

CREDIT VALLEY SOURCE PROTECTION AUTHORITY

Friday, April 13, 2018
CVC Administration Office
1255 Old Derry Road, Mississauga, ON

MEMBERS

N. (Nando) Iannicca (Chair)
D. (Don) MacIver (Vice Chair)
T. (Tom) Adams
J. (John) Brennan
G. (Gail) Campbell
D. (Dave) Cook
J. (Johanna) Downey
B. (Bob) Inglis
M. (Martin) Medeiros
M. (Michael) Palleschi
K. (Karen) Ras
R. (Ron) Starr

Pages

1. APPROVAL OF AGENDA

Recommended Resolution:

RESOLVED THAT the agenda be approved as distributed.

2. DECLARATION OF CONFLICT OF INTEREST

3. MINUTES OF PREVIOUS MEETING

Recommended Resolution:

RESOLVED THAT the minutes of the 20th meeting of the Credit Valley Source Protection Authority held October 13, 2017 be adopted.

4. PRESENTATION / DELEGATION

5. BUSINESS ARISING FROM MINUTES

6. NEW BUSINESS STAFF REPORTS

6.1 ANNUAL REPORTING - DRINKING WATER SOURCE PROTECTION

PROGRAM

A report on the above mentioned subject as submitted by Kerry Mulchansingh, Program Manager, Hydrogeology; and Gayle Soo Chan, Director, Watershed Knowledge is included in the agenda package as Schedule 'A'

Recommended Resolution:

RESOLVED THAT the report entitled "Annual Progress Reporting – Drinking Water Source Protection Program" be received and appended to the minutes of this meeting as Schedule 'A'; and further

THAT the CVSPA endorses the recommendation of the CTC SPC to report to the Ministry of the Environment and Climate Change that the CTC Source Protection Plan is progressing well and is on target to full implementation within the timelines outlined in the Plan.

7. CORRESPONDENCE/INFORMATION ITEMS DISTRIBUTED TO MEMBERS
8. NOTICE OF MOTION
9. QUESTION PERIOD
10. OTHER BUSINESS
11. MEETING ADJOURNED

TO: The Chair and Members
of the Board of Directors,
Credit Valley Source Protection Authority (CVSPA)

SUBJECT: ANNUAL REPORTING - DRINKING WATER SOURCE
PROTECTION PROGRAM

PURPOSE: Secure endorsement from the CVSPA to report to the Ministry of the Environment and Climate Change that the CTC Source Protection Plan is progressing well and is on target to full implementation within the timelines outlined in the Plan.

BACKGROUND:

The Credit Valley – Toronto and Region – Central Lake Ontario (CTC) Source Protection Plan was approved by the Minister of the Environment and Climate Change in July 2015 and became effective on December 31, 2015. Municipalities, source protection authorities (SPAs), and various provincial ministries have been implementing policies within the plan since it became effective.

The CTC Source Protection Committee (CTC SPC) had a variety of policy tools available in developing Source Protection Plan policies, including specific prescribed instruments and land use planning powers under the *Clean Water Act, 2006*. The legislation also introduced new powers (Part IV Powers) which allow specific activities to be regulated (prohibited or managed) in areas where these activities are, or could be, a significant drinking water threat. Lastly, the Committee had access to a number of 'softer' tools, such as education and outreach or incentive programs, which could be used to address existing or future significant drinking water threats, in combination with other 'tools' or alone.

The *Clean Water Act (CWA), 2006* establishes a requirement for annual progress reporting by the SPA to the Ministry of the Environment and Climate Change (MOECC) by May 1st for the previous calendar year. Those responsible for the implementation of policies in the CTC Source Protection Plan submitted a report of their activities between January 1st and December 31, 2017 by February 1, 2018. Staff summarized the content of these reports and presented this information to the CTC SPC for their review on March 21, 2018. The CTC SPC is required to comment on the extent to which, in their opinion, the objectives set out in the source protection plan are being achieved. Comments received from the CTC SPC are being presented to the Credit Valley, Central Lake Ontario, and Toronto and Region Source Protection Authorities in April 2018 prior to submission to the province.

