

**TO: Chair and Members of the Source Protection Committee  
Meeting #2/24, March 20, 2024**

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

**RE: CTC Program Update**

### **RECOMMENDATION**

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

### **EXECUTIVE SUMMARY**

This report includes updates on: proposed changes to environmental assessments for municipal projects; program funding; CTC Implementation Working Group discussions; section 36 planning; anticipated Source Protection Plan (SPP) amendments and consultations; and upcoming Committee meeting schedule.

### **Provincial updates**

#### **Proposed Municipal Class Environmental Act changes**

On February 16, 2024, the Ministry of Environment, Conservation and Parks (MECP) posted a proposal on the Environmental Registry of Ontario (ERO) to revoke the Municipal Class Environment Assessment (see Agenda Item 8.1). Under the proposal, environmental assessments for a number of types of municipal infrastructure projects would no longer be required. Municipal infrastructure projects involving more complex water, sewage, and shoreline/in-water works are proposed to be covered by a streamlined regulation and would still require environmental assessments. The ERO posting ([#019-7891](#)) was available for a 30-day public comment period that closed March 17, 2024.

#### **Transfer Payment Application**

In December 2023, MECP announced a call for applications to source protection authorities under the Drinking Water Source Protection (DWSP) Program for the three-year period from April 1, 2024 to March 31, 2027. In response, CTC worked with local municipalities to prepare a proposed workplan for that period, which was submitted on January 19, 2024. MECP Conservation and Source Protection Branch staff recently completed their review and analysis of initial program applications and provided updates to DWSP Program Managers from across the

province. Source Protections Regions, including CTC, are currently working to further refine their applications in response to MECP feedback.

### Working Group updates

The CTC Implementation Working Group (IWG) met virtually on March 7, 2024. Discussion included amending the group’s Terms of Reference, changes to municipal environmental assessment requirements, and Technical Rules clarifications. The group also considered phase 2 of the CTC water quality assessment (see Agenda Item 7.1c) which includes issues identification methods, issues delisting criterion, and suggested frequency of sampling.

### CTC Source Protection Plan section 36 update

As source protection plans across Ontario were initially approved, the Minister of the Environment, Conservation and Parks, was required to issue an order to specify which parts of source protection plans and assessment reports were to be reviewed under section 36 of the *Clean Water Act, 2006*. CTC received a Minister’s order on July 28, 2015. The CTC workplan, developed in response to the order, was finalized on December 21, 2018, after consultation with all stakeholders. The Minister amended their previous order through a new order issued on July 22, 2019, identifying the “mandatory updates” to the CTC Source Protection Plan and the three Assessment Reports. **Table 1** presents the mandatory components identified in the Minister’s order and the corresponding tasks in the workplan and a status update for each. Non-mandatory updates are presented in **Table 2**. The tables do not show tasks 20 through 26 of the section 36 workplan which correspond to municipal technical work.

In the recent workplan included in the 2024-2027 Transfer Payment application submitted to MECP, it is proposed to complete these mandatory section 36 elements by the end of 2024 and start the consultation and engagement phase in 2025. The mandatory elements include update of the CTC Source Protection Plan to the latest Technical Rules, which is an important priority for the CTC and implementing municipalities and will be prioritized. This deadline will also help to avoid scope creep and provide clarity for those municipalities who may chose to include their technical work as part of the s.36 submission (**Table 3**).

**Table 1. Mandatory s.36 updates to the Source Protection Plan and Assessment Reports identified in the Minister's order**

S.36 Minister Order - Mandatory Updates	Corresponding s.36 Workplan Tasks
Comply with the amendments made to Directors Technical Rules, published in the ERO in March 2017 under posting number 012-8507 and the 2018 amendments to the rules and general regulation O.Reg 287/07. For your source protection area this includes:	<b>Task 33:</b> Complete changes to the CTC SPP to conform with the current Director’s Technical Rules. <b>Underway – expected Q4 2024</b>

