

AGENDA

Mississippi-Rideau Source Protection Committee

Date: December 5, 2013
Time: 1 pm
Location: Rideau Valley Conservation Authority – Monterey Boardroom
 3889 Rideau Valley Drive, Manotick

Welcome and Introductions		
1.0	a. Agenda Review b. Notice of Proxies c. Adoption of the Agenda (D) d. Declarations of Interest e. Approval of Minutes – October 3, 2013 (D) ▶ draft minutes attached as a separate document f. Status of Action Items – Staff Report Attached (I) g. Correspondence – none	Pg. 1
Chair Stavinga		
Source Protection Plan		
2.0	Recommended Revisions to the Proposed Source Protection Plan – Staff Report attached (D) Members will consider revisions to the Proposed Mississippi-Rideau Source Protection Plan recommended by the Ministry of the Environment and others.	2
Sommer Casgrain-Robertson		
3.0	Next Steps – Supporting Plan Approval and Getting Ready for the Plan Effective Date – Staff Report attached (I) Staff will outline the next steps that will be undertaken to support Source Protection Plan approval and ensuring readiness for the plan effective date.	7
Allison Gibbons		
4.0	Source Protection Municipal Implementation Funding (SPMIF) – Staff Report attached (I)..... Staff will provide an update on this recent MOE funding announcement.	8
Brian Stratton		
Other		
5.0	Community Outreach – Staff Report Attached (I) Members & staff report on past activities and upcoming events and opportunities	10
Chair Stavinga		
6.0	Other Business	
Chair Stavinga		
7.0	Member Inquiries	
Chair Stavinga		
8.0	Next Meeting – Future meeting dates to be determined as needed.	
Chair Stavinga		
9.0	Adjournment	
Chair Stavinga		

(I) = Information (D) = Decision

Delegations: If you wish to speak to an item on the Agenda please contact Allison Gibbons before the meeting (allison.gibbons@mrsourcewater.ca or 613-692-3571 / 1-800-267-3504 x 1148)

1.0f STATUS OF ACTION ITEMS

Date: December 5, 2013
To: Mississippi-Rideau Source Protection Committee
From: Brian Stratton, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive the Status of Action Items for information.

Staff & Chair Action Items:

Issue		Action	Lead	Status
1	Ottawa River Watershed Inter-Jurisdictional Committee	Encourage MOE to take the lead role in establishing an Ottawa River watershed inter-jurisdictional committee	Chair Stavinga & Brian Stratton	Ongoing Ottawa River Source Water Study being led by Canadian Water Network and University Polytechnique in Montreal. Key partners are City of Ottawa and Ville de Gatineau. Key objectives of study are to: 1) identify critical events that could lead to elevated pathogens at the drinking water intakes, and 2) evaluate the treatment plant's capacity to handle critical events. Mississippi-Rideau source water staff are part of the overall study team, mostly as observers and a link to the Ontario source water approach.
2	Uranium	MVC and local Health Units work together to raise public awareness about naturally occurring uranium in drinking water	Brian Stratton	Completed Health Canada released a "Uranium and Drinking Water" fact sheet. It is available on their website at http://www.hc-sc.gc.ca/ewh-semt/pubs/water-eau/uranium-eng.php
3	Vacant City of Ottawa seat on SPC	Fill the vacancy on the MRSPC	City of Ottawa staff	In Progress Councillor Doug Thompson joined the Source Protection Committee and Tammy Rose has resigned.

MRSPC Member Action Items:

Issue		Action	Lead	Status
1	Community Outreach opportunities	Members are encouraged to continue to notify staff about events and opportunities to engage the public about source protection and any issues that arise related to source protection.	All members	Ongoing

2.0 Recommended Revisions to the Proposed Source Protection Plan

Date: December 5, 2013
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson
General Manager, Rideau Valley Conservation Authority

Recommendation:

That the Mississippi-Rideau Source Protection Committee approve the recommended revisions to the Proposed Source Protection Plan (presented at the October 3, 2013 and December 5, 2013 meetings), direct staff to make the corresponding changes to the Explanatory Document and request that the Source Protection Authority submit the Revised Proposed Source Protection Plan and the Revised Proposed Explanatory Document to the Ministry of the Environment.

