





Halton Region Source Protection Authority BOD Meeting 02 21

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577572



Start: Thursday, April 22, 2021 - 3:00pm

End: Thursday, April 22, 2021 - 4:00pm

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1. Roll Call
 2. Disclosure of Pecuniary Interest for Halton Region Source Protection Authority Board of Directors
 3. Acceptance of Agenda
 4. Presentation
 - 4.1. Annual Progress Report 2020 - Source Protection Plan (HRSPA 02 21 02) - Chitra Gowda, Senior Manager, Watershed Planning & Source Protection
 5. Consent Items
 - 5.1. Approval of Halton Region Source Protection Authority Board of Directors Meeting Minutes dated February 18
 -  Halton Region Source Protection Authority DRAFT Meeting Minutes dated February 18
 - 5.2. Source Water Protection Section 36 Comprehensive Updates 2021-22 (HRSPA 02 21 01)
 -  Source Water Protection Section 36 Comprehensive Updates 2021-22 (HRSPA 02 21 01)
 -  Protection Section 36 Comprehensive Updates 2021-22 (Appendix A)
 6. Action Items
 - 6.1. Annual Progress Report 2020 for the Halton-Hamilton Source Protection Plan (HRSPA 02 21 02)
 -  Annual Progress Report 2020 for the Halton-Hamilton Source Protection Plan (HRSPA 02 21 02)
 7. IN CAMERA

7.1. Consent Item (HRSPA 02 21 03)

8. Other Business

9. Adjournment

MEETING NO: # 01 21 HALTON REGION SOURCE PROTECTION AUTHORITY BOARD OF DIRECTORS

MINUTES

A meeting of the Halton Region Source Protection Authority Board of Directors was held on Thursday, February 18 at 3:00 p.m. via Zoom Webinar.

Members Present: Rob Burton
Mike Cluett
Rick Di Lorenzo
Joanne Di Maio
Cathy Duddeck
Allan Elgar
Dave Gittings
Steve Gilmour
Zeeshan Hamid
Moya Johnson
Gordon Krantz
Marianne Meed Ward
Rory Nisan
Gerry Smallegange
Jim Sweetlove
Jean Williams

Absent Hamza Ansari
Zobia Jawed
Bryan Lewis

Staff present Kim Barrett, Associate Director, Science & Partnerships
Hassaan Basit, CEO/Secretary-Treasurer
Garner Beckett, Director, CH Foundation
Adriana Birza, Manager, Office of the CEO
Niamh Buckley, Administrative Assistant, Office of the CEO
Chitra Gowda, Senior Manager, Watershed Planning & Source Protection
Craig Machan, Associate Director, Park Operations
Kellie McCormack, Associate Director, Planning & Regulations
Marnie Piggot, Director, Finance
Plezzie Ramirez, Senior Manager, Human Resources
Jill Ramseyer, Director, Corporate Compliance
Pavan Seth, Procurement Specialist
Barb Veale, Director, Planning & Watershed Management
Mark Vytvytskyy, Interim Director, Parks and Operations/Executive Digital Transformation Lead

Chair Gerry Smallegange called the Halton Source Protection Authority meeting to order at 3:01 p.m.

1. Roll Call

2. Acceptance of Agenda as distributed

HRSPA 01 01

Moved by: Mike Cluett
Seconded by: Rory Nisan

THAT the Halton Region Source Protection Authority Board of Directors **accepts the Agenda as distributed.**

Carried

3. Disclosure of Pecuniary Interest for Board of Directors

There were **NONE.**

4. Consent Items

Approval of the Halton Region Source Protection Authority meeting minutes dated November 26

The consent items **were adopted.**

5. Action Items

6.1 Source Protection Committee Member Appointment (HRSPA 01 21 01)

HSPA 01 02:

Moved by: Cathy Duddeck
Seconded by: Jean Williams

THAT the Halton Region Source Protection Authority Board of Directors **approves the appointment of Christopher Murray as the general public representative on the Halton-Hamilton Source Protection Committee for a five-year term.**

