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: November 20, 2026 **(In person)**
Time: 10:00 a.m.- 1:00 p.m.
ZOOM Link: https://us02web.zoom.us/j/88070828845?pwd=kAuWDilDAERT9WCjqChQqD5ZsE3gP2.1

Proposed Agenda

1	Chair's Welcome, Roll Call and Certification of Quorum
2	Adoption of the Agenda
3	Approval of June 12th, 2026 SPC minutes
4	Delegations -none
5	Declaration of Conflict of Interest
6	Business arising from the minutes
7	Business
7a	CWA & Regulations Update (motion)
7b	Program Update (Motion)
8	Information 8i. Lake Huron intake pipeline nearing completion- Sarnia https://www.sarnianewstoday.ca/sarnia/news/2026/10/06/lake-huron-intake-pipeline-nearing-completion 8ii. Geothermal Article: https://ontariogeothermal.ca/story/murray-schlotzhauer-and-rose-anderson/ 8iii. After 5 years of no clean drinking water, Oneida pipeline project approved https://www.cbc.ca/news/canada/london/oneida-lake-huron-water-extension-9.7124601
9	In Camera Session (not planned)
10	Other Business
11	MECP Update
12	Members Reports
13	Adjournment & Next Meeting

SPC MEETING MINUTES
JUNE 12TH, 2026
Meeting #91

The Source Protection Committee Acting Chair, Earl Morwood called the online meeting to order at 10:05 a.m. on JUNE 12th, 2026. The following members and staff were in attendance.

Members

Dean Edwardson
Scott Alexander
Kari Chervinsky
Brent Clutterbuck
Jarrod Craven
Gary Martin
George Marr
Valerie M'Garry
Earl Morwood
Karleen Sirna
Sam Smith
Matthew Stewart
Sandy Levin
Emma Young
Sam Anderson-MECP

Regrets:

Ron Elijah
Andrew Powell
Gary Eagleson
Carl Kennes
John Van Dorp

Staff:

Julie Welker
Deb Kirk
Steve Clark
Olivia Orsini
Jason Wintermute
Ken Phillips

1) Chair's Welcome

Acting Chair Earl Morwood welcomed the committee; a quorum was achieved. The territorial acknowledgement was read. Kari Chervinsky was introduced as the newest member representing the Sarnia Blue Water Association for safety, environment and sustainability.

2) Adoption of the Agenda

June 12th, 2026, agenda was approved.

Moved by G. Marr -seconded by J. Craven

"RESOLVED that *the June 12th, 2026, agenda be approved."*

CARRIED.

3) Approval of March 6th, 2026, SPC minutes

Moved by –S. Smith -seconded by G. Marr

"RESOLVED that *the March 6th, 2026, 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 – there was a question at the previous meeting regarding a new Chatham Kent Energy from waste project. Steve Clark, the RMO looked further into it and provided a summary.

Chatham-Kent Energy from Waste Project

The proposed anaerobic digestion facility that will convert organic waste into renewable natural gas (RNG) was approved by council April 27, 2026, and construction is expected through 2028. The plant will process ~370,000 tonnes of waste annually, mainly from ethanol production and municipal sludge. Outputs from process include Renewable Natural Gas for pipeline injection and energy use at other industries close by as well as digestate biosolids for agricultural fertilizer. Source Protection Impact: Site includes some SGRA/HVA areas but is considered low to moderate risk and compliant with policies, no municipal drinking water sources affected. A potential concern is improper use of biosolids in sensitive areas.

Data Centre Proposal

Steve also reported on a Data Centre Proposal for a large AI/technology data facility near Courtright on agricultural land on Greenfield Road in St. Clair Township. This will require significant power infrastructure, including a new substation on-site.

Key environmental considerations: Large diesel storage (~200,000 L) for backup generators. Recommended safeguards are double-walled tanks with leak detection, containment berms and controlled fueling area. Additional stormwater management protocols will be determined as site plans are developed and reviewed by St. Clair Conservation. The Source Protection Impact: Minor SGRA presence; considered low to moderate risk under planning controls. Nearby event-based area not expected to be impacted however this will be reviewed

Overall, both projects are advancing and align with climate and SWP goals, with manageable source protection risks under current policies. The data centre project is still early-stage, with no final site plan submitted yet.