Background

Source Protection Committees across Ontario have developed Proposed Source Protection Plans which contain policies to prevent the contamination and overuse of lakes, rivers and groundwater where they are a source of drinking water. Review of these plans by the Ontario Ministry of the Environment (MOE) under the *Clean Water Act* is underway. Implementation of the policies can begin when plans are approved, likely in 2014.

Recommended Revisions

On October 29, 2013 a letter was received from the MOE providing a second set of recommended revisions and stating that review of the Mississippi-Rideau Source Protection Plan is now complete. The first set of recommended revisions was considered by the Source Protection Committee at their meeting on October 3, 2013. The second set is listed in the attached table. Each recommended revision is accompanied by a staff recommendation about how the comment could be addressed. Also included in the attached table are three comments where final policy wording was not ready at the time of the October 3 meeting and one new staff recommended revision.

Consultation / notifications that were undertaken regarding the recommended revisions in this report were as follows:

- MOE consulted provincial ministries (TSSA / Ministry of Consumer Services, Ministry of Transportation, MOE – Safe Drinking Water Branch)
- Staff sent the MOE recommended revisions to municipalities and invited them to provide comments for the Committee's consideration
- Interested members of the public and other stakeholders received a notification about this meeting and the posting of the recommended revisions on the source water website.

2.0 Recommended Revisions to the Source Protection Plan

Policy		MOE Comment from formal letter dated October 29, 2013	Staff Recommendation
1	<p>Policy FUEL-2-LB-PI-MC Fuel (Heating) Oil – Prescribed Instrument Where the handling and storage of fuel associated with the drinking water system (existing and/or future) is or would be a significant drinking water threat as described in Appendix B, the MOE shall ensure that the Prescribed Instrument that governs the system (approvals issued under the <i>Safe Drinking Water Act</i>) includes appropriate terms and conditions so that:</p> <p>a) The handling and storage of fuel (existing) ceases to be a significant drinking water threat; or b) The handling and storage of fuel (future) never becomes a significant drinking water threat.</p> <p>Terms and conditions shall include the risk management measures listed in policy FUEL-1-LB-S58. <i>Note: these are the detailed measures listed in the Risk Management Plan policy.</i></p>	<p>This policy directs MOE to include specific terms and conditions in prescribed instruments under the <i>Safe Drinking Water Act</i>. As written, the policies may not achieve the environmental outcomes intended and may not be relevant over time. Specifically the policy would prevent the province from considering more advanced technology or approaches moving forward and may not allow the consideration of local conditions. Please amend the policy to focus on the intended outcome of the policy. Where the SPC wants to include specific terms and conditions, please amend the policy to indicate the province “should consider including”, rather than “require”, specific terms and conditions in prescribed instruments. MOE is developing outcome-based business processes for issuing or amending prescribed instruments for drinking water threat activities. In developing this process, we are considering the terms and conditions proposed by the source protection committees.</p>	<p>Address the comment by revising the policy wording to ensure that the most appropriate risk management measures can be established when the policy is being implemented.</p> <p>Revised policy wording: Replace “<i>Terms and conditions shall include the risk management measures listed in policy FUEL-1-LB-S58</i>” with “<i>The MOE should consider including in the terms and conditions the risk management measures listed in policy FUEL-1-LB-S58</i>”.</p>