Carried

7. Other Business

There was **NO** other business

8. Adjournment

HSPA 01 03

Moved by: Marianne Meed Ward

THAT the Halton Region Source Protection Authority Board of Directors meeting **be adjourned at 3:03 p.m.**

Carried

TO: Halton Region Source Protection Authority

MEMO #: HRSPA 02 21 01

FROM: Chitra Gowda, Senior Manager, Watershed Planning and Source Protection

DATE: April 22, 2021

SUBJECT: Source Water Protection Section 36 Comprehensive Updates 2021-22

MEMO

The drinking water source protection program for the Halton-Hamilton Source Protection Region (HHSPR) is implemented by Conservation Halton and the Hamilton Conservation Authority who function as source protection authorities under Ontario's Clean Water Act, 20AS06.

HHSPR staff achieved several milestones during the 2020-21 program year including pivoting to online meetings during the COVID-19 global pandemic, making progress with comprehensive updates to the science and policies for protecting municipal drinking water sources, policy progress reporting, and supporting policy implementation undertaken by municipalities, provincial ministries, and others. Highlights are provided below. Through 2021-22, staff continue the comprehensive updates per the Minister's Order pursuant to Section 36 of the *Clean Water Act*.

Under Section 36 of the *Clean Water Act*, the MECP required the submission of workplans to review Source Protection Plans. This has led to the second round of source protection planning across Ontario. The workplan for the Halton and Hamilton source protection areas was approved by MECP in March 2019. The Minister's amended Order pursuant to Section 36 of the *Clean Water Act* is attached (Appendix A). The approved workplan includes tasks to review both science and policies, to support the continued protection of drinking water sources. The workplan is available at the website: <https://bit.ly/3k6pyu0>

HHSPR staff are undertaking amendments to the assessment reports, source protection plan, and explanatory document per the Section 36 workplan. These amendments are being brought to the Halton-Hamilton Source Protection Committee (HHSPC) for review and endorsement.

Figure 1 shows the steps required by MECP, leading to the submission of the amended documents to them by HHSPR. The required steps are taken from the guidance for source protection authority staff: "Source Protection Planning Bulletin – Overview of Requirements for Plan and Assessment Report Amendments and Updates under sections 34, 35 and 36 of the *Clean Water Act*", MECP, October 2019.

Figure 1 Assessment Report and Source Protection Plan Revision Process (MECP, October 2019)