7a) CWA and CAA Updates

Julie Welker gave a presentation on the Clean Water Act and Conservation Authority Act changes. In the fall there was a proposed regulatory change to the Clean Water Act under Reg 287 O 7. These proposed regulatory changes included:

- Specifying circumstances where the source protection authorities, the approval authority.
- Removing the requirement for pre consultation and newspaper advertisements.
- Expanding Section 51 to include broader minor amendments.
- Introduces a new minister's regulation to standardized prescribed instrument policy wording, Require the review, removal, or replacement of existing prescribed instrument and monitoring policies within two years and require review of existing prescribed instrument policies within three years when plan amendments are made.

There have been no updates received from MECP to date.

The Conservation Authority's Act amendment received Royal Assent on April 24th, 2026, under Bill 97, the Plan to Protect Ontario Act. The amalgamation of the 36 conservation authorities into 9 is happening. The Western Lake Erie Regional Conservation will include Essex, Lower Thames, St. Clair and Upper Thames. The Ontario Provincial Conservation Agency (OPCA) will lead the changes of this amalgamation. Each region will have their own board, and these boards now are to be structured to have upper tier and single tier municipalities. Also, a Watershed Council will be established to identify priorities for consideration in Authority decision-making. These changes will impact the Drinking Water Source Protection program under the Clean Water Act.

For the Clean Water Act and its regulations future amendments changes will include, naming and governance changes. There are many questions such as what will the future Source Protection areas consist of and who will the Source Protection Authorities be. Part of the role of the Source Protection Authority's is to approve the annual reports, initiate amendments and appoint Source Protection Committee members. It was noted that there are 7 committee members whose terms are going to expire next June 2027.

Potential impacts to the Drinking Water Source Protection Program were outlined. The program managers and the ministry staff are working together to identify and communicate the implications of the changes to the Conservation Authority Act. The key concerns are the governance structure, the financial agreements and the continuity of Source Protection Authority responsibilities.

MECP staff reaffirmed that there is no immediate intent to alter existing Source Protection Regions and that locally the Source Protection plans will continue to operate within their current geographic boundaries. Drinking water source protection remains a core mandated program and is under the responsibility of Conservation Authorities to continue to implement and maintain; the province remains committed to ongoing funding for the program.

Ministry 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 source protection authorities will be defined and designated going forward, how source protection authority responsibilities will be administered within the regional conservation authority structure, and how governance and accountability mechanisms will function under the revised system.

Questions: S. Levin agreed with the recommendation of a letter similar to the one in the meeting package, be sent to the Ministry on behalf of the committee to highlight the wish to continue to safeguard Drinking Water Source Protection Program during the Conservation Authority consolidation. There are a lot of details that need to be worked out and there's not

a lot of time for the province to consider those details. The hope is to encourage them to get moving forward on determining the answers and establishing the processes.

The concern of retaining the established SP policies for each unique region was noted. S. Anderson of the MECP relayed that the wish is to not have policies re-written.

The question was asked who will sit on the Watershed Council and who appoints the members? Ken Phillips, the General Manager of St. Clair Conservation Authority noted it's still in the early stages and they do not know the answer to that question. There is an assumption that there would be input from the upper tier municipalities in the former regions. The hope is at this time that The Essex, St. Clair, Lower and Upper Thames in the new Western Lake Erie Region group will have their own individual advisory committee, but this is not known at this time. The province will be appointing the staff who will lead the process. The positive is these advisory committees will be comprised of very wide breadth of people, to include elected officials, First Nations membership, local stakeholders and general members of public.

Recommendation:

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

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

. Moved by –G. Marr -seconded by B. Clutterbuck
"RESOLVED that *the Thames-Sydenham Source Protection Committee receive this report as information. And that a letter be sent to the Ministry on behalf of the committee supporting the safeguarding of the Drinking Water Source Protection Program during the Conservation Authority consolidation".*
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CARRIED.

b) Amendment Updates

Julie Welker presented an overview of the Amendment updates as follows:

Section 34 Petrolia Amendment. The new Petrolia intake approval process is now finalized after the SPA presented to the City of Sarnia, Town of Petrolia and the municipality of Plympton-Wyoming councils and received resolutions. The SPA staff also

met with the Kettle and Stoney Point First Nations representatives at their request to learn about the project; they had no concerns.

Section 51 Minor Amendments. 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. An example noted was some used 'shall' language, but the policies are 'strategic', thus are non-binding, lists needed updates and agricultural policies were refined to better align with current provincial regulations.

Future Section 34 Amendments-Policy Update

Discussion: Julie Welker noted that a thorough review of all the policies has been done to ensure nothing was missed based on the new technical rules or that the intent of the policy did not change. Two policies highlighted for further review were stormwater management and commercial fertilizer.