2	<p>Policy FUEL-3-NLB Fuel (Heating) Oil – Recommendations to the TSSA and Ministry of Consumer Services (MCS) Where the handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 is or would be a significant drinking water threat as described in Appendix B, the TSSA and Ministry of Consumer Services are strongly encouraged to consider the following code changes during their next scheduled code review:</p> <ul style="list-style-type: none">• Require inspections conducted by fuel suppliers to be more frequent than every ten years• Require replacement of single-walled steel tanks with side feed at 10 years old <p>In addition, within one year from the date the Source Protection Plan takes effect, the TSSA and Ministry of Consumer Services are strongly encouraged to request fuel suppliers to:</p> <ul style="list-style-type: none">• Promote to their customers the phasing out of indoor and outdoor single-walled steel tanks and replacement with more leak resistant technology• Promote to their customers the importance of regular maintenance as described in Section 13 of the Ontario Installation Code for Oil-burning Equipment to increase awareness of and compliance with this requirement (this could be accomplished by printing a reminder on the fuel bill)	<p>In discussions with the MOE, the MCS raised a number of points with the current policy wording. The fuel codes are developed by Code Committees made up of technical experts representing a broad spectrum of stakeholders including industry, regulatory authorities and consumers. MCS acknowledged that the code review process is the appropriate vehicle for source protection committees to provide recommendations and suggested revisions to the codes. MCS noted that the specifics within the current policy wording replace the code review and development process and do not address the evolution of new information and potentially new recommendations to be incorporated over time. Revising the policy wording to recognize and encourage the incorporation of source water information in general terms allows the policy to stay relevant over time and recognizes the Code Committee’s role in the code review and development process. MCS noted that they see value in MOE utilizing its own source water expertise and working with MCS to incorporate source water information into the code review process. From an implementation perspective, MOE source protection experts would solicit specific requests, concerns and recommendations from source protection committees and communicate this information to the code committee during the code review process.</p> <p>With regards to the second part of the policy, MCS/TSSA also noted that they are not in a position to promote the phasing out of single-walled tanks as single-walled tanks that were installed before January 1, 2013 are currently permitted under the code. MCS/TSSA are comfortable promoting the fact that they have new science that supports double-walled tanks and can promote double walled tanks, double bottom tanks and spill containment requirements for newly installed tanks in education and outreach material.</p>	<p>Address the comments by revising the policy wording to incorporate a role for the MOE in Ontario’s code review process (as described in the MOE’s comment letter) and acknowledging the current regulatory regime around single walled tanks (the January 1, 2013 deadline for new single-walled tanks was announced after our Source Protection Plan was drafted).</p> <p>Revised policy wording: Where the handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 is or would be a significant drinking water threat as described in Appendix B, the Ministry of Consumer Services and the Ministry of the Environment are strongly encouraged to consider source water protection during the next scheduled code review.</p> <p>In addition, the TSSA is strongly encouraged to continue to include information regarding new code requirements and leak resistant technology in its communications products and request fuel suppliers to:</p> <ul style="list-style-type: none">• Promote to their customers the importance of regular maintenance as described in Section 13 of the Ontario Installation Code for Oil-burning Equipment to increase awareness of and compliance with this requirement (this could be accomplished by printing a reminder on the fuel bill)

