

For Information

DATE: October 21, 2011

REPORT TITLE: **CLEAN WATER ACT- SOURCE PROTECTION PLAN AND POLICIES
PRE-CONSULTATION WITH MUNICIPALITIES STATUS UPDATE**

FROM: Dan Labrecque, Commissioner of Public Works

OBJECTIVE

The purpose of this report is to provide an update on municipal response to the Source Protection Plans and Policies and Pre-Consultation exercise. Formal comments will be prepared by the Region of Peel staff and communicated to the Source Protection Authorities.

REPORT HIGHLIGHTS

- Under the *Ontario Clean Water Act, 2006*, Source Protection Authorities (SPAs) must develop policies which address significant drinking water threats as identified in the Source Protection Plans.
- SPAs in the Region of Peel have now developed the draft policies and are carrying out the pre-consultation exercise with the municipalities.
- Municipalities will implement the Source Protection Plans and Policies and must be pre-consulted with by the SPAs
- Regional and Municipal Clerks have received Pre-Consultation Notices and draft policies from South Georgian Bay Lake Simcoe (SGBLS), Credit Valley, Toronto and Region, Central Lake Ontario (CTC), and Halton-Hamilton (H-H) SPAs.
- The draft Source Protection Plans and Policies are being reviewed by the Region of Peel, Cities of Brampton, Mississauga and Town of Caledon staff and will provide written comments back to the Source Water Protection Authorities.
- Mark Schiller the Director of Water was appointed by Regional Council under resolution to represent area municipalities.
- Impacts from Source Water Protection are anticipated to be manageable in Peel, with more emphasis in the ground water Municipal supply areas.
- There is no requirement under the *Ontario Clean Water Act, 2006* for municipal councils to endorse these draft policies or make comment. However, Peel staff will undertake to prepare formal comments to the Source Protection Agencies.

October 21, 2011

PW-EI - 2 -
**CLEAN WATER ACT- SOURCE PROTECTION PLAN AND POLICIES PRE-CONSULTATION
WITH MUNICIPALITIES STATUS UPDATE**

DISCUSSION

1. Background

The *Ontario Clean Water Act, 2006* and the associated Regulations have prompted the formation of the Source Protection Authorities and Committees. The mandate of the Committee is to develop a science-based Source Protection Plan for each Source Protection Area to ensure the protection of existing and future municipal drinking water sources. Peel Region falls under the jurisdiction of 3 SPAs (see map attached as Appendix I) as follows:

- South Georgian Bay Lake Simcoe (SGBLS) SPA
- Credit Valley Toronto & Region and Central Lake Ontario (CTC) SPA
- Halton-Hamilton (H-H) SPA

The Source Protection Committees are comprised of representatives from municipalities, agriculture and economic sector, public appointees, first nations and representatives appointed by the Province. Mark Schiller, Director of Water Division, was appointed by Regional Council under Resolution 2007-1093, to represent the interests of the Region of Peel, the Cities of Mississauga and Brampton, the Town of Caledon and municipal interests generally for the duration of the appointment. The Source Protection Committees developed the Terms of Reference (TORs) to develop and implement the Source Protection Plans. The TORs for all three SPA regions were approved by the Ministry of Environment in 2009. The Assessment Reports (ARs), to identify the vulnerable areas and potential threats to municipal drinking water sources, were then completed for all source protection regions in 2010/2011 and submitted to the Ministry of Environment.

Source Protection Plan and Policies (SPP&P) must be developed by the Source Protection Committees (SPCs) to address the existing and potential significant drinking water threats to municipal sources of water. Once the draft policies are developed, the SPCs must pre-consult with the municipalities, which will be responsible for the implementation of these policies in most cases. After pre-consultation with the municipalities, formal public consultation starts. Two rounds of public consultation must be completed before submitting the final SPP&Ps to the Ministry of Environment by August 2012.

