

Thames – Sydenham and Region Source Protection Committee

Meeting Notice

Please be advised that a meeting of the Thames-Sydenham and Region Source Protection Committee has been called for the following time. Please confirm attendance with **Deb Kirk by email at kirkd@thamesriver.ca**

Date: June 12, 2026 (**VIRTUAL only**)

Time: 10:00 a.m.- 12:30 p.m.

ZOOM

Link: <https://us02web.zoom.us/j/86975864016?pwd=VT2bkz29zTuN3t9Ro9U0cnJONrTbdo.1>

Code: 869 7586 4016

Proposed Agenda

| | | |
|----|--|-------------|
| 1 | Chair's Welcome, Roll Call and Certification of Quorum | 10:00-10:10 |
| 2 | Adoption of the Agenda | |
| 3 | Approval of March 6th, 2026 SPC minutes | |
| 4 | Delegations -none | |
| 5 | Declaration of Conflict of Interest | |
| 6 | Business arising from the minutes | 10:10-10:15 |
| 7 | Business | |
| 7a | CWA and CAA Updates (Motion) | 10:15-10:45 |
| 7b | Amendment Updates (Motion) | 10:45-11:15 |
| 7c | Legislative Bills Update | 11:15-11:45 |
| 7d | Source Protection Plan Volume II – Draft Policies | 11:45-12:15 |
| 8 | Information 8i. Tavistock water supply contamination 8ii. New Ontario Water sanitation law 8iii Road Salt letter 8v Improve Drinking Water on First Nations by uplifting operators | 12:15-12:20 |
| 9 | In Camera Session (not planned) | |
| 10 | Other Business | |
| 11 | MECP Update | 12:20-12:30 |
| 12 | Members Reports | 12:30-12:35 |
| 13 | Adjournment & Next Meeting | 12:35 |

SPC MEETING MINUTES

MARCH 6TH, 2026

Meeting #90

The Source Protection Committee Acting Chair, Earl Morwood called the meeting to order at 10:00 a.m. on MARCH 6th, 2026. The following members and staff were in attendance.

Members

Dean Edwardson
Scott Alexander
Sean Beech
Brent Clutterbuck
Jarrod Craven
Gary Eagleson
Carl Kennes
Gary Martin
George Marr
Valerie M'Garry

Earl Morwood
Karleen Sirna
Sam Smith
Matthew Stewart
John Van Dorp
Sandy Levin
Emma Young
Sam Anderson-MECP

Regrets:

Ron Elijah
Andrew Powell

Staff:

Julie Welker
Jenna Allain
Deb Kirk
Steve Clark
Olivia Orsini
Mark Peacock
Tracy Annett

1) Chair's Welcome

Acting Chair Earl Morwood welcomed the committee and noted a quorum was achieved. The territorial acknowledgement was read. Scott Alexander, the new Risk Management Official for Oxford County was introduced, and members gave round table introductions.

2) Adoption of the Agenda

March 6th, 2026, agenda was approved.

Moved by G. Marr -seconded by G. Eagleson

"RESOLVED that the March 6th, 2026, agenda be approved."

CARRIED.

3) Approval of November 14th, 2025, SPC minutes

Moved by –J. Van Dorp-seconded by B. Clutterbuck

"RESOLVED that the November 14th, 2025, meeting minutes be approved."

CARRIED.

4) Delegations- none

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes – none

7a) Annual Report

Julie Welker gave a presentation on the Annual Report work to date. The *Clean Water Act* outlines that the Source Protection Authority (SPA) will prepare an annual progress report and submit it to the Director and to the SPC. The report includes the measures that have been taken to implement the SPP and to the extent to which the objectives set out in the SPP are being achieved. The deadline for the submission of the 9th annual progress report for the TSR is May 1st, 2026, and covers the 2025 calendar year (Jan. 1 – Dec. 31).

After the SPC reviews the report written comments are submitted to the SPA to ensure the objectives set out in the Source Protection Plan are being achieved by the measures described in the report.

Monitoring policies require policy implementers to report to the SPA by February 1st of each year and are complied through the Electronic Annual Reporting (EAR) Portal. There are 2 reports generated by EAR: a public report and a supplemental form.

Tables were reviewed for each area that the reports cover as follows:

- TSR and Oxford policies that are complete.
- Implementation Status of Significant drinking water threats. 85% Implemented and 15% in progress.
- Implementation Status of Moderate to Low Threats for the region 50% Implemented and 50% are in progress of progress made.
- Implementation Status of Other Permitted Polices (Transport Pathways). 60% Implemented; 30% in Progress and 10% not started.
- Risk Management Plans since the SPP took effect is 118 and RMPs in effect 85.
- s.59 Notices where neither 57 nor 58 applied was 24.
- Inspection done for s 57 was a total of 163, s.58 was 205 and inspection that lead to contraventions was 2.
- Official Plans and Zoning By-laws: 17 municipalities are required to complete OP conformity exercise of which 13 have, 2 are in progress and 2 have not started. 22 municipalities are to complete for Zoning By-laws of which 6 have, 15 are in process and 1 has not started.
- Source Protection signs: Provincial roads 128, municipal roads 155 and other locations 14.
- Septic Inspections: 1 completed this year with 0 outstanding.
- The only drinking water issue is in Woodstock of nitrates; an ICA is being delineated.
- Enumerated Threats results are 94% progress has been made.
- Prescribed Instruments are receiving a higher level of details and there are gaps in the data. The MECP, MNRF, MTO, OMAFA gave information on how they incorporate Source Water Protection into their Prescribed Instrument reviews (ex. Environmental Compliance Approvals, Permit to Take Water, Drinking Water Works Permit, Municipal Drinking Water License, Fuel License Renewals, Pesticide Permits. Julie noted that most of the data provided by the MECP is not within a

significant area; not WPHAs or IPZs. The hope is that the MECP just reports on what's within a significant drinking water area. This reporting is very onerous on their end but maybe this can happen one day. The reports have a lot of data and are difficult to process. Some Source Protection Authorities are giving a satisfactory grade and J. Welker suggested and the SPC agreed to apply a *Progressing well* grade because further data has been compiled for septic inspections, RMPs and the province's information.

A question on pesticide permits was asked. Pesticides permits are one of the Prescribed Instrument tools. Permits are required when using over an X amount quantity and if within a vulnerable area. The Ministry is responsible for ensuring continued compliance. There are uncertainties and inconsistencies in what pesticides are restricted and over what period. J. Van Dorp noted there was a restriction on certain pesticides such as atrazine early and where you could only use it every other year. Can RMPs be used to monitor? A question was also asked whether Pesticide permits that require Nutrient Management Plans are monitored. S. Alexander reported he has reached out to MECP for Oxford County and confirmed the NMPs are being followed although there is a limited number of Ministry staff to inspect over a large area. Pesticide permits will be brought forward to the next SPC meeting in June for further discussion.

In summary,

December 31st, 2025, marked ten years since our Source Protection Plan first took effect. In that time significant progress has been made to implement the policies contained in the plan and address the activities that were identified as posing a risk to our municipal drinking water supplies. To date, 85% of the policies in the plan that address significant drinking water threats have been fully implemented, with the remaining 15% progressing well. An additional 2 Risk Management Plans were established over the reporting period, bringing the Region's total Risk Management Plans to 118. Approximately 94% of the 1058 originally identified significant drinking water threats, along with those identified after the originally approved SPPs, have been successfully managed or eliminated. While there is still a considerable amount of work to do to address the remaining threats, the Thames-Sydenham and Region Source Protection Committee is pleased to see that policy implementation is moving steadily forward. For that reason, they believe that a ranking score of **progressing well** and **on target** is a fair assessment of our implementation progress.

For the reasons outlined above, the Source Protection Committee feels confident in their assessment that implementation of the Source Protection Plans is progressing well/on target.

THAT the TSR Source Protection Committee receive the staff report on the TSR Source Protection Plan Annual Progress Report 2025 for information.

Moved by G. Marr-seconded by J. Van Dorp

“RESOLVED that the TSR Source Protection Committee receive the staff report on the TSR Source Protection Plan Annual Progress Report 2025 for information”.

CARRIED.

Motion Amendment: S. Levin noted that in the summary it states “while there is still a considerable amount of work to do to address the remaining threats, the Thames-Sydenham and Region Source Protection Committee is pleased to see that policy implementation is moving steadily forward. Removing the word “*considerable*” was suggested to support the idea that we're progressing well and are on target.

Moved by J. Van Dorp-seconded by G. Marr

“RESOLVED that the motion be amended to remove the word “considerable” supporting that we are progressing well and on target”.

CARRIED.

Discussion: G. Eagleson asked about the Supplemental Form. Many of the questions are redundant and inputting all the questions would be very time-consuming and a challenge. The goal should simply address changes from the last report instead of repeating answers in detail. J. Welker will take this concern to the working group who evaluate the process. The MECP is also working on simplifying reporting.