3	<p>Policy FUEL-7-NLB Liquid Fuel – Recommendations to the TSSA and Ministry of Consumer Services</p> <p>The TSSA conducts inspections of private outlets on an ad hoc basis to ensure compliance with Ontario Regulation 217/01 and the Liquid Fuels Handling Code. The TSSA and Ministry of Consumer Services are strongly encouraged to integrate source water protection information, such as the location of vulnerable drinking water areas into the criteria used by inspectors to determine inspection priorities for private outlets.</p>	<p>Although private fuel outlets are subject to the requirements of the Fuel Code, TSSA does not regularly inspect private fuel outlets. This is because the legislation does not establish a licensing regime for private fuel outlets, therefore the locations are not known to TSSA. TSSA conducts ad hoc inspections of private fuel outlets, in particular, following incidents or when TSSA receives reports of non-compliance. The requirement to prioritize inspections using source water protection information is not compatible with the ad-hoc inspection model, limited location information on private fuel outlets, and the fee for service structure for inspections. However, TSSA welcomes local intelligence on the location of these facilities in vulnerable areas and may consider inspections on a fee for services basis.</p>	<p>Remove the policy because:</p> <ul style="list-style-type: none"> • The original policy intent cannot be achieved. The policy was intended to encourage the TSSA to step up inspections and regulatory compliance efforts in vulnerable areas so that Risk Management Plans would not be necessary in the future. • Alternative policy wording proposed by the TSSA is not necessary as it simply states what is already the TSSA's practice – that they may respond to complaints or reports of non-compliance.
4	<p>Policy PATH-2-NLB Well Regulations</p> <p>The MOE is strongly encouraged to undertake a program analysis of the compliance program associated with Ontario Regulation 903. The compliance program should ensure that wells in Wellhead Protection Areas are in compliance with the regulation so that the raw water supply of a municipal drinking water system is not endangered. Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p>	<p>The MOE agrees that it would be prudent to analyze how prioritizing well complaints and increasing inspections on the persons who construct wells could help to protect source water near municipal supplies. The MOE is aware of the scientific research that was completed as part of the Assessment Reports for the source protection areas. The MOE can use this scientific information to identify and prioritize the way the ministry ensures groundwater protection in these vulnerable areas.</p> <p>The MOE has been asked by six committees to undertake different approaches to further enhance the wells program. The MOE has reviewed the committees' recommendations and timelines, the MOE is requesting the policy be revised to allow for a provincially consistent approach that we believe will meet the intent of the original local policy.</p> <p>Based on previous conversations with the Project Manager, the MOE believes that this revised policy text should address the intent of the original policy proposed by the Source Protection Committee.</p>	<p>Address the comment by replacing the policy wording with the MOE's revised policy text which is stronger and more detailed.</p> <p>Revised policy wording: The MOE is strongly encouraged to undertake an updated risk-based program analysis of the compliance program associated with the Wells Regulation[R.R.O., 1990 Regulation 903(Wells) as amended, made under the Ontario Water Resources Act, R.S.O., 1990, c. O. 40].</p> <p>The program analysis should consider:</p> <ul style="list-style-type: none"> • Increased MOE field presence with well contractors • Complaint response prioritization where the presence of a transport pathway would endanger sources of municipal drinking water • Focussing resources in areas where improperly constructed, maintained or abandoned wells may increase the potential threat to municipal drinking water sources. <p>Action to implement this policy should be initiated within two years from the date the Source Protection Plan takes effect.</p>
5	<p>Policy AQUA-1-LB-PI-HR Use of Land or Water for Aquaculture – Prescribed Instrument</p> <p>Where the use of land or water for aquaculture (existing and/or future) is or would be a moderate drinking water threat as described in Appendix B and requires a Prescribed Instrument (Certificate of Approval or Environmental Compliance Approval or Permit to Take Water under the <i>Ontario Water Resources Act</i>), the MOE shall ensure:</p> <ol style="list-style-type: none"> a) The existing instrument includes appropriate terms and conditions that address the threat and protect drinking water sources; or b) The future instrument includes appropriate terms and conditions that address the threat and protect drinking water sources. <p>The MOE shall comply with part (a) of this policy within three years from the date the Source Protection Plan takes effect.</p>	<p>There are challenges with how the prescribed instrument policy AQUA-1-LB-PI-HR for existing moderate threats is presented in the plan. The current policy wording implies that <u>all</u> existing instruments for moderate threats will be reviewed and amended as necessary to manage the risk, however this scope of review is not provided for in the <i>Clean Water Act</i>. Rather, once the plan takes effect, the <i>Clean Water Act</i> requires MOE to have regard to this policy whenever it makes (i) a decision on any new instrument and (ii) on amendments to the instruments associated with an application to change the site or operations. To address this, the timeline included in the policy should be removed and text or a footnote should be added to clarify the policy applies when decisions are made on amendments to the instruments associated with a change to the aquaculture site or operations.</p>	<p>Address the comment by revising the policy wording because the use of land or water for aquaculture can only be a moderate threat to drinking water, therefore, policies cannot require that all existing prescribed instruments be reviewed.</p> <p>Revised policy wording: Where the use of land or water for aquaculture (existing and/or future) is or would be a moderate drinking water threat as described in Appendix B and requires a Prescribed Instrument (Certificate of Approval or Environmental Compliance Approval or Permit to Take Water under the <i>Ontario Water Resources Act</i>), the MOE shall ensure:</p> <ol style="list-style-type: none"> a) Amendments to an existing instrument includes appropriate terms and conditions that address the threat and protect drinking water sources; or b) A future instrument includes appropriate terms and conditions that address the threat and protect drinking water sources.