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

Recommendation:
To 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.

Rationale:

- The 2021 Technical Rules now identify specific land uses and associated percentages of impervious surface area that can trigger a significant drinking water threat;
- 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.

Under policy 2.08 For existing Future Stormwater and its future stormwater management facilities and drainage systems, these are prohibited in a WHPA- B with a vulnerability score of a 10. At the beginning of the SP program it made sense, but with the new technical rules this may be very restrictive now, so the recommendation is to create a new policy to manage this activity in a WHPA-B10 through a prescribed instrument and where appropriate use part IV for Risk Management plans for low impact development works.

The rationale was outlined: the 2021 technical rules now identify specific land uses and associated percentages of impervious surface area that can trigger a significant drinking water threat. The bottom line is this would include a much larger area that would be

considered a significant drinking water threat with storm water management. 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 that could be used for future development.

Julie presented maps of St Marys and Dorchester to show these areas and staff have met with both municipalities to discuss.

St. Marys: is in support of a using Risk Management measures in a WHPA- B10. The area includes most of the downtown, with some outlier areas. They indicated that many of the stormwater management systems were put in in the 1960s with very little restrictions so anything would be an improvement; managing through the ECA process which also must oblige the Source Protection plans and have mitigation measures in place so there is not a threat to drinking water.

Dorchester: Julie Welker discussed the Dorchester area with Thames Centre; the WHPA-B10 area is largely undeveloped and there could be a possibility for development on these sites in the future. Julie recommended this be tabled for now until the municipality can deliberate.

Jarrod Craven reported the areas of concern are outside the urban area boundary in the southern section and most of that is environmentally protected. He noted they require more time to consult with the planners, politicians; there are more questions than answers at this time. There is not any proposed development currently but it's right on the doorstep of the urban boundary. He noted rules and regulations need to be in place.

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The committee agreed of moving the policy forward for St. Marys for risk manage future SWM in a B (10) and table the Dorchester area until further discussion can occur; Prohibition is in place for now. If they decide to go management in the B10, the amendments can be completed, and it will be brought to the committee at that time.

A concern was raised on the CA amalgamation and not having clear answers on Source Protection and whether they could impact these decisions, even with the possible development being down the road. J. Caven noted the importance making the right

decisions to protect the water systems but not discourage development and finding ways they both can coexist.

2. 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 rules now include "retail" fertilizer storage as a potential activity;
- 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 may be more appropriate for retail fertilizer storage within WHPA-B (10) areas.

Recommendation:

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 the Source Protection Authority staff to submit a future Section 34 amendment package for policy updates. And include the revision to the prohibition policy for future SWM in the St. Marys area be changed to risk managed and for the Dorchester area this be tabled until further discussions.

Moved by –V. M'Garry -seconded by G. Marr

"RESOLVED that *the TSR accept the report as information, direct the SPA to submit s.51 Amendment to the province and the s.34 Amendments including the revisions to the prohibition policy for future SWM in a WHPA-B10 for the St. Marys area be managed; and for the Dorchester area this be tabled until further discussions with the municipality".*

CARRIED.

c) Legislative Bills Update

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*. Water and wastewater governance in Peel was viewed as a barrier to housing development because system expansion and financing were considered slow, it relied heavily on development charges and were not sufficiently aligned with provincial housing targets.

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. 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*.

Project Managers and Conservation Ontario support these proposed amendments

<u>Communal Drinking Water and Wastewater Systems (ERO #026-0302)</u>

- The Ministry of Municipal Affairs and Housing, together with the MECP, 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.
- 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."

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

d) Source Protection Plan Volume II Draft Policies

Julie Welker reported the SPP Volume II Draft Policies are not finalized and will be brought to the November SPC meeting for approval.

8) Information (Articles)

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

9) In Camera Session

None.

10) Other Business

A proposed St. Clair Township Data Center was discussed. The center will be located on Greenfield Road, near the former Lambton Generating Station property. The centre will require access to significant amounts of power and many backup generators will require diesel fuel storage to support redundant power to the site. There are not impacts on Source Protection at this time but keeping an eye on future data center applications is important; this topic will remain a standing item on the SPC agendas going forward.

Melrose is officially hooked up to the Lake Huron pipeline. We are waiting to hear about the decommissioning of the well.

11) MECP Program Analyst Update – Sam Anderson-no new updates.

