



CATARAQUI SOURCE PROTECTION COMMITTEE

AGENDA FOR MEETING # 46

Date: Thursday January 19, 2012
 Time: 7:00 PM
 Location: Outdoor Centre, Little Cataraqui Creek Conservation Area
 1655 Perth Road (Division Street), Kingston

#	Topic	Leader	Time (min)	Action Item?
1	Roll Call and Notice of Proxies	John Williamson, Chair	10	
2	Adoption of the Agenda			
3	Declarations of Conflict of Interest			
4	Approval of Previous Meeting Minutes from December 8, 2011 (attached)			
5	Business Arising			
(a)	Correction to Policy Revision notes from the December 8, 2011 meeting (unedited notes attached)			
6	Delegations			
7	Correspondence (attached)	Rob McRae, Project Manager	10	
(a)	Max Christie, Chair, Quinte Region Source Protection Committee, to Mary Ann Covelli, Director, Source Protection Programs Branch, Ontario Ministry of the Environment, regarding provincial funding for source protection plan implementation, dated December 16, 2011			
(b)	Max Christie, Chair, Quinte Region Source Protection Committee, to Mary Ann Covelli, Director, Source Protection Programs Branch, Ontario Ministry of the Environment, regarding the involvement of the Technical Standards and Safety Authority in drinking water source protection planning, dated December 21, 2011			

#	Topic	Leader	Time (min)	Action Item?
(c)	Mary Ann Covelli, Director, Source Protection Programs Branch, Ontario Ministry of the Environment, to source protection committee chairs and project managers, regarding draft source protection plan policy development, dated January 5, 2012			
8	Sector Updates from the Committee	John Williamson, Chair	15	
9	Business / Reports			
(a)	Key Outcomes from the Source Protection Committee Chairs' Meeting in January 2012	John Williamson, Chair	15	
(b)	Update on Source Protection Plan Development and Consultation (staff report attached)	Rob McRae, Project Manager	10	
(c)	Internal Version of the Draft Source Protection Plan (staff report attached)	Holly Evans, Water Quality Specialist Christine Woods, Source Protection Planner	60	
10	Announcements or Inquiries			
(a)	Newspaper article: Water protection plan to cover 'significant' threats (Brockville Recorder & Times, January 11, 2012)			
11	Motions or Notices of Motion	John Williamson, Chair	10	
12	Questions from the Media			
13	IN CAMERA Session (if required)			
14	Next meeting – February 9, 2012 (Kingston)			
15	Adjournment			

Please inform Donna Cellini at (613) 546-4228 ext. 248 or via e-mail at dcellini@cataraquieregion.on.ca if you will not be able to attend the meeting. Members voting by proxy are requested to please communicate their proxy to the Chair prior to the meeting.

Delegations wishing to speak to the Source Protection Committee are asked to contact Rob McRae, Project Manager at (613) 546-4228 ext. 224 or via e-mail at robmcrae@cataraquieregion.on.ca.

THE CATARAQUI SOURCE PROTECTION COMMITTEE
MINUTES OF MEETING # 45

Thursday, December 8, 2011 (7:00 PM)

General Purpose Room, Outdoor Centre
Little Cataraqui Creek Conservation Area, Kingston

Present: John C. Williamson, Chair John Conley Rob Cumming
Gary Davison Scott Ewart Jacques Labelle
Kathleen Laird Wendy Lavender Richard Lindgren (left 9:39 PM)
Chris Mangan-Greene Nona Mariotti Allan McPhail
Alex Palilonis Jeff Peters Peter Raabe
Kevin Riley Kim Sytsma

Regrets: Richard Bresee Joan Green

Staff Present: Donna Cellini, Project Secretary
Holly Evans, Water Quality Specialist
Rob McRae, Project Manager, Source Water Protection
Christine Woods, Source Protection Planner

Guests: George Wallace, City of Kingston

Chair John C. Williamson called the Cataraqui Source Protection Committee (SP Committee) meeting to order at 7:12 P.M.

1) Roll Call and Mileage

There were 14 voting members present. Chair John Williamson thanked Chris Mangan-Greene and Nona Mariotti for the fabulous holiday meal that they had generously provided to the members and staff team earlier that evening.

2) Adoption of Agenda

Moved by: Kevin Riley
Seconded by: Gary Davison

THAT the Cataraqui Source Protection Committee members adopt the meeting agenda as distributed.

Carried

3) Declarations of Conflict of Interest

There were none.

4) Approval of Cataraqui Source Protection Committee Minutes

Approval of November 17, 2011 Cataraqui Region Source Protection Committee Minutes.

Moved by: Kim Sytsma
Seconded by: Alex Palilionis

THAT the minutes of the November 17, 2011 meeting of the Cataraqui Source Protection Committee be approved as circulated.

Carried

5) Business Arising

Mr. Rob McRae, Project Manager, advised that there were 3 letters distributed on behalf of the SP Committee following the November 17th meeting:

- Ontario Ministry of the Environment (Source Protection Programs Branch) – acknowledging Ontario’s ‘A’ rating in the Waterproof 3 report by Ecojustice;
- Sunbury Outlook – acknowledging concerns about pit/quarry development in the Township of South Frontenac; and
- Mr. Ray West, Bath – responding to comments about draft source protection plan policies.

Copies of the letters had previously been shared with the SP Committee via electronic mail.

6) Delegations

There were none.

7) Correspondence

There were none.

8) Sector Updates from the Committee

Rob Cumming suggested that the members access the Ontario Sand Stone and Gravel Association website as a resource, as it has some useful information and research findings related to drinking water source protection.

9) Business/Reports

- a) On-line Demonstration of Ontario Ministry of the Environment Policy Database, Wendy Lavender, Liaison Officer, MOE

Wendy Lavender provided a brief presentation about the online policy database that was developed by the Ministry of Environment (MOE) with assistance from Conservation Ontario. The website was developed to track the history and evolution of all the policies in the Province and provides a centralized repository in a consistent format. It also offers an opportunity for Ministry staff to comment on groups of policies and/or specific policies.

She reminded the members that they have already ‘read only’ status and suggested that Donna Cellini, Project Secretary provide them the link and the log in information as a reminder.

b) Looking Ahead to 2012 – Source Protection Plan, Rob McRae, Project Manager

Mr. McRae reported on the comments received through the three pre-consultation periods. He noted that letters were still being received, and that resulting policy changes would be brought forward for consideration by the members at their January 19th meeting.

He then offered an opportunity for the members to discuss the first consultation period for the draft source protection plan that will be posted in early 2012. It was agreed that the minimum allowable duration of 35 days was not enough time for municipalities, the public or other interested parties to provide comments. However, the 60 day period proposed by staff was deemed inappropriate, in that it would likely result in the second (30 day) consultation period extending into July, and would require deliberations by the Cataraqui Source Protection Authority (SP Authority) during the summer months. The members felt that it was important for the SP Authority to be able to consider comments received during the second consultation period (on the proposed source protection plan) at its June meeting.

Mr. McRae agreed he would revise the schedule, based on the direction from the SP Committee, to maximize the length of the first consultation period while ensuring that the second comment period would end in June, prior to the anticipated SP Authority meeting in the fourth week of that month. .

Mr. McRae also suggested a schedule for SP Committee meetings in 2012. He observed that the actual meeting dates will be tied to the schedule for the source protection plan.

He also provided information regarding the upcoming delegations at municipal council meetings. It was suggested that a representative of the SP Committee attend each meeting, introduce the staff presenter and provide support to them as necessary. He indicated that the project budget could support one member attending each of the 15 council meetings.

Ms. Cellini provided a tentative schedule for members' consideration, with the suggestion that they each select one meeting to attend that fit into their personal schedule and that was relevant to their sector and/or place of residence. She promised to confirm the council dates and SP Committee representatives as soon as feasible.

Resolution CSPC 12-11

Moved by: Kim Sytsma
Seconded by: Kathleen Laird

THAT the Cataraqui Source Protection Committee adopt a revised schedule for the development of a proposed source protection plan in 2012, as outlined by the report of the Project Manager (dated December 1, 2011) and incorporating the comments received by the Source Protection Committee on December 8, 2012.

Carried

- c) Approval of Draft Policies for the Source Protection Plan, Holly Evans, Water Quality Specialist and Christine Woods, Source Protection Planner

Holly Evans and Christine Woods supported the members in a policy discussion that provided some valuable feedback and clarification. They indicated that the resulting direction from the SP Committee would be incorporated into the subject policies, which would be circulated to the members following the meeting.

Ms. Woods indicated that an internal draft of the source protection plan would be circulated in early January for members' review, to be accompanied or closely followed by a draft of the explanatory document, all in preparation for the January 19th and February 9th SP Committee meetings.

Resolution CSPC 13-11

Moved by: Kim Sytsma
Seconded by: Kathleen Laird

That the Cataraqui Source Protection Committee approve in-principle draft policies (as discussed at its December 8, 2011 meeting) for the purpose of preparing a draft source protection plan.

Carried

- d) Source Protection Plan Development Update, Christine Woods, Source Protection Planner

Ms. Woods provided a source protection plan update that included some minor changes to the draft table of contents. She suggested that the plan should include a clear language summary and that duplication with the Assessment Report should be avoided. Other suggestions included including a chapter for policies that apply to all vulnerable areas across the Cataraqui Source Protection Area, removing the chapter on climate change and integrate the maps into the main (first) volume.