Policy		MOE Comment From formal letter dated July 18, 2013	Staff Recommendation
6	Policy ADMIN-5-LB Interruptions / Expansions Policy A drinking water threat activity that resumes after an interruption or expands after the date the Source Protection Plan takes effect is considered existing and is subject to policies addressing existing activities when: <ul style="list-style-type: none"> • It is usually occurring on the property but has been interrupted for a maximum of 24 months due to temporary circumstances such as fire, renovation or change of ownership • It involves an expansion of an existing activity that does not require additional regulatory or planning approvals • It involves an expansion that does not result in an expansion of the activity • It involves an expansion that will result in an expansion of the activity but it is for the purpose of reducing the risk of the activity 	a) It is our understanding that “seasonal activities” was intended to be captured in this policy. For the sake of clarity for the reader, please include the wording “seasonal activities” in the description of activities in the interruptions policy.	Address the MOE’s comments by revising the policy wording. Revised policy wording: A drinking water threat activity that resumes after an interruption or expands after the date the Source Protection Plan takes effect is considered existing and is subject to policies addressing existing activities when: <ul style="list-style-type: none"> • It is usually occurring on the property but has been interrupted for a maximum of 24 months due to temporary circumstances such as fire, renovation, change of ownership or due to the seasonal nature of the activity • It involves an expansion of an existing activity but the expanded activity would be more protective of drinking water • It involves an expansion of the existing physical space but does not result in an expansion of the existing activity (unless the expansion of the activity is more protective of drinking water) • It involves an expansion of the existing activity that is minor such that: <ul style="list-style-type: none"> ○ it does not require regulatory or planning approvals; and ○ it is not part of, or was not preceded by, an expansion of the physical space that required regulatory or planning approvals.
		b) The term “expansion” is used in two of the bullets to describe the footprint of the physical space, as well as to describe the activity. For the sake of clarity for the reader and so that it can be easily understood and implemented in a community planning situation it would be helpful to clarify or revise this wording, i.e. “expansion of the physical space...”	
		c) We would like to understand the intended outcome of one of the exceptions in the policy. As written, the second exemption means that an expansion to an existing activity is subject to the existing threat policy unless the expansion is also subject to a regulatory or planning approval. If there is an approval required, the expansion is subject to the future threat policy. Our interpretation of this is that different policies would apply to what is essentially the same outcome: the expansion of a significant drinking water threat activity. We would like to discuss the rationale and intention of this policy in light of some possible scenarios that could come into play with this policy exception. For example, if a proponent were to expand their structure, which includes a planning approval, without expanding their activity, they would not be subject to any policy in the plan. If they then expanded their activity without any additional approvals they would be subject to an <u>existing</u> threat policy. Alternatively, someone undertaking both the expansion of the building and the activity at the same time would be subject to a <u>future</u> threat policy.	
7	Policy EDU-3-NLB Signs Along Primary Municipal Roads The municipality is strongly encouraged to purchase, install and maintain signs designed by the Ministry of Transportation to identify the locations of Wellhead Protection Areas and Intake Protection Zones. These signs should be placed, at a minimum, where municipal arterial roads are located within the Wellhead Protection Areas and Intake Protection Zones with a vulnerability score of 8 or higher (appropriate sign locations to be determined by the municipality and Source Protection Authority).	d) We would also like to confirm that consultation with the municipalities had taken place on this policy and there are no municipal concerns with this policy.	Provide the following information to the MOE: <ul style="list-style-type: none"> • The policy was originally developed in consultation with the municipal working group on February 16, 2012. • No municipal comments were received on this policy when the draft and proposed Source Protection Plans were posted for consultation in 2012. • MOE’s recommended revisions for this policy were discussed with the municipal working group on September 19, 2013 and they support the revised policy wording.
		Please revise the wording to align with the wording provided in the February 29 th 2012 Ministry of Transportation (MTO) letter which outlines the relevant vulnerability scores and says, “Municipalities will be responsible for the purchase, installation and maintenance of appropriate signs designed by the Province in collaboration with the SPAs.” These revisions are needed to include the vulnerability scores in the policy wording and because the current policy wording implies that the signs are optional. As has been communicated to Committee Chairs, the initiative should be consistent in terms of provincial/municipal effort, messaging, application and location.	Revise the policy wording with the following which was developed through further consultation with MTO: Revised policy wording: The municipality is strongly encouraged to purchase, install and maintain signs designed by the Ministry of Transportation in collaboration with the Source Protection Authorities to identify the locations of Wellhead Protection Areas and Intake Protection Zones. These signs should be placed, at a minimum, where municipal arterial roads are located within a Wellhead Protection Area with a vulnerability score of 10 and/or an Intake Protection Zone with a vulnerability score of 8 or higher (appropriate sign locations will ultimately be determined based on site-specific factors such as the size of the area scored 10).