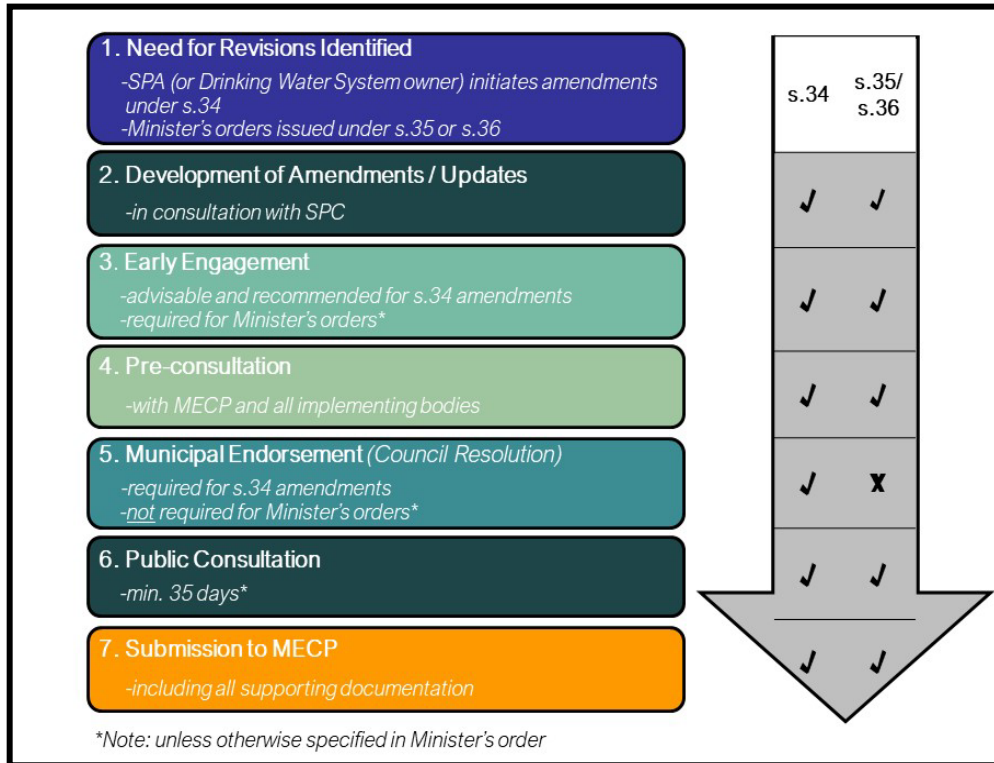


Table 1 provides timelines developed by HHSPR that ensure adequate consultation and result in a submission to the MECP. Note that the timeline for early engagement depends on MECP.

Table 1 Timelines for Comprehensive Updates for Source Water Protection

No.	Step	Timeline
1	Need for revisions/updates identified (Minister's Order issued under S. 35 or S. 36; SPA initiated S. 34)	2018 onwards
2	Development of amendments/update (in consultation with the HHSPC)	April 1, 2019 to May 31, 2021 Involves: <ul style="list-style-type: none"> Update documents by May 31, 2021 SPC meeting on June 15, 2021 Address SPC comments by June 20, 2021.
3	Early engagement (with MECP)	June 21 to July 16, 2021* (4 weeks) *Dates depend on MECP. Involves: <ul style="list-style-type: none"> Send documents to MECP on June 21, 2021 Receive MECP comments by July 16, 2021 Address MECP comments and update documents for pre-consultation by July 30, 2021 Email the pre-con package to the SPC on Aug. 10, 2021 Address SPC comments by Aug. 16, 2021.
4	Pre-consultation (with MECP and all	Aug. 17 to Sep. 10, 2021* (4 weeks)

No.	Step	Timeline
	policy implementers)	Involves: <ul style="list-style-type: none"> • Send documents to MECP and policy implementers on Aug. 17, 2021 • Receive comments by Sep. 10, 2021 • Address comments and update documents for public consultation by Sep. 24, 2021 • SPC meeting on Oct. 5, 2021 • Address SPC comments and prepare all documents for public consultation by Oct. 15, 2021.
5	Municipal endorsement (not applicable for Section 36 updates)	Not applicable for Section 36 updates
6	Public consultation (minimum 35 days)	Oct. 18 to Nov. 22, 2021 (36 days) Involves: <ul style="list-style-type: none"> • Public posting on Oct. 18, 2021 • Receive comments by Nov. 22, 2021 • Address comments and update documents by Dec. 3, 2021 • SPC meeting on Dec. 14, 2021 • Address SPC comments and prepare all documents for the Source Protection Authority (SPA) Boards by Jan. 15, 2022. • SPA board meetings on Feb. 3 and Feb. 16 TBD, 2022. • Prepare all supporting documentation and files including GIS shapefiles by March 14 to submit to MECP.
7	Submission to MECP (including all supporting documentation)	March 15, 2022

During the consultation stage, HHSPR staff will raise awareness about the proposed updates to the source water protection science and policy using various means such as social media and website updates. It is possible that residents may pose questions or have comments about drinking water to the conservation authorities, municipal councillors, and others. Staff will assist as needed and will provide general information about the update process on the website www.protectingwater.ca to help answer questions.