THAT the TSR Source Protection Committee, provide its assessment of the implementation of the TSR Source Protection Plan.

Moved by G. Marr-seconded by M. Stewart

“RESOLVED that TSR Source Protection Committee, provide its assessment of the implementation of the TSR Source Protection Plan”.

CARRIED.

THAT the TSR Source Protection Committee direct staff to update the 2025 Annual Progress Report and Supplementary Report with its assessment of implementation.

Moved by C. Kennes -seconded by S. Smith

“RESOLVED that TSR Source Protection Committee direct staff to update the 2025 Annual Progress Report and Supplementary Report with its assessment of implementation”.

CARRIED

AND FURTHER THAT Source Protection Authority staff be directed to present the TSR Source Protection Committee’s comments along with the Annual Progress Report 2025 to the Upper Thames River, St. Clair Region, and Lower Thames Valley Source Protection Authorities for submission to the Ministry of the Environment, Conservation and Parks.

Moved by J. Van Dorp –seconded by S. Beech

“RESOLVED that the Source Protection Authority staff be directed to present the TSR Source Protection Committee’s comments along with the Annual Progress Report 2025 to the Upper Thames River, St. Clair Region, and Lower Thames Valley Source Protection Authorities for submission to the Ministry of the Environment, Conservation and Parks”.

CARRIED.

b) Pre-consultation on s.34 Petrolia Intake

Julie Welker gave an update on the Petrolia Intake. Early engagement happened in October/November 2025, Pre-Consultation January/February 2026. Council Resolution was received at the end of February 2026. The next step is public consultation at the end of March for a 30-day period. Letters to landowners/businesses will be sent, a notice put in the Lambton Independent paper and a virtual meeting will be held.

- The MECP has provided their comments on the report provided March 2, 2026, that include: 25 comments with suggested changes to 36 policies.
 - 19 comments are editorial in nature i.e. align language with proper tool - 'shall' with 'conform'; add missing policies in table.
 - The comments need to be reviewed further to determine if suggested comment changes the intent of the policy or policy tool.
 - SPA staff are asking that these comments not be included in the s.34 Petrolia amendments since they have nothing to do with that amendment.

In summary: We received the MECP comments just this week so there was no time for a detailed review. There were 25 comments with suggested changes to 36 of our policies and 19 comments editorial in nature. J. Welker will make the editorial changes and add the missing policies and tables. The remaining changes could not

be made because there are concerns that those changes could alter the intent of the policies: these policies have been approved since the beginning of the program and reviewed through the technical 2021 rules.

J. Welker has advised MECP of the concern of holding up the Petrolia Intake work when the other comments do not relate to this. We are waiting for directions for this, and J. Welker has met with our Risk Management Officials to discuss it. The results will be brought to the next SPC meeting. It is important to note that the SPC is the final approver of policies.

Next steps: Now that council resolutions from the City of Sarnia and Town of Petrolia have passed public consultation can occur after the MECP policy comments that are not related to the intake are clarified and can go ahead.

RECOMMENDATION

- **THAT** the Thames-Sydenham Source Protection Committee receive the Section 34 Update Report as information.

Moved by G. Eagleson -seconded by G. Marr

“RESOLVED that Thames-Sydenham Source Protection Committee receive the Section 34 Update Report as information.”

CARRIED.

- **THAT** the Committee approve the Proposed Petrolia intake Section 34 Pre-Consultation comments and responses.

This motion was not moved until the MECP policy comments are finalized when it comes to the intake not being part of the policy.

Amended Motion:

THAT the Committee receive the Proposed Petrolia intake Section 34 Pre-Consultation comments and responses report.

Moved by M. Stewart -seconded by G. Marr

“RESOLVED that THAT the Committee receive the Proposed Petrolia intake Section 34 Pre-Consultation comments and responses report.”.

CARRIED.

- **AND FURTHER THAT** the Committee recommend that Source Protection Authority (SPA) staff continue with the Section 34 amendment process and proceed to the Public Consultation phase.

This motion was not moved as MECP policy comments need to be finalized.

Amended Motion:

AND FURTHER THAT the Committee recommend that Source Protection Authority (SPA) staff continue with the Section 34 amendment process.

Moved by M. Stewart -seconded by G. Marr

“RESOLVED that the Committee recommend that Source Protection Authority (SPA) staff continue with the Section 34 amendment process.”

CARRIED.

c) Program Update

Julie Welker provided a program update.

Key points:

- The Thames-Sydenham Source Protection Plan Volume III lays out the implementation timelines for various tools used under the *Clean Water Act, 2006*. This needs to be updated to reflect current or future amendments to the plan. Suggested wording: For new vulnerable areas and new threat activities added to the plan through amendments, risk management plans must be established within five years of the Effective Date of the most recent amendment, except for those policies that apply in Oxford County. Text that will be removed: Timeframe of eight years, except for those policies that apply in Oxford County, for all existing significant threats identified at the time of the initial SPP approval by December 31st, 2023.
- Section 48 Notices were given: Petrolia required a technical report for the new intake and Perth South required an emergency well.
- Municipal Drinking Water Systems Update: Melrose is upgrading their water supply to the Lake Huron pipeline in the spring. A s.51 amendment will be made, and the well will be removed from the Assessment Report. In Mitchell, a new well will be drilled after one was comprised due to a faulty liner.

- Risk Management Plan Non-conformity: 2 properties in Dorchester in a WHPA-B (10) are being monitored and an RMP needs to be completed. There is uncertainty about what they are using the land for and attempts to contact them have been unsuccessful. O. Orsini, the RMO will follow up with the Law Society for support in contacting the lawyer involved. The question was asked of how long it takes to implement an RMP; it typically takes up to a year to implement measures of a plan.
- Stormwater EASR policy: Many privately-owned stormwater management (SWM) works—specifically on institutional, commercial, light industrial, and multi-unit residential properties were moved from the Environmental Compliance Approval (ECA) process to the Environmental Activity and Sector Registry (EASR), a self-registration system.
- MECP Proposed Monitoring Policy: The Approach is to Manage and apply to SDWT: Existing and Future Threats, Legal Effect: Comply with. The Policy text will outline: Where stormwater management works are a significant drinking water threat (SDWT) and meet the criteria for registration on the Environmental Activity and Sector Registry (EASR), the Ministry of the Environment, Conservation and Parks shall: Notify the Source Protection Authority when these registrations occur and registered storm water management works have been updated by the registrant to identify a SDWT. By February 1 of each year, report on the number of inspections conducted on registered works where the activities would be an SDWT.

The question was asked whether snow is considered under Storm Water Management policies. Snow is not covered under the Storm Water Management policies. We do have separate policies for salt application and snow storage. With snow it is the grit, oils and other chemicals that are a concern, and the Risk Management Officials have discussed how to address this in the WHPAs. The question remains, if the whole parking lot is within the WHPA, where do they put the snow and how is it managed. The ministry has given some suggested comments such as huge snow melters.

- MECP Update: Program Managers and MECP staff met at end of February as part of their regular meetings throughout the year. Summary of updates that were received.
 - *Clean Water Act, 2006* received Royal Assent on November 3. Implementation of those changes will happen soon
 - Regulation 287/07 proposed changes have not been approved to date. The province is reviewing consultation comments. No update on when approvals will occur.
 - Transfer Payment Agreements: After reviewing the latest interim financial and workplan updates, the province has indicated the program is running smoothly. There are a few trends they are noticing (underspending with SPC and staffing). These are likely due to some SPC meetings needing to go on-line, and staffing changes.
 - Chair Appointments 2 chairs have been re-appointed 17 are still in the process.

The question was asked if there are further answers to the potential implications to this committee with the proposed consolidation of conservation authorities; there is no news at this time. J. Van Dorp commented that he attended a meeting in Guelph with 19 agriculture reps and MECP made a presentation on how they were streamlining services to make things more efficient.

RECOMMENDATION

- **THAT** the TSR Source Protection Committee receive the Thames-Sydenham Source Protection Program Update report as information.

Moved by C. Kennes-seconded by S. Beech

“RESOLVED that the TSR Source Protection Committee receive the Thames-Sydenham and Region Program Update as information.

CARRIED.

- **THAT** the TSR Source Protection Committee direct the Source Protection Authority staff to amend the timelines for Risk Management Plans in the Source Protection Plan Volume III.

Moved by J. Van Dorp-seconded by S. Smith

“RESOLVED that the TSR Source Protection Committee direct Source Protection Authority staff to amend the timelines for Risk Management Plans in the Source Protection Plan Volume III.

CARRIED.

- **THAT** the new Stormwater EASR policy be included in the SPP. Many privately owned Stormwater Management (SWM) works specifically on institutional, commercial, light industrial, and multi-unit residential properties were removed from the Environmental Compliance Approval (ECA) process to the Environmental Activity and Sector Registry (EASR) and is now a self-registration system.

