

February 16, 2024

Greetings,

The Ministry of the Environment, Conservation and Parks (ministry) continues to take action to modernize Ontario's environmental assessment (EA) program.

Building on our [spring 2023 proposal](#) to evaluate environmental assessment (EA) requirements for municipal infrastructure projects, I would like to inform you about a new proposal arising out of the spring proposal. This new proposal is to revoke the Municipal Class EA and make a regulation under the *Environmental Assessment Act* that will clearly identify which municipal infrastructure projects are subject to the streamlined EA process and the process they must follow. This approach will help us eliminate unnecessary burden on lower-impact projects and reduce duplicative requirements.

As you may be aware, Ontario has been working to modernize its almost 50-year-old environmental assessment program since 2019. We have been working to make changes that will reduce delays on infrastructure projects that matter most to Ontario communities, while maintaining appropriate environmental oversight and consultation opportunities.

In July 2020, Ontario amended the *Environmental Assessment Act* (EA Act) to enable moving to a project list approach. To fully implement these changes, regulations are needed to list projects subject to comprehensive EA (i.e. Part II.3 projects), list projects subject to streamlined EA regulation requirements (Part II.4 projects), and set out the streamlined EA process for Part II.4 projects. The streamlined EA project list and process regulations will eventually replace the current complex system of class environmental assessments that apply to certain types of projects. It is the ministry's vision that the modernized streamlined regulations will eliminate duplication and provide clear expectations regarding consultation and defined timelines while maintaining environmental protections.

Implementation of the 2020 EA Act amendments started with the proposal for projects that will be subject to comprehensive (Part II.3) EA requirements, which remains under consideration. The new proposal is premised on the comprehensive EA project list proposal being implemented, and the relevant EA Act amendments proclaimed into force.

The ministry is seeking your feedback as we develop the first of the streamlined EA project lists and process regulations. The proposed regulation would set out municipal infrastructure projects undertaken by municipalities, that will be subject to the new Part

11.4 of the amended Act. These projects would be required to undertake a streamlined EA process set out in the regulation (the proposed Municipal Project Assessment Process (MPAP)).

The proposed streamlined MPAP would be a time-limited process. The proposed regulation would create a six-month timeline for the process. The regulation would be accompanied by guidance for proponents of projects subject to the new regulation. The guidance would help Indigenous communities and the public understand the process and how to get involved in a project.

For more information about this proposal, please visit <https://ero.ontario.ca/notice/019-7891>. Please note that the comment period ends on March 17, 2024.

Please do not hesitate to contact the ministry's EA Modernization team at [EAmmodernization.mecp@ontario.ca](mailto:EAmmodernization.mecp@ontario.ca) with any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "A. Cross". The signature is written in a cursive, flowing style.

Annamaria Cross  
Director, Environmental Assessment Modernization Branch  
Ministry of the Environment, Conservation and Parks

February 26th, 2023

**Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs**

Via e-mail: [lisa.thompsonco@pc.ola.org](mailto:lisa.thompsonco@pc.ola.org)

**Re: Recommended Phase Out of Free Well Water Testing in the 2023 Auditor General's Report**

Dear Minister Thompson,

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

[https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR\\_publichealth\\_en23.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR_publichealth_en23.pdf)

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites

About 50% of the Ausable Bayfield Maitland Valley Region population is serviced by private wells. The proposed removal of PHO's free private drinking water testing is of concern to our Ausable Bayfield Source Protection Committee, particularly when Source Protection Regions have been directed by the Ministry of Environment, Conservation and Parks, Source Protection Branch, to deliver education and outreach to private well owners under the new Best Practices initiative.

In our region, we have been working with service and community organizations such as the Lions, Optimists and Lakeshore Residents Associations to co-host very successful Best Practices 'Water Wise' events that encourage private well owners to sample their drinking water using the free microbial testing provided by the province. By distributing water sample bottles ahead of the event and delivering the samples to Huron Perth Public Health for lab analysis, most of

the barriers to water sampling are removed. At these events 25% to 50% of a communities well water will be sampled in one day or night.

Well owners understand the importance of testing their well water; it is the inconvenience of doing so that is the barrier. One of the goals of the 'Water Wise' events is to encourage well owners to get in the habit of testing their water regularly as part of Best Practices for protecting their drinking water. The hope is that the community groups and service clubs that Source Protection staff work with will make Water Wise water sampling events part of their regular activities.

Private drinking water systems in Ontario do not have the legislated safeguards that are required for municipal/communal/public systems under the *Safe Drinking Water Act, 2002*. Only municipal water supply systems fall under the *Clean Water Act, 2006* and the Source Water Protection program. Health Canada's guidance on waterborne pathogens references three studies that determine that private systems are vulnerable and there is evidence that demonstrates they are more likely to contribute to gastrointestinal illness than public drinking water systems.

