

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER

Mississippi-Rideau
Source Protection Region



Mississippi Valley
Conservation



Date: May 8, 2008

To: Municipal and County CAOs and Clerks

RE: **DRAFT TERMS OF REFERENCE – MUNICIPAL COMMENTS REQUESTED**

Dear Municipal CAOs and Clerks,

Please find attached DRAFT Terms of Reference outlining a **work plan and budget** to develop Source Protection Plans in the Mississippi-Rideau Source Protection Region.

Municipalities and the public are invited to review these DRAFT Terms of Reference and submit **comments by Friday, June 20, 2008**.

This letter serves as your official notice under Ontario Regulation 287/07.

You may receive or have already received similar letters from our neighbouring Source Protection Areas and Regions as they are also preparing DRAFT Terms of Reference.

Background

Ontario's *Clean Water Act*, which came into effect July 2007, prompted the formation of the Mississippi-Rideau Source Protection Committee (SPC). This Committee has been meeting monthly since January 2008 and their mandate is to develop Source Protection Plans to help ensure clean, plentiful municipal drinking water sources. Five of the 16 committee members are municipal representatives.

Purpose of the Terms of Reference

Terms of Reference is a **work plan and budget** to complete two key documents:

- technical Assessment Report by 2010; and
- Source Protection Plan by 2012.

The scope of work, everyone's roles and responsibilities (including municipalities) and estimated costs are itemized in the Terms of Reference.

Preparing Terms of Reference

The *Clean Water Act* requires the Mississippi-Rideau SPC to prepare two Terms of Reference – one for the Mississippi Valley watershed and one for the Rideau Valley watershed. Attached to this letter is one or both of these Terms of Reference depending on which watershed(s) your municipality is in.

The SPC prepared these DRAFT Terms of Reference with assistance from our municipalities. Your responses to our municipal questionnaire circulated January 9, 2008 were used, thank you to all those who responded.

These DRAFT Terms of Reference:

- Are now being circulated to municipalities for their review and comment;
- Are posted on our website (www.mrsourcewater.ca) for public review and comment;
- Are available at our Conservation Authority offices for public review and comment; and
- Will be discussed at public open houses scheduled for early June (see attached schedule).

Second Round of Municipal & Public Consultation

Once the Mississippi-Rideau SPC has considered all municipal and public comments received by June 20, 2008, they will prepare final PROPOSED Terms of Reference and submit them to the Source Protection Authorities (SPAs) made up of the Mississippi Valley & Rideau Valley Conservation Authority Boards of Directors. Municipalities and the public will then be invited to **submit additional comments** to the SPAs **on the PROPOSED Terms of Reference** later this summer (see proposed schedule below).

SPAs will then submit the PROPOSED Terms of Reference to the Ontario Minister of the Environment for approval along with a summary of all municipal and public comments received during the second round of consultation.

It is important to note that approved **Terms of Reference can be amended** at any time following the same process and consultation requirements.

Proposed Schedule

Task	Timeline
Initial discussions with municipalities (questionnaire)	completed Jan-Mar 2008
SPC develop DRAFT ToR*	completed Apr/May 2008
Municipal & public review of DRAFT ToR	comments due June 20, 2008
MRSPC consider comments received	July 3, 2008 MRSPC meeting
MRSPC submit PROPOSED ToR to SPAs	regulated deadline is Aug 20, 2008
Municipal & public review of PROPOSED ToR	Dates to be determined (summer 2008)
SPAs submit PROPOSED ToR to MOE*	regulated deadline is Oct 20, 2008
Review and approval by MOE	anticipated fall / winter 2008

* Terms of Reference (ToR)

* Ontario Ministry of the Environment (MOE)

Outstanding Municipal Issues

There are a few outstanding issues that could lead to Terms of Reference being amended once further information is available from the Province:

(1) Including "Other" Drinking Water Systems through Council Resolution

Municipal councils can pass a resolution to include other systems such as non-municipal multi-use facilities (e.g. schools, arenas, retirement homes) and clusters of private wells or intakes (e.g. villages, hamlets) in the source protection planning process. MOE has advised municipalities to wait to make this decision until further guidance is available from the Province (e.g. financial implications, legal liability).

(2) Municipalities leading Source Protection Planning Tasks within their Municipality

Municipalities have first right of refusal to lead source protection plan tasks within their municipality. Again, municipalities are advised to wait to decide until the Source Protection Plan Regulation has been released by MOE which will provide details as to what these tasks could entail.

Other outstanding issues of concern raised by some of our municipalities over the past couple of years include:

(1) Financial Implications to Municipalities

Many municipalities have generously contributed staff time over the last couple of years in support of local source protection planning work, they are concerned however, about costs they could incur when implementing approved source protection plans (to-date the Province has not committed to funding full implementation costs).

(2) Financial Assistance for Affected Property Owners

There is a financial assistance program entrenched in the *Clean Water Act* called the Ontario Drinking Water Stewardship Program. The Province has committed to funding this program until 2011 providing grants for early actions in advance of approved Source Protection Plans. It is essential that the Province fund this program beyond 2011 to provide financial assistance to property owners affected by approved source protection plans.

(3) Ottawa River Water Budget Study

Provincial guidance for water budget studies considers the Ottawa River an inter-provincial waterway for which technical requirements have yet to be determined. All water budget studies currently underway in the Mississippi-Rideau region exclude the Ottawa River. This is currently being discussed with the Province.

The Mississippi-Rideau Source Protection Committee has raised all of these issues at the provincial level on behalf of our municipalities and will continue to do so.

Submitting Comments

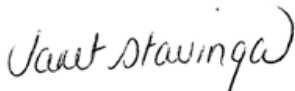
Please submit your comments on the DRAFT Terms of Reference **no later than June 20, 2008** to:

Mississippi-Rideau Source Protection Committee
c/o Sommer Casgrain-Robertson, Communications Specialist
3889 Rideau Valley Drive, PO Box 599
Manotick, Ontario K4M 1A5
Fax: 613-692-0831

Please contact Sommer at 613-692-3571 or 1-800-267-3504 ext. 1147 or by email at sommer.robertson@mrsourcewater.ca if you have any questions or you would like us to meet with your municipal staff and/or councils to discuss the Terms of Reference or source protection in general.

Thank you for your ongoing cooperation and assistance with drinking water source protection. We look forward to working with your municipality in the years to come.

Sincerely,



Janet Stavinga
Chair
Mississippi-Rideau Source Protection Committee



Brian Stratton, P.Eng.
Project Manager
Mississippi-Rideau Source Protection Region

C.c. Mississippi Valley and Rideau Valley SPA and SPC members
Municipal Working Group Members
Neighbouring Source Protection Area/Regions

Attachments: - Open House Schedule (June 2008)
- DRAFT Terms of Reference for the Mississippi Valley **and/or** Rideau Valley