12) Members Report

Emma Young- reported the Chippewa of Thames First Nations who has been on a boil water advisory for 5 years now will be deciding this summer on whether they will hook up to the Lake Huron pipeline or to a standalone treatment plant. They will be meeting with Andrew Henry next week from Lake Huron Water Supply System to discuss further. Oneida First Nations is connecting to the pipeline and Muncy Delaware also wants to. Emma will provide updates at the next SPC meeting in November.

Kari Chervinsky-reported Sarnia-Lambton Bases has launched a new website for the air quality monitoring they do; it has a different look and feel now. They plan to put their water station data online as well; water data is currently only available to their members, but the hope is to have it published soon. She noted the monitoring station is near the new proposed data centre location. Kari provided the website link to the members.

Gary Martin- asked if there are water quantity issues due to all development occurring. Jason Wintermute commented that this is not an issue at this time in the Lower Thames region.

Julie Welker- when asked about the SPC Chair re-appointments, Julie reported there is still no word from the province, but they have been moving closer to it appointing them.

13) Adjournment

There being no further business, the meeting was adjourned at **11:07 a.m**.

Moved by G.Marr

"RESOLVED that the meeting be adjourned."

CARRIED.

PLEASE NOTE: The next SPC meeting is in person November 20th, 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: November 20, 2026

Re: Proposed and confirmed changes to the *Clean Water Act, 2006* and its Regulations

THAT the Thames-Sydenham Source Protection Committee receive the staff report Proposed and confirmed changes to the Clean Water Act, 2006 and its Regulation, for information.

FURTHER THAT the Thames-Sydenham Source Protection committee direct staff to submit comments, on the committee's behalf, on the respective ERO posting by December 6, 2026.

Summary

- **Proposed CWA and Regulation changes to align with CA consolidation**
- **New Regulation 210/26 for Prescribed Instruments**
- **Changes to processes under Section 51 (O.Reg. 287/07) and Section 34 (CWA)**
- **Changes to O.Reg 205/18 (SDWA) regarding Use of Source (Section 48 Notices)**

Report

Legislative Background

On November 3, 2025, the Building a More Competitive Economy Act (Bill 56) received royal assent. The legislation includes amendments to the Clean Water Act (CWA) to streamline the way sources of drinking water are protected and includes new and revised regulatory making authority. Some of the amendments to the CWA are enabling in nature and require future regulations to enact the changes. In addition, amendments to Ontario Regulation 205/18 under the Safe Drinking Water Act (SDWA) are also proposed.

Current Status

On October 22, 2026, new proposed changes to the CWA and its Regulations came out to better align with the Ontario's Conservation Authorities consolidation.

On June 29, 2026, amendments to existing regulations (CWA and SDWA) and a new regulation were filed under the CWA. On July 16, 2026, an amendment to the General Regulation under the CWA was also filed. The effective dates range from July 1, 2026, to September 1, 2026. The new O. Reg. 210/26 will come into force on January 1, 2027. The report outlines the required conformity changes and the updates to O. Reg 287/07 and O. Reg. 205/18.

Proposed CWA and Regulation changes to align with CA consolidation

The government is proposing regulatory changes under the *Clean Water Act, 2006,* to align Ontario's drinking water source protection framework with the new regional conservation authority structure under the *Conservation Authorities Act*. These changes would maintain the existing strong safeguards in place to protect sources of drinking water. **The planned legislative amendments to the CWA would include maintaining the 39 source protection areas and the related 38 source protection plans**.

The ministry is proposing to amend Ontario Regulations 284/07 and 288/07 under the CWA to align with the consolidation of conservation authorities under the CAA. The posting can be found here: Proposed Regulatory Changes under the CWA

The proposed amendments to O. Reg. 284/07 would:

- Remove references to the predecessor CAs (i.e., the 36 CAs) and lead source protection authorities.
- Add in reference to the nine regional CAs and the source protection areas that these regional CAs are responsible for as the source protection authority (which would be provided for in the planned statutory amendments).
- For each regional CA, designate, for the purposes of the CWA, the participating municipalities of the regional CA, which will be only single-tier and upper-tier municipalities, to align with changes to the CAA.