Ms. Woods noted that the explanatory document will outline the framework used to develop the plan, considerations for comments received, financial implications and climate change, reasons for policies or groups of policies and thoughts on implementation.

It was suggested by a member that Chapter 7 (Implementation) be moved up in the document for the information of the reader.

10) Announcements or Inquiries

- a) New Director - Source Protection Programs Branch

The Chair indicated that the members previously received correspondence from John Stager, Chief Drinking Water Inspector and Assistant Deputy Minister, Drinking Water Management Division, Ministry of the Environment formally announcing Mary Anne Covelli had joined the Source Protection Programs Branch as Director effective December 1, 2011.

- b) Mr. McRae offered appreciation to the members and the staff team for their dedicated work on source protection in 2011, and he noted the current effort by the Source Protection Planner and Water Quality Specialist to advance the policy development.

- c) Chair John Williamson wished everyone a Merry Christmas and a Happy New Year 2012, and this sentiment was echoed throughout the room.

11) Motions/Notice of Motion

There were none.

12) Opportunity for Questions from the Media

There were no questions.

13) IN CAMERA Session

This was not required.

14) Next Meeting

Next meeting of the SP Committee: January 19, 2012
7:00 PM Regular Meeting
General Purpose Room, Outdoor Centre
Little Cataraqui Creek Conservation Area, Kingston

15) Adjournment

The meeting adjourned at 9:50 P.M. on a motion by Kim Sytsma.

John C. Williamson, Chair

Rob McRae, Project Manager

Cataraqui Source Protection Committee

Draft Source Protection Plan

Policy Revisions Resulting from the December 8, 2011 Meeting

(Prepared by CRCA staff on December 20, 2011)

The following is a summary of:

- Policy items that were presented at the December 8, 2011;
- A synopsis of the SP Committee discussion;
- An indication of the SP Committee direction, if provided; and
- The resulting policy revisions as recommended for the forthcoming Draft Source Protection Plan.

1) Highly Vulnerable Aquifer and Significant Groundwater Recharge Area Policy Applicability in Fully Serviced Areas

A decision about whether or not policies for the highly vulnerable aquifers and significant groundwater recharge areas should be applied to areas with full services (i.e. municipal water and sewer) was requested.

SP Committee Discussion

- It was noted that compared to the extent of the highly vulnerable aquifers and significant groundwater recharge areas the fully serviced portion of the Cataraqui Source Protection Area is small.
- Making exceptions might be confusing without any notable benefit.
- Although people in the fully serviced areas do not depend on groundwater, groundwater moves and it is important to protect your “downstream” neighbour.
- In the City of Kingston it appears that there would be portions of the City with full services where the groundwater would flow without intercepting any drinking water wells before discharging to Lake Ontario.

SP Committee General Consensus

- The general consensus was that the highly vulnerable aquifer and significant groundwater recharge area policies should apply to the entirety of those vulnerable areas, including where there are full services in place. It was also agreed that the source protection plan should make it clear why the policies apply everywhere and what the impact would be on fully serviced areas.

Recommended Draft Source Protection Plan Content

Add text to the beginning of the chapter on highly vulnerable aquifers and significant groundwater recharge areas: “The policies in this chapter apply regardless of whether or not municipal water

and sanitary sewer services are present in the highly vulnerable aquifer or significant groundwater recharge area since groundwater is not static. It moves under the ground carrying any contamination that may be impacting it and could end up affecting a drinking water source. Many, but not all, of the policies for the highly vulnerable aquifers and significant groundwater recharge areas relate to research or best practices for drinking water wells and on-site sewage systems, and so by their nature will not have implications for the fully serviced areas.”

2) Proposed area-wide policy for sewage connections

SP Committee Discussion

- The City of Brockville already requires connection and the Township of South Frontenac will make this a requirement at Sydenham.
- The policy should be clear that the hook up is only required if the sewer main is immediately adjacent to the affected property.

SP Committee General Consensus

- The policy is acceptable provided that text be added to ensure connection will only be required if the sewer line is in close proximity to the affected property.

Recommended Draft Source Protection Plan Content

Connections to Sanitary Sewers

The use of municipal sewers instead of individual on-site sewage systems generally poses a lower risk to sources of drinking water because the on-going use of municipal sewer services are regulated to a higher degree than individual on-site sewage systems, their operations are supervised by professionals, and the waste materials are transported to a centralized facility for treatment rather than being treated on-site in materials overlying the aquifers. Where municipal sewer services are available at the property line and where capacity permits, failing and inadequate septic systems should be decommissioned and the development connected to municipal services. This approach would phase out septic systems over time where the alternative of municipal services exists, and is consistent with most municipal servicing policies.

Policy: Municipalities should require connection to municipal sanitary sewer services within designated serviced areas where capacity permits, and where services are available within the road allowance abutting the property or a municipal easement abutting or within the boundaries of the property, or when they become available, in the following situations:

- a) Where an existing septic system has failed a Phase II Inspection and/or an order has been issued to replace or do significant upgrades to a system,

- b) Where the Principal Authority under Part 8 of the Ontario Building Code has deemed an existing septic system inadequate to service a proposed redevelopment / renovation, or
- c) For new development on an existing lot of record or on newly created lots.

Proponents should also be encouraged to connect to the municipal water service at the same time, if available, and to decommission their private drinking water wells.

3) Information on Wells

It was proposed by staff that a policy be revised to request the Ontario Ministry of the Environment to include a definition for “source of contamination” in Ontario Regulation 903 (Wells), and to move the targeted responsibility of educating landowners and developers about certain well requirements and considerations to the Area-wide.13 policy in the source protection plan.

SP Committee Discussion

- It was noted that the Ontario Ministry of the Environment has produced a guidance document about drinking water wells including interpretation of “sources of contamination” so a policy revision to cover this is not needed.
- It was further observed that community organizations already have prepared information about water wells and it may be unnecessary for the Cataraqui Source Protection Authority to produce similar information to pass along to local municipalities.

Related Staff Research

- It has been confirmed that the Ontario Ministry of the Environment Water Supply Wells Requirements and Best Management Practices (2009) resource explains what is intended to be covered by “sources of contamination” in Ontario Regulation 903. Therefore a request for amendments to Ontario Regulation 903 will not be made. However, note that roads are not included in the list of examples in the above-noted document.
- Policy Area-wide.13-SA should still include a provision that well-related information be provided to municipalities for distribution. It should be made clearer that groups already active in this topic area will be approached to provide existing information and/or to develop new content for inclusion.

Recommended Draft Source Protection Plan Content

Policy HV.SR.3-SA should be deleted.

Area-wide.13-SA should be revised to include the following bullet point under the list of gap areas for the Source Protection Authority to fill:

- Provide a checklist of water well siting and operation considerations to municipalities for distribution to landowners and property developers.

4) Protecting Wells in Hamlets

Comments from Township of Elizabethtown-Kitley staff indicated that priority should be given to implementing this policy first in targeted hamlets or villages, and that agricultural nutrients should also be included in the list of considered activities.

SP Committee Discussion

- Question: Is the entire list of activities still included in the proposed policy revision or is it now only the agricultural ones? Answer: The entire list stands and the agricultural threats are to be added.
- There are about 20 unserved communities (i.e. villages, hamlets) in the Cataraqui Source Protection Area, and numerous other ‘clusters’ of homes outside of a designated settlement area. It was suggested at the meeting that it would not be logical to prioritize them for this policy because they are known to have water quality problems.

Subsequent Staff Considerations

This policy on learning about groundwater in localized areas with high well densities like hamlets and villages should serve two purposes:

- 1) To protect existing private wells from contamination or further contamination; and
- 2) To be prepared to site a municipal groundwater well in the future if needed and protect the drinking water source in the meantime.

Recommended Draft Source Protection Plan Content

Research and Monitoring

The primary source of drinking water in the Cataraqui Source Protection Area for individuals and communities that are not in close proximity to Lake Ontario or the St. Lawrence River is groundwater. Although some communities benefit from municipally supplied drinking water, the balance of development clusters, hamlets and villages depend on private drinking water wells. Municipalities are encouraged to proactively identify the geographic extent of the land contributing groundwater to these areas to protect the drinking water source, where a municipal drinking water

supply may or may not be required in the future, and to manage activities that would pose a threat to the quality of the groundwater source.

Municipalities that have several settlement areas on private services may need to prioritize studies for these areas. Some factors to consider include:

- Development pressure that could result in groundwater contamination, and
- If there are current groundwater quality problems that could be a result of the types of development that are currently permitted.

Policy: The Cataraqui Source Protection Authority, in cooperation with municipalities, should specifically delineate the location and extent of prioritized areas that provide drinking water to hamlets and villages that are not currently serviced by municipal water supplies.

These delineated areas should be designated and zoned by the municipality in planning documents to protect them from development associated with prescribed drinking water threats that could pose a risk to the potential future water supply as per policy HV.SR.1-HR by mitigating potential risks through implementation of best management practices and or measures included in the Ministry of the Environment Risk Management Measures Catalogue. Drinking water threats to consider include:

- a) Mine tailings stored in a pit or an impoundment structure;
- b) The storage of PCBs;
- c) The handling and storage of more than 2,500 kilograms of commercial fertilizer;
- d) The handling and storage of more than 250 kilograms of pesticide;
- e) The handling and storage of more than 2,500 litres of fuel;
- f) The handling and storage of more than 5,000 tonnes of road salt that would not be protected from exposure to precipitation and runoff;
- g) Snow storage areas that are more than 0.01 ha in area below grade or more than 1 ha above grade;
- h) The handling and storage of more than 25 litres of pure-phase dense non-aqueous-phase liquids (DNAPLs);
- i) The handling and storage of more than 25 litres of pure-phase organic solvents;
- j) The storage of agricultural and non-agricultural source material; and
- k) Livestock outdoor confinement areas and barnyards.