Policy		Staff Comment	Staff Recommendation
8	<p>Policy FUEL-1-LB-S58 Fuel (Heating) Oil – Risk Management Plan The existing or future handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 is designated for the purpose of Section 58 of the <i>Clean Water Act</i>, requiring a Risk Management Plan in areas where the threat is or would be significant as described in Appendix B. Risk Management Plans shall have the following minimum content:</p> <ul style="list-style-type: none"> • <i>Bulleted list</i> 	<p>The MOE’s comment regarding FUEL-2-LB-PI is also applicable to this policy as this policy directs Risk Management Officials to include specific terms and conditions in Risk Management Plans. As written, the policy would prevent Risk Management Officials from considering more advanced technology or approaches moving forward and may not allow the consideration of local conditions. The policy should therefore be amended to give the Risk Management Official flexibility when establishing terms and conditions in Risk Management Plans.</p>	<p>Revise the policy wording to allow the Risk Management Official and the affected person flexibility in establishing appropriate risk management measures for Risk Management Plans while still highlighting the main areas of concern for fuel storage. To accomplish this, “<i>Risk Management Plans shall have the following minimum content</i>” should be replaced with “<i>Risk Management Plans shall have the following minimum content (except where alternate measures are determined to be as protective of drinking water)</i>”.</p>
9	<p>Policies ADMIN-1-LB and ADMIN-2-LB Restricted Land Use ...land uses are designated for the purpose of Section 59 Restricted Land Use under the <i>Clean Water Act</i> in all areas where the following activities are or would be a significant threat as described in Appendix B:</p> <ul style="list-style-type: none"> • <i>Bulleted list</i> 	<p>The policies need to be revised to allow for site-specific exemptions that authorize the planning and building departments to screen out applications that clearly do not involve a significant threat activity, thereby reducing the number of applications being sent to the Risk Management Official for a notice under Section 59 of the <i>Clean Water Act</i>.</p> <p>The revised wording should also inform the reader about the Restricted Land Use concept and process.</p>	<p>Revise the policy wording of ADMIN-1-LB as follows: Restricted Land Use Policy – Intake Protection Zones and Wellhead Protection Areas Where the Vulnerability Score is 10</p> <p><u>All land uses</u> identified within the Official Plan and/or Zoning By-Laws are designated for the purpose of Section 59 of the <i>Clean Water Act</i> if they are located within:</p> <ul style="list-style-type: none"> • Intake Protection Zones with a vulnerability score of 10; or • Wellhead Protection Areas with a vulnerability score of 10. <p>Within these designated land use categories and areas, a notice from the Risk Management Official in accordance with Section 59(2) of the <i>Clean Water Act</i> shall be required prior to approval of any <i>Planning Act</i> application (as prescribed in Ontario Regulation 287/07 section 62) or Building Permit application.</p> <p>Despite the above policy, a site specific proposed land use that is the subject of an application for an approval under the <i>Planning Act</i> or for a permit under the <i>Building Code Act</i>, is not designated for the purposes of Section 59 if the applicant can demonstrate to the satisfaction of the planning authority or the building official that a significant drinking water threat activity designated for the purposes of Section 57 or 58 of the <i>Clean Water Act</i> will not be engaged in.</p> <p>Revise the policy wording of ADMIN-2-LB as follows: Restricted Land Use Policy – Intake Protection Zones Scored 8 to 9 and Wellhead Protection Areas “B” and “C” Scored 4 to 8</p> <p><u>All land uses, with the exception of solely residential land uses</u>, identified within the Official Plan and/or Zoning By-Laws are designated for the purpose of Section 59 of the <i>Clean Water Act</i> if they are located within:</p> <ul style="list-style-type: none"> • Intake Protection Zones with a vulnerability score of 8, 8.1 or 9; or • Wellhead Protection Areas “B” or “C” with a vulnerability score of 4, 6 or 8. <p>Within these designated land use categories and areas, a notice from the Risk Management Official in accordance with Section 59(2) of the <i>Clean Water Act</i> shall be required prior to approval of any <i>Planning Act</i> application (as prescribed in Ontario Regulation 287/07 section 62) or Building Permit application.</p> <p>Despite the above policy, a site specific proposed land use that is the subject of an application for an approval under the <i>Planning Act</i> or for a permit under the <i>Building Code Act</i>, is not designated for the purposes of Section 59 if the applicant can demonstrate to the satisfaction of the planning authority or the building official that a significant drinking water threat activity designated for the purposes of Section 57 or 58 of the <i>Clean Water Act</i> will not be engaged in.</p>