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement,
de la Protection de la nature et des
Parcs



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357-2019-196
CR: ENV1283MC-2012-2366

Mr. Gerry Smallegange, Source Protection Authority Chair (A)
Conservation Halton
2596 Britannia Road West
Burlington, ON L7P 0G3

Ms. Susan Fielding, Source Protection Authority Chair (A)
Hamilton Conservation Authority
838 Mineral Springs Road P.O. Box 7099
Ancaster, ON L9G 3L3

Mr. Robert Edmondson, Chair
Halton-Hamilton Source Protection Committee
2071 Deer Run Avenue
Burlington, ON L7M 2S7

Dear Mr. Smallegange, Ms. Fielding and Mr. Edmondson

I am following up on your proposed workplan for the comprehensive review and update of the Halton Region and Hamilton Region assessment reports and source protection plan for the Halton Region and Hamilton Region source protection areas. The workplan, dated November 22, 2018, was submitted in compliance with the order dated August 5, 2015 issued under section 36 of the *Clean Water Act*.

I am pleased to note that your workplan confirms that implementation of the source protection plan is going well and I appreciate the level of effort you put into your analysis of your assessment reports and plan.

Pursuant to subsection 36 (1) of the *Clean Water Act*, I am amending the order dated August 5, 2015, to establish requirements governing the content and timeframes of the review and the process to be followed for any updates to your assessment reports and plan. The source protection committee shall update the assessment reports and source protection plan to address the workplan items identified in the attachment to this order and ensure those changes comply with the recent amendments to the General Regulation and Director's Technical Rules.

You may proceed with any other items in the workplan that are consistent with the Act, its regulations and technical rules that are in effect at the time of the updates; staff in the Ministry's drinking water source protection program can provide you advice on this. You can contact Debbie Scanlon, Manager Approvals Section (416-212-8839) if you have any questions. I will leave it to the source protection committee and source protection authorities, with the local municipalities, to determine which of these other updates proceed.

When undertaking any updates, the source protection committee and lead source protection authority must follow the amendment process and consultation requirements set out in the attachment to this letter. All updates carried out under section 36 of the *Clean Water Act* are to be submitted to the Ministry within six (6) months after the completion of the required updates and consultation.

I want to thank you for the continued efforts of the source protection authorities, committee and local communities to ensure sources of drinking water are protected. Significant progress has been made in source protection and the province looks forward to continuing to work with you and all stakeholders to protect sources of drinking water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rod Phillips', written over a faint circular stamp or watermark.

Rod Phillips
Minister

- C: Diane Bloomfield, Project Manager, Halton Hamilton Source Protection Region
- Hassaan Basit, CAO Conservation Halton
- Lisa Burnside, CAO Hamilton Conservation Authority
- Judy Love, Administrative Assistant, Hamilton Conservation Authority
- Director, Source Protection Programs Branch, MECP
- Debbie Scanlon, Manager, Source Protection Programs Branch, MECP
- Stacey Baker, Program Analyst, MECP
- Bilal Kidwai, Liaison Officer, MECP

Mandatory Updates to the Assessment Reports and Source Protection Plan

The Halton-Hamilton Region source protection committee shall ensure that the review includes updates to the assessment reports and source protection plan to:

- comply with the amendments made to the Director's Technical Rules, published on the Environmental Registry in March 2017 under posting number 012-8507. In particular for your source protection areas, this includes assessing the vulnerability of the Great Lakes intakes that the workplan indicates are vulnerable (Burlington, Oakville and Woodward) and identifying locations where the above grade handling and storage of fuel poses a risk;
- update liquid hydrocarbon pipeline references in the current assessment reports and plan from a local threat to a prescribed drinking water threat of provincial interest and ensure policies apply to all relevant protection zones to align with 2018 amendments to the General regulation (O.Reg. 287/07) under the *Clean Water Act* and Director's Technical Rules;
- make updates to align with neighboring Source Protection Plans to incorporate the water quantity risk assessment and policies when included in the approved Grand River source protection area for Guelph-Eramosa;
- include technical work completed within the timeframe of the comprehensive review for changes to drinking water systems, including Freelon, Carlisle, Burloak, Campbellville, Cedarvale, Woodward and Walkers Line drinking water systems where appropriate, as necessary under O.Reg 205/18 of the *Safe Drinking Water Act*.
 - The source protection committee, authorities and affected municipality should jointly determine if it would be more appropriate to have the source protection authority propose amendments under section 34 of the *Clean Water Act* to deal with the changes to any drinking water systems, as opposed to including these updates as part of the review under section 36.
- revise policies that support improved implementation, such as policy G-2 for the County of Wellington.