The proposed amendments to O. Reg. 288/07 would:

- Remove reference to the lead source protection authorities.
- Identify the source protection committee(s) that each regional conservation authority, as the source protection authority, will be responsible for supporting during the period before watershed councils are established, as seen below:

Western Lake Erie Regional Conservation Authority

- Thames-Sydenham Source Protection Committee

- Essex Region Source Protection Committee

Watershed Councils and Source Protection Committees

The province is proposing that once the Regional Conservation Authorities are established (February 1, 2027) they then turn to planning to create Watershed Councils. These councils are intended to bring local knowledge and expertise to the region and support the Regional CA boards. The province is proposing that, once these watershed councils are established, they will take over the duties of the Source Protection Committee as part of their role. At this time, there are no clear directions on what this committee would look like and what exactly their roles will be. However, once the Regional Conservation Authorities are in place, they will also become the Source Protection Authority and will take on certain SPC administrative, operational and governance responsibilities.

The province has opened this up for discussion. Discussion questions to seek early input into the development of Watershed Councils

Some of the questions the province are asking in relation to Source Water are:

1. Which functions would make sense for watershed councils to carry out to best support local drinking water source protection priorities?
2. Under what circumstances should a regional CA establish more than one watershed council? What criteria or factors would inform this?
3. What interests and expertise should be represented on watershed councils to ensure local perspectives and knowledge are reflected, for the purposes of CA watershed-based planning? for the functions and duties of SPCs under the CWA?
4. How should members of the watershed council be selected?
5. How many members should watershed councils have?
6. What should the ministry consider for the governance and operating procedures of watershed councils?
7. What length of time should members serve?

The province is holding a virtual session on November 5 from 2:30-4:00 p.m.

Consultation on the regulatory proposals will be open for 45 days, closing December 6, 2026.

New Ontario Regulation 210/26 for Prescribed Instruments

On June 29, 2026, a new Prescribed Instruments regulation (O. Reg. 210/26) under the *Clean Water Act, 2026* (CWA) was filed. This new regulation was detailed in the June 30, 2026 ERO #025-1104 decision notice. This regulation requires that source protection authorities ensure that all TSR Source Protection Plan prescribed instrument policies are in conformity with the requirements of O. Reg. 210/26. These policies do

not require the TSR Source Protection Committee, Source Protection Authorities and public endorsement.

The changes to the CWA were also summarized in a presentation from the Ministry of Environment, Conservation and Parks (MECP) in June 2026, as included in Attachment 1.

Key updates include:

- January 1, 2027, was confirmed as the date that subsections 22(8.1) to 22(8.3) of the CWA will come into effect. These set out the types of PI policies that can be included in SPPs.
- O. Reg. 210/26 also sets out:
    - Standardized wording for PI policies that do not prohibit activities (that is, to 'manage' significant drinking water threats)
    - Restrictions on use of PI policies that prohibit 'existing' activities, subject to exemptions for instruments issued or created under the Nutrient Management Act, 2002.
    - Allow established PI policies in SPPs that prohibit existing activities to remain in the plan until the policy has been implemented.
    - That PI policies can no longer include the following: relating to conformity with designated Great Lakes policies; that address moderate and low drinking water threats; and monitoring related PI policies.
    - Requirements for standardized documentation of decisions, reporting, and review timelines for PI decision makers.
    - Lays out the January 31, 2027, deadline for source protection authorities to review, remove, and replace the relevant PI policies in their source protection plans, as well as to provide notice to the MECP director when this has been completed.

As part of the conformity exercise, TSR staff have been preparing draft policy updates. The one roadblock that was encountered by staff is that many of the PI policies were merged with Part IV policies. Thirty policies in total have been impacted by O. Reg. 210/26. **Appendix A** highlights the Prescribed Instrument policy changes to align with Regulation Changes.

MECP staff have provided responses to inquiries about the conformity exercise. It is anticipated that they will provide formal PI policy guidance later in the fall. Further discussions are also planned with staff at Conservation Ontario and other source protection regions.

<u>Storm water Monitoring Policy</u>

In response to the removal of Prescribed Instrument monitoring policies, MECP, in collaboration with Lake Erie Source Protection Region, developed wording for a monitoring policy addressing specific storm water management Environmental Activity and Sector Registry (EASR) activities. The policy stipulates that MECP will report to the

Source Protection Authority annually on the activities. This draft policy will have to wait until a s.34 amendment since it is a new policy. The proposed policy is shown below.

