

**TO: Chair and Members of the Source Protection Committee
Meeting #4/24, October 23, 2024**

**FROM: Behnam Doulatyari, Senior Manager, Watershed Plans and
Source Water Protection**

RE: CTC Program Update

RECOMMENDED RESOLUTION

THAT the CTC Source Protection Committee receive the staff report CTC Program Update for information.

EXECUTIVE SUMMARY

This report includes updates on: Committee membership; recent meetings with Drinking Water Source Protection program managers and MECP staff; program funding; excess soil in aggregate site concerns; upcoming CTC Source Protection Plan amendments; progress on outstanding risk management plans; CTC Implementation Working Group meetings; and upcoming Committee meeting schedule.

Committee membership updates

On June 20, 2024, the terms of six Committee members expired. In anticipation of these terms ending, in order to ensure the function and maintenance of quorum for the Committee, staff initiated municipal outreach and advertising for the vacancies earlier this year.

On February 28, 2024, a request for joint nomination was sent to clerks from municipalities across Durham and York to represent them on the CTC Source Protection Committee. A notice advertising recruitment for economic and public interest seats was posted to the CTC Source Protection Region website on May 6, 2024, with a closing date for applications of June 6, 2024.

Following the application period closing, municipal, economic, and public interest sector candidates had their appointment to the CTC Source Protection Committee supported by the CTC Management Committee. At its June 14, 2024 meeting, the Credit Valley Source Protection Authority endorsed the reappointment of the following Committee representatives to five-year terms, commencing June 21, 2024, to the CTC Source Protection Committee:

- Louise Foster, to represent the land development sector
- Peter Miasek, to represent the interests of the general public
- Gary Mountain, to represent the agriculture sector

The Credit Valley Source Protection Authority also endorsed the appointment of a new representative, Tavis Nimmo, to represent the following municipalities for a five-year term commencing June 21, 2024: Durham Region, Town of Ajax, Municipality of Clarington, City of Oshawa, City of Pickering, Township of Scugog, Township of Uxbridge, and Town of Whitby. Tavis is the Manager of Water Resource Monitoring & Protection in the Environmental Services Branch of the Works Department at the Region of Durham.

The appointment of a new representative for the Region of York, Town of Aurora, Township of King, City of Markham, City of Richmond Hill, City of Vaughan, and the Town of Whitchurch-Stouffville was also endorsed by Credit Valley Source Protection Authority on June 21, 2024, pending confirmation of support from York Regional Council. York Regional Council confirmed its support for Tom Bradley on September 17, 2024. Tom is the Source Protection Program Manager, in the Infrastructure Asset Management Branch of the Public Works Department at York Region.

Following an interview process, the CTC Management Committee recommended an additional candidate be put forward to join the Committee. At its September 13, 2024 meeting, the Credit Valley Source Protection Authority endorsed a new member, to a five-year term:

- Chesley Blahut, a Professional Engineer from Toronto, as a citizen-at-large to represent the interests of the general public

One Source Protection Committee seat remain vacant, for the chemical sector. Program staff are working with the Credit Valley Conservation (CVC) communications department on targeted outreach for this sector.

Provincial updates

Program Manager's and Chair's meetings

Program Managers from each Source Protection Regions met June 3 and 4, 2024 with MECP Conservation and Source Protection Branch staff. Discussion included future program funding, stewardship, updating source protection plan policies using revised Technical Rules, sewage/stormwater permissions, and technical work and amendment guidance.

Program Managers met on again on September 25, 2024 and received updates and presentations on roles and responsibilities of MECP Conservation and Source Protection Branch staff, and Technical Standards and Safety Authority Fuels Regulation.

Chairs from Source Protection Regions across the province met October 8, 2024 with MECP Conservation and Source Protection Branch staff. Discussion included updates on program status, program funding, and guidance on amendments to source protection plans.

MECP Site Visit

On June 10, 2024, staff from Ministry of Environment, Conservation and Parks (MECP) Conservation and Source Protection Branch conducted a site visit at the Credit Valley

Conservation head office to discuss the program, as well as progress, issues/challenges and lessons learned in 2022-2024. CTC and municipal staff provided an overview of the local delivery model, and highlighted local accomplishments of the past two years, including information management, Source Protection Plan amendments, the Best Practices for Source Water Protection project within Credit Valley Conservation, and municipal implementation challenges. The draft 2024-2027 Transfer Payment Agreement was also discussed by program leads, CVC CAO, and MECP staff.

Transfer Payment Agreement update

Transfer Payment Agreements are the signed agreements between the MECP and lead Source Protection Authorities that provide funding to support Source Protection Authorities in fulfilling their responsibilities under the *Clean Water Act, 2006*. Following consultation with municipalities, CTC staff submitted an application for 2024-2027 funding to MECP in January 2024. Discussions on the terms of a 2024-2027 agreement continued with CTC Management Committee and MECP staff through the spring and summer, before being finalized on September 23, 2024. The agreement provides funding for the program until March 31, 2027.