This policy should be implemented within ten years of the source protection plan taking effect.

Notice of official plan revisions should be provided to the Cataraqui Source Protection Authority when completed.

5) Renewable Energy Projects

Comments from the Township of Elizabethtown-Kitley staff and Leeds, Grenville, Lanark and District Health Unit staff raise concerns about the potential impact solar farms may have on groundwater quality. A prescribed instrument policy was recommended by the commenters.

SP Committee Discussion

- It was suggested that approvals for the projects already account for the conditions that were listed in the draft policy and that such a policy is not needed.
- Municipalities have an opportunity to request studies that they believe are necessary for consideration prior to a project being approved (i.e. “municipal consideration form”).

Related Staff Research

It is noted that prescribed instrument policies cannot be applied to transport pathways in the highly vulnerable aquifers and significant groundwater recharge areas so any policy would be applicable to the WHPAs only.

Staff continue to conduct research on this policy and the result will be recommended to the SP Committee prior to the publication of the draft source protection plan. It could be that the policy is removed if:

- The Ontario Ministry of the Environment includes the conditions listed in the draft policy as a rule, not a guideline; or
- Independent studies have consistently demonstrated that the posts used to secure renewable energy equipment do not impact the groundwater.

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER



Quinte
CONSERVATION

Quinte Source Protection Region, c/o Quinte Conservation, 2061 Old Highway #2, R.R. #2, Belleville, Ontario K8N 4Z2
Phone: 613-968-3434 or 613-354-3312 Fax: 613-968-8240 www.quintesourcewater.ca

December 16, 2011

Mary Anne Covelli
Director, Source Protection Programs Branch
Ministry of the Environment
40 St. Clair Avenue West
14th Floor
Toronto, Ontario
M4V 1M2

Dear Ms. Covelli,

RE: Source Protection Planning Implementation Costs

At its meeting on December 5, 2011, the Quinte Region Source Protection Committee discussed implementation costs for the source protection plan. The committee requested that I contact you in this regard.

Municipalities in Quinte have expressed concern, as part of recent pre-consultation on the draft policies, regarding the cost of policy implementation. Our region has a relatively small tax base from which to fund municipal implementation requirements of source water protection. There are about 120,000 people in the region with fewer than 60,000 people on municipal drinking water systems. Most of the systems in our source protection region service a customer base of less than 5,000 people and one serves less than 80 people. Without the economy of scale available to larger systems the costs of implementation on a per person or per customer basis is magnitudes more than costs being faced in large communities. This is a "non-operational" cost on top of the recent "non-operational" costs imposed by the province under the Drinking Water Quality Management Standard. Clearly customers on smaller systems, who already have much higher costs for water supply than those on larger systems, will face significant costs to implement their aspects of our Source Protection Plan.

As part of our pre-consultation, we held a workshop for municipal policy reviewers. At our workshop, the observation was made that initial start up costs for the implementation will likely be greater than in the ensuing years. One municipal councilor attending suggested that if the province could assist with startup implementation costs over the first few years that that would go

a long way to ensuring the successful implementation of the policies our committee worked diligently to produce.

The municipalities noted that the province recognizes that smaller systems already face much higher costs on a per customer basis in that the province created the Ontario Small Water Assistance Program (OSWAP) specifically for this reason. A similar or add-on to that program would benefit customers on these small systems. It is noted further that Justice O'Connor also recognized that small systems would benefit from (need) financial assistance.

The Quinte Region Source Protection Committee looks forward to a response from the province in this regard.

Yours truly,

A handwritten signature in blue ink that reads "Max Christie". The signature is written in a cursive, flowing style.

M.G. (Max) Christie, Chair

cc: SPC Chairs
Keith Taylor, Project Manager, Quinte Conservation
Wendy Lavender, Liaison Officer, MOE

December 21, 2011

Mary Anne Covelli
Director, Source Protection Programs Branch
Ministry of the Environment
40 St. Clair Avenue West
14th Floor
Toronto, Ontario
M4V 1M2

Dear Ms. Covelli,

RE: Addressing the threat from handling and storage of fuel

Our Source Protection Committee recently reviewed pre-consultation comments received from both the Technical Standard and Safety Association (TSSA) and the Ministry of Consumer Services (MCS) (attached for your information). Our Source Protection Committee has several concerns related to these comments and requests your ministry's assistance to address these concerns.

Handling and storage of fuel is the most numerous significant threat to our municipal drinking water sources in the Quinte Region. Our Source Protection Committee has written seven draft policies to address this threat. The committee developed the policies with expert input from local fuel industry and business people who served on our local Fuel Working Group.

One of the policies names the Technical Standard and Safety Association (TSSA) as implementer. It asks that TSSA be aware of the vulnerable areas and calls for a yearly report from of any spills, investigations or noncompliance issues in the vulnerable areas. Another policy names TSSA as a stakeholder and potential partner to assist with the development and delivery of education and outreach for the safe handling and storage of fuel.

In their comments MCS states that they work together with TSSA to respond to public safety in Ontario. They also report that MCS is responsible for overseeing TSSA's activities and that MCS sets public safety standards and policy. TSSA has full responsibility for administration of the *Technical Standards and Safety Act, 2002* and regulations as well as financial and legal responsibility for delivering regulatory services.

TSSA states that they are not a 'public body' and cannot be named as an 'implementer'; that they work on a fee-for-service basis and any expansion of their work requires MCS support. It appears from their comments that TSSA will not/cannot participate in source protection unless their current

regulation is changed and they are financially compensated. This is concerning because TSSA has jurisdiction and helpful knowledge yet will not and/or cannot participate or cooperate in protecting municipal sources of drinking water from contamination.

The question then is - how can we obtain TSSA input on education and outreach initiatives called for in our draft policies? The committee would like TSSA at the table especially since TSSA points out in their comments that there are regular technical updates of which we should be aware. Further, TSSA has expertise and knowledge that will be valuable in the work to protect public water supply sources and this should be made available through their direct participation and input.

No doubt the goals of the Source Protection Committees and the TSSA are similar when it comes to protecting public health and safety. Given this common goal, there needs to be positive action taken at this time to help foster a productive working relationship between all involved parties. As such, it would be in the interest of the source water protection program for MOE work directly with MCS to make the necessary changes so that TSSA, as a safety organization, becomes directly involved in protecting drinking water sources from contamination from fuel spills.

I look forward to hearing from you in this regard so that I can inform the Quinte Region Source Protection Committee of the tools available to protect our drinking water from fuel spills.

Yours truly,



M.G. (Max) Christie, Chair

cc: Nicole Stewart, MCS
Stephen Hoyle, TSSA
Keith Taylor, Project Manager, Quinte Conservation
Wendy Lavender, Liaison Officer, MOE
Source Protection Committee Chairs

**Ministry of
the Environment**

Source Protection Programs
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**Ministère de
l'Environnement**

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January 5, 2012

To: Source Protection Committee Chairs and SPA Project Managers

Re: Draft Source Protection Plan Policy Development

The purpose of this letter is to provide source protection committees (SPCs) and source protection authorities (SPAs) with support for the development of draft source protection plans (SPP). This letter highlights key items that are important to consider before posting your draft SPP on the Internet for public consultation.

For many Ontarians, the public posting of the draft plan will be the first opportunity to review new directives, restrictions and obligations being proposed by your committee to protect source water. Source protection plan policies need to be written in a way that clearly communicates the desired outcomes envisioned by the SPC/A in addition to meeting the provincial framework and legislative requirements for compliance. Ultimately, source protection plans are approved by the Minister who will determine whether they meet the legislative requirements outlined in the Clean Water Act (CWA) and Ontario Regulation 287/07 (O. Reg. 287/07). Ministry Liaison Officers and Planners have been working together with the SPC/As to review draft policies during early engagement and pre-consultation and have provided comments, text suggestions or substitutions as necessary. The purpose of this review has been to achieve the local desired outcomes while also meeting the legislative requirements for compliance. The list of items provided below has evolved from our work.

Prior to posting your draft SPP for public consultation, I encourage you to consider the following checklist:

- ✓ Policies have been consolidated
- ✓ Policies are complete
- ✓ Policy text field in the database contains the entire legal policy
- ✓ Policies clearly identify whether they apply to existing/future threats
- ✓ Policies have explicitly designated activities when using Part IV
- ✓ Plan content is complete
- ✓ Explanatory document is complete (6 items)
- ✓ Notification list for impacted persons or bodies has been verified

I hope this checklist will help you undertake a timely and successful consultation and approval process. An appendix to this letter provides more detail for each of the items in this list; however, should you wish to discuss the requirements in detail, please contact your Liaison Officer.

In the new year, our branch will review with you the details for the submission of source protection plans so that you have the information well ahead of the August 20, 2012 due date.

Thank you for your work to protect Ontario's sources of drinking water.

Sincerely,

A handwritten signature in black ink that reads "Mary Anne Covelli". The signature is written in a cursive style with a large, stylized initial 'M'.

