to commercial fertilizer, more information on why it was being prohibited, including link to health impacts, background on the source protection program, and a tracking sheet to document property maintenance. An invitation to the open house held on August 24th was also included. Council members, town staff, health unit, master gardeners, and a farmer in the area who has signed a RMP attended the workshop. The prohibition letter and open house resulted in a reduced total of RMPs from 62 to 21 in 2019.

Questions / Comments:

Ian asked how this will be enforced. Melissa said by physical property inspections, phone calls, etc. Ian suggested that local hardware stores, contractors, etc. that sell or use commercial fertilizer are also educated. Melissa said that will be the next stage.

RECOMMENDATION: **THAT** the information provided by Melissa Carruthers on the prohibition and education and outreach for application of commercial fertilizer on residential lawns within the Lafontaine and Georgian Sands WHPAs be received for information.

Moved by: Stephanie Hobbs Seconded by: Herb Proudley

CARRIED

VIII. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Item No. 1 was identified as not requiring separate discussion.

Moved by: Clayton Cameron Seconded by: Dave Ketcheson

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

XI. OTHER BUSINESS

None.

XII. CLOSED SESSION

None.

XIII. ADJOURNMENT

The next meeting of the SPC will take place first week of April 2020. The date and location is to be determined.

The meeting was adjourned at 3:45 pm.

Moved by: Stan Wells Seconded by: Fred Ruf

South Georgian Bay Lake Simcoe Source Protection Region

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

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

Date: May 4, 2020

Re: **Source Protection Committee Update**

It is my pleasure to bring you a brief update from the Source Protection Committee since the last Lakes Simcoe and Couchiching / Black River Source Protection Authority meeting.

The Source Protection Committee has met twice since my last report. On October 2019, the Committee discussed a proposed amendment to the Source Protection Plan for a new well being added to the York Region drinking water system. Amendments of this sort are now required before the Ministry of Environment, Conservation and Parks will issue an amended Drinking Water Works Licence, in order to ensure that all new wells receive the same level of protection under the Source Protection Plan as pre-existing wells. I understand, in working with LSRCA staff, that similar amendments will be initiated to support other municipalities in this watershed in the coming months.

At your last meeting, you appointed members to the Source Protection Committee, to fill vacancies created by the December 31st term limits. Of those, four are new appointees to the Committee. Since that time, the Severn Sound Environmental Association has also appointed two new municipal representatives (Andy Campbell from the Town of Midland, and Jeff Hamelin from the Town of Penetanguishene). One final municipal representative remains to be appointed by the Nottawasaga Valley Conservation Authority to represent municipalities in their watershed. Since the appointments, staff and I provided a Q&A session for new members and provided them with short videos about the Source Protection Program, to act as an orientation to this new role.

At our most recent meeting on April 30th, we discussed the 2019 annual report on implementation progress. This report tracks the work that municipalities, Risk Management Officials and Provincial Ministries have done to implement our Source Protection Plan. The Committee was very impressed by the amount of work done to date in Significant Drinking Water Threats; however, there is concern around the pending July 2020 deadline for completing all Risk Management Plans. The Committee endorsed a proposal by staff to seek a two-year extension on that deadline, to help manage delays caused by the COVID-19 pandemic, and to ensure that municipal Risk Management Officials have sufficient time to build relationships with all affected landowners.

Thank you for your time,
Lynn Dollin
Chair

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Agenda Item No: IVb) SPA-02-20

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

FROM: Mike Wilson, Source Water Protection Hydrogeologist
Lake Simcoe Region Conservation Authority

DATE: May 4, 2020

SUBJECT: Annual Source Water Protection Progress Report to the Ministry

RECOMMENDATION: THAT Staff Report No. 02-20-SPA regarding the 2019 Source Water Protection Annual Report to the Ministry be received; and

FURTHER THAT the Annual Report be submitted to the Director of Source Protection (MECP); and

FURTHER THAT staff be directed to seek a two-year extension on the deadline for risk management plan completion.

Purpose of Staff Report:

The purpose of this Staff Report No. 02-20-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 of Source Protection (MECP) and seek an extension of two years on the deadline for risk management plan completion.

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 (SPA) report to the Director of Source Protection (MECP) 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 reduced 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. Most municipalities have successfully negotiated some of their required risk management plans (RMPs). Ontario ministries have completed the task of reviewing previously issued provincial approvals (prescribed instruments such as Nutrient Management Plans) where they have been identified to address existing activities that may pose a risk to sources of drinking water.