If the free water testing phase out recommendation is approved, well owners would have to use a commercial lab for a fee, which disincentivizes testing. When water is not monitored regularly, there is no way to know the true quality of the water, which puts people at increased risk of becoming ill. With private systems being stand-alone systems, any associated illnesses are isolated sporadic events and do not come to public attention like those seen during the Walkerton outbreak.

The private drinking water test data maintained by PHO has been used by researchers to publish evidence that helps support public health policy. Source Protection Committees can access data associated with their area, as was presented at our March 2023 meeting. The data can be used to inform well owners of regional water quality concerns and associated health risks. If PHO stops testing, this data and affiliated research will no longer be available.

In the Walkerton Inquiry Report Part 2, Justice O'Connor concluded the privatization of laboratory testing of drinking water samples connected directly to the *E. coli* O157:H7 outbreak in Walkerton Ontario in May 2000. Twenty-four years later, there is a proposal to privatize water testing once again.

At the January 31<sup>st</sup> meeting of the Ausable Bayfield Maitland Valley Source Protection Committee the following resolution was unanimously approved:

**MOTION #SPC: 2024-02-04**

**Moved by Philip Keightley**

**Seconded by Mary Ellen Foran**

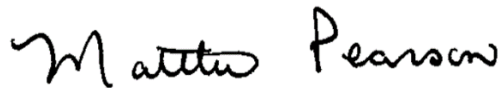
**“THAT the Source Protection Committee direct a letter to Minister Thompson requesting that the province not proceed with the recommended phase out of free private well testing in Ontario, and**

**“FURTHER, THAT area municipalities, the Minister of Environment Conservation and Parks, the Minister of Health and Long-Term Care, other Source Protection Committees, and local health units be forwarded the letter and asked for their support. “**

**Carried.**

Thank you for your consideration of this request.

Sincerely



Matthew Pearson

Chair

Ausable Bayfield Maitland Valley Source Protection Committee

Cc Honourable Sylvia Jones, Minister of Health and Long-Term Care  
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks

Municipalities of Adelaide Metcalfe, Ashfield-Colborne-Wawanosh, Bluewater, Central Huron, Goderich, Howick, Huron East, Lambton Shores, Lucan Biddulph, Mapleton, Middlesex Centre, Minto, Morris-Turnberry, North Middlesex, North Perth, Perth South, South Bruce, South Huron, Warwick, West Perth, Wellington North  
Townships of Huron-Kinloss and North Huron

Huron Perth Public Health, Lambton Public Health, Middlesex-London Health Unit, Wellington Dufferin Guelph Public Health

Source Protection Regions: Cataraqui; Central Lake Ontario, Toronto, Credit Valley; Essex; Hamilton Halton; Grey Sauble, Saugeen, Northern Bruce Peninsula; Lake Erie; Lakehead; Mattagami; Mississippi-Rideau; Niagara; North Bay; Quinte; Raisin South Nation; Sault Ste. Marie; South Georgian Bay Lake Simcoe; Sudbury; Thames -Sydenham and Region; Trent Conservation Coalition

Ministry of the Environment,  
Conservation and Parks

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

Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor  
Toronto ON M7A 2J3  
Tel.: 416-314-6790

777, rue Bay, 5<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416.314.679



357-2024-327

February 29, 2024

Mr. Nathan Hyde, Chair  
Credit Valley – Toronto and Region –  
Central Lake Ontario Source Protection  
Committee  
Email: [Nathan.d.hyde@gmail.com](mailto:Nathan.d.hyde@gmail.com)

Mr. Michael Palleschi, Chair  
Credit Valley Source Protection Authority  
Email: [michael.palleschi@brampton.ca](mailto:michael.palleschi@brampton.ca)

Mr. Paul Ainslie, Chair  
Toronto and Region Source Protection  
Authority  
Email: [councillor\\_ainslie@toronto.ca](mailto:councillor_ainslie@toronto.ca)

Dear Mr. Hyde, Mr. Palleschi and Mr. Ainslie:

It is a pleasure to inform you that the Ministry has completed the review of the updated Credit Valley Source Protection Area and Toronto and Region Source Protection Area Assessment Reports and the amended Credit Valley – Toronto and Region – Central Lake Ontario (CTC) Source Protection Plan. To ensure that the quality and quantity of Ontario's municipal drinking water sources continue to be protected, I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006*. These amendments will take effect on the day a notice of this decision is posted to Ontario's Environmental Registry.

I appreciate the dedication of the local municipalities, source protection authorities and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that the quality of Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Khanjin".

Andrea Khanjin  
Minister of the Environment, Conservation and Parks

c: Behnam Doulatyari, Senior Manager, Watershed Plans & Source Protection, Credit Valley Conservation Authority  
Craig Jacques, Specialist, Watershed Plans and Source Water Protection, Credit Valley Conservation Authority  
Kirsten Service, Director, Conservation and Source Protection Branch, MECP