ANALYSIS:

The MOECC has provided three different categories (progressing well/on target; satisfactory/limited progress; no progress) for source protection committees to select from in commenting on the extent to which the objectives set out in the source protection plan are being achieved. The CTC SPC communicated that the CTC SPP is progressing well in its implementation and is on target to all policies being executed within the timelines outlined in the plan. A summary of CTC SPP implementation follows below:

Prescribed Instruments (Timeline for Implementation: December 2018)

Description	Status
<p>Prescribed instruments (PIs) are existing, regulatory tools under specific pieces of provincial legislation.</p> <p>These prescribed instruments allow the regulatory authority to impose conditions on existing and/or future activities that can be used to protect drinking water.</p> <p>Using existing regulatory tools such as Environmental Compliance Approvals under the <i>Environmental Protection Act, 1990</i>, avoids regulatory duplication. This means that, rather than creating a new tool, a policy in a SPP would point to an already-existing tool that fulfills the objective of the policy.</p>	<p>All Ministries responsible for issuing Prescribed Instruments to conform with policies in the CTC SPP have integrated source protection practices into their business processes.</p> <p>MOECC (waste disposal sites, wastewater/sewage) intends to review PIs within 3 years from the time the CTC SPP took effect (i.e., by December 31, 2018); where appropriate these PIs would be amended within 12 months of the review based on a prioritized review of Environmental Compliance Approvals that govern significant drinking water threat activities.</p>

Part IV Tools (Timeline for Implementation: December 2020)

Description	Status
<p>A Risk Management Plan (RMP) is a plan to manage a threat activity in an area where it is, or could be, a significant drinking water threat, which may include responsibilities and protocols of the person engaged in the threat activity. Risk Management Plans are intended to be negotiated between a Risk Management Official (RMO) and a person engaging in the threat activity. There are six RMOs operating in the CVSPA jurisdiction.</p> <p>Prohibition of certain activities was employed by the CTC SPC for both existing and future activities. The</p>	<p>44 of 77 existing significant drinking water threats in the CVSPA have been managed through established RMPs since the CTC SPP took effect.</p>

<p>prohibition of existing activities was only exercised when the Committee was convinced there was no other method to reduce risk to the drinking water source, or the degree/level of risk that the activity posed was unacceptably high or severe that it may not be permitted to continue.</p> <p>Section 59 notices ensure that activities in designated areas are assessed by the RMO to ensure compliance with either RMP or prohibition policies before the municipality issues a building permit or planning approvals. These Notices, when implemented prevent the unintentional approval of activities that are a significant threat to municipal drinking water.</p>	<p>14 <i>existing</i> significant drinking water threats in the CVSPA have been prohibited since the CTC SPP took effect</p> <p>All municipalities have established business processes to 'flag' potential significant drinking water threats.</p> <p>153 Section 59 notices were issued in the CTC SPR (in TRSPA and CVSPA - reporting combined for Peel Region) for activities to which neither a prohibition, nor a RMP applied since the CTC SPP took effect.</p> <p>7 Section 59 Notices were issued in the CVSPA for activities to which a RMP policy applied since the CTC SPP took effect.</p>
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Land Use Planning (Timeline for Implementation: December 2020)