Moved by G. Eagleson-seconded by J. Van Dorp

“RESOLVED that the TSR Source Protection Committee approve the new Stormwater EASR policy to be included in the SPP.

CARRIED.

d) Event Based Areas Presentation

Steve Clark the RMO gave a presentation on Event Based Area that are areas when

modeling has demonstrated that a spill from a specific activity could contaminate sources of drinking water. A map was shown that outlines many EBAs along the coast and to Wallaceburg.

Key Points of the presentation:

- Technical Rules indicate that if modeling demonstrates that a contaminant could reach the intake and exceed a certain benchmark, then the activity would be considered a significant threat.
- Issue #1 outlined- the actual transportation of fuel (such as by tanker trucks) is not specifically listed as an activity in the Prescribed Threats Tables. A spill would be a potential “Event” on the landscape.
- Issue #2- large, fixed storage facilities might be overlooked. Considering the region having extensive fuel movements and storage, these activities would not normally be captured as a threat since IPZ-2 and 3 vulnerability scores are lower than 8.
- Based on results of the event-based approach undertaken, a request was made to the Director to add the transportation of fuel as ‘other’ or local threat.
- Technical Rules 68 require an IPZ-3 to be delineated if modelling demonstrates that contaminants released during an extreme event may be transported to the intake. And Rule 130 outlined that an activity may be listed as a significant threat if modeling demonstrates that a spill could result in deterioration of the water supply.
- The Extreme Events Parameters were based on a heavy period of precipitation or up to a 100-year storm event (wind), Joint probability analysis required to define combined 100-year event, Petrolia and LAWSS (Sarnia wind speed and tributary flow and Wallaceburg Lake Huron water level and Sydenham flow.
- The overall process included: Joint probability analysis to select extreme events, reverse particle tracking to define IPZ-3 boundaries, identified activities of concern such as fertilizer and fuel, contaminant transport modeling and IPZ-3 delineation and application of Rule 130.
- Considerations and limitations in the modelling:
 - Decay is due to physical and chemical processes not considered.
 - A limited number of spills were simulated.
 - It was assumed that tanker trucks, rail tankers and lakers transport fuel along the corridors used in modeling.
 - Hydrodynamics in Wallaceburg area is complex. Additional data collection and ongoing calibration are recommended.
 - It is important to recognize that modeling is a tool that can be used to improve our understanding of the vulnerability of intakes. While there are some limitations in the process, it was determined that an adequate level of safety was established through the extreme event modelling scenario. Average conditions would in most cases result in lower values at the intake.
- A map showed modelling sample sites, established spill locations and the impact on intakes based on lake flow, wind dynamic and tributary modelling. This work all determined these event-based areas.

- Processes have changed over the years and spills action plans for all the refineries upstream have been mapped and there is a notification distribution list for any spills. Both Wallaceburg and Walpole is on that list to shut down their systems until they can clarify the extent of the spill upstream and whether it is a threat.

8) Information

8i. Sarnia to see expanded water protection zones for new Petrolia intake

<https://www.thesarniajournal.ca/news/sarnia-to-see-expanded-water-protection-zones-for-new-petrolia-intake-11863268>

8ii. Chiefs of Ontario call for urgent implementation of 2021 water settlement and legislation

<https://chiefs-of-ontario.org/chiefs-of-ontario-call-for-urgent-implementation-of-2021-water-settlement-and-legislation-as-a-third-of-ontario-first-nations-face-drinking-water-advisories/>

8iii. Road Salt

<https://www.am800cklw.com/news/lakeshore-cuts-back-on-road-salting-as-supplies-tighten-essex-county-says-service-unaffected.html>

8iv. Unlicensed snow dump shut down in Wilmot

<https://www.ctvnews.ca/kitchener/article/unlicensed-snow-dump-shut-down-in-township-of-wilmot/>

9) In Camera Session

None.

10) Other Business

None.

11) MECP Program Analyst Update – Sam Anderson presented the MECP Provincial Progress Report included in the member's package.

Key points:

- Since 2017, 22 plans have been in place protecting 450 municipal drinking water systems. 19,917 risks have been addressed and 95% of SPP Policies are being implemented or are in progress.
- Prescribed instruments are instruments to ensure activities conform with Source Protection requirements. New activity applications are screened for vulnerable areas

and significant drinking water threats. 3256 applications were reviewed and 1128 risk activities were regulated.

- Risk Management Plans: there are approximately 125 RMOs across the province and they enforce 2113 RMP's. There was 98% compliance rate with 672 RMP inspections in 2024. There are now 2113 RMP's on approximately 2637 properties.
- Prohibited activities in highly vulnerable areas: There are 449 high risk activities prohibited in Ontario, for example salt application.
- Interactive Mapping Tool: is a web-based interactive mapping tool with real time data and users can determine properties in a vulnerable area. Users can identify if they need to take action to protect a nearby drinking water source.
- Other Actions: 94% of municipalities are incorporating source water protection into their official land use plans. 2233 source protection signs have been installed on roadway signs for Ontario. 18 approximately 18313 septic systems were inspected in 2017 and 1046 in 2024.
- Good news story: in 2023, the City of Stratford piloted a new unit unidirectional flushing program method for cleaning the interior of water remains within the distribution system to improve and maintain water quality. And the system also completed a systemwide leak detection survey and carried out repairs to reduce water loss and enhanced conservation officer efforts.

12) Members Report

John Van Dorp- attended a meeting in Guelph with Egg Farmers of Ontario. He raised his question of the location of new wells on farms and why the rules changed for farms that have been operating for centuries. In the past the water would slowly percolate down into the groundwater area, the nitrogen would naturally disperse into the iron molecules. He noted it is easy for them to remove but because of the accelerated draw created by these wells, it prohibits natural farming.

Gary Eagleson - noted his concerns of articles regarding microplastics and drinking water, and how it relates to prostate cancer. He asked if someone could speak to the committee on this topic at a future meeting.

He also noted recent news in Chatham, Kent whereby council approved \$160 million waste to Energy Partnership. This involves an industrial anaerobic digester that will convert industrial, commercial, and institutional organic waste into renewable natural gas. He noted an example of a farm in Michigan that was recently quarantined because organic waste was deposited on the soil, contaminating it; the farm was quarantined and the farmer could not sell his cattle. He asked Mark Peacock if the municipality contacted the Lower Thames about this project. Mark indicated they have not, but that LTVCA will most likely deal with stormwater management for the site. G. Eagleson noted how the waste is stored and how it spreads should be considered and the RMO should ask the municipality

about it to get an understanding of what that processing means. This will be discussed again at the next SPC meeting.

Dean Edwardson- thanked Earl Morwood for stepping in as Acting Chair and Juile Welker for being so organized.

Jarrod Craven- reported there will be a new drilled well for Dorchester and in production this year. The well is inside the wellhead protection area on municipal land.

Scott Alexander- a new well will be drilled in Tavistock but timelines are uncertain, maybe early next year.

Julie Welker- the UTRCA staff has been doing Indigenous training with local communities. Two elders from Oneida spoke and it included drinking water issues they experience; often the First Nations people being afraid to drink their water. Stats were given of cancers being on the rise and the average lifespan of a First Nations male is 54 and for women 65. They cannot say exactly if it's water or air pollution. The training brought light again on the importance of clean drinking water for everyone.

13) Adjournment

There being no further business, the meeting was adjourned at **12:10 p.m.**

Moved by J. Van Dorp

“RESOLVED that the meeting be adjourned.”

CARRIED.

PLEASE NOTE: The next SPC meeting is to be held virtually on June 12, 2026.

Thames-Sydenham and Region Drinking Water Source Protection Source Protection Committee Report

Report #: 7a

Report to: Chair and Thames-Sydenham and Region Source Protection Committee

Prepared by: Julie Welker

Date: June 12, 2026

Re: Clean Water Act and Conservation Authority Act Updates

THAT the Thames-Sydenham Source Protection Committee receive this report as information.

FURTHER THAT the Thames-Sydenham Source Protection Committee write a letter to the province suggesting the committee supports the safeguarding of the Drinking Water Source Protection Program during the Conservation Authority consolidation.

Summary

- **Proposed Regulatory Changes – O.Reg. 287/07**
- **Conservation Authorities Act Amendments**
- **Clean Water Act and Regulation future amendments**

Report

Recent proposed and confirmed amendments to legislation may have implications for the Drinking Water Source Protection Program. A summary of the key changes is provided below.

1. Proposed Regulatory Changes – O.Reg. 287/07

[Regulatory changes for accelerating and improving protections for Ontario's drinking water sources](#)

The proposed Regulatory changes were made in the fall of 2025. Key proposed changes include:

- Specifying circumstances where the Source Protection Authority is the approval authority.
- Removing the requirement for pre-consultation and newspaper advertisements.
- Expanding *Section 51* to include broader “minor amendment” circumstances.