Issues:

At their most recent meeting, the Source Protection Committee reviewed the data provided to Source Protection staff 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.
- It is estimated that 86% of existing significant drinking water threats have been mitigated through policy implementation.
- 232 RMPs have been established and an estimated 140 RMPs remain to be negotiated across the Source Protection Region. Historic rates of RMP establishment suggest the July 2020 deadline is unlikely to be met. In addition, the rate of RMP negotiation in the final months leading up to the deadline will be significantly impacted by the COVID-19 pandemic.
- The initial round of on-site sewage systems has been successfully completed in accordance with the Ontario Building Code.

Prior to the COVID-19 outbreak, most Risk Management Officials (RMOs) indicated they had a plan in place to complete their RMPs by the 2020 deadline. For some, however, this represents a significant workload that they may not have the resources to complete. SPA staff will continue to work with RMOs, particularly those with limited time and resources to dedicate to source water protection. This may include facilitating sharing RMP templates and continuing to make the annual reporting process more efficient.

The Source Protection Committee recommends that SPA staff seek a two-year extension on the deadline for risk management plan completion. Upon endorsement by the SPA Board, staff will seek provincial approval for an extension to the RMP deadline.

The SPC noted that in the process of negotiating completed and in-progress RMPs, Risk Management Officials have provided education to businesses and landowners and have built strong relationships that will help to ensure that drinking water sources are protected well into the future. Accordingly, the Source Protection Committee has indicated that it is satisfied with the current rate of progress on plan implementation.

Summary & Recommendations:

The various implementers of the South Georgian Bay Lake Simcoe Source Protection Plan have submitted their 2019 annual reports to the SPA as required under the *Clean Water Act*. The reports show that implementation of the Plan is currently progressing at a satisfactory rate. Most Plan policies are progressing in accordance with the timelines specified in the Plan.

The estimated number of RMPs still to be negotiated, along with historic rates of RMP establishment, suggests the July 2020 deadline is unlikely to be met. Many RMOs in our Source Protection Region are not allocated full time to that position, making progress on RMP negotiation slower than anticipated. In addition, the final four months before the 2020 deadline is being significantly impacted by the COVID-19 pandemic. Accordingly, staff are seeking the Lakes Simcoe and Couchiching/Black River Source Protection Authority’s support to request MECP grant a two-year extension to the July 2020 deadline for our region’s RMP establishment.

It is therefore RECOMMENDED THAT Staff Report No. 02-20-SPA regarding the 2019 Source Water Protection Annual Report to the Ministry be received; and FURTHER THAT the Annual Report be submitted to the Director of Source Protection (MECP); and FURTHER THAT staff be directed to seek a two-year extension on the deadline for risk management plan completion from the MECP.

Pre-Submission Review:

This staff report has been reviewed by LSRCA’s General Manager, Integrated Watershed Management and Chief Administrative Officer.

Prepared by: Mike Wilson, P. Geo., Source Water Protection Hydrogeologist

Signed by:

Ben Longstaff
General Manager,
Integrated Watershed Management

Signed by:

Mike Walters
Chief Administrative Officer

Attachment: Source Protection Annual Progress Report – South Georgian Bay Lake Simcoe Source Protection Plan

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 - December 31, 2019

Ourwatershed.ca

Water
is life.
Protect
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Source Protection Annual Progress Report | 05/01/2020

I. Introduction

This annual progress 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, as required by the Clean Water Act and its regulations for the 2019 calendar year.

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 will ensure that activities carried out in the vicinity of municipal drinking water supply wells and lake-based drinking water intakes will not pose a significant risk to those supplies.



II. A message from your local Source Protection Committee

Our progress score on achieving source protection plan objectives this reporting period:

P : Progressing Well/On Target – The majority of the source protection plan policies have been implemented and/or are progressing.

● **S : Satisfactory** – Some of the source protection plan policies have been implemented and/or are progressing.

L : Limited progress – A few of source protection plan policies have been implemented and/or are progressing.

Given only 3 possible progress scores, the Source Protection Committee (SPC) rates progress in the 2019 reporting period as “Satisfactory”. The SPC wishes to acknowledge, however, the exceptional progress made by the various implementers in addressing the enormous number of potential threats to drinking water within this vast and diverse region. Another important point of success to acknowledge is the number and quality of collaborative relationships that have been built, which will serve as a foundation for future endeavours. The main challenge in meeting our 2020 target is the completion of risk management plans. However, the SPC has seen evidence that Risk Management Officials have spent their time wisely building relationships with landowners that will ensure our sources of drinking water are protected well into the future.

As of December 31, 2019, 232 risk management plans (RMPs) have been established. However, completion of the estimated 140 outstanding RMPs by the July 2020 deadline is unlikely, especially given the impact of the current COVID-19 pandemic on the RMOs' ability to negotiate RMPs in the final months leading up to the deadline.