Mary Anne Covelli, Director
Source Protection Programs Branch
Ministry of the Environment

c. Source Protection Programs Branch Staff

APPENDIX A: CHECKLIST DETAILS

- 1) **Consolidated Policies:** Consolidate or group threat policies, where appropriate, to reduce repetition.

Consider integrating policies where similarities may not have been evident during the pre-consultation stage. For example, individual threat policies that require the development of an education and outreach program could be consolidated into one education and outreach policy that addresses a number of threat activities. In addition, if the same policies apply to more than one source protection area, within a source protection region they may be consolidated into a single document as long as this specific legal wording is included on the cover page:

This document contains {state number} source protection plans for the following source protection areas:

-
-
-
-

Policies generally apply to all the source protection areas unless otherwise stated

- 2) **Complete Policies:** To meet the approval requirements of the CWA, policies in the plan need to be complete.

The complete policy guidance provided in spring 2011 continues to be available on the Conservation Ontario member's only website for reference. Generally, the policy should be written in a way that the reader can clearly understand the desired outcome of the policy, whether the policy addresses both existing and/or future occurrences of the activity and the tool(s) being used. It must also describe the area to which the policy applies (described in words, maps, etc) and whether the threat being addressed is significant, moderate or low in this area. Sometimes, depending on the tool(s) being used, the policy text must also explicitly name the person or body responsible for implementing the policy and describe the implementation timeline.

- 3) **Database Entry:** The policy text field in the database must contain all components of a complete policy.

The "policy text" field in the database is the **legal** component of the policy and should exactly mirror the text appearing in the SPP. The database must be updated to reflect the policies that appear in the draft plan before it is published. The function of the "policy details" fields of the database is to help sort policies, but they are not considered part of the policy for legal purposes. If you are using a table format to draft your policies and only copying a small component of the wording to the "policy text" field in the database, we recommend that you copy and paste the entire chart into the text field of the database to ensure that the policy is complete.

Existing / Future Identified: Clearly indicate if the policy is intended to address existing and/or future threats within the area the policy applies.

One way to do this is to include the words “(existing)” and/or “(future)” within the policy text immediately following the threat being addressed. Including definitions of existing and future in the plan may also be necessary or helpful for implementation.

“Designating” Activities: When using Part IV, the policy wording must explicitly designate the activities to which it applies.

To withstand any potential legal challenges during the implementation of source protection plan policies that use Part IV, the policy must designate the activities to which the policy applies. For example, if a policy uses s. 57 prohibition to address a threat, the policy must include the words “this activity is designated for the purpose of S. 57 of the CWA and is therefore prohibited.”

Complete Plan Content: Ensure that the posted plan is the final, complete version of the draft.

Once the mandatory content for all threats in your draft SPP is addressed, consider whether your SPC/A wants to add any optional content (e.g. policies for moderate and low threats, transport pathways, etc.) and carry out the necessary pre-consultation for those policies prior to posting the draft plan. The entire draft plan must be posted at one time; therefore, it is important to take the time to be certain that the draft plan is complete.

While the CWA requires the plan to contain the most recently approved assessment (AR) report, an acceptable way of including this would be as a reference at the back of the plan that contains a link to a website and/or a statement that a memory key or CD is available. If certain map references in the AR are used in the SPP, you may wish to consider including those maps in the SPP for easy reader reference.

Explanatory Document: Six items must be addressed in the explanatory document and no other information should be included.

Under O. Reg. 287/07 section 40, an explanatory document outlining the justification and decision-making behind the policies outlined in the SPP must be published with the draft plan as a separate document. The explanatory document guidance provided in February 2011 continues to be available on Conservation Ontario's website for reference. Background and other contextual information that may help a reader understand the SPP may be included in the plan or published as a separate document.

Notification Lists: Verify that all persons and bodies required by the regulation for the draft plan are on your notification list.

This includes:

- all upper tier, lower tier, and single tier municipal clerks within your area
- Chief of First Nation bands;
- persons who could be engaged in significant drinking water threats;
- chairs of adjacent committees for cross-jurisdictional matters;
- planning board secretary-treasurer and chair of the Niagara Escarpment Commission, if within SPA;
- bodies consulted during pre-consultation (implementing bodies plus Ministry of Municipal Affairs and Housing where land use planning policies are used);
- persons who own property where a condition has been identified in the approved assessment report if policies addressing conditions are included in the draft SPP; and
- Great Lakes, remedial action plan and lakewide management plan contacts.

Please also copy your Liaison Officer and the source.protection@ontario.ca email account when sending notices.

THE CATARAQUI SOURCE PROTECTION COMMITTEE

REPORT

To: Cataraqui Source Protection Committee

Files: SPP 4-0, 8

From: Rob McRae, Project Manager, Source Water Protection

Date: January 12, 2012

RE: UPDATE ON SOURCE PROTECTION PLAN DEVELOPMENT AND CONSULTATION

This staff report provides information for the Cataraqui Source Protection Committee (“SP Committee”) regarding the ongoing preparation of a source protection plan for the Cataraqui area. Formal direction for the posting of a draft version will be requested at a subsequent meeting, likely on February 9th.

Background

Ontario Regulation 287/07 under the *Clean Water Act, 2006* sets out a process for the preparation of source protection plans. The development of a plan for the Cataraqui area is now in transition between the “pre-consultation” and “consultation” phases of that process. This is consistent with the other 18 source protection areas/regions across Ontario.

Revised Schedule for Developing the Source Protection Plan

Based on the direction received at your December meeting, staff have prepared a revised schedule for the local source protection plan, as shown below (anticipated SP Committee meetings are shown with a ‘C’; potential SP Authority meetings are shown with an ‘A’):

Task	Jan	Feb	Mar	Apr	May	Jun	Jul
Draft plan	C	C					
First consultation		50 days					
Proposed plan				C	C	C	
Submission to SP Authority							
Second consultation					30 days		
SP Authority discussions			A			A	
Submission to Minister							Submit

The revised schedule extends the first consultation period to 50 days (from the minimum 35 day duration) while enabling the overall process to wrap-up prior to summer 2012.

Comments on the revised schedule are welcome now; however, staff will seek further direction on this topic when the draft plan is being considered for posting. The timing of the anticipated SP Committee meeting in June 2012 should also be revisited, since it will be the primary forum in which members can discuss comments received by the Cataraqui Source Protection Authority on the “proposed” version of the plan.

Additional Pre-Consultation Comments

Since your meeting on December 8th, four more “pre-consultation” comment letters have been received as follows:

- 32 Salt Institute (dated December 14, 2011);
- 33 Ontario Ministry of Agriculture, Food and Rural Affairs (dated December 16, 2011);
- 34 County of Frontenac (dated December 21, 2011); and
- 35 Township of Elizabethtown-Kitley (dated December 12, 2011; received January 9, 2012).

The latter two comment letters have not previously been shared with the SP Committee and are attached for your information. A specific response to selected comments from the Ontario Ministry of Agriculture, Food and Rural Affairs is proposed by staff in our report for Item 9(c).

In the meantime, we continue to meet with our municipal staff colleagues. For example, policy discussions with the City of Kingston and the Township of Leeds and the Thousand Islands are scheduled during the next week.

Presentations to Municipal Councils

In accordance with your latest Communications Strategy (September 2011), a round of presentations to municipal councils has been arranged for this winter. Thus far two of the 15 presentations have been delivered by SP Committee members and CRCA staff (the Township of Frontenac Islands and the City of Brockville), resulting in valuable dialogue with the respective councils, and media coverage.

Project Secretary Donna Cellini has secured all of the remaining meeting dates, with one change: the visit to the Township of South Frontenac is now scheduled for their Committee-of-the-Whole meeting on Tuesday January 31st. An updated schedule for the council visits is attached for your reference.

Staff look forward to meeting with you again next week, as we enter the final months of work on the first-ever source protection plan for the Cataraqui area.

Respectfully submitted,

(original signed by)

Rob McRae MCIP, RPP
Project Manager, Source Water Protection

w/Attachments:

- (1) Comments from the County of Frontenac, dated December 21, 2011 (# 34)
- (2) Comments from the Township of Elizabethtown-Kitley, received January 9, 2012 (# 35)
- (3) Cataraqui Source Protection Area, Schedule of Municipal Council Presentations, Winter 2012 (January 12, 2012)



ADMINISTRATIVE REPORT

To: Warden and Council Members of the County of Frontenac

From: Elizabeth Savill
CAO

Prepared by: Joe Gallivan
Manager of Sustainability Planning

Date prepared: December 7, 2011

Date of meeting: December 14, 2011

Re: **Sustainability – Source Water Protection Plans**

Background

The Source Water Protection Plan initiative originates from the *Clean Water Act (2006)*, the goal of which is to protect public health by ensuring that clean and plentiful sources of drinking water are available both short and long-term.

Comment

The main objectives of the Source Water Protection Plans are to make sure that every significant drinking water threat ceases to be a significant risk and that no other drinking water threats become significant risks in the future. The plans signify the implementation phase of protection of drinking water that became a public priority following the Walkerton, Ontario tragedy where a contaminated public water supply resulted in major illnesses and the loss of lives.

The local Conservation Authorities have now prepared draft plans and are in the public consultation phase. Three Source Protection Plans include lands within the County of Frontenac:

- Cataraqui Region
- Quinte Region
- Mississippi Valley / Rideau Valley (joint plan)

The attached map illustrates the Conservation Area boundaries covering the Frontenacs.