- Introducing a new **Minister's Regulation** to:
 - Standardize prescribed instrument (PI) policy wording.
 - Require the review, removal, or replacement of existing PI and monitoring policies within **2 years**, with notice provided to MECP upon completion.
 - Require review of existing PI policies within **3 years** when plan amendments are made (e.g., new vulnerable area delineated).

No Updates Received from MECP.

2. Conservation Authority's Act Amendment

On April 24, 2026, **Bill 97, Plan to Protect Ontario Act (Budget Measures), 2026** received Royal Assent. <https://www.ola.org/en/legislative-business/bills/parliament-44/session-1/bill-97> Within this Bill, it included proposed changes to the Conservation Authorities Act (CAA) where it laid out a plan for the amalgamation of the 36 Conservation Authorities into 9.

The province has established the Ontario Provincial Conservation Agency (OPCA) which is a newly established, provincial board-governed agency, overseen by the Ministry of Environment, Conservation and Parks, leading the changes to the province's conservation authority system.

For the southwestern Ontario region, the predecessor authorities (Upper Thames River, St. Clair Region, Lower Thames Valley and Essex Region Conservation Authorities) will now fall into one regional conservation authority under the new name **Western Lake Erie Regional Conservation Authority**.

Each Regional CA will have their own board that will be made up of upper tier and single tier municipalities. In addition, each Regional CA will establish one or more watershed councils to identify local priorities for consideration in Authority decision-making.

These changes will impact the naming convention and governance under the *Clean Water Act, 2006*.

3. Clean Water Act and its Regulations future amendments

Under Regulation 284/07, it defines the Thames-Sydenham Source Protection Region as following the conservation authority boundaries of:

- Lower Thames Valley Source Protection Area,
- St. Clair Source Protection Area and
- Upper Thames River Source Protection Area.

It further defines that conservation authority's are required to perform the powers and duties of drinking water source protection authority under:

- Lower Thames Valley Source Protection Authority
- St. Clair Region Source Protection Authority
- Upper Thames River Source Protection Authority

Part of the role of these source protection authorities is to approval Annual Reports, initiate amendments and appoint Source Protection Committee members.

Potential Impacts to the Drinking Water Source Protection Program:

Recent changes to the **Conservation Authorities Act (CAA)**, including the dissolution of historical naming conventions and the move toward regional conservation authority structures, have created uncertainty regarding the definition and role of a **Source Protection Authority (SPA)** under the **Clean Water Act (CWA)**.

Drinking Water Source Protection Project Managers (PMs), in collaboration with Ministry of the Environment, Conservation and Parks (MECP) staff, have been actively working to identify and communicate the implications of these changes. Key areas of concern include governance structures, financial agreements, and the continuity of SPA responsibilities. Despite these efforts, questions remain regarding which entity will formally serve as the SPA under the evolving framework.

At this time, the Province has indicated that there is no immediate intent to alter existing source protection regions and that locally developed Source Protection Plans may continue to operate within their current geographic boundaries.

In May 2026, PMs and MECP staff met to further discuss these issues and associated challenges. During these discussions, MECP staff reaffirmed that:


- Drinking Water Source Protection remains a core mandated responsibility of Conservation Authorities, despite broader structural changes;
- Source Protection Plans will continue to be implemented and maintained; and
- The Province remains committed to ongoing program funding.

MECP staff also acknowledged that legislative and regulatory adjustments may be required to ensure alignment between the Clean Water Act framework and the new regional conservation authority model. This includes clarifying:

- How SPAs will be defined and designated going forward;
- How SPA responsibilities will be administered within a regional CA structure; and

- How governance and accountability mechanisms will function under the revised system.

Source Protection Authority staff will keep the Source Protection Committee updated on future developments. See the attached letter from the SVGSNBP Source Protection Committee.



Julie Welker

Coordinator, Source Water Protection

Attachment:

Letter from Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Committee

April 13, 2026

Hon. Todd J. McCarthy
Minister of the Environment, Conservation and Parks

Dear Minister McCarthy,

Upon review of the recent changes to Ontario Conservation Authorities and proposed further changes that could impact the Clean Water Act and its Regulations, our Source Protection Committee collaborated on the following response.

Over the last 25 years, protection of municipal drinking water sources in Ontario has improved dramatically. However, as the landscape and the climate changes, we must remain vigilant and continue with drinking water source protection measures to ensure that there continues to be safe water available for public consumption. Recently, the Province announced changes to boundaries for the regional consolidation of Ontario's conservation authorities. This reconfiguration must align with the fundamental basis of Justice O'Connor's Walkerton Inquiry report recommendation to maintain watershed-based drinking water source protection at the local level. As a Source Protection Committee, we strongly advocate that Justice O'Connor's recommendations are respected to ensure that source protection planning and implementation remain responsive to local issues and policy approaches.

The integrity of the drinking water source protection program is local, watershed-based committees that include members from the agriculture, business/commerce/industry, municipal, environment and health sectors. These members have a vested interest in the sources and drinking water systems that supply their families, neighbours and constituents with a safe supply of drinking water. Dilution of this oversight to the new regional conservation authority scale will not serve the recommendations made by Justice O'Connor following the tragedy that happened in Walkerton in our Source Protection Region. Our region and its residents are considerably more familiar and unwilling to waver on the core principles of the program.

Justice O'Connor's Walkerton Inquiry report recommended watershed-based drinking water source protection planning at the local level by those most directly affected. To ensure that source protection planning and implementation remain responsive to local issues and policy approaches, and to minimize the need for time consuming administrative changes and conformity exercises, the province should consider:

- Adopting the current scale of Source Protection Regions as the largest geographic extent for the proposed regional Conservation Authorities. A single regional Source Protection Authority spanning numerous municipalities risks weakening local accountability, distancing decision-making from watershed-specific realities, and diluting the local focus that is foundational to effective watershed management.

- Retaining the current geographic scale of Source Protection Areas. Ensuring that Assessment Reports (ARs) and Source Protection Plans (SPPs) would continue to be reflective of local drinking water threats, vulnerabilities, and policy approaches. While also helping ensure that conformity exercises and consequential amendments to ARs and SPPs would be minimized. Consolidation of ARs and SPPs to reflect changed Source Protection Area boundaries would be time consuming and contribute little to the outcomes of the source protection program.
- Maintaining local representation on Source Protection Committees (SPCs) to ensure that municipal, economic, public interest holders, and implementation bodies continue to have a voice in identifying needed amendments to plans and overseeing progress towards achieving the objectives of SPPs. Continued alignment of SPCs with Source Protection Region jurisdictions would help ensure local representation and accountability.

The Source Protection Committee has deep concerns about possible implications to the Clean Water Act as a result of the recent Conservation Authority Act changes. It is our intent to continue to work with the province, local municipalities and local Source Protection Authorities to protect our local sources of drinking water in the spirit of Justice O'Connor's recommendations.

Sincerely,



Dick Hibma
Acting Chair, Saugeen, Grey Sauble, Northern Bruce Peninsula
Source Protection Committee

Cc via email: Kirsten Service, MECP
Source Protection Authorities
Municipal Clerks

Thames-Sydenham and Region Drinking Water Source Protection Source Protection Committee Report

Report #: 7b

Report to: Chair and Thames-Sydenham and Region Source Protection Committee

Prepared by: Julie Welker

Date: June 12, 2026

Re: Amendment Updates

THAT the Thames-Sydenham Source Protection Committee receive this report as information.

FURTHER THAT the Thames-Sydenham Source Protection Committee direct Source Protection Authority staff to submit the section 51 minor amendment package to the province.

AND FURTHER THAT the Thames-Sydenham Source Protection Committee direct Source Protection Authority staff to submit a future Section 34 amendment package for policy updates.

Summary

- **Section 34 Petrolia Amendment**
- **Section 51 Minor Amendments**
- **Future Section 34 Amendment – policy updates**

Report

1. Section 34 Petrolia Amendment

Under Section 34 of the *Clean Water Act, 2006*, (CWA) municipalities and Source Protection Authorities may initiate amendments to the Assessment Report and Source Protection Plan. This process is highly structured and requires extensive consultation and council support from all affected municipalities.

As previously discussed with the Source Protection Committee, the existing Petrolia Intake on Lake Huron has aging infrastructure, so a new intake has been installed to replace the current intake. The plan is to initiate the new intake in the fall of 2026.

Source Protection Authority (SPA) staff have been working through the consultation process as prescribed under the CWA. Table 1 highlights timelines for consultation.