Amendment Process for Updates including Consultation:

The rules that source protection committees and source protection authorities were required to follow under the *Clean Water Act* in preparing, consulting on and submitting assessment reports and source protection plans to the Ministry will generally apply when making updates as part of this review. However, as with locally initiated amendments, any proposed updates to the assessment reports and plan are to be consulted on concurrently and submitted together as one package to the Ministry by the source protection authority.

Only those provisions of the *Clean Water Act* and the General regulation referred to below apply to the update of the assessment reports and source protection plan. For example, as no terms of reference is being required for the review and update of the assessment report and plan, subsection 36 (3) of the *Clean Water Act* does not apply.

Accordingly, for the updates to the assessment reports and source protection plan, the following provisions apply:

- Assessment report content outlined in section 15 of the *Clean Water Act* and sections 11 to 14 of the General regulation.
- Source protection plan content outlined in subsections 22 (2) to (15) of the *Clean Water Act* and sections 20 to 34 of the General regulation.

Updates to the assessment reports and source protection plan shall be made in consultation with affected municipalities, the Ministry, and any other bodies responsible for implementing a policy that may be revised as part of the updates. Consultation shall include the following minimum requirements:

- Early consultation on any draft updates to the assessment reports and plan with the Source Protection Programs Branch prior to carrying out pre-consultation with other bodies.
- Pre-consultation with all implementing bodies as well as persons and businesses engaged in significant drinking water threats in the geographic areas affected by the updates in accordance with sections 35 to 39 of the General regulation.
- Consultation for a minimum of 35 days, as outlined below.

The Explanatory Document that accompanies the plan (section 40, General regulation) shall also be updated to reflect the proposed changes to the plan and made available for consultation.

While consulting on the proposed updates to the assessment reports and source protection plan in accordance with the requirements set out above, comments received shall be documented, considered and addressed prior to advancing to the next consultation stage or finalizing the proposed updates to the assessment reports and plan.

Notification and publication of the proposed updates shall follow the provisions included in the General regulation for assessment reports and plans as described below. This includes making the proposed updates available on the Internet and in locations that are accessible to give the public and other interested parties an opportunity to inspect and comment on the updates. Specifically, consultation on the proposed updates to the assessment reports and plan shall occur concurrently and sections 23 to 25 of the *Clean Water Act* and section 41 of the General regulation apply with modifications noted below:

- References to a draft or proposed source protection plan shall be read as references to the proposed updates to the assessment reports and source protection plan that result from the review carried out under section 36 of the *Clean Water Act*.
- Notices shall be provided to the clerk of each municipality and all other persons and bodies listed in section 41 that are affected by the proposed updates.
- A public meeting referred to in clause (c) of subsection 41 (3) and in subsection 41 (7) is optional as determined by the source protection committee in consideration of the nature and scope of the proposed updates.

REPORT TO: Halton Region Source Protection Authority Board of Directors
REPORT NO: HRSPA 02 21 02
FROM: Chitra Gowda, Senior Manager, Watershed Planning and Source Protection
DATE: April 22, 2021
SUBJECT: **Annual Progress Report 2020 for the Halton-Hamilton Source Protection Plan**

Recommendation

THAT the Halton Region Source Protection Authority **receives for information the staff report outlining the progress in the Annual Progress Report 2020 for the Halton-Hamilton Source Protection Plan;**

And

THAT the Halton Region Source Protection Authority, together with the Hamilton Region Source Protection Authority, **endorses the submission of the Annual Progress Report 2020 for the Halton-Hamilton Source Protection Plan to the Ministry of the Environment, Conservation and Parks by May 1, 2021 in the format set out by the Province.**

Executive Summary

The Halton-Hamilton Source Protection Plan came into effect at the end of December 31, 2015. Source Protection Authorities report on policy implementation progress annually as required under the *Clean Water Act, 2006*. Staff prepared the Annual Progress Report for 2020, demonstrating continued policy implementation by municipalities and others to protect municipal drinking water sources.