3.0 Next Steps – Supporting Plan Approval and Getting Ready for the Plan Effective Date

Date: December 5, 2013
To: Mississippi-Rideau Source Protection Committee
From: Allison Gibbons, Co-Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive for information the outline of next steps involved with supporting Source Protection Plan approval and ensuring readiness for the plan effective date.

Background

Source Protection Committees across Ontario have developed Proposed Source Protection Plans which contain policies to prevent the contamination and overuse of lakes, rivers and groundwater where they are a source of drinking water. Approval of these plans by the Ontario Ministry of the Environment (MOE) under the *Clean Water Act* is pending. Implementation of the policies can begin when plans are approved, likely in 2014.

The MOE provided final recommended revisions to the Proposed Mississippi-Rideau Source Protection Plan in a letter dated October 29, 2013. The letter states that the review of the plan is now complete. This report provides a brief summary of next steps required to support the plan approval process and outlines the critical items that must be ready on the date the plan comes into effect. The plan effective date will be set by the MOE in consultation with policy implementers.

Next Steps Toward Plan Approval

In December, source water staff will undertake the following:

- Request that the Source Protection Authority direct staff to submit the revised Proposed Source Protection Plan to the MOE
- Make the approved revisions to the Source Protection Plan and Explanatory Document
- Document production
- Prepare the submission package
- Consult policy implementers regarding a suitable effective date and include this input in the submission package
- Target submission date is December 20, 2013

Next Steps to Get Ready for the Plan Effective Date

Work is underway on the following which must be in place on the date the Source Protection Plan comes into effect:

- Resources for affected people (e.g. re-designed source water website, rights and responsibilities brochure)
- A procedure and tools (e.g. GIS tool) for integrating source protection policies into the review of applications made under the *Planning Act* and the *Building Code Act*
- Delegation agreements where the municipalities choose to delegate Part IV enforcement authority to the Source Protection Authorities (Conservation Authorities)
- Risk Management Office(s) with associated staff, administrative materials, fee schedule, procedures, etc.

4.0 Source Protection Municipal Implementation Fund

Date: December 5, 2013

To: Mississippi-Rideau Source Protection Committee

From: Brian Stratton, Co-Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive for information this update about the Source Protection Municipal Implementation Fund.

Background

The Ontario government committed \$13.5 million in the 2013 Provincial budget to help Ontario's small, rural municipalities meet their obligations under the *Clean Water Act, 2006*. This funding commitment resulted in the creation of the Source Protection Municipal Implementation Fund (SPMIF) which the MOE launched on November 1, 2013 by sending funding agreements to all eligible municipalities. In the Mississippi-Rideau Source Protection Region all municipalities except the City of Ottawa are eligible for funding. Municipalities must sign and return their agreements by December 13, 2013.

MOE Help for Municipalities Related to SPMIF

The MOE have provided information about the SPMIF on their website and hosted a webinar for municipalities on November 13, 2013. Municipal staff from the Mississippi-Rideau Region participated in the webinar and took advantage of the opportunity to pose questions to the MOE during the session.

Source Water Staff Help for Municipalities Related to SPMIF

Immediately following the MOE announcement, Mississippi-Rideau source water staff contacted all of the eligible municipalities to ensure they had received the information and to encourage them to participate in the MOE webinar.

During the week of November 18, 2013, source water staff contacted each municipality individually to offer assistance in understanding and making decisions surrounding the funding.

On November 20, the attached chart entitled *Source Protection Municipal Implementation Fund Allocation* was sent to all municipalities. The chart shows how the funding can be allocated to meet each municipality's legally binding obligations in the Mississippi-Rideau Source Protection Plan.

On December 17, there will be an additional opportunity to discuss the SPMIF at the Municipal Working Group Meeting.

4.0 Allocation of Source Protection Municipal Implementation Fund (SPMIF) (November 20, 2013 - draft for discussion)

*Checkmarks in the “Municipality” and “Risk Management Office” columns indicate where SPMIF can be used by the municipality.