Regional and Municipal Clerks received the following notices from the SPCs for pre-consultation:

- *Notification of Designation of Implementation of Source Protection Plan Policies Pursuant to the Clean Water Act, 2006 and Ontario Regulation 287/07* from CTC Source Protection Committee, dated October 7, 2011, received on October 18, 2011. Deadline for comment December 31, 2011.
- *Notice of Pre-Consultation- Draft Policy document* South Georgian Bay Lake Simcoe Source Protection Region, dated October 7, 2011. Deadline for comment January 13, 2012.
- *Notice of drinking water threat policies to be implemented by the Region of Peel from Halton-Hamilton Source Protection Region*, dated October 7, 2011, received Oct 18, 2011. Deadline for comment December 22, 2011.

October 21, 2011

CLEAN WATER ACT- SOURCE PROTECTION PLAN AND POLICIES PRE-CONSULTATION WITH MUNICIPALITIES STATUS UPDATE

Region of Peel Staff will coordinate the comments from the staff of lower tier municipalities and Region's internal staff. There is a Workshop scheduled for November 30th, 2011 in Peel, where all three SPCs will discuss the draft plan and policies specific to Peel with staff and receive verbal feedback. Appropriate staff from the Region of Peel, Town of Caledon and the Cities of Mississauga and Brampton will be invited to attend.

a) Overview of draft Policies

There are 21 prescribed threats under the *Clean Water Act, 2006*. 19 of which are related to water quality and only 2 threats are related to water quantity. The threats are classified as: waste disposal; sewage; application, handling or storage of fertilizers; agriculture and non-agriculture source materials; dense non-aqueous phase liquid; road salt and snow; de-icing; fuel; farm animal yard (live stock); an activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body, an activity that reduces the recharge of an aquifer.

Risk Assessment studies carried out as part this exercise established the Well-Head Protection Areas (WHPAs) and Intake Protection Zones (IPZs). Significant drinking water threats (SDWTs) were identified for every WHPA and IPZ. In the Region of Peel, under 80 threats have been identified which are subject to field verification exercise. Most of those identified are water quality threats, associated with sewage, waste, fuels and some live stock and agriculture in the Town of Caledon. There is no drinking water quantity SDWT identified in Peel.

The Act allows for different tools to address the existing and future threats. The tools include from prohibition to preparing Risk Management Plans, to make land use policies to education and outreach and monitoring activities. Every Source Protection Area has developed their own set of policies with a mix of use of the above mentioned tools. The Region of Peel has always stressed on the consistency of policies across the Region.

Once, the Source Protection Plan and Policies are approved by the Minister of Environment, the municipalities must implement. The Part IV – Implementation of the Act requires the appointment of a Risk Management Official and Risk Management Inspectors, and to prepare and implement the Risk Management Plans. Peel is proposing that these positions be incorporated into existing staff roles and responsibilities, so no additional staff will be required.

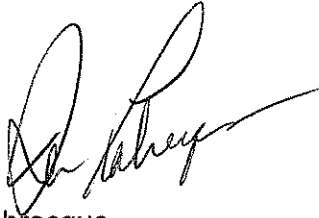
CONCLUSION

During the current stage in the process we have been keeping the area Municipal Planning staff aware through our joint meetings with updated presentations. Since the impact is more related to our Caledon Municipal Well Systems, we have presented to Caledon Council twice during the process. Caledon planning staff also have one person on the planning sub-committee for policy development.

There is no requirement under the *Ontario Clean Water Act, 2006* for municipal councils to endorse these draft policies or make comment. Region of Peel staff will coordinate comments from the internal staff and the staff of lower tier municipalities to provide formal comments to all three SPCs by their due dates.

October 21, 2011

**CLEAN WATER ACT- SOURCE PROTECTION PLAN AND POLICIES PRE-CONSULTATION
WITH MUNICIPALITIES STATUS UPDATE**




Dan Labrecque
Commissioner of Public Works

Approved for Submission:



D. Szwarc, Chief Administrative Officer

 For further information regarding this report, please contact Mark Schiller at extension 4394 or
via email at mark.schiller@peelregion.ca

c. Legislative Services