Activities that pose significant risks to municipal drinking water sources continue to be monitored, verified, removed, or addressed by implementation of policies. By the end of 2020, 88% of the existing significant threat activities were managed. All policies in the Halton-Hamilton Source Protection Plan are in process or have been implemented.

Municipal staff appointed as risk management officials and inspectors under the *Clean Water Act* continued to safely verify and inspect threat activities occurring in the region in 2020, following physical distancing and other safety measures put into place in Ontario due to the COVID-19 pandemic.

The following report provides an overview of the activities undertaken and successes achieved for the Halton-Hamilton Source Protection Plan in 2020.

Report

Background

The *Clean Water Act, 2006* requires the preparation and implementation of source protection plans to protect the quality and quantity of sources of municipal drinking water. The Halton-Hamilton Source Protection Plan was approved by the Ministry of the Environment, Conservation and Parks (MECP).

The plan took effect on December 31, 2015 and since then the implementation of policies is being carried out by municipalities, provincial ministries, and others, to address risks posed to municipal drinking water sources. The policy implementers have been working to satisfy the intent of each policy. There are a variety of policy tools used in the plan, including “soft tools” such as education and outreach, best practices, and stewardship programs, and regulatory tools including land use planning (official plan and zoning by-laws), prescribed instruments (such as environmental compliance approvals), risk management plans (per Part IV of the Clean Water Act), and other strategic measures. Together, they meet the objectives of the plan to protect existing and future municipal drinking water sources.

Source Water Protection during a Global Pandemic

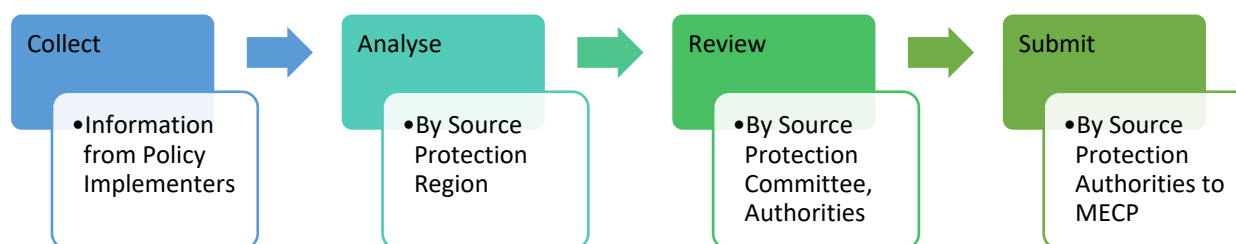
In March 2020, a global pandemic was declared by the World Health Organization due to the unprecedented and life-threatening COVID-19 (coronavirus) disease. The pandemic caused major changes across all aspects of life and Ontario declared a state of emergency. Municipalities and other source protection plan policy implementers adapted to the situation applying appropriate health and safety protocols ensuring the safety of watershed residents and staff, while making good progress in policy implementation towards the protection of municipal drinking water sources.

Policy Implementation Progress and Reporting

Staff at Conservation Halton and the Hamilton Conservation Authority pivoted quickly during the pandemic to continue their work as source protection authorities. Working together as the Halton-Hamilton Source Protection Region (HHSPR), they set up virtual committee meetings and analysed reports received on policy implementation progress. The 2020 Annual Progress Report is prepared accordingly, as attached. The Halton-Hamilton Source Protection Committee (HHSPC) provided their opinion on achieving source protection plan objectives for 2020 for inclusion in the report. They gave an overall score of “Progressing Well” for plan implementation and endorsed the attached report including edits at their meeting held March 9, 2021, for submission to the Source Protection Authority Boards, prior to submission to the MECP.