At the time of writing of this report, three Townships (North, Central, and South) have provided comments on the respective source water plans and how they will affect municipal operations.

All three Source Protection Plans are thorough and provide our municipalities with extensive guidance in protecting key drinking water sources. The involvement of each of the Conservation Authorities in implementing these plans will be critical and ongoing.

These plans cross Township boundaries and link into adjacent Counties. Should the County of Frontenac move forward with an Official Plan during this term of Council, it will become a principal document to recognize and identify the plans.

Sustainability Implications

Healthy and protected water is one of the main focus areas of *Directions for Our Future*, and the implementation of these source water plans is recognized as one of the key indicators.

Financial Implications

Not applicable.

Recommendation

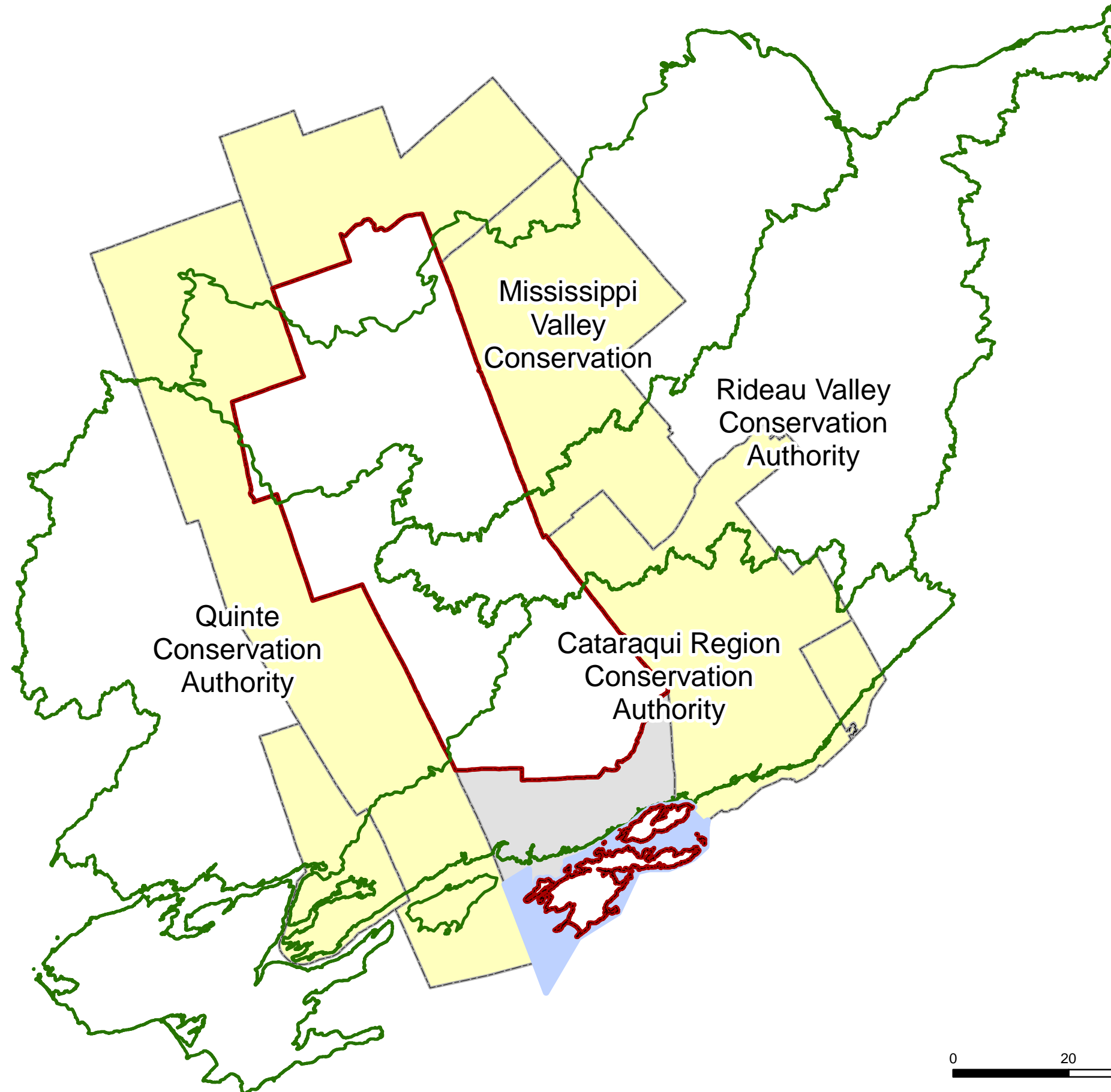
RESOLVED THAT the Council of the County of Frontenac receive the *Sustainability - Source Water Protection Plans* report;

AND FURTHER that Council recognize that the establishment of the three Source Water Protection Plans will be an important milestone in the implementation of *Directions for Our Future*;




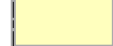
AND FINALLY that Council support the goals and objectives as outlined in all three Source Water Protection Plans affecting the County of Frontenac.

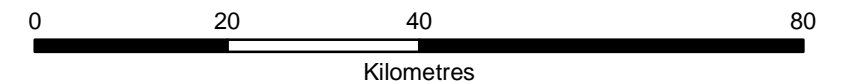
Organizations, Departments and Individuals Consulted and/or Affected

All Four Townships
Cataraqui, Quinte, Rideau Valley, and Mississippi Valley Conservation Authorities
Ministry of Municipal Affairs & Housing
Ministry of the Environment



Legend

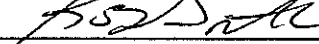
-  Conservation Boundary
-  County of Frontenac
-  City of Kingston
-  Surrounding Municipality

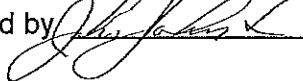


CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

December 12, 2011 Session

Res. No. 377-11

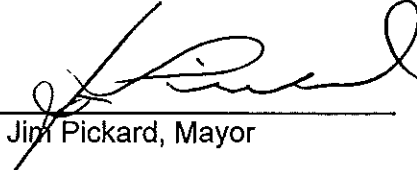
Moved by 

Seconded by 

**Report No. P-20-11: Drinking Water Source Protection – Draft Policies
Cataraqui Source Protection Area**

THAT Report P-20-11 be received.

- Carried
- Lost
- Tabled


Jim Pickard, Mayor



Township
of

Elizabethtown - Kitley

REPORT

✓ Main Administration Office
6544 New Dublin Road
R.R.2
Addison, ON K0E 1A0

Tel: 613-345-7480
1-800-492-3175
Fax: 613-345-7235

To: Council From: B. Kalivas, MCIP, RPP
Director of Planning & Development

Re: Report No. P-20-11 Date: December 7, 2011
Drinking Water Source Protection Mtg.Date: December 12, 2011
-Draft Policies
Cataraqui Source Protection Area

Background:

The Cataraqui Source Protection Committees (SPC), established under the *Clean Water Act* is seeking preliminary municipal input on their draft source water protection policies. The draft policies were referred to staff by Council. Staff have reviewed the extensive proposed policies and recently met with staff at the CRCA to discuss the policies. This initial circulation was to invite preliminary input and there will be further public/municipal consultation opportunities in early 2012. Many of the proposed policies will result in the need for municipal implementation and the municipality may delegate some of the policy implementation to another body, e.g. CRCA as the designated Risk Management Official. Policies having implications on the Township are detailed below. Staff relayed some comments to the CRCA as detailed on Page 4 of this report and any further comments Council may wish to add can be forwarded to the CRCA.

Proposed Policies for Brockville's Municipal Water Intake Protection Zones (IPZ-1 and IPZ-2):

The *attached Brockville Intake Protection Zones 1 and 2* map identifies the limits of the intake protection zone 1 (IPZ-1), a set distance around the intake for Brockville's municipal drinking water, which draws water from the St. Lawrence River. The IPZ-2, a 2 hours time of travel distance to the intake is also identified on the map. The IPZ-1 and IPZ-2 zones extend into both the City and Township as identified on the mapping.

The main source water protection policies understood to apply to Brockville's IPZ-1 and IPZ-2 include:

- (1) (a) Within the IPZ-1, the following *activity* is to be *prohibited from occurring* within the Brockville IPZ-1 (as it would be a significant drinking water threat if established):
 - the handling and storage of more than 2,500 kg of the pesticides MCPA (a herbicide to control weeds in grass-type crops) or Mecoprop associated with retail sales, on-site storage or application.
- (b) Within the IPZ-2, any application of MCPA to land areas of greater than ten (10) ha is considered a significant drinking water threat and a "*risk management plan*" shall be required. The risk management plan is to be negotiated between the person(s) involved in the activity and the appointed Risk Management Official (to be appointed by the municipality).