**Checkmarks in the “CA” column indicate where SPMIF could be used by the CAs for work conducted on behalf of municipalities after March 31, 2014 or work on these items could be continued after March 31 by municipalities on their own using SPMIF. However, note that most items in the CA column except Education and Outreach should be completed by March 31.

*Checkmarks in the “Collaboration Opportunity” column indicate tasks where municipalities could collaborate and qualify for additional funding.

Eligible Activity	Municipality*	Risk Management Office*	CA** (MOE funded until March 31, 2014)	Collaboration Opportunity+
Risk Management				
Refining numbers of threats requiring Risk Management Plans within the municipality			✓	
Preparation of communication materials for affected people (e.g. Rights and Responsibilities brochure)			✓	
Risk Management Plans for existing activities		✓		
Risk Management Plans for future activities		Cost recovery		
Review of Planning and Building applications and issuing of Section 59 clearance notices		Cost recovery		
Enforcement / Prosecutions		✓		
Development of a framework for the annual RMO report			✓	
Development of administrative materials (fillable PDF forms, standard notices)			✓	
Development of tools to assist with Risk Management Plans (inspection checklists, templates, ag. BMP guide)			✓	
Land Use Policies				
Professional time or consulting fees for update of OP and ZBL to conform with significant threat policies	✓			✓
Education and Outreach				
Living and Working in the Drinking Water Zone – development of educational materials	✓		✓	✓
Living and Working in the Drinking Water Zone – production and distribution of educational materials	✓			✓
Smart About Salt (Perth, Smiths Falls, Carleton Place and Kemptville, only)	✓		✓	✓
Other Activities				
Professional time to prepare for implementation (e.g. working group meetings, staff orientation on GIS tool)	✓			
Modification of business processes to ensure integration of source protection policies into the Planning / Building application and approval processes (Restricted Land Use policies Transition and Interruptions / Expansions policies, land use planning policies, other)	✓			
Development of GIS tool to integrate source protection policies into the Planning / Building review process			✓	
Integration of GIS tool into existing GIS (e.g. CGIS)	✓			✓
Professional time spent during implementation (screening applications for source water requirements, communicating with the RMO regarding applications, preparing annual report)	✓			
Implementation of other Significant Threat Policies				
Lot grade and drainage plan requirement (institute new requirement; municipalities with 10 zones only)	✓			
Mandatory connection to municipal services (by-law amendment, municipalities with 10 zones only)	✓			

5.0 Community Outreach

Date: December 5, 2013
To: Mississippi-Rideau Source Protection Committee
From: Allison Gibbons, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive the Community Outreach staff report for information.

Background

Staff and the Mississippi-Rideau Source Protection Committee members participate in many different community outreach activities to raise awareness and understanding of source water protection. These activities include information booths at events, presentations at meetings and articles in newsletters and local papers. It is important that staff and members keep each other informed about the activities they are involved in so that we can coordinate our participation and prepare appropriate materials in advance. This includes coordinating with our neighbouring regions for outreach covering Eastern Ontario.

Past Activities

Members & staff are asked to give a verbal update on any other activities that took place since the last SPC meeting related to source protection.

1. *Mississippi Valley Source Protection Authority Meeting*
 - October 16, 2013 (staff presented)
2. *Rideau Valley Source Protection Authority Meeting*
 - October 24, 2013 (staff presented)
3. *Chairs / Project Managers Meeting*
 - November 4-5, 2013 (Janet Stavinga and Brian Stratton participated)
4. *Lanark County Building Officials Annual Meeting*
 - November 28, 2013 (Allison Gibbons presented)
5. *Meetings / Teleconferences with: PMs, CO, Eastern Regions, MOE, Stakeholders*
 - Ongoing (Allison Gibbons and Brian Stratton participated)

Upcoming Activities

Members & staff are asked to give a verbal update about any other activities they know about in the coming months related to source protection.

1. *Mississippi Valley Source Protection Authority Meeting*
 - December 4, 2013 (staff presenting)
2. *Rideau Valley Source Protection Authority Meeting*
 - December 12, 2013 (staff presenting)
3. *Municipal Working Group Meeting*
 - December 17, 2013 (staff participating)
4. *Meetings / Teleconferences with: PMs, CO, Eastern Regions, Stakeholders*
 - Ongoing (Allison and Brian participating)