Description	Status
<p>Land use planning policies could fall under the <i>Planning Act, 1990</i> or the <i>Condominium Act, 1998</i>. These policies may manage or eliminate (through prohibiting it from being established) a future threat activity through a land use policy that is implemented through land use planning decisions (such as Official Plans, Zoning By-laws and Site Plan Controls).</p> <p>Under Section 40 of the <i>Clean Water Act, 2006</i>, the Council of a municipality or a municipal planning authority that has jurisdiction in an area to which the source protection plan applies is required to amend its official plan to conform with the significant threat policies and designated Great Lakes policies set out in the source protection plan.</p>	<p>All municipalities are implementing the land use planning policies in the CTC SPP.</p> <p>The County of Wellington completed their Official Plan conformity exercise in 2015.</p> <p>The Town of Mono is currently consulting on a proposed Official Plan and Zoning By-Law Amendment to incorporate policies in the CTC SPP.</p> <p>The Region of Peel has begun the preparation of their Official Plan amendment.</p>

SCHEDULE 'A'
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Education and Outreach (Timeline for Implementation: December 2017)

Description	Status
Approaches used to inform stakeholders about the actions they can and should take to protect municipal drinking water without compelling compliance through approvals, permits, or enforcement.	All municipalities have implemented source protection related education and outreach initiatives including the development and distribution of educational materials, in-person workshops, content for websites, educational videos, presentations at schools, and / or water treatment plant tours.

Incentive Programs (Timeline for Implementation: December 2017)

Description	Status
Provide the positive motivation for a voluntary change in behaviour. Such approaches are not solely monetary in nature, but could include discounted fees or recognition.	<p>Such policies in the CTC SPP were for the municipality to consider providing incentive programs to encourage actions to reduce the risks to source water.</p> <p>A number of municipalities have provided financial support in favour of incentive programs including:</p> <ul style="list-style-type: none"> - Well decommissioning grant program to eliminate transport pathways (Peel); - Financial assistance to rural landowners (Wellington); - Subsidized sale of rain barrels (Orangeville, Halton); and - Toilet rebate program (Halton).

Specify Action (Timeline for Implementation: December 2017)

Description	Status
<p>These policies specify an action to be taken to achieve the SPP objectives.</p> <ul style="list-style-type: none"> • Septic System Inspection Program • Establish Research Program • Monitoring Programs 	<p>The Town of Orangeville has established a research program to determine the impact, if any, of the Town's Water Pollution Control Plan outfall on increasing sodium and chloride levels at one of its municipal wells.</p> <p>The Town of Orangeville and the Region of Halton are undertaking monthly water quality monitoring at municipal wells with increased sodium, chloride, and nitrate concentrations. CVSPA staff have been</p>

	<p>providing technical support to both municipalities.</p> <p>Over 99% of the required sewage system inspections have been completed in accordance with the timeline outlined in the Mandatory Septic System Inspection Protocol, including 127 inspections completed in the County of Wellington.</p>
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COMMUNICATIONS PLAN:

To comply with the annual reporting requirements under the *Clean Water Act, 2006*, the CTC SPR will submit the Annual Progress Reporting Supplemental Form to the MOECC by May 1, 2018. In addition, the CTC SPR will post the Source Protection Annual Progress Report, the 10-page summary report from the CTC SPC, on the CTC SPR website (www.ctcswp.ca) on May 1, 2018.

FINANCIAL IMPLICATIONS

Funding has been provided to Toronto and Region Conservation Authority (as the Lead Source Protection Authority in the CTC SPR) through a transfer payment agreement with the MOECC. The financial resources to support CVC staff time to advance and maintain the Drinking Water Source Protection Program are provided through this Agreement.

RECOMMENDED RESOLUTION:

RESOLVED THAT the report entitled “Annual Progress Reporting – Drinking Water Source Protection Program” be received and appended to the minutes of this meeting as Schedule ‘A’; and further

THAT the CVSPA endorses the recommendation of the CTC SPC to report to the Ministry of the Environment and Climate Change that the CTC Source Protection Plan is progressing well and is on target to full implementation within the timelines outlined in the Plan.

Submitted by:



Kerry Mulchansingh
Program Manager, Hydrogeology



Gayle SooChan
Director, Watershed Knowledge

Recommended by:



Deborah Martin-Downs
Chief Administrative Officer