☐ Satellite Office: 424 County Rd. 29, Toledo, ON K0E 1Y0 Tel: 613-275-2277; Fax: 613-275-2279

Website: www.elizabethtown-kitley.on.ca

E-mail: mail@elizabethtown-kitley.on.ca

- (2) *Significant Drinking Water Threats within the intake zones are to be prohibited* and reflected in the municipal planning documents (in the Official Plan and Zoning By-law).
 - a. Types of *Land Uses prohibited* in the IPZ-1 include: waste disposal sites; waste water treatment facilities/sewage treatment plants; agricultural operations; snow removal contractor's yards and public works/maintenance yard where road salt is handled/stored; airports (where de-icing chemicals are managed); handling/storage of pesticides.
 - b. Types of *Land Uses prohibited* in the IPZ-2 include: waste disposal sites; wastewater treatment facilities; agricultural operations.
- (3) The City, Township and County of Leeds & Grenville are required to *update their "Emergency Management Plans"* to identify the Intake Protection Zones and update procedures to manage the risk to the City's drinking water source in the event of an emergency or spill. This update is to occur within 1 year of the source protection plan taking effect (or can be undertaken sooner).
- (4) Municipalities should require a "*disclosure report*" as one of the requirements of a complete application under the Planning Act for proposals (other than residential) within the intake protection zones. This report would disclose whether the activities or land uses would pose a moderate threat to drinking water within the IPZ-1 or IPZ-2 zones. This type of policy can be incorporated at the time of an Official Plan update.

Proposed Policies for Groundwater Protection within Highly Vulnerable Aquifers:

Having Implications for the Township

In addition to the above policies specifically intended for the Intake protection zones, the Cataraqui Source Protection Plan is also proposing a number of policies to protect groundwater. Within the Cataraqui Source Protection Area, 93% of the area is identified as being within 'highly vulnerable aquifers', in that they are easily impacted by contamination such as fuel and poorly functioning septic system, due to lack of overlying soils to provide protection. Refer to *attached Map 5-1 Highly Vulnerable Aquifers* (note: 'white areas' are 'not highly vulnerable areas' and balance of shaded areas on the mapping are highly vulnerable areas).

While not a mandated requirement under the Clean Water Act to consider this aspect, there is authority under the Act for source protection plans to protect highly vulnerable aquifers where there are moderate and low threats. The Cataraqui Source Protection Committee deemed protection of the aquifer to be desirable given the extent of vulnerable aquifers within the study area. Drafted policies include policies for municipalities to *have regard for* and others are proposed as non-binding *strategic actions*, intended to guard the quality of groundwater.

The main groundwater protection policies understood to have implications on the Township were pulled from the entire SPP policy documents and in brief, are as follows: (Note: these Area Wide policies are to be considered within the municipal water intake protection zones also).

- (1) As a Strategic Action: All municipalities are to *evaluate their hazardous waste disposal programs* and improve them as necessary (within 2 years of the SPP (Source Protection Plan) taking effect).
- (2) As a Strategic Action: All municipal road authorities should *establish or review and update their salt management plans* to account for the sensitivity of vulnerable areas (e.g. application, handling, storage) (within 3 years of the SPP taking effect).

- (3) As a Strategic Action: All municipalities should *cooperatively consider the management/treatment of hauled sewage and upgrade/construct new facilities to handle hauled sewage* (within 5 years of the SPP taking effect).
- (4) As a Strategic Action: Municipalities would be involved with various other local and provincial partners in *'education and outreach'* programs to raise awareness of vulnerable areas, and protecting drinking water from contamination/overuse (within 1 year of the SPP taking effect).
- (5) As a Strategic Action: The Township and City in conjunction with the Health Unit (part 8 authority under the Ontario Building Code) should *establish sewage system maintenance inspection programs*, starting within the IPZ-1 and IPZ-2 and then to other areas considered vulnerable (to be established by January 31, 2016). A sewage system maintenance education and awareness program should be established prior to an inspection program being implemented.
- (6) As a Strategic Action: The Township and City should *develop local water quality strategies to address stormwater runoff* within the IPZ-1 and IPZ-2 (within 2 years of the SPP taking effect).
- (7) As a Strategic Action: The Township and City shall *notify the Source Protection Authority of any proposed changes to surface water pathways within/adjacent to the intake protection zones*, such as modified storm sewers, roadside ditches, tile drainage, etc. The Source Protection Authority would then determine the impact on the intake protection zone and possibly propose amendments to the limits of the intake area.
- (8) To Have Regard for: The Township and City should *require a "disclosure report" as one of the requirements for a complete application under the Planning Act for proposals (other than residential development) within the highly vulnerable aquifer*.
- (9) As a Strategic Action: Municipalities should *promote best management practices for drinking water well construction and location criteria*, including recommending to the public: that wells be located at least 15 m from roads for wells where casing are at least 6 m into the ground and at least 30 m from roads for all other wells to protect against road salt contamination; increasing the minimum separation distances between wells and on-site sewage systems, encouraging drilled wells to be at least 15m (dug wells to be at least 30 m) from underground fuel storage tanks; discourage chipped or blasted wells.
- (10) As a Strategic Action: Municipalities should *delineate the location and extent of areas that provide drinking water to settlement areas not serviced by municipal water supplies and these areas should be designated and zoned by the municipality to protect them from development associated with drinking water threats that could be a risk to the groundwater supply*. (to be implemented within 10 years of the SPP taking effect)

Discussion:

In addition to the above, the draft Source Protection Plan policies also include numerous proposed directions to the province which recommend/direct changes to various pieces of provincial legislation and provincial practices to address source water protection. Such directions include the following:

- (1) MOE updating their spills/action plans, their stormwater management planning and design manual, conducting inspections during well construction and abandonment to assess compliance; working with the Ontario Pesticides Education Program Committee to incorporate drinking

source water materials; researching the best method for disposing of water softener backwash; prohibit approvals for the establishment of new waste disposal sites within the IPZ-1 and IPZ-2 and this includes prohibiting a new sewage treatment plant in this area, the application of non-agricultural source material to land and hauled sewage to lands and storage of hazardous or liquid industrial waste; require haul septage on the St. Lawrence River in the IPZ-1 and IPZ-2 zones to prepare or update spill plans as part of their licenses.

- (2) The Ministry of Transportation updating its salt management plan to account for vulnerable areas along provincial highways in the protection area.
- (3) The Ministry of Agriculture, Food and Rural Affairs shall not approve non-agricultural source material for application, handling and storage in the IPZ-1 and IPZ-2.
- (4) The Ministry of Municipal Affairs and Housing should develop a framework for informing councils/staff on the importance and implementation of groundwater protection through municipal planning.
- (5) The Ministry of Consumer Services and Technical Standards and Safety Authority should review Ont. Reg. 213/01 to reduce risks to drinking water sources from leaks and spills associated with the handling and storage of fuel.

Staff Comments Relayed Verbally to CRCA:

In recent discussions with CRCA staff around the proposed draft policies, the following Township staff comments were noted:

-the extent of policy directives and numerous strategic actions and the specific implications on the Township were difficult to pull from the extensive distribution of draft policy materials. It was recommended that the material in the next distribution be specific as to policies directly applicable to the Township.

-it was recommended that the policies in subsequent circulation be categorized by short, medium, longer term objectives so the municipal expectations, responsibilities and timelines associated with the policies are clearer.

-the costs of implementing the municipal directives under current staffing/funding levels would be problematic, without additional sources of funding being directed to these initiatives. It was noted that the inclusion of Official Plan and zoning provisions could be most accommodated during updates of these planning documents.

-the proposal for a 'disclosure report' to accompany Planning applications should be accompanied with a detailed listing of what the disclosure report would include. Such criteria would be helpful to include in the Official Plan itself and in providing a standard level of expectation/reporting across the source protection area.

-the municipal appointment of a Risk Management Official would likely be best accommodated through the current Source Water Protection Authority (the CRCA), as there is existing expertise within the CRCA.

-the proposal that municipalities recommend increased well setbacks from roadways was questioned. Staff recommended that the policy rather direct that the MOE clarify or amend the well regulations to prescribe this as a requirement within their legislation within identified vulnerable groundwater aquifers.

-requirements of the Green Energy Act should be reviewed, to ensure that alternate energy installations, such as solar projects are required to submit off-site groundwater monitoring assessments in vulnerable aquifers.