<p><b>Updating liquid hydrocarbon pipeline references in the current assessment reports and plans from a local threat to a prescribed drinking water threat of provincial interest and ensuring policies apply to all relevant protection zones.</b></p>	<p><b>Task 16:</b> Update Assessment Reports to reflect the new prescribed significant threat, liquid hydrocarbon pipeline, per Clean Water Act, 2006 (O. Reg. 287/07).  <b>Proposed policy pending approval by SPC– expected Q2 2024</b></p>
<p><b>Assessing locations where the above-grade handling and storage of fuel pose a significant, moderate, and low risk and ensuring policies apply to relevant protection zones.</b></p>	<p><b>Task 28:</b> The revised circumstances associated with the storage and handling of above grade fuel will be applied within the CTC SPR.  <b>Complete</b></p>
<p><b>Updating the significant groundwater recharge areas and any associated policies in the plan to align with amended rules.</b></p>	<p><b>Task 15:</b> Group all significant groundwater recharge areas (SGRA) polygons previously scored 2,4 or 6 into one area with no score. Revise mapping in each assessment report to reflect update. This update will also include revising the assessment reports and source protection plan to remove all references to water quality threats in SGRAs.  <b>Partially complete – expected Q3 2024</b></p>
<p><b>Updating the assessment reports and source protection plan to revise references to circumstances, chemicals and concern, thresholds that may have changed as a result of changes to the technical rules.</b></p>	<p><b>Underway – expected Q4 2024</b></p>
<p><b>Include technical work completed municipalities within the time frame of the review, such as Durham Region’s updated conceptual and groundwater model results in the relevant assessment reports and make corresponding revisions to wellhead protection area and intake protection zone delineation.</b></p>	<p><b>Task 18:</b> Incorporate updated conceptual and groundwater model (Durham Region) results from numerical modeling into Water Budget chapters.  <b>Underway – expected Q3 2024</b>  <b>Task 19:</b> Revise WHPA delineations for Uxville Drinking Water System as a result of model refinement and update.  Ongoing  <b>Underway – expected Q3 2024</b></p>
<p><b>Revise policies to address implementation challenges where committee, authority, and affected municipalities determine it is necessary for the handling of DNAPL and OS, as well policies for agricultural activities that impose prohibition outside of a WHAPA-A and those that address nutrients.</b></p>	<p><b>Task 1:</b> Review DNAP-1 and OS-1 policies to determine:  i) whether future prohibition of DNAPLs and organic solvents is necessary or whether an RMP approach would achieve the desired result more efficiently; and  ii) whether an exception for small quantities of DNAPLs and organic solvents should be added to the policies to exclude situations where the storage and handling of these materials are unlikely to result in a risk to sources of drinking water.  <b>Underway – expected Q2 2024</b>  <b>Task 2:</b> Review agricultural source material policies (ASM-2, ASM-4) for gaps related to allowing a risk management plan (RMP) when a Nutrient Management Plan (NMP)/Strategy (NMS) is required, but has expired, or when a NMP is voluntarily in place. <b>Complete</b></p>

- Task 3:** Review policies ASM-1 and ASM-2, in particular duplication of requirements where NMP/NMS is in place on a property where a risk management plan (RMP) is also required (i.e., soil testing). **Complete**
- Task 4:** Review the need for prohibiting the application of commercial fertilizer in wellhead protection area-A (WHPA-A). **Complete**
- Task 10:** Re-evaluate the appropriateness of a risk management plan approach for all agricultural policies currently requiring prohibition outside of the WHPA-A. **Complete**

Table 2. Non-mandatory s.36 updates to the Source Protection Plan and Assessment Reports