5.11	Storm water Management – Environmental Activity and Sector Registry (EASR) Where the storm water management works are, or would be significant drinking water threats and meet the criteria for registration on the Environmental Activity and Sector Registry (EASR), the Ministry of the Environment, Conservation and Parks shall provide a report to the Source Protection Authority by February 1st of each year with the number of: a) Newly registered storm water management works identified as significant drinking water threats; b) Registered storm water management works that have been updated by the registrant to identify a significant drinking water threat; and c) Inspections conducted on registered works where the activities are a significant drinking water threat.	Existing Future WHPA-A (10) WHPA-B (10) MECP Confirm with

Changes to processes under Section 51 (O.Reg. 287/07) and Section 34 (CWA)

As part of the proposed changes to the CWA and other relevant legislative and regulatory updates, the following became effective as of July 1, 2026:

a. Amendments to the CWA
   - Enable regulation-making authority for the Minister to direct the types of policies related to Prescribed Instruments that could be included in a Source Protection Plan.
   - Require the Minister to make a decision on a complete s. 34 application within 120 days.
   - Enable regulation-making authority that allow the Source Protection Authority to approve proposed amendments according to a prescribed process.
   - Enables regulation-making ability to require the issuer of Prescribed Instruments to conform to or achieve the objective of certain source protection plan policies.

b. Amendments to O. Reg. 287/07 General under the CWA
   - Allows SPAs to post proposed amendments online (no newspaper/library requirements).
   - Allows the SPA to issue a s. 48 (1.1) notice indicating that water can be provided prior to SPP updates in limited circumstances.
   - Includes prescribed information to provide as part of a s. 34(4.1) SPP amendment to the Minister.
   - Sets out circumstances where a SPA can approve a SPP amendment.
   - Requires the SPA to update the explanatory document to reflect any proposed amendment to a SPP under section 34 or 35.

- Expands the use of s. 51 “Typographical and other changes”, including for amendments to reflect the replacement of an existing well or intake or involving the new/altered delineation of a WHPA or IPZ in limited circumstances and subject to certain requirements.
- Includes additional exemptions from s. 58 (Regulated Activities) of the CWA for PIs provided that the PIs include conditions that are designed to achieve the objectives of the CWA (never becomes/ ceases to be a SDWT).
- Combines the two phases of public consultation into one for S.34 amendments.

The changes to the CWA where it lays out Minster Approval, SPA approval, and Section 51 amendments are included in Attachment 2.

Changes to O.Reg 205/18 (SDWA) regarding Use of Source (Section 48 Notices)

Source Protection Authorities can provide opinion that the prohibition of condition is not necessary under the SDWA via their s.48(1.1) notice to the Director, in certain circumstances.

In the case of a notice of an application described in O.Reg. 205/18 s.3 (establish a new well or intake to the existing municipal drinking water system or alterations to an existing well or intake) an indication whether,

1) The SPA is of the opinion that a condition mentioned in O. Reg. 205/18 s.4(2) (prohibiting the supply of water) is not necessary and an explanation of its opinion, having regard to,
    a. The nature of the technical work
    b. The nature of any advisable plan amendments
    c. Existing policies in the source protection plan, if any, that apply to the identified drinking water threats; and
    d. Any information received from the neighbouring SPA, if applicable, or

2) Whether the works the system owner intends to do involves the replacement of an existing well or intake and the only mapping change is to the WHPA-A or IPZ-1, with no additional significant threats identified (O. Reg. 287/07 S.51 (1) 13)

If the SPA notice includes an indication as described above, the condition that prohibits the supply of drinking water is not required (O. Reg. 205/18 S.4). Despite the SPA notice, the Ministry may still include this condition in certain cases.

Next Steps

Staff will work to understand what the impacts of the proposed changes could be on the existing Source Protection Committee.

Staff will continue with the conformity of the PI policies and engage with partner municipalities, Conservation Ontario, other source protection regions, and MECP to ensure O. Reg. 210/26 conformity is complete by the January 31, 2027, deadline. MECP will be providing guidance to all the changes mentioned in this report later Fall 2026.

Appendix A: Prescribed Instrument Policy Changes to Align with Regulation Changes



Julie Welker

Coordinator, Source Water Protection

Attachment:

Attachment #1 - The changes to the CWA were also summarized in a presentation from the Ministry of Environment, Conservation and Parks (MECP) in June 2026

Attachment #2 - The changes to the CWA where it lays out Minster Approval, SPA approval, and Section 51 amendments

Appendix A: Prescribed Instrument Policy Changes to Align with Regulation Changes