Figure 1 provides a simplified overview of a comprehensive process for annual progress reporting on source protection plan policy implementation.

Figure 1: Source Protection Plan - Annual Progress Reporting at a Glance



Staff analysed information from implementing bodies, using the online Electronic Annual Reporting (EAR) tool. Municipalities, provincial ministries and others are commended for a large effort in implementing policies through a global pandemic, and in collecting pertinent data and information over the course of the year.

Highlights

Activities that pose significant risks to municipal drinking water sources continue to be monitored, verified, removed, or addressed by implementation of policies. Of the 213 significant threat activities, 177 are addressed to date through policy implementation. There were 11 new threats added, and 22 removed through field verification. This leaves 25 existing significant threats remaining to be addressed. By the end of 2020, 88% of the existing significant threat activities were managed.

All policies in the Halton-Hamilton Source Protection Plan are in process or have been implemented. Some of these policies manage or, in limited instances, prohibit activities on properties that pose a significant threat. Some policies are strategic in nature and not specific to a drinking water threat activity and thus help protect drinking water sources in a more general way. Sixty of the policies are legally binding and must be implemented. The remaining thirty-eight policies are requests for actions.

Following the intent of the source protection plan policies, municipalities have been integrating source water protection into their operations to ensure all municipal decisions and actions protect drinking water sources. Eight municipalities require Official Plan and/or Zoning By-Law conformity with the Halton-Hamilton Source Protection Plan, as summarized in Table 1 below.

Table 1: Official Plan and Zoning By-Law Conformity Status

Status of Conformity to Source Protection Plan	Municipal Official Plan	Municipal Zoning By-Law
Completed	Hamilton, Wellington, Puslinch	Hamilton, Puslinch
Completed and under appeal	Burlington	
In progress	Halton Region, Oakville, Milton	
Not started	Halton Hills	Burlington, Oakville, Milton, Halton Hills
Not applicable		Halton Region, Wellington

Municipal staff appointed as risk management officials and inspectors under the *Clean Water Act* continued to safely verify and inspect threat activities occurring in the region in 2020, following physical distancing and other safety measures put into place in Ontario due to the COVID-19 pandemic. A risk management plan was negotiated by the Halton Region municipality to address two

types of activities. Municipal staff screened development applications, issued ten notices per Part IV of the *Clean Water Act*, and conducted five inspections for risk management plans. Municipalities also continued their septic system inspections, with appropriate safety protocols in place.

Through the pandemic in 2020, municipal staff continued to raise awareness about the protection of drinking water sources by pivoting to online resources, events and activities. Emergency response exercises were conducted. Halton Region continued to monitor wells for chloride levels in one of the wellhead protection areas. City of Hamilton continued their financial assistance program with conservation authorities to decommission wells and dispose of hazardous materials. Towns of Oakville, Milton, and Halton Hills updated their Salt Management Plans. County of Wellington included educational materials in development reviews. Children's Water Festivals were moved online for Niagara Region, Hamilton, Waterloo-Wellington, and other municipalities.

The provincial ministries continued to implement regulatory policies using instruments prescribed such as permits to take water, environmental compliance approvals, etc. Staff are trained on source water protection for prescribed instruments including inspections. For instruments not approved by OMAFRA, the approvals process is revised to delegate the letter of conformity preparation to a certified person. Training for certified nutrient management planners includes source water protection. Contractors for MTO are trained and conform to an MTO Salt Management Plan which contains best available winter maintenance practices for environmental protection. In Hamilton, Burlington and Oakville, 216 spills reported to the MECP Spills Action Centre in 2020. The MMAH, with MECP, ensures that official plans conform to significant threat policies and have regard to other policies. MMAH also ensures that vulnerable areas are identified in official plan schedules and protected per the Provincial Policy Statement.


Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water and Science, Conservation and Restoration.

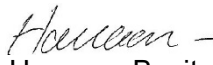
Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:


Chitra Gowda
Senior Manager,
Watershed Planning and Source Protection

Approved for circulation:


Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

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