Non-Mandatory s.36 Workplan Deliverables
<p><b>Task 5:</b> Consider addition to policy LO-NGS-1 requiring that Ontario Power Generation designate an appropriate lead for source protection considerations.  <b>Underway– expected Q4 2024</b></p>
<p><b>Task 7:</b> Create policy to require signage at boundaries of most vulnerable areas (i.e., WHPA-A).  <b>Underway– expected Q4 2024</b></p>
<p><b>Task 6:</b> Consider the transportation of substances as a local threat. If deemed a local threat, create a specify action policy to address the threat.  <b>Proposed policy pending approval by SPC– expected Q2 2024</b></p>
<p><b>Task 9:</b> Consider the need for additional policies to address issues identified in inaugural CTC SPP.  <b>Underway– expected Q4 2024</b></p>
<p><b>Task 11:</b> Review need for new policies as a result of adding liquid hydrocarbon pipelines as a prescribed threat.  <b>Proposed policy pending approval by SPC– expected Q2 2024</b></p>
<p><b>Task 12:</b> Review ‘Nitrate Issue’ designation at Acton Drinking Water System based on additional water quality monitoring data and research results. <b>Complete</b></p>
<p><b>Task 13:</b> Review ‘Chloride Issue’ designation at Georgetown Drinking Water System based on additional water quality monitoring data. <b>Complete</b></p>
<p><b>Task 14:</b> Review ‘Sodium and Chloride Issue’ designations at Orangeville Drinking Water System based on additional water quality monitoring data. <b>Complete</b></p>
<p><b>Task 8:</b> Consider the creation of a policy or policies to address transport pathways. <b>Proposed policy pending approval by SPC– expected Q2 2024</b></p>
<p><b>Task 27:</b> Identify new and existing transport pathways based on in-depth inventory in all three source protection areas. <b>Complete</b></p>

### Update on Source Protection Plan amendments and consultations

The 2023 proposed amendments to the CTC Source Protection Plan including: York’s new Nobleton well PW7; Peel Region’s Palgrave, Caledon East, and Caledon Village systems; the City of Toronto’s new Enwave intake and Ashbridges Bay WWTP outfall; and policy updates were approved by the Minister of Environment, Conservation and Parks on February 29, 2024 (see

Agenda Item 8.3). The updated Source Protection Plan came into effect on March 6, 2024 ([ERO posting #019-8294](#)).

The timeline of anticipated upcoming amendments to the CTC Source Protection Plan is summarized in **Table 3**.

Table 3. Timeline of anticipated upcoming SPP amendments

Drinking Water System	Pre-Consultation	Public Consultation	Submission Date
Town of Erin (Well E9) (s.34 or s.36)	2024	2024/2025	2024/2025
York Region/Nobleton well 6 (s.34 or s.36)	2024/2025	2024/2025	2025/2026
Durham Region GW model update (Uxville/CLOCA) (s. 36)	2024/2025	2025	2025/2026
York Region/Stouffville well 3 ICA (s.34 or s.36)	2024/2025	2025	2025/2026
Orangeville Tier 3 update/new Pullen well (s. 34 or 36)	2024/2025	2025/2026	2025/2026
Mono (Island Lake new supplies) (s.34)	2025/2026	TBC	TBC
Halton Region GW model (Georgetown/Acton) (s.34)	2025/2026	TBC	TBC
Town of Erin (Hillsburgh new well) (s.34)	2025/2026	TBC	TBC
York Region/Stouffville well 3 replacement (s.34)	2025/2026	TBC	TBC
Peel Region/potential Inglewood new supply (s.34)	2025/2026	TBC	TBC
Town of Erin (WHPA updates) (s.34)	2026/2027	TBC	TBC

### Upcoming Meeting Schedule

In accordance with SPC direction provided at meeting #3/22, upcoming SPC meetings are scheduled as “hybrid” meetings, hosted at the Credit Valley Conservation head office. As discussed at Meeting #1/24, the May 30, 2024 SPC meeting is currently planned to be an in-person meeting only.

Upcoming meeting dates and locations:

- April 17, 2024 1–4 p.m. (hybrid: @ CVC head office & TEAMS)
- May 30, 2024 1-4 p.m. (in-person only @ CVC head office)
- October 9, 2024 1-4 p.m. (hybrid: @ CVC head office & TEAMS) - **Proposed to be rescheduled to October 23, 2024 1-4 p.m.**
- December 4, 2024 1-4 p.m. (hybrid: @ CVC head office & TEAMS) - **Proposed to be rescheduled to December 5, 2024 1-4 p.m.**

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Attachments (0):