

Ministry of
the Environment

Source Protection Programs
Branch

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Ministère de
l'Environnement

Direction des programmes de protection
des sources

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Log: ENV1174IT-2010-116

October 29, 2010

Mr. Robert Bedggood
Thames and Sydenham and Region
Source Protection Committee Chair
Upper Thames River CA
1424 Clarke Road
London, ON
N5V 5B9

Mr. Jerry Campbell
General Manager
Lower Thames Valley SPA
100 Thames St
Chatham, ON
N7L 2Y8

Dear Mr. Bedggood and Mr Campbell:

You submitted your proposed Assessment Report for the Lower Thames Valley Source Protection Area on April 20, 2010. I have completed my review of the proposed Assessment Report and in accordance with my authority under Section 17(2)(b) of the *Clean Water Act, 2006*, I hereby direct that the Assessment Report be amended and resubmitted to me, according to the following numbered directions and in consultation with ministry staff, no later than January 15, 2011.

Please note that there are additional details and context provided where necessary to support the numbered directions but these additional details do not form part of the directions.

1. The AR be revised to include the required technical work, mapping, and enumeration of significant drinking water threats associated with managed land, livestock density, and impervious surfaces that is consistent with the requirements of the technical rules;
2. The AR be revised to include the technical work associated with the IPZ-2 delineation for the West Elgin emergency intake;
3. The AR be revised to ensure the public is given the information needed to determine the areas where activities are or would be a significant, moderate and low drinking water threats and the circumstances that apply.

Additional context for this direction: The current report has a methodology section in

an appendix but has maps and text in the report that is not clearly linked to the methodology. As a result, it is difficult to understand if and where an activity poses a risk.

4. The AR be revised to correct the reference to the provincial tables of circumstances, to reflect 76 tables, not 73;
5. The discussion in the AR around issues and when activities become significant drinking water threats within a vulnerable area be revised to clearly describe that only activities documented through technical rule 115, pertaining to systems in the Terms of Reference, become significant drinking water threats within the delineated issue contributing area;
6. The AR be revised to clarify that the SPC can only add local threats, other than the 21 prescribed drinking water threats, upon approval of the Director;
7. The AR be revised to document issues that meet the tests in rule 114 in accordance with technical rule 115.

Additional context for this direction: Any issues that do not meet the test in rule 114 are documented as per technical rule 115.1. The rules do not allow that the AR include work plans to investigate issues. The only situation where a workplan is allowed in the technical rules related to issues is if an issue is documented as per rule 115, where the issue contributing area (technical rule 115(3)) and the identification of threats (technical rule 115(4)) can not be completed, a work plan as per rule 116 is required;

8. The AR be revised to ensure correct references are made to the rules that describe what are conditions throughout the report;

Additional context for this direction: The definition of condition should be amended in the report as per the technical rules as well as that there is more than one way that a condition could be identified as a significant drinking water threat including the event based approach where the condition has or could cause an issue at an intake.

9. The AR be revised to remove the work plan included to identify the WHPA E and F for the Highgate well.

Additional context for this direction: Since there are no issues identified for this well there is no requirement in the technical rules to delineate WHPA F. In addition, since this system is being reclassified to no longer be GUDI the well does not meet the test in rule 49, which requires WHPA E to be delineated if the interaction of surface water and groundwater decreases the time of travel;

10. The AR be revised to correctly reflect the issues or event based approaches of identifying threats.

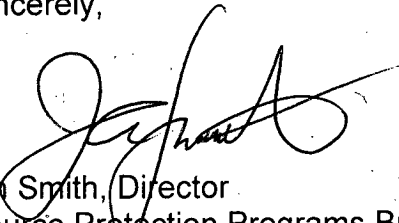
Additional context for this direction: It is important for the AR to include an explanation that the vulnerability score is not the only method of identifying threats to Great Lake systems;

11. The AR be revised to include the correct design capacity of the West Elgin water treatment plant as per a public comment received during the 30-day consultation period;
12. Once the AR is revised based on these directions, the Source Protection Authority shall consult with the Source Protection Committee and with those persons or bodies impacted by the changes in an appropriate manner before resubmitting the amended AR in accordance with the Act and provide proof thereof with the resubmitted AR;
13. The SPA shall include with the resubmitted AR a memo or document outlining the changes made to the AR, as per these directions, including chapter references in the AR where changes were made; and
14. The SPA shall submit the revised AR to the ministry in the form of both a hard copy and electronic version for the ministry's review.

Please contact your Liaison Officer to arrange a meeting with ministry staff at the Source Protection Programs Branch to discuss these directions in more detail.

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

Sincerely,



Ian Smith, Director
Source Protection Programs Branch
Ministry of the Environment

- c:
- Brian King, Chairman, Lower Thames Valley
 - Chris Tasker, Project Manager, Thames and Sydenham and Region SPA
 - Keith Willson, Manager, Source Protection Approvals
 - Heather Malcolmson, Manager, Source Protection Planning
 - Teresa McLellan, Liaison Officer, Source Protection Implementation
 - Melanie Ward, Group Leader, Source Protection Approvals
 - Charley Worte, Conservation Ontario
 - Ian Cameron, Ministry of Natural Resources