Table 1 Timelines for the Thames-Sydenham s.34 amendment package.

| Project | Early Engagement | Pre-Consultation | Council Resolution | Public Consultation | Submission to MECP |
|---------------------|------------------|---------------------|----------------------|---------------------|--------------------|
| New Petrolia Intake | Oct/Nov 2026 | Jan.20-Feb.17, 2026 | End of February 2026 | Mid-April | May 1, 2026 |

SPA staff presented to the following councils and received resolutions from all councils:

- City of Sarnia
- Town of Petrolia
- Municipality of Plympton-Wyoming

Further, SPA met with Kettle and Stoney Point First Nations representatives at their request, to learn about this project. There were no concerns.

Aside from questions from council members and Kettle and Stoney Point First Nations, there were no other questions or concerns from the community. SPA continued with submitting the full package to the ministry with the hopes of receiving final approval prior to fall 2026.

2. Section 51 Minor Amendments

Under Ontario Regulation 287/07 section 51, it lays out when a minor amendment to the Assessment Report and Source Protection Plan can be made without the need of Minister approval.

During the pre-consultation phase of the section 34 Petrolia Intake, the province made a list of potential ‘house cleaning’ changes within the Source Protection Plan. Some policies had to be reviewed to clarify the legal effect. Some used ‘shall’ language, but the policies are ‘strategic’, thus are non-binding. In addition, some of the lists needed updates. Some agricultural policies needed to be refined to better align with current provincial regulations. See below. Refer to **Appendix A** to see the full list of these minor changes.

3. Future Section 34 Amendments – Policy Updates

Source Protection Authority staff reviewed all policies to ensure they are practical to implement and aligned with the 2021 Technical Rules update. Through this review, a couple of policies were identified as being overly stringent and restrictive for municipalities, retail businesses, and landowners.

a. Policy 2.08 - Future Storm Water Management Facilitates and Drainage Systems – Prohibition in WHPA-A & B (10)

Recommendation:

Create a new Policy 2.08.1 to manage this activity within WHPA-B (10) areas through a Prescribed Instrument and, where appropriate, Part IV Risk Management Plans for Low Impact Development (LID) works. Existing Policy 2.08.1 would be renumbered as Policy 2.08.2.

Rationale:

The 2021 Technical Rules provide greater clarity regarding the circumstances under which stormwater management facilities and drainage systems may constitute a significant drinking water threat. The rules now identify specific land uses and associated percentages of impervious surface area that can trigger a threat designation, resulting in a more refined and risk-based assessment of these activities.

Given these changes, the current prohibition approach in both WHPA-A and WHPA-B (10) areas may be unnecessarily restrictive within WHPA-B (10) zones. This is particularly relevant in communities such as St. Marys and Dorchester, where WHPA-B (10) areas encompass larger portions of the settlement area and may include lands planned for future growth and development.

A prohibition policy could limit the implementation of stormwater infrastructure that is required to support development, including facilities designed to improve water quality, reduce runoff volumes, and manage flooding. In contrast, a management approach would allow these activities to proceed while ensuring that risks to municipal drinking water sources are addressed through appropriate regulatory controls.

Management through Prescribed Instruments and, where appropriate, Part IV Risk Management Plans would enable the application of site-specific mitigation measures, operational requirements, and design standards. This approach is particularly important for Low Impact Development (LID) works, which are increasingly being incorporated into municipal and private development projects to achieve stormwater management objectives. Risk management measures could address issues such as infiltration rates, source water protection design considerations, maintenance requirements, and spill response procedures to ensure that drinking water risks remain acceptable.

Accordingly, replacing prohibition with management in WHPA-B (10) areas would maintain a high level of drinking water protection while providing flexibility to

accommodate appropriate development and modern stormwater management practices. This approach would better align with the risk-based framework established under the 2021 Technical Rules.

b. Policy 2.28 – Future Storage of Commercial Fertilizer – Prohibition in WHPA-A & B (10)

Recommendation:

Create a new Policy 2.28.1 to manage this activity within WHPA-B (10) areas through Part IV Risk Management Plans.

Rationale:

The 2021 Technical Rules introduced changes to the circumstances under which the storage of commercial fertilizer can constitute a significant drinking water threat. The rules now include "retail" fertilizer storage as a potential activity; however, there is no clear definition of what constitutes a retail operation. As a result, the current prohibition approach may capture a broad range of commercial establishments that store packaged fertilizer products as part of normal business operations.

Risk Management Officials have indicated that a management approach is more appropriate for retail fertilizer storage within WHPA-B (10) areas. This would provide flexibility for businesses such as Home Depot, Canadian Tire, garden centres, and agricultural supply stores that may store fertilizer products in quantities exceeding threat thresholds, while still ensuring that risks to municipal drinking water sources are appropriately controlled.

For example, retail outlets commonly store commercial fertilizer in 25–50 kg bags on pallets or skids, with individual skids often containing approximately 2,500 kg of product. Depending on the number of skids stored on-site, these facilities could be classified as a significant drinking water threat despite the fertilizer remaining in sealed packaging and being handled under established commercial practices.

A management approach would also provide a framework to address larger-scale or bulk fertilizer storage through site-specific risk management measures, including requirements for covered storage, spill prevention and response procedures, secondary containment where appropriate, inventory controls, and operational best management practices. These measures can effectively reduce risk while avoiding unnecessary restrictions on commercial and retail activities within WHPA-B (10) areas.

Accordingly, replacing prohibition with management in WHPA-B (10) areas would maintain protection of drinking water sources while providing a more practical and proportionate regulatory approach for both retail and bulk commercial fertilizer storage activities.

Next Steps:

Since the recommendation is to create new policies, they are subject to a Section 34 amendment which includes consultation. Source Protection Authority staff may have to issue a Section 34 just for these changes if there is no near future amendment with a municipal drinking water system.



Julie Welker

Coordinator, Source Water Protection

Appendix A – Minor proposed changes to the Source Protection Plan Volume III

Appendix A: Source Protection Committee Report #7b- Amendment Updates

| No. | Policy Change |
|-----|--|
| 1 | Revise List G to include Policy 2.08 |
| 2 | Please revise the information included to the right of Policy 2.08.1 to include the Legal Effect (Conform with) and the Threat Level (Significant). |
| 3 | Revise List A to include Policy 2.15 |
| 4 | In Policy 2.25, please specify Non-Agriculture Source Material (NASM) Plan as the applicable Prescribed Instrument. |
| 5 | Review Policy 2.21, 2.22 and 2.26.1, including the annual reporting response from OMAFA as context |
| 6 | Policy 2.35.1 and 2.45 have two legal effects, "Conform With" and "Strategic", and utilize "shall" language, which is not compatible with the strategic legal effect. Please review the implementers of this policy and consider removing MECP, RMO, CA, and MTO, as the policy directs actions for the municipality. If this is done, the legal effect issue will also be rectified, and the policies can be updated to be "Conform With" only. |
| 7 | Policy 2.35.2 currently states that "municipalities shall prohibit this activity," but the Risk Management Official (RMO) is listed as the implementer. For clarity, consider updating the policy text to reflect the RMO as the implementer. |
| 8 | Please revise the information included to the right of Policy 2.51 to include 'Prescribed Instrument' as a tool being utilized, and 'OMAFA' as an implementer. Please update List C to include this policy. |
| 9 | Please clarify the legal effect of Policy 2.54 (currently uses "shall" language, but the policy is "Strategic" thus is non-binding). Please review "shall" and replace with "may" to align with the legal effect of the policy |
| 10 | Revise Appendix D, Table 3 'Significant threat policy approach summary table for Wellhead Protection Areas', to reflect: o That the thresholds for salt, snow storage and fuel are accurate and reflect the 2021 Technical Rules. For example, for salt, "where stored in a manner that may result in exposure to precipitation or runoff from snow melt (e.g. unenclosed) and [the] quantity stored >5,000 tonnes" now reflects lower thresholds and accounts for circumstances of partial exposure to precipitation. o The current policy approaches to manage each threat. For example, include the policy approach to Threat 12, 'the application of road salt' (Policy 2.35.1). |
| 11 | Based on the information to the right of the Policy 3.01, 3.02, and 3.03, they apply to areas where the threat could be a significant, moderate, and/or low drinking water threat, despite being in the "Moderate and Low Threat Policies" section of the SPP. To ensure the legal effect of the policies is clear, please remove the areas where threats could be significant from these policies. |
| 12 | Please clarify the legal effect of Policy 1.03 "Municipal Signage". The policy is currently listed in "List E - Significant threat policies that impose obligations on municipalities...", which implies the municipality "must comply", however the legal effect is designated as "Strategic" on the right-hand side of the policy and the policy is written in a way that indicates that the municipality is not obligated to comply with the policy. If the policy is determined to be strategic, please remove it from List E. |
| 13 | Please review Policy 1.04 "Incentive Programs" and clarify what is meant by "Organizations including but not limited to Municipalities and Conservation Authorities", taking into consideration the practicality of the implementation of this policy as written. Please add additional policy details, such as implementer and legal effect, to the right-most column of the policy in the SPP. Please remove the policy from List E. |
| 14 | The 'Implementation Timing' (Policy 1.09), 'Transitional Provision' (Policy 1.10), and 'Definition' (Policy 1.11) policies are not 'Specify Action' policies. Please revise the information included in the SPP to the right of the policy and remove the policies from List J. |
| 15 | Please correct "the Province (MECP)" to "the Ministry (MECP)" across various policies and throughout the SPP. |
| 16 | Please clarify the legal effect of Policy 4.03, 4.05, 4.06, and 4.07 (currently use "shall" language, but the policies are "Strategic", thus are non-binding), Please remove "shall" and replace it with "may" to align with the legal effect of the policy. |
| 17 | The MECP is not the appropriate implementer for the action described in Policy 4.08, which concerns the development of a program to identify transport pathways within the SPA's WHPAs. Consider removing the policy or redirecting to an appropriate implementing body. Additionally, the policy currently uses "shall" language but is "Strategic" and therefore non-binding. Please review and update the language in the policy to align with the legal effect. |
| 18 | Policy 4.09 is a non-binding Specify Action policy that requests that the MECP and federal agencies "shall" consider developing a notification program to ensure the SPA and SPC are aware of new or changes to existing transport pathways. Please revise the policy to align with its legal effect, consider removing "federal agencies" as implementers of the policy, and review the annual reporting response from the MECP to consider whether the policy is practical to implement. |
| 19 | The Clean Water Act, 2006 (as well as other legislation) should be presented in italics throughout the documents, and include ", 2006" as part of the title of the legislation. |
| 20 | Consider revising Table 8 'Prescribed Instruments' on Page 44 to reflect the names of the Instruments as distinct from the title of the legislation (e.g. Environmental Compliance Approvals are permissions described by the Environmental Protection Act, 1990 (EPA) and Ontario Water Resources Act, 1990 (OWRA) and administered by the Ministry of the Environment, Conservation and Parks. |
| 21 | Threat 3.0 'Application of Agriculture Source Material (ASM) to Land' is not currently managed by a Prescribed Instrument policy (see Risk Management Official WHPA-A) Policy 2.21.1). Consider adding a policy to acknowledge that this threat activity is prohibited by the NMA and through Nutrient Management Plans and/or Nutrient Management Strategies. |