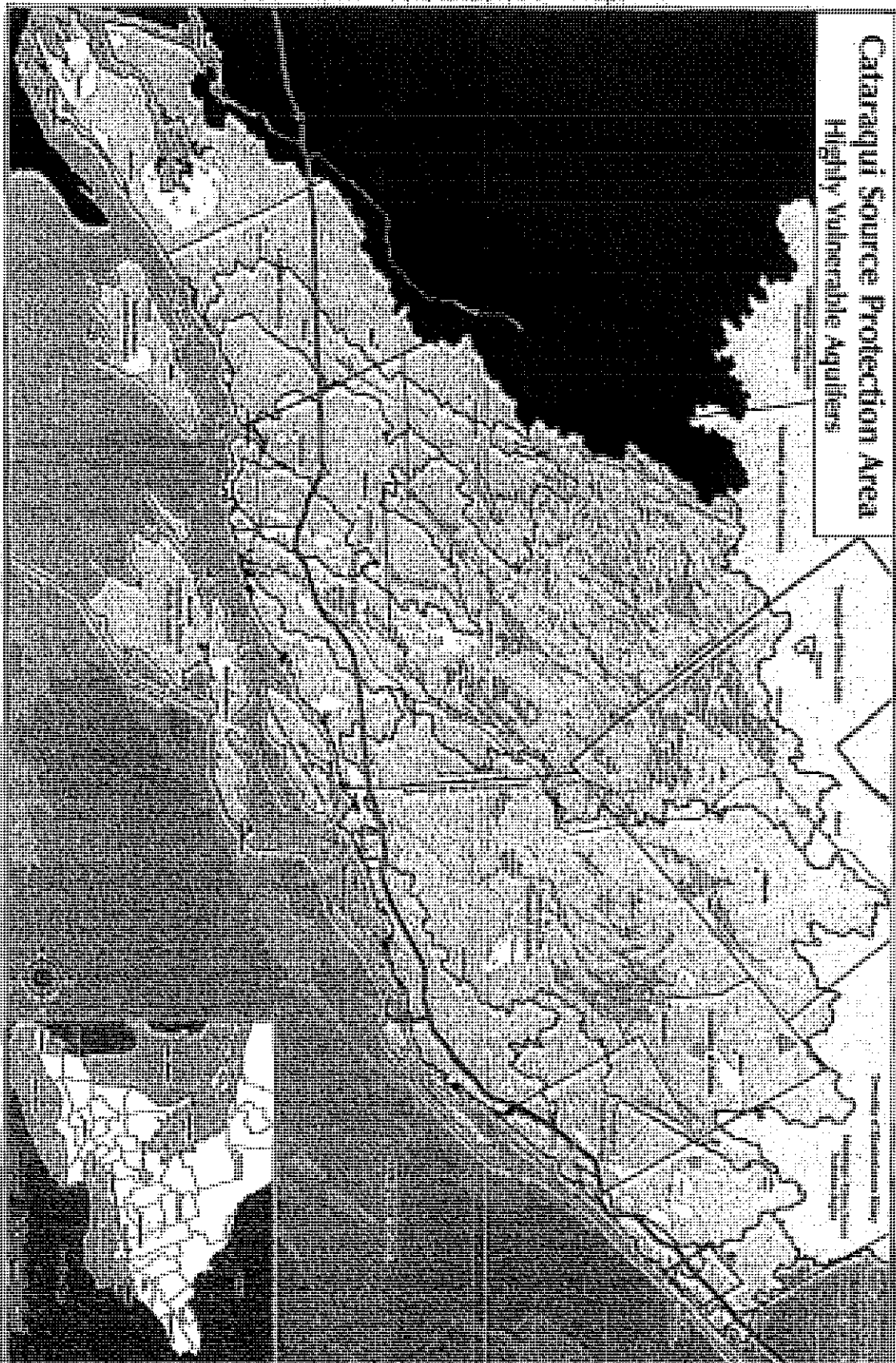
Recommendation:

THAT Council receive Report P-20-11.

Attachments.

BAK

Catawqui Source Protection Area Highly Vulnerable Aquifers



Map S-1a



Legend

- Highly Vulnerable Aquifer
- Moderately Vulnerable Aquifer
- Lowly Vulnerable Aquifer
- Non-Vulnerable Aquifer
- Other
- City
- Town

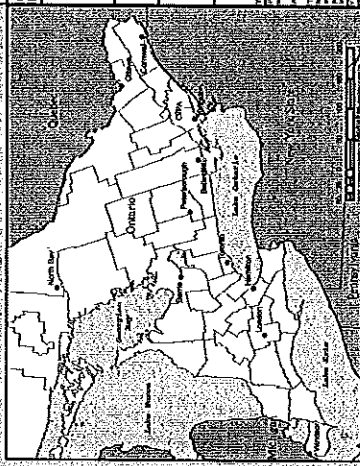
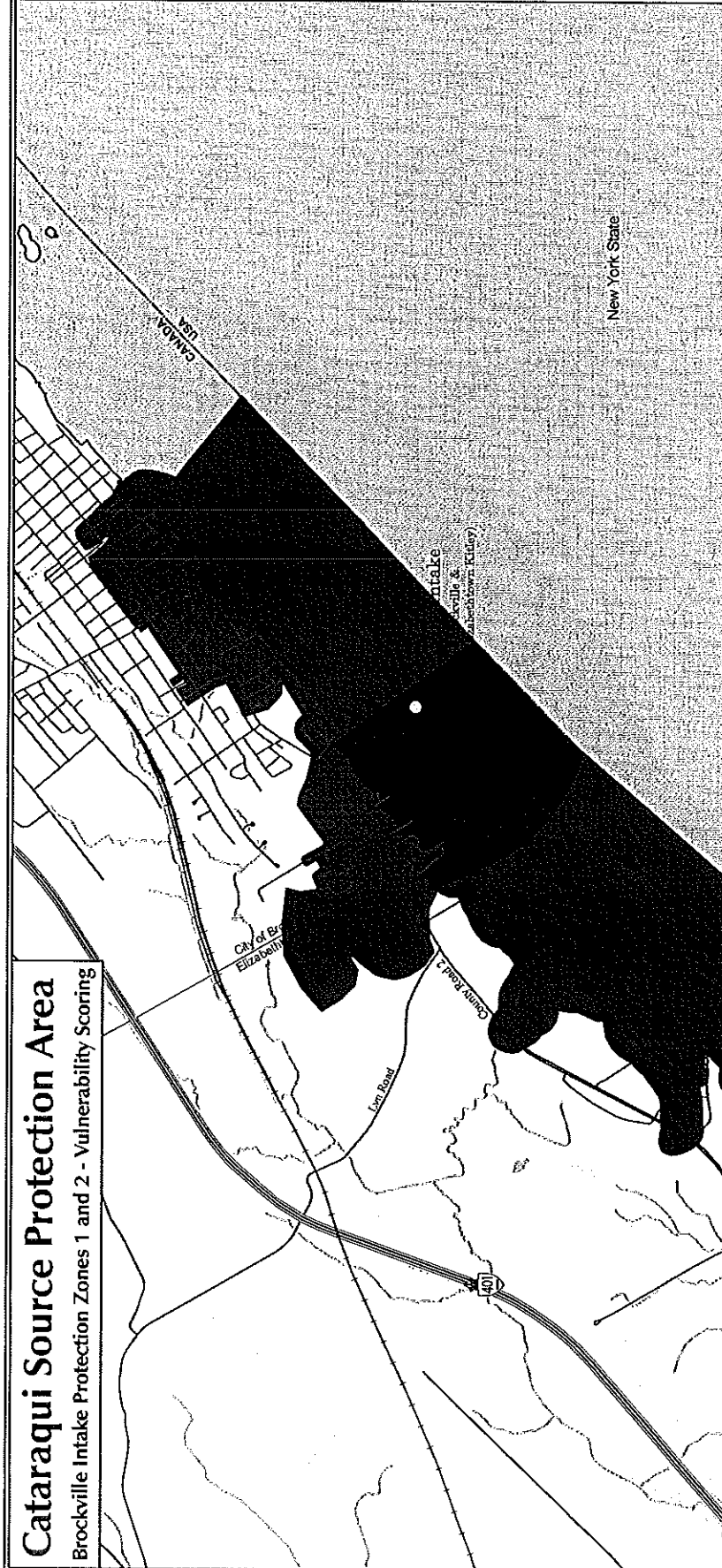
Scale: 1 inch = 10 miles

DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES
CATAWQUI
 South Carolina

Map S-1a
 Catawqui Source Protection Area
 Highly Vulnerable Aquifers

Cataraqui Source Protection Area

Brockville Intake Protection Zones 1 and 2 - Vulnerability Scoring



Map 6-3

DRINKING WATER SOURCE PROTECTION

- Legend**
- Drinking Water Intake
 - Chemical Source Protection Area
 - ▬ Railway
 - ▬ Freeway
 - ▬ Expressway / Highway
 - ▬ Collector
 - ▬ Main Road
 - ▬ Watercourse
 - ▬ Wellfield
 - ▬ International Boundary
 - ▬ Municipal Boundary
 - ▬ Transport Pathways
 - ▬ Intake Protection Zone Vulnerability Scoring
 - IPRZ-1
 - IPRZ-2

*Note: All intakes have been classified into the below categories:
 Category A (Great Lakes)
 Intake - Type B (Connecting Channels)
 Intake - Type C (Rivers)
 Intake - Type D (Lakes and Dammed Rivers)

Created: August 20, 2009
 Printed: February 22, 2011
 Scale: 1:25,000

Universal Transverse Mercator Projection
 North American Datum 83

CATARAQUI
 SOURCE PROTECTION AREA

Ontario
 Ministry of Environment
 Energy and Climate
 Drinking Water
 Source Protection
 August 2009

This document is intended for the Ontario Government, Ministry of Environment, Energy and Climate. It is not to be distributed outside the Ministry of Environment, Energy and Climate. The OCEA program is subject to change and the information presented is accurate as of the date of publication. It is not to be used for any other purpose without the written consent of the Ministry of Environment, Energy and Climate. For more information, please contact the Ministry of Environment, Energy and Climate, 120 Queen Street West, Toronto, Ontario M5H 2M2. Tel: 416-325-2600. Fax: 416-325-2601. Email: ocea@ontario.ca

Cataraqui Source Protection Area**Schedule for Municipal Council Presentations (Winter 2012)**

(Updated to January 12, 2012)

Meeting	Time	Date	SP Committee Member	CRCA Staff Lead
Frontenac Islands	6:30	Monday January 9	Richard Lindgren	Karla
Brockville	7:00	Tuesday January 10	Scott Ewart	Christine
United Counties of Leeds and Grenville	9:00 (AM)	Wednesday January 18	John Conley	Karla
Leeds and the Thousand Islands	7:00	Monday January 23	Jacques Labelle	Holly
Kingston	7:30	Tuesday January 24	Kevin Riley	Rob
South Frontenac	7:00	Tuesday January 31	Kate Laird	Christine
Athens	7:00	Monday February 6	Kim Sytsma	Rob
Front of Yonge	7:00	Monday February 6	John Conley	Holly
Elizabethtown-Kitley	7:00	Monday February 13	Peter Raabe	Christine
Loyalist	7:00	Monday February 13	Nona Mariotti	Karla
County of Frontenac	9:00 (AM)	Wednesday February 15	Alex Palilionis	Rob
Gananoque	6:00	Tuesday February 21	Chris Mangan-Greene	Christine
Rideau Lakes	2:30	Monday March 26	Gary Davison?	Rob
Greater Napanee	7:00	Tuesday March 27	Richard Bresee?	Karla
Lennox & Addington County	6:30	Wednesday March 28	Rob Cumming	Karla

THE CATARAQUI SOURCE PROTECTION COMMITTEE

REPORT

To: Cataraqui Source Protection Committee

Date: January 12, 2012

From: Christine Woods, Source Protection Planner
Holly Evans, Water Quality Specialist

Files: SPP 4-0, 8

RE: INTERNAL VERSION OF THE DRAFT SOURCE PROTECTION PLAN

The purpose of this information report is to:

- Explain the proposed policy changes presented in the first internal version of the Draft Source Protection Plan that was circulated on January 5th;
- Present options for the revision of policies related to local business improvements;
- Propose a response to the pre-consultation comments received from Ontario Ministry of Agriculture, Food and Rural Affairs and a proposed response; and
- Follow-up on the policy-related discussion from the December meeting.

