

Thames, Sydenham & Region - Source Water Protection Update

Issue 2, May 2006

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This newsletter provides regular updates on progress on source water protection in the Thames, Sydenham & Region. For more information on any of the articles or to receive future issues, please contact Debra Kirk, Administrative Assistant, (519) 451-2800 Ext. 223 E-mail: kirkd@thamesriver.on.ca.

This Source Water Protection Update has been produced in response to questions, we have received at our workshops and meetings with municipal staff. One common issue has been uncertainty of the impact of the Clean Water Act on our municipal partners.

Municipal Role in Source Water Protection

Under the proposed Clean Water Act, municipalities will be playing a significant role in the strategy to protect drinking water in Ontario. Municipalities will actively be involved in both the development and implementation of the Source Water Protection Plan, including representation on the Committee which will be responsible for its development.

We have pulled out a number of excerpts from the Compendium to the proposed legislation which specifically address the responsibilities of municipalities. The entire text of the compendium can be found from our website at www.sourcewaterprotection.on.ca under links.

- The Act requires that each source protection authority establish a multi-stakeholder source protection committee with a maximum of 16 members. The chair of the committee is appointed by the Minister. This committee is tasked with carrying out most planning activities and the source protection authority (*Conservation Authority Board*) is required to provide its assistance and support.
- Decisions under the Planning Act or the Condominium Act, 1998 made by the Ontario Municipal Board, a municipal council, a planning board, other local boards, a conservation authority and other specified bodies must conform to the source protection plan that relates to the source protection area. No municipality or municipal planning authority shall, within the source protection area, undertake any activity that conflicts with a source protection plan, or pass a by-law that conflicts with the source protection plan.

- Once the plan is in effect, certain prescribed applications under the Planning Act may be restricted at locations identified by the plan that fall within surface water intake protection zones and wellhead protection areas.
- The municipal councils that have authority to pass by-laws respecting water production, treatment and storage are responsible for enforcing this part of the Clean Water Act and shall appoint permit officials and inspectors for this task. The municipality may delegate their enforcement authority to a board of health, planning board or source protection authority. The parties responsible for enforcement may pass by-laws, resolutions and regulations regarding permit applications, inspection programs and fees.
- Where permit officials, permit inspectors, municipal and source protection authority or ministry employees and agents are exercising powers of entry, or powers and duties under Part IV (permits and risk management plans) or are reporting an imminent drinking water health hazard, they are protected from liability for any act undertaken or omission made in good faith in the exercise of their duties.
- A municipality in the source protection area must cooperate with the source protection authority and committee and must provide any documents they have that may be of use in the preparation of the terms of reference, interim report, or source protection plan.

These are just a few excerpts from the Compendium. Municipalities are encouraged to review the materials available regarding your responsibilities and the impact of the proposed Clean Water Act on your municipality. Please contact us with any questions or concerns as well as providing comments directly to the province.

Funding For Scientific Studies

The province is providing \$8.5 million to municipalities and their partner conservation authorities for scientific studies to support their source water protection efforts. These grants are part of the government's \$67.5 million commitment to source protection planning.

Conservation Authorities and Municipalities in the proposed Thames Sydenham & Region received over \$700,000 in funding for three groundwater threats inventories which include updating previous municipal groundwater studies. While not all of the proposed studies for the region were funded in this round, we are confident funding for the remaining studies (the delineation of Great Lakes intake protection zones and groundwater quality characterization) will be considered in the second round.

We look forward to working with our partner municipalities to ensure that these projects, which would be required under the Clean Water Act, are able to realize the benefit of the full project funding committed by the province.

Technical Guidance

As the province rolls out its proposed Clean Water Act, the Ministry of the Environment continues to release guidance modules to help define the work required to develop a source water protection plan. So far guidance modules include:

Module 1: Watershed Characterization
Module 2: Water Budget
Module 3: Municipal Water Supply Strategies
Module 4: Groundwater Vulnerability
Module 5: Surface Water Vulnerability
Module 6: Threat Inventory and Issues Evaluation
Module 7: Water Quality Risk Assessment
Module 8: Water Quantity Risk Assessment
Appendix 1: Information Management
Appendix 2: Model Selection and Application for Drinking Water Protection

These Guidance Modules are available from our website at www.sourcewaterprotection.on.ca under links.

It is important that municipalities have an understanding of these guidance documents to assess how to best meet the requirements of the Act. Conservation Authorities are here to work in partnership with municipalities to help achieve this. We would be happy to discuss any needs or issues related to municipal water sources as we prepare for proposal submissions in response to the anticipated next round of funding.

Presentations

An important part of the planning process is public and agency participation. In the early stages, this is involving presentations and meetings held or attended by Conservation Authority staff. Below is a list of presentations/meetings to date:

- City of London (staff)
- Lake St. Clair Canadian Watershed Coordination Council Conference
- Municipality of Chatham-Kent staff
- Elgin County (staff)
- Oxford County (planning and engineering staff)
- Thames Canadian Heritage River Committee
- Upper Thames River Conservation Authority Board
- Lower Thames Valley Conservation Authority Board
- St. Clair Region Conservation Authority Board
- Middlesex County (planning staff)
- UTRCA Municipalities (Municipal Workshop)
- SCRCA Municipalities (Municipal Workshop)
- LTVCA Municipalities (Municipal Workshop)
- Southwest Region Health Units
- Lambton County (planning staff)
- Lambton Clerk/Treasurers Association
- Chatham Kent PUC (technical studies)
- St Marys (technical studies)
- Stratford (technical studies)
- Chatham-Kent's First Community Strategic Plan Environmental Summit 2005
- GM Earth Day display
- Perth Municipalities (technical studies)
- Middlesex Municipalities (technical studies)
- Enniskillin Twp (clerk)
- Ontario Waterworks Groundwater conference
- Middlesex National Farmers Union
- Southwest Agricultural Conference
- Integrated Solutions to Manure Management Conference
- Municipal Enforcement and Sewer Use Group
- Chatham-Kent Essex Drainage Superintendents Association
- OMAF (Lambton)
- Christian Farmers Middlesex County
- Chatham-Kent Health Unit
- London Middlesex Health Unit

If you would like more information or would like a presentation, please contact your local Conservation Authority.

Lower Thames Valley Conservation Authority (519) 354-7310
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