Policy Number	Threat	Action
2.01	Waste	Removed ‘Existing’
2.03	Waste	Removed ‘Existing’
2.04	Waste	Edited to use standardize language from Regulation and removed Part IV
2.04.1	Waste	Created Part IV only
2.05.1	Waste	Removed ‘Existing’
2.05.2	Waste	Edited to use standardized language from Regulation
2.07	Sewage	Edited to use standardized language from Regulation
2.09	Sewage	Edited to use standardized language from Regulation
2.10	Sewage	Edited to use standardized language from Regulation
2.12	Sewage	Edited to use standardized language from Regulation
2.19	Sewage	Edited to use standardized language from Regulation
2.21	Application of ASM	Removed PI from policy
2.21.2	Application of ASM	Created a PI policy
2.22	Storage of ASM	Removed PI from policy
2.22.1	Storage of ASM	Create PI policy
2.24	Storage of NASM	Removed PI from policy
2.24.1	Storage of NASM	Create PI policy
2.26.1	Application of Commercial Fertilizer	Removed PI from policy
2.30	Pesticide Application	Removed PI from policy
2.30.1	Pesticide Application	Created a PI policy
2.41	Handling and Storage of Fuel at Aggregate Operation	Edited to use standardized language from Regulation

2.42	Handling and Storage of Fuel for use in back-up generators	Edited to use standardized language from Regulation
2.51	ASM generation through livestock grazing or pasturing land, an outdoor confinement area or a farm animal yard	Remove PI from policy
2.51.01	ASM generation through outdoor confinement area	Add PI policy
3.02	Moderate and Low Threat Pesticide application	Repealed
3.03	New Prescribed Instruments	Repealed
5.03	OMAFA Monitoring and Reporting	Repealed
5.04	MECP Monitoring and Reporting	Repealed
5.05	MNR Monitoring and Reporting	Repealed
5.06	MTO Monitoring and Reporting	Repealed

Changes to the Clean Water Act Implementation Discussion

July 2026

Ministry of the Environment, Conservation and Parks

Ontario

Land Acknowledgement

Agenda

1. Background
2. Current Status, Engagement and Consultation
3. Content and Overview of Current Process
4. 1 – Source Protection Plan Amendment Approval Process
5. 2 – Use of Source
6. 3 – Prescribed Instruments
7. Questions

Background

- The purpose of the *Clean Water Act*, *2006* (CWA) is to protect Ontario's existing and future sources of municipal drinking water (i.e., wells and intakes) from contamination and depletion.
- Locally developed source protection plans are a key focus of the legislation and include both a science-based assessment report and locally developed policies.
    - The assessment report identifies vulnerable areas and the activities that may contaminate or deplete a source of drinking water.
    - The policies mitigate risks in vulnerable areas by either managing or prohibiting specific activities. Implementing bodies are identified to carry out the policies, which can be mandatory or non-mandatory to apply.
- Amendments are periodically required to the plans for various reasons, with the most common being to expand an existing drinking water system to service new developments by incorporating a new well or intake to supply municipal drinking water.
- In November 2025, statutory amendments were made to the CWA, followed by regulations in June 2026, to accelerate and modernize how sources of drinking water are protected.

Current Status

- On June 29, 2026, amendments to O. Reg. 287/07 under the CWA and O. Reg. 205/18 under the *Safe Drinking Water Act, 2002* (SDWA), and a new regulation (O. Reg. 210/26) under the CWA, were filed. The amendments to O. Reg. 287/07 and O. Reg. 205/18 came into force on July 1, 2026. O. Reg. 210/26 will come into force on January 1, 2027. This stems from:
  - Consultation on two proposals posted on the Environmental Registry of Ontario (ERO) on October 20th, 2025, to accelerate and modernize how sources of drinking water are protected by amending the CWA, the general Regulation under this Act (O. Reg. 287/07), O. Reg. 205/18 under the SDWA, and to develop a new Minister's regulation:
    - ERO Number 025-1060: *Accelerating and improving protections for Ontario's drinking water sources*
    - ERO Number 025-1104: *Regulatory changes for accelerating and improving protections for Ontario's drinking water sources*
  - In fall 2025, legislative changes were made through the *Building a More Competitive Economy Act, 2025*, to accelerate and improve how drinking water sources are protected under the CWA,

Engagement and Consultation

- Emails sent to source protection stakeholders, municipalities, ENGOs, various sectors (water, agricultural, development, etc.) and Indigenous communities.
- Interministerial engagement
- Stakeholder information sessions (2)
- Indigenous engagement session (1)
- Sessions with technical experts from source protection authorities (3)
- ERO posting (32 comments)

<u>General Comments/Feedback</u>

- Strong support from stakeholders most familiar with the source protection framework.
- Some generally supportive comments of the proposal but mixed or concerned comments about length of consultation on legislative proposal and a request for more details on provincial implementation of prescribed instrument policy.
- Some unsupportive comments regarding perceived lessening of environmental protections, government downloading and the expansion of government powers.