Proposed Policy Changes in the January 5th Circulation

1. There were some proposed revisions included in the Draft Plan; additions are highlighted in grey while deletions are shown with ~~striketrough~~ text. Staff continue to improve the Plan as we develop the Explanatory Document (e.g. more context, addressing discrepancies between policies). We note that the word “vacant” was mistakenly added to the policies about land purchasing strategies in the wellhead protection areas.
2. All of the policies in the emerging Draft Plan are directed to implementing bodies on which the *Clean Water Act* has legal authority, except for 7.10.2-SA. Staff recommend that policy 7.10.2-SA regarding the St. Lawrence Seaway Management Corporation be deleted, and the intent covered by the following text in subsection 3.1.3:

“The **Source Protection** Authority will also share the Assessment Report and this Source Protection Plan with agencies whose programs and operations can impact sources of drinking water, but who cannot be obligated to act under the *Clean Water Act*, and encourage them to more explicitly ~~directly~~ identify this information and use it in their responses to emergencies and spills. These agencies include Transport

Canada, the Canadian Coast Guard, CN Rail, St. Lawrence Seaway Management Corporation and the New York Department of Environmental Conservation.”

Options for Revising Local Business Improvement Policies

3. The draft policies that encourage municipalities to work with local businesses to identify and make any changes necessary or beneficial to better protect source water (7.5.7-SA, 7.6.8-SA, 7.7.8-SA, 7.7.9-SA) are currently only applied to the intake protection zones on Lake Ontario. Staff request Committee input on these policies.
 - a) Is it appropriate to apply this policy to the Point Pleasant and Kingston Central Intake Protection Zones, where many of the activities that would be associated with local businesses are either a low threat or not a threat at all?
 - b) Should the policy also be applied to the other intake protection zones and the wellhead protection areas?
 - c) Would it be more appropriate to include the intent of this policy in the area-wide education and outreach policy (4.4.1-SA)?

Changes to the Wellhead Protection Areas

4. Staff recommend that the intake protection zone policy about municipalities notifying the Source Protection Authority about proposals to engage in an activity that could result in a transport pathway or modification of an existing one should also be applied to the wellhead protection areas.

Ontario Ministry of Agriculture, Food and Rural Affairs Pre-consultation Comments

5. In response to draft policy 4.3.8-SA (amending Ontario Regulation 267/03), the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) indicated that regulatory amendments are not anticipated at this time, but that the suggestion is noted for future consideration.

The Ministry supports the prohibition of agricultural activities (with the exception of pasturing and grazing) in WHPA ‘A’ and IPZ 1 since this is consistent with the intent of the *Nutrient Management Act* (NMA). It is the opinion of the Ministry that, outside of WHPA ‘A’ and IPZ 1, farming operations with significant drinking water threats that are not phased in under the NMA can have risk management plans that use NMA standards and management practices. It offered existing educational material that could be used by the risk management official to negotiate the plans.

However, based on local soil and bedrock characteristics as well as findings from the Walkerton Inquiry, staff recommend that the related policies in the Draft Plan should continue to prohibit or manage agricultural activities that are significant drinking water threats, as specified in the Draft Plan.

Follow up from the December Committee Meeting

The December meeting minutes included an attachment to outline Source Protection Committee discussion and decisions on policy content for the draft plan. Note that aspects of this information will be further discussed at the January 19th meeting, especially those policies where further staff consideration resulted in proposed policies different from Source Protection Committee input received at the December meeting.

Summary

We appreciate the time you have taken to review the internal Draft Source Protection Plan that was circulated to your attention early in this New Year. Discussion about potential improvements will be the primary focus of your meeting on January 19th, with your final comments on the current version requested on or before January 26, 2012.

The Committee will likely be asked to consider approving the Draft Source Protection Plan and Explanatory Document for the purpose of consultation at your meeting on February 9th. The draft Explanatory Document will be circulated to you for review and comment shortly.

We note that the Draft Source Protection Plan is currently also under review by French Planning Services Inc. (our policy advisor) and the regular planning staff at the Cataraqui Region Conservation Authority.

We look forward to the discussion on January 19th. Please contact us at any time if you would like to go over any aspect of the Draft Plan.

Respectfully submitted,

(original signed by)

Christine Woods MCIP, RPP
Source Protection Planner

(original signed by)

Holly Evans
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Approved for circulation RM

Water protection plan to cover 'significant' threats

By RONALD ZAJAC, THE RECORDER AND TIMES

Proposed measures to protect the region's source water won't be as restrictive as some city councillors feared, an official with the committee drafting those rules said Tuesday.

But the draft source water protection plan outlined briefly before city council did worry one councillor because of the unwieldy number of government agencies involved.

"The more fingers that I'm seeing in the pie, the less likely the pie is to not have a whole bunch of holes in it," Councillor Jeff Earle joked.

"This worries me when I see this many ministries just on this side of the border."

The veteran councillor was reacting to a presentation by Christine Woods, a source protection planner with the Catawaqui Region Conservation Authority (CRCA).

Woods is a member of the Catawaqui Source Protection Committee, which was created to draw up a source water protection plan for an area corresponding to that of the CRCA, along with the Township of Frontenac Islands.

The CRCA is helping in the effort with staff and consultants.

The protection plan, one of 19 source protection plans being prepared across Ontario, is a requirement of the province's Clean Water Act, which was adopted as a result of the 2000 Walkerton tragedy.

Last March 1, the committee held one of its brainstorming sessions on the protection plan at the Brockville Rowing Club.

A draft protection plan is now expected in late February, to be followed by more public consultations, including an open house likely in Brockville, said Woods.

The final version of the plan is expected to go to the province's environment ministry in August for approval.

Its implications for Brockville revolve around the "Intake Protection Zones" (IPZs), two areas, mapped out by computer modelling, surrounding the intake pipe at the city's water treatment plant, which is situated about 294 metres offshore in the St. Lawrence River, at a depth of 10.5 metres.

The most sensitive intake zone, known as IPZ-1, covers the area closest to the intake, within which contaminants would have little or no dilution before entering the pipe.

That is surrounded by IPZ-2, a zone calculated based on how far water can travel in two hours -the length of time it could take to shut down the city's water treatment plant completely should a spill occur.

IPZ-1 and IPZ-2 extend from downtown Brockville (into the river all the way to the U.S. border) westward well into Elizabethtown-Kitley Township.

The city's job is to be ready for a "significant drinking water threat" in that area, said Woods.

In practice, she said, this will mean updating the city's emergency and spill response plans to account for such threats in relation to the IPZs, as well as to have a risk management plan for pesticides.

City officials will also likely have to update the new official plan to ban a number of land uses that could create such threats, she said.

Other players in this process will include the CRCA and the tri-county health unit, as well as Elizabethtown-Kitley Township, which is in both IPZs.

"You will need to collaborate to a certain extent," said Woods.

The good news is that, at the outset, it does not appear that these significant threats include the activities mostly on councillors' minds at Tuesday's regular meeting.

Those include Earle's concern about road salt, which the city uses to increase safety and reduce liability.

"There are only certain activities that are considered significant and road salt isn't one of them," said Woods.

The same likely goes for passive tourist attraction development on the city-owned islands included in the zones, she said, responding to a question by Councillor Jason Baker.

And councillors need not worry about the potential to install more docks -including gas docks -in the St. Lawrence Park beach area.

Fuel spilled in the river floats toward the surface of the water, whereas the intake is "fairly deep in the water," said Woods.

City environmental services director Peter Raabe said the city is well located, with a deep intake pipe in a river with a large volume of water flowing at a high speed, all factors that reduce the risk to the intake.

Earle, however, pointed to the difficulties of source water protection rules touching on so many different jurisdictions, later saying he counted some 15 agencies affected on this side of the international border alone.

"How can you get an effective policy that covers all those without creating gridlock?" he asked.

"It almost becomes unfunctionable." Woods replied the Clean Water Act

has legal authority over specific levels of government.

"It can tell the city of Brockville what they need to do to protect their water and it can tell provincial ministries what they need to do to protect their water," said Woods.

"The plan is focusing on the groups that it can influence."