Thames-Sydenham and Region Drinking Water Source Protection Source Protection Committee Report

Report #: 7c

Report to: Chair and Thames-Sydenham and Region Source Protection Committee

Prepared by: Julie Welker

Date: June 12, 2026

Re: Legislative Bills Update

Recommendation: The Thames-Sydenham Source Protection Committee receives this report for information.

Summary

- Proposed amendments to the Water and Wastewater Public Corporations Act, 2025
- Communal Drinking Water and Wastewater Systems

Report

Proposed Amendments to the Water and Wastewater Public Corporations Act, 2025 (ERO #026-0301)

This Act stems from Bill 60, the *Fighting Delays, Building Faster Act, 2025*. It is intended to support housing growth by authorizing the Minister of Municipal Affairs and Housing to transfer responsibility for water and wastewater services from regional governments (upper-tier municipalities) to lower-tier municipalities.

The Region of Peel has been identified as the pilot case for this approach. Water and wastewater governance in Peel was viewed as a barrier to housing development because system expansion and financing were considered slow, relied heavily on development charges, and were not sufficiently aligned with provincial housing targets. The transfer of water and wastewater governance from the upper tier to the lower-tier municipalities is currently scheduled for June 1, 2029.

When Bill 60 was introduced, it generated significant public concern because certain provisions were perceived as creating a pathway for the privatization of water infrastructure. In response, a coalition of water workers, environmental organizations, physicians, and anti-poverty advocates formed to oppose those provisions.

To address these concerns, the Ministry of Municipal Affairs and Housing proposed amendments that would:

- Preserve public ownership of water and wastewater infrastructure;
- Allow contracts and employees to transfer to a water and wastewater public corporation without interruption;
- Prohibit the transfer of long-term municipal debt to the corporation; and
- Make related amendments to the *Safe Drinking Water Act, 2002*.

Conservation Ontario and Source Water Protection Program Managers support the proposed amendments because they maintain municipal ownership and ensure that water and wastewater services remain subject to the *Clean Water Act, 2006*. This helps protect Ontario's municipal drinking water sources. See the attached letter from Conservation Ontario.

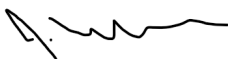
2. Communal Drinking Water and Wastewater Systems (ERO #026-0302)

The Ministry of Municipal Affairs and Housing, together with the Ministry of the Environment, Conservation and Parks, is proposing legislative changes through the proposed *Building Homes and Improving Transportation Act, 2026* to encourage greater use of non-municipal communal drinking water and wastewater systems in support of new housing developments.

The proposed changes would affect the *Municipal Act, 2001* and the *Safe Drinking Water Act, 2002*, and could ultimately require municipalities to grant consent to non-municipal water and wastewater public utilities.

From a Source Water Protection perspective, there are concerns that these privately operated systems may not be subject to the *Clean Water Act, 2006* and its regulations. As a result, they may not benefit from Ontario's multi-barrier approach to protecting sources of drinking water.

Conservation Ontario submitted comments on behalf of Source Protection Program staff through the Environmental Registry of Ontario (ERO) process. Their submission emphasized that "strong, explicit integration of source water protection planning must be a foundational requirement." See the attached letter from Conservation Ontario



Julie Welker

Coordinator, Source Water Protection

Attachments:

Conservation Ontario's comments on Proposed amendments to the Water and Wastewater Public Corporations Act, 2025

Conservation Ontario's Comments on "Communal drinking water and wastewater system municipal consent requirements



May 8, 2026

Ministry of Municipal Affairs and Housing
Local Government Policy Branch
777 Bay St., 13th Flr.
Toronto, ON
M7A 2J3
Canada

Re: Conservation Ontario's comments on "Proposed amendments to the Water and Wastewater Public Corporations Act, 2025 and consequential amendment to the Safe Drinking Water Act, 2002" (ERO#026-0301)

Conservation Ontario (CO) represents Ontario's 36 Conservation Authorities (CAs), whose mandatory programs and services include drinking water source protection. CAs operate as Source Protection Authorities (SPAs) under the *Clean Water Act*, 2006. These comments are not intended to limit comments submitted individually by CAs on this proposal.

The Ministry of Municipal Affairs and Housing (MMAH) is seeking feedback on proposed amendments to ensure continued public sector ownership, enable the uninterrupted transfer of contracts and employees to a water and wastewater public corporation, prohibit the transfer of long-term municipal debt to the corporation, and make consequential amendments to the *Safe Drinking Water Act*, 2002.

Conservation Ontario supports MMAH's proposal to amend the *Water and Wastewater Public Corporations Act*, 2025 to explicitly prohibit private equity ownership in municipal service corporations delivering water and wastewater services. Conservation Ontario understands that maintaining municipal ownership and ensuring these services remain subject to the *Clean Water Act* helps safeguard Ontario's municipal drinking water sources.

In addition, Conservation Ontario supports the proposed amendment to the *Safe Drinking Water Act* (SDWA) to clarify that drinking water systems owned by Water and Wastewater Public Corporations are deemed municipal drinking water systems and therefore subject to the SDWA's requirements as such. These safeguards are understood to ensure that water corporations are subject to the same public health and safety requirements that apply to all municipal drinking water systems, including source water protection.

With respect to the proposed amendments, Conservation Ontario seeks clarification on whether Consolidated Linear Infrastructure (CLI) Environmental Compliance Approvals (ECAs) would continue to apply as a regulatory tool for public corporations, and whether existing CLI ECAs for previously approved systems could be transferred under the proposed new framework. Clarification on this matter, either within the amended *Water and Wastewater Public Corporations Act, 2025* or through consequential amendments to the *Safe Drinking Water Act, 2002*, would assist in providing regulatory certainty.

Thank you for the opportunity to provide comments on “Proposed amendments to the Water and Wastewater Public Corporations Act, 2025 and consequential amendment to the Safe Drinking Water Act, 2002” (ERO #026-0301). We would be pleased to discuss these comments at your convenience.

Conservation Ontario

c.c: Conservation Authority CAOs/GMs



May 8, 2026

Ministry of Municipal Affairs and Housing
Local Government Policy Branch
777 Bay St., 13th Flr.
Toronto, ON
M7A 2J3
Canada

Re: Conservation Ontario's comments on "Communal drinking water and wastewater system municipal consent requirements" (ERO#026-0302)

Conservation Ontario (CO) represents Ontario's 36 Conservation Authorities (CAs), whose mandatory programs and services include drinking water source protection. CAs operate as Source Protection Authorities (SPAs) under the *Clean Water Act*, 2006. These comments are not intended to limit comments submitted individually by CAs on this proposal.

The Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Environment, Conservation and Parks (MECP) are proposing amendments to the *Municipal Act, 2001* and *Safe Drinking Water Act, 2002*, to **enable** the creation of non-municipal water and sewage public utilities through municipal consent and creating regulation-making authority that would **require** municipalities to grant consent to non-municipal water and sewage public utilities where prescribed criteria and conditions are met.

Conservation Ontario offers the following commentary on the proposed communal drinking water and wastewater system consent requirements. Non-municipal systems provide water in a variety of circumstances including year-round residential systems (e.g., apartments), systems serving designated facilities (e.g., schools or camps), seasonal residential systems (e.g., trailer parks), or systems serving public facilities (e.g., resorts). The 2025 Performance Audit of the Safety of Non-Municipal Drinking Water, a special report by the Office of the Auditor General of Ontario, identified several concerns related to: communal systems, including systems that were not properly identified, assessed, or

inspected as required; insufficient or incomplete water quality sampling; and gaps in oversight related to well construction and associated requirements.

While we acknowledge the province's objective to support development and provide servicing flexibility through communal systems, it is our position that **strong, explicit integration of source water protection planning must be a foundational requirement** within any regulatory framework that enables the establishment and operation of communal drinking water systems.

- Source protection planning under the *Clean Water Act* provides the primary mechanism for identifying and managing risks to municipal drinking water sources. Conservation Authorities, operating as Source Protection Authorities, possess specialized technical knowledge of the water resources within their watersheds.
- Conservation Ontario recommends that requirements under the *Clean Water Act* (i.e. following the s. 34 – Amendments Initiated by a Source Protection Authority process) be built into any conditions and criteria for the approval of communal systems, and particularly those systems which will be providing year-round drinking water. Early engagement with the Source Protection Authorities can help to expedite future approvals and assist municipalities with their requirement to protect all municipal drinking water supplies as per the Provincial Planning Statement. Providing Source Protection Authorities with a built-in opportunity to initiate amendments to source protection plans will further help ensure the long-term safety and protection of communal drinking water systems.
- Conservation Ontario does not support the proposal to obligate municipalities to provide consent to non-municipal water and sewage utilities, particularly in municipalities where significant investment has been made to provide these through municipal services.
- Under the *Safe Drinking Water Act* (s. 114) municipalities may be ordered to provide service in areas previously serviced by non-municipal drinking water systems when provincial requirements are not met. Municipal ownership of these systems will trigger a requirement to undertake source protection planning work after the system is in use and at the cost to the municipality. Potential challenges may arise if non-municipal systems are later transferred to municipal or public ownership, particularly where systems were approved under reduced or inconsistent protection standards.
- Conservation Ontario supports integrated water and wastewater planning to appropriately manage resources. Early involvement of source protection planning helps to protect existing and future sources of drinking water, which Ontarians rely

upon. When a communal drinking water system is proposed, it is often accompanied by a communal sewage system. As such, a planning approach similar to that used for municipal systems should be applied. This would include first identifying vulnerable areas and assessing vulnerability scores for the drinking water system and then ensuring that the associated sewage system is located in a location that avoids impacts to drinking water sources. Most source protection plans include policies that discourage sewage treatment facilities within the most vulnerable areas; therefore, a comparable precautionary approach should be strongly recommended for communal systems.

- The siting of proposed systems should explicitly account for existing and potential threats to drinking water sources, to avoid locating systems in areas where multiple or significant risks are present.
- Water budget and water quantity considerations should be required as part of the approval process, particularly in areas experiencing growth or existing supply pressures.

Conservation Ontario recognizes the province's efforts to expedite critical infrastructure approvals. The success of this framework will depend upon its ability to protect Ontario's drinking water sources over the long term and to ensure that variability in oversight and protection standards are not created or exacerbated.

Thank you for the opportunity to review and provide comments on "Communal drinking water and wastewater system municipal consent requirements" (ERO# 026-0302). We would be pleased to discuss these comments at your convenience.

Conservation Ontario

c.c: Conservation Authority CAOs/GMs

Health unit warns of possible contamination in Tavistock water supply

By
[Kristylee Varley](#)
[Opens in new window](#)

Published: May 08, 2026 at 11:56AM EDT



boil water

Residents using the municipal water supply along part of William Street in Tavistock are being advised to boil their water after a main break caused a loss of pressure that may have compromised the system.

Southwestern Public Health issued the advisory after the Medical Officer of Health was notified that a water main break occurred near 168 William St. on May 7.

The advisory applies to properties on William Street south of Wettlaufer Street and is being issued as a precaution against possible contamination.

Affected residents are being notified by the County of Oxford and will receive further notice when the advisory is lifted.

Medical Officer of Health Dr. Ninh Tran is advising those impacted to bring all water to a rolling boil for at least one minute before use. The precaution applies to drinking water as well as water used for brushing teeth, preparing infant formula or juice, washing raw foods and making ice.

Health officials say the advisory will remain in place until testing confirms the water is safe to drink.

A tour boat approaches the Horseshoe Falls in Niagara Falls, Ont., in July 2021. By removing water and sanitation services from local control, a new Ontario law creates a system aimed at profit generation. THE CANADIAN PRESS/Peter Power

New Ontario water and sanitation law could pave the way for the financialization of public water

Published: May 12, 2026 11.58am EDT Updated: May 20, 2026 7.33am EDT

In November 2025, the Ontario government rushed through new legislation to dramatically restructure public drinking water and wastewater services without any public consultation.

The Water and Wastewater Public Corporations Act (WCA) authorizes the province’s minister of municipal affairs and housing to remove water and wastewater services from local governments and assign them to arms-length governance structures by classifying them as “water and wastewater public corporations (WCCs).”

Despite being buried among other controversial measures in the omnibus Bill 60, the WCA drew considerable public backlash. A broad-based coalition was formed, bringing together water workers, environmental organizations, physicians and anti-poverty activists to push back against what seemed like the stealth privatization of provincial water infrastructure.

In response, Premier Doug Ford’s government tabled amendments to restrict shareholders in WCCs to “a municipality, the Province of Ontario, the Government of Canada or an agent of any of them” under Bill 98, which is now in third reading.

But University of British Columbia law professor Joel Bakan has concluded these amendments don’t rule out

privatization. The possibility of shares being held by the ambiguously termed “agent” of the state opens the door for any number of public-private configurations.



The R.C. Harris water treatment plant, known as ‘the waterworks’ by local residents, in east-end Toronto in July 2024. THE CANADIAN PRESS/Chris Young

Financialization

While critical details might be clarified in upcoming regulations, a troubling picture emerges when connecting the dots. Whether the WCA leads to outright privatization, its proposed reforms are consistent with an insidious global push to make municipal water and sanitation systems more amenable to private investment. This essentially transforms them into tradeable assets.

This process, known as financialization, would erode the public health and social mandate of public water infrastructure, undermining the capacity of communities to cope with growing ecological and financial stresses.

Around the world, fierce public opposition has resulted in the termination or non-renewal of private contracts in hundreds of communities around the world. Even the staunchest proponents of privatization now view water as too politically risky and insufficiently profitable for private sector engagement.

At the same time, there has been a growing appetite for “bankable” water infrastructure projects in the face of growing economic uncertainty. In response, international financial institutions and other powerful entities are pushing for policy reforms to pave the way for the integration of water into global financial markets.

Extracting profit

Privatization is not a necessary precursor to financialization. Corporatized public utilities, argues British water researcher Kate Bayliss, can perform the same function of laying the groundwork and creating revenue streams that can eventually be captured by financial markets.

In fact the World Bank, the largest funder of water projects in the Global South, promotes reforms to publicly owned and operated utilities to improve their risk-return profiles for commercial investment. In other words, public institutions are restructured to absorb risk and shift costs to local communities in order to ensure greater extraction of private profit.

The Ontario legislation follows this model by dismantling municipal services and restructuring them into arm’s-length WCCs.

By removing water and sanitation services from local control, WCCs create a more streamlined system for profit generation. Key decisions — including finances, contracts and water rates — would be made by corporate boards with little direct accountability to communities.

Deepening existing inequities

Measures that generate value for shareholders will likely take precedence over public health and equity-related considerations.

As Brock University water management expert Lina Taing warns, the proposed consolidation of operations will ultimately undermine hard-won accountability provisions. It will also diminish the “site-specific knowledge” that is central to the multi-barrier approach developed in the aftermath of the Walkerton contaminated water crisis in May 2000.

The plan would take effect most immediately in Peel Region, one of the most racially diverse municipalities in the country. By 2029, jurisdiction over water and wastewater services will be transferred from Peel to its three lower-tier municipalities, which will then be required to deliver services exclusively through a newly created WCC.

The Humber River that flows to Lake Ontario through Peel Region. (Gerry J. Wood/Flickr)
The financial implications for Peel are deeply troubling. Water and wastewater infrastructure in Peel was built over decades with public funds. Under the new Ontario law, this infrastructure would be transferred to a WCC while Peel’s existing debt remains with the municipal government.