Key tasks under the 2024-2027 agreement include the following:

- Preparation, consultation and submission of thirteen anticipated s.34 amendments to the CTC Source Protection Plan and Assessment Reports
- Preparation, consultation and submission of a comprehensive s.36 update to the CTC Source Protection Plan and Assessment Reports for Credit Valley, Toronto and Region and Central Lake Ontario Source Protection Areas
- Completion of Annual Reports by May 1st of each year.
- Support municipalities and implementing bodies in understanding source protection requirements and obligations
- Support municipalities taking on new or additional source protection responsibilities due to recent and upcoming changes in the planning framework
- Ensure AODA compliance of all documents posted on CTC website

Aggregate resources in well-head protection areas update

In response to SPC Resolution #24/24 at Meeting #3/24, on June 28th, 2024 a letter was sent to the Minister of Natural Resources and Minister of Environment, Conservation and Parks regarding: concerns with the application for significant amendment to the *Aggregate Resource Act* (ARA) Licence No. 3573 (ERO# 019-8143); and request for Ministry review of the existing regulatory framework governing excess soil in wellhead protection areas. The letter is included as correspondence in Agenda Item 9.1. The letter was copied to all source protection regions across the provincial program.

A response from the Ministry of Natural Resources was received on August 7 (see Agenda Item 9.2). On August 23, CTC staff and staff from municipalities concerned by potential impacts to their drinking water sources from placement of excess soil met with MNR and again reiterated the concerns stated in our letter. MNR staff indicated they will take this feedback for further consideration. A response was subsequently received from the Ministry of Environment,

Conservation and Parks on September 27 (see Agenda Item 9.3). Based on the letter from MECP and discussions with MNR it does not appear that the issue is being recognized by the ministries. Accordingly, in line with direction from the committee, CVSPA staff will continue their work in investigating importation of excess soil in well-head protection areas as a local threat within the CTC. To date, this has included reviewing the *Aggregate Resources Act* licences within CTC wellhead protection areas. The licences are being assessed for their location and vulnerability, whether they have soil importation conditions or restrictions. Applicability of Source Protection Plan fuel policies is also being considered as part of a previous Committee request.

on September 26, 2024, the Lake Erie Region Source Protection Committee passed the following motion:

THAT the Lake Erie Region Source Protection Committee direct staff to provide a report with more information on the importation of excess soil in Wellhead Protection Areas and whether the activity could be considered a local threat.

Staff at CTC will coordinate their efforts on this task with Lake Erie and other interested regions.

Update on Source Protection Plan amendments and consultations

Town of Erin Section 34 amendment

At meeting #3/24, the Committee directed (through Resolution #23/24) CTC staff to incorporate proposed amendments to the Source Protection Plan and Credit Valley Assessment Report for the Town of Erin's new supply, Well E9, under section 34 of the *Clean Water Act, 2006* (CWA). On June 28, 2024, staff shared source water protection technical documentation with the Ministry of Environment, Conservation and Parks (MECP) Conservation and Source Protection Branch about the proposed amendment. This formed part of the "early engagement" stage whereby MECP has an opportunity to provide feedback to the Source Protection Authority on proposed changes to the Source Protection Plan and Credit Valley Assessment Report. The Ministry evaluates provided technical work to ensure compliance with Technical Rules, regulation and the CWA.

On October 2, 2024, MECP formally provided its comments (see Agenda Item 9.6) on the proposed changes. In particular, the Ministry noted policy gaps that may exist until such time that CTC Source Protection Plan conformity with the 2021 Technical Rules occurs (e.g. through the Section 36 comprehensive update). Ministry staff have since clarified that most comments provided in the letter are intended to flag potential concerns for the upcoming s.36. CVSPA and municipal staff are working together to address Ministry's comments.

At the time of writing this report, pre-consultation notices are scheduled to be sent out on October 16, 2024. The pre-consultation process provides the opportunity for all implementing bodies impacted by the proposed changes to provide feedback ahead of public consultation. Broader public consultation on the proposed amendments is scheduled for the period of December 4, 2024, to January 22, 2025.

Section 36 updates

CTC staff continue to work internally and with municipal partners on the upcoming s.36 comprehensive plan update. This will ramp up in the coming months as resources approved under the 2024-27 Transfer Payment Agreement allow program staff to dedicate more time to these updates.

Update on Risk Management Plan extension

An update on the number of outstanding existing significant drinking water threats and risk managements plans in CTC can be found in Table 1.

Table 1. CTC outstanding existing significant drinking water threat and risk management plan progress

Municipality	Outstanding existing significant threats or risk management plans	As of January 1, 2023	As of June 30, 2023	As of January 1, 2024	As of July 1, 2024
Town of Erin	# of significant drinking water threats	29	25	22	16
Town of Erin	# of risk management plans	11	7	7	5
Halton Region	# of significant drinking water threats	165	124	95	88*
Halton Region	# of risk management plans	116	95	72	66*
Town of Orangeville	# of significant drinking water threats	66	39	42	33
Town of Orangeville	# of risk management plans	34	30	22	19

*as of August 1, 2024

Implementation Working Group updates

The CTC Implementation Working Group (IWG) met virtually on June 19, 2024. Discussion included updating threat enumerations for the upcoming section 36 update, Technical Rule changes and upcoming amendments, and phase 2 water quality updates.

The CTC Implementation Working Group (IWG) met again on September 11, 2024. Discussion included: status of CTC staff review of aggregate licences; enumeration of threats for s.36 update; and review of updates required for sewage for conformity with current Technical Rules. The next IWG meeting is scheduled for November 13, 2024.

Upcoming Meeting Schedule

In accordance with SPC direction provided at meeting #3/22, upcoming SPC meetings are generally scheduled as “hybrid” meetings, hosted at the Credit Valley Conservation head office.

Upcoming meeting dates and locations:

- December 5, 2024 1-4 p.m. (hybrid: @ CVC head office & TEAMS)
- 2025 meeting schedule will be considered at December meeting

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