Context

- The legislative and regulatory changes streamlined source protection plan amendment approvals under the CWA, so that sources of drinking water are protected faster, and process redundancies were removed to support development.
- Strong and proactive protection of sources of municipal drinking water continue across the province.
- Focus areas of change include:

1. Source protection plan amendment approval process (including consultation)
2. Use of sources of drinking water (Regulation 205/18)
3. Prescribed instruments (to come into force January 1, 2027)

Overview of Past Process and Changes

Approvals Process



- All source protection plans for the 38 source protection areas have been thoroughly reviewed and approved by MECP.
- The process to amend a source protection plan was lengthy (~21+ months) and previously contained duplicative processes, causing unnecessary delays to put protections in place for sources of drinking water.
- Statutory and regulatory amendments have been made to accelerate the approvals process for certain scenarios.

Use of Source



- O. Reg. 205/18 under the SDWA prohibited municipal residential drinking water systems from supplying drinking water from a new or altered well or intake that involves source protection plan mapping changes until the source protection plan is amended.
- This process delayed the supply of drinking water from new wells or intakes for new developments even in cases where it may not have been necessary.
- Amendments to this regulation and O. Reg. 287/07 now provide exceptions from this prohibition so that drinking water may be supplied, prior to plan amendment, in select circumstances if conditions can be met.

Prescribed Instruments



- Source protection plans may contain policies that require the issuer/creator (e.g., ministry) of a prescribed instrument (PI) to prohibit an activity or manage an activity through terms/conditions in the instrument to ensure the activity ceases to be or never becomes a significant drinking water threat.
- These policies vary across the province which can cause implementation inconsistencies.
- The new Minister's regulation has been created to standardize language for PI policies that manage drinking water threats. This new regulation will come into force on January 1, 2027.

1 - Source Protection Plan Amendment Approval Process

Ontario

Source Protection Plan Amendment Approval Process

Minor amendments

Previous Use

Section 51 of O. Reg. 287/07 under the CWA provided that certain types of minor changes could be made to a source protection plan without requiring consultation or approval.

Current Use

- The types of source protection plan amendments listed under s. 51 ("Typographical and other changes") has been expanded to capture more types of changes that are administrative and/or do not affect current protections. See in particular the new paragraphs 11 to 14 under s. 51(1) and the following slides.



- More administrative types of changes to source protection plans can now be made through this process rather than the longer, more burdensome formal amendment process.
- This change will speed up the time it takes to make these types of minor changes by up to 12 months.

Source Protection Plan Amendment Approval Process

Minor amendments types

- The following types of source protection plan amendments can now also be made under s. 51 of O. Reg. 287/07:
  1. Changes to the narrative sections of the source protection plans, without changing the policies themselves or the assessment report.
  2. Where the minister or their delegate has provided an extension to a deadline in a source protection plan policy, changes to reflect that extension.
  3. Changes to reflect the replacement of an existing well or intake if:
     a. The delineation of the existing WHPA or IPZ would need to change but there is only a change to the area immediately surrounding the well or intake (i.e., a WHPA –A or IPZ-1),
     b. the revised delineation does not capture new activities that are considered new significant drinking water threats (i.e., either there are no new significant threat activities in that revised WHPA-A or IPZ-1, there is no reasonable prospect of a person engaging in that activity), and
     c. the previous delineation of the wellhead protection area or intake protection zone and identification of threats had already incorporated the most recent technical rules

Source Protection Plan Amendment Approval Process

Minor amendments types continued

4. Changes to the plan involving a new or revised delineation of a WHPA or IPZ to address and protect a new, or change in, a well or intake located in a neighbouring source protection area if:

    a. The amendment to the source protection plan for the source protection area where the well or intake is located, to reflect that new or change in the well or intake, has already been approved.

    b. The technical work to support the plan amendment for the source protection area where the well or intake is located included a delineation of the entire WHPA or IPZ and the identification of threats in the WHPA or IPZ, including the parts that extend into the source protection area where the well or intake is not located.

        a. If any new significant drinking water threats are identified in the source protection area where the well or intake is not located, it is not eligible for this streamlined process (s.51).

- If a plan amendment is made to reflect a replacement well or intake where only the delineation of the WHPA-