In other words, the assets are transferred while the liabilities stay behind. Peel will be left servicing legacy debt with no corresponding revenue stream, while revenues generated from water bills flow to WCC shareholders who bear no responsibility for that debt.

This is a textbook example of what scholars describe as risk socialization and profit privatization. Simply put, the public bears the burden while shareholders capture the reward.

Flint water crisis

In the words of American geographer Laura Pulido, racialized places often become the “testing ground for new forms of neoliberal practice.”

The Flint, Mich., water crisis also began with a state-level decision to place the city under emergency management.

The unelected city manager switched the city’s drinking water source to the highly contaminated Flint River as a cost-cutting measure, but failed to ensure the water was treated with corrosion inhibitors. This caused lead to leach from aging pipes and trihalomethanes (TTHMs) to form in tap water. TTHMs are a carcinogenic by-product formed when chlorine reacts with organic matter in water.



The Flint water plant tower in January 2022 in Flint, Mich. (AP Photo/Carlos Osorio, File)

Likewise, ongoing challenges in First Nations communities underscore the inadequacies of top-down federal initiatives to resolve the drinking water crisis with blanket solutions that are inappropriate, inadequate or unacceptable to local communities.

A recent study found high concentrations of TTHMs in tap water samples from three Manitoba First Nations reserves as a result of treatment processes that weren’t suited to local environments and climate conditions.

Stripping communities of power

Both Bill 60 and Bill 98 align with broader efforts to expand the financialization of Ontario's public infrastructure.

The Building Ontario Fund was established precisely for the purpose of including private capital in priority infrastructure projects. Unless challenged, the new legislation will strip communities of their power to shape services according to their needs, will make it easier to extract private wealth from public infrastructure and will erode the social mandates that make public water services central to building just, equitable and sustainable societies.

Experiences with water financialization in the United Kingdom and elsewhere show an intensified form of the harms associated with water privatization.

Water rates often rise sharply to generate returns for shareholders, while revenues are paid out as dividends instead of being reinvested in system maintenance and upgrades. Over time, this can erode environmental protections, social equity and labour rights.

The Ontario government sought public input on Bill 98 until recently.

It was an opportunity for Ontario residents to join the Ontario Federation of Agriculture, the Canadian Union of Public Employees, the Canada Green Building Council, Environmental Defence Canada and many other organizations in demanding a better future for their water systems.

- Water
- Water treatment
- Wastewater
- Doug Ford
- Ontario politics
- financialization

Author



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Meera Karunanathan

Assistant Professor, Human Geography, Carleton University

Disclosure statement

Meera Karunanathan sits on the boards of the Blue Planet Project and Peace Brigades International- Canada. They are both volunteer positions enabling her learn from and collaborate with water defenders, organizations and networks involved in frontline struggles for water justice around the world.

Partners



The Honourable Doug Ford – Premier of Ontario
 The Honourable Todd McCarthy - Minister of the Environment, Conservation and Parks
 The Honourable Doug Downey - Attorney General

April 23, 2026

Subject: Encouraging Legal Reform to Limit Liability for Road Salt Application

Dear Premier Ford, Minister McCarthy and Attorney General Downey,

The Board of Directors of the Lower Trent Source Protection Authority would like to encourage the Provincial Government to enact legal reforms that would limit liability for contractors who apply road salt as part of their winter maintenance activities.

Using road salt to keep roads, parking lots and sidewalks safe in the winter is standard practice in Ontario. However, the road salt applied to these surfaces eventually drains to either surface water or groundwater and can degrade the quality of drinking water and cause other environmental and ecological issues.

Some contractors tend to use much more salt than is required to ensure that they do not increase their legal liability if there is a slip and fall or a vehicular accident in areas being maintained. This excessive use of salt can drastically increase environmental impairment and threats to drinking water.

One practical solution would be to pass legislation in Ontario that would limit liability for contractors who are trained and certified in best practices related to road salt application and set standards for road salt use. The Board of Directors encourages your government to adopt this approach to help reduce the impact excessive road salt entering our surface water courses and groundwater sources .

This idea is used in other jurisdictions in North America, such as New Hampshire and is supported in Ontario by many municipalities, Conservation Authorities and Landscape Ontario.

Sincerely,

Sherry Hamilton,
 Chair Lower Trent Source Protection Authority

*C/O LOWER TRENT CONSERVATION
 714 Murray St, R.R. #1, Trenton, Ont. K8V 0N1*

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER

TRENT
CONSERVATION
COALITION
SOURCE PROTECTION
REGION

Cc: Conservation Ontario – Angela Coleman
Lower Trent Region Conservation Authority Board members
Trent Conservation Coalition GM/CAO – Rhonda Bateman
Director of the Conservation and Source Protection Branch – Kirsten Service
Joe Salemi, Landscape Ontario
The Trent Conservation Coalition Source Protection Committee Members

*C/O LOWER TRENT CONSERVATION
714 Murray St, R.R. #1, Trenton, Ont. K8V 0N1*

Improve drinking water on First Nations by uplifting water operators, group says

Communities need to recognize and invest in their water treatment operators, says Water Movement



[Samantha Schwientek](#) · CBC News · Posted: Mar 27, 2026 4:32 PM EDT | Last Updated: March 27



Indigenous water operators met recently in Banff, Alta., to share strategies and celebrate their work. (Water Movement)

A group dedicated to ending the 41 current long-term drinking [water advisories on First Nations](#) says part of the way to achieve the goal is by uplifting the work of people who work in water treatment plants.

Of those advisories, nearly half (46 per cent) are in places where water treatment systems are equipped with infrastructure that can produce clean water.

Water Movement, which aims to end drinking water advisories by connecting and supporting water and wastewater treatment operators, says recognizing local water operators can help.

Rod Badger, who previously worked as a water operator in his home community of Sucker Creek First Nation in Alberta, says many people don't understand the role of water operators or how vital they are to their communities.

A water operator runs water treatment and distribution systems that allow communities access to safe water for drinking and washing purposes, according to Badger.

He first took up the job around 2004 when his community needed someone in the role quickly.

"I was working in the carpentry department of the nation and then they came and asked if anyone wanted to go work at the water plant and if they have a high school diploma. And I said 'I do,'" he said.

When he was recruited, he said, the community had upgraded its system and he was the only person working directly with it.

Even with a good system and a relatively small population — Sucker Creek's current population is just above 3,000 — Badger says running a treatment plant is never a one-person job.

"Even if it's a simple system, you don't want to invest all of everything into one person," Badger said.

That one person could suddenly need to leave their work.

"I've witnessed things happening like that and the community's kind of left high and dry without an operator," he said.

"And then that's when emergency hits and then things go wrong and it's a catastrophe."

- ['I don't trust that water plant': Hundreds evacuated so far from First Nation in northern Ontario](#)

Badger said he held that job for three or four years before becoming a trainer for nearly two decades and says he loved his job. He thinks highlighting the importance of the work and the quality of the job itself could help attract more people to the field.

That's why Water Movement continues to push for federal recognition of National Indigenous Water Operator Day (NIWOD) in March. The group recently hosted its fifth annual event in Banff, Alta., where operators meet up and discuss strategies, according to executive director Bitá Malekian.

Overcoming challenges

Malekian says water operators in First Nations face a number of challenges, from infrastructure to staffing.

"Retention is quite low," she said.

While Malekian calls them "frontline heroes," she said their importance is sometimes overlooked. For example, she said during the pandemic water operators were sometimes excluded from essential services lists that included fire departments, snow removal and garbage collectors.

- [Zhiibaahaasing First Nation water operator wins national leadership award](#)
- [Indigenous youth are learning to become water treatment operators in northern Ontario](#)

On top of that, Malekian said communities are often willing to fund equipment but not people.

Badger has seen the same.

He says sometimes communities will resist investing in their water operators, either through training or compensation. He added he's even heard some individuals say that water operators should be happy to have a job at all.

"We want to... have [communities] say that 'We are lucky to have you working for us,'" he said.

Better pay and training could also create a ripple effect when it comes to people's daily lives.

"It would also regain the community's trust in their water because a lot of communities have lost trust in the quality of their water and do not even cook or clean with water from the tap," Badger said.

Indigenous Services Minister Mandy Gull-Masty said in a statement on March 22 celebrating World Water Day that she plans to introduce new legislation to advance clean drinking water on First Nations.

The federal government also promised \$2.3 billion in funding for the First Nations Water and Wastewater Enhanced Program beginning in 2026.

ABOUT THE AUTHOR [Samantha Schwientek](#)

Samantha Schwientek is a reporter with CBC Indigenous based in amiskwacîwâskahikan (Edmonton). She is a member of the Cayuga nation of the Six Nations of the Grand River, and previously worked at CBC Nova Scotia.