Of the policies that address significant drinking water threats in our Plan, 98% have been or are being implemented, and 86% of the existing significant drinking water threats have been addressed through policy implementation. In addition, municipalities have successfully completed the first round of septic inspections and have started the second round of inspections. All municipalities have submitted their 2019 annual reports. 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.

III. Our Watershed

To learn more, please read our assessment report(s) and source protection plan(s).

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 about 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 water 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.

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 included 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 four years ago, much has been accomplished. To date, 100% of the legally binding policies that address significant drinking water threat activities have been implemented (40%), are in the process of being implemented (55%), or have been evaluated and determined no further action is required (5%). The plan sets out timelines for policy implementation and many of the policies not already implemented have approximately half a year for this process to be completed.

P: Progressing Well/On Target

2. Municipal Progress: Addressing Risks on the Ground

Of the 52 municipalities (upper, lower and single-tier) that have lands 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 9 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 take the next step 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. Official Plans have either been amended or are being reviewed for inclusion of source protection requirements. Of the 43 municipalities that are subject to source protection plan policies, 41 have amended or are in the process of amending their Official Plan to conform with the source protection plan for our region. The review and amendment process at the upper tier municipality is required prior to the lower tier completing their process.

P: Progressing Well/On Target

3. Septic Inspections

Within our source protection region, 2100 septic systems are required to be inspected as part of the 5-year inspection cycle. We are currently in the middle of the second round of inspections, which are to be completed by January 2022. To date, 26% of on-site sewage systems have been inspected in accordance with the Ontario Building Code in the second round. Inspection results found the majority of those inspected (95%) were either functioning properly or required only minor, regular maintenance such as a tank pump-out.

P: Progressing Well/On Target

4. Risk Management Plans

232 risk management plans have been established in our source protection region as of December 31, 2019 with 53 of those being completed within the 2019 calendar year.

157 inspections have been carried out in 2019 by a Risk Management Official/Inspector (RMO/I) for prohibited or regulated activities. There is a 99.6% compliance rate with the risk management plans established in our source protection region.

We have made significant progress in establishing RMPs however it will be challenging to meet the 2020 deadline. It is difficult to gauge exactly how many Significant Drinking Water Threats will be removed through threats verification work (and therefore not require an RMP). For RMOs representing municipalities that have RMPs remaining, the rate of RMP establishment will need to increase.

S: Satisfactory

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 5 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 process to screen all new applicable approval applications.

P: Progressing Well/On Target

6. Source Protection Awareness and Change in Behaviour

To raise awareness about the protection of local drinking water sources, municipalities across the South Georgian Bay Lake Simcoe region have installed 29 drinking water protection zone signs in 2019 on municipal roads surrounding vulnerable areas, for a total of 268 signs. In addition, 14 signs have previously been installed on provincial highways.

To further raise awareness about the protection of local water sources and to manage fertilizer threats in the Georgian Sands / Lafontaine drinking water systems, Severn Sound Source Protection Authority, in collaboration with the Township of Tiny, hosted an open house specific to the fertilizer prohibition policy. The open house was a vehicle to share information about the policy and to provide residence additional information on health considerations and alternatives to commercial fertilizer.

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
- Chloride

An increasing concentration/trend has been observed.

The City of Barrie is developing Risk management plans based on the Threat Based Approach and all City contractors are Smart about Salt certified.

Penetanguishene - Robert Street West Supply Well

Issue contributing area for:

- TCE

A decreasing concentration/trend has been observed.

Brock - Cannington Well Supply - Arena Well Field

- TCE

No change in concentration/trend has been observed.

Severn - Coldwater Well Supply

Issue contributing area for:

- TCE

A decreasing concentration/trend has been observed.

Tiny Township - Lafontaine Well Supply

Issue contributing area for:

- Nitrate

An increasing concentration/trend has been observed.

Tiny Township - Georgian Sands Well Supply

Issue contributing area for:

- Nitrate

No change in concentration/trend has been observed.

9. More from the Watershed

To learn more about our source protection region/area, visit:

www.ourwatershed.ca

Education and outreach is an important part of implementing Source Protection. Source Protection Authorities, Municipalities and RMOs within the region continue to engage the community through site visits, media, workshops, etc. In 2019 the Lake Simcoe & Couchiching Black River Source Protection Authority, in collaboration with the Ontario Petroleum Transporters and Technicians Association, conducted several fuel workshops with fuel providers within the South Georgian Bay Lake Simcoe Region. These workshops were instrumental in increasing awareness of source water protection, the importance of protecting local water sources, location of vulnerable areas, and determining strategies that fuel providers can use to protect sources of drinking water.

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Agenda Item No: IVc) SPA-02-20

TO: LSCBR Source Protection Authority

FROM: Bill Thompson, Manager – Watershed Plans and Strategies
Lake Simcoe Region Conservation Authority

DATE: May 15, 2020

SUBJECT: Source Protection Plan - Annual Reporting Process

RECOMMENDATION: THAT Staff Report No. 03-20-SPA regarding the annual reporting requirements associated with Source Protection Plan implementation be received; and

FURTHER THAT the Lakes Simcoe and Couchiching/Black River Source Protection Authority Board of Directors support staff’s recommendation to request that the Minister of Environment, Conservation and Parks initiate a review of the Regulation.

Purpose of Staff Report

The purpose of this Staff Report No. 03-20-SPA is to outline the work involved around annual reporting under the Provincial Regulation and to seek the support of the Source Protection Authority Board of Directors to request a review of this Regulation by the Minister of Environment, Conservation and Parks.

Background:

The *Clean Water Act* establishes a framework for reporting on the progress in implementing Source Protection Plans. Under the Act, all implementing bodies (including municipalities) are to report to the Source Protection Authority (SPA) by February 1 of each year, and the SPA is to compile this information and submit a Region-wide report to the Director of the MECP’s Source Protection Program Branch by May 1st of each year.

The annual reporting questions posed to implementing bodies come from three sources:

- 1) Regulation 287/07 under the *Clean Water Act*,
- 2) MECP staff, and
- 3) questions developed for local implementers by the South Georgian Bay-Lake Simcoe Source Protection Committee.

It is important to note that only those questions posed by the MECP form the basis of the May 1st report, while answers to questions under the Regulation do not need to be submitted unless specifically requested, which to date has not occurred.

This annual reporting process is an extremely valuable part of the Source Protection program, as it ensures that SPA staff remain aware of the state of progress made by implementing bodies and supports staff in providing this information in a presentation to the SPA Board, and Source Protection Committee, on an annual basis.

Issues:

Risk Management Officials (RMOs) who are responsible for completing these reports have indicated that meeting the reporting requirements is a significant workload taking multiple days to complete. In addition, the large reporting burden combined with regular RMO duties and a lack of clarity in some of the questions asked, resulted in concerns that the quality of some answers may have been compromised.

As a result of these concerns, staff worked with the Source Protection Committee and MECP to reduce the number of non-regulated questions. These efforts have led to the list of questions being reduced by approximately one-half from 121 to 60.

While the reduction in question has lessened RMO workload, there remains a significant workload in answering questions required under O. Reg. 287/07, which neither the SPC nor MECP staff have the authority to revise. These questions include a requirement that RMOs report, on an annual basis, the details of every:

- Risk Management Plan negotiated,
- Risk Management Plan rejected by the RMO,
- Order issued,
- Notice issued,
- Inspection carried out, and
- Prosecution carried out.

In each case, 'details' include the location, including well or drinking water system that it pertains to, and which of the designated activities it addresses. As there is an estimated 372 Risk Management Plans required in the Source Protection Region, and as each plan will require

periodic inspections, this represents a significant and on-going workload in data entry for Risk Management Officials.

These details have been required to be submitted by Risk Management Officials since 2016. LSRCA, working with its local Source Protection Authority partners, has developed mechanisms for Risk Management Officials to meet these reporting requirements. In that time however, MECP has not asked to have this information submitted to the Province, which suggests that the time spent filling in this data has not been a good use of Risk Management Officials' time.

Source Protection Authority staff are of the opinion that the Regulation could be revised to read that Risk Management Officials retain this information and make it available upon request to the Province. Staff is of the opinion that this would achieve the same goal, with a reduction in what appears to be unnecessary process.

Summary & Recommendations:

The *Clean Water Act* creates a framework for implementing bodies to report annually on progress being made in implementing the Source Protection Plan. This reporting process is valuable; however, some questions which exist in Regulation require extensive amount of time for data entry, and do not appear to be used by the Ministry.

It is therefore RECOMMENDED THAT Staff Report No. 03-20-SPA regarding the annual reporting requirements associated with Source Protection Plan implementation be received; and

FURTHER THAT the Lakes Simcoe and Couchiching/Black River Source Protection Authority Board of Directors support staff's recommendation to request that the Minister of Environment, Conservation and Parks initiate a review of the Regulation.

Pre-Submission Review

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

Prepared by: Bill Thompson, Manager, Watershed Plans and Strategies

Signed by:

Ben Longstaff
General Manager,
Integrated Watershed Management

Signed by:

Mike Walters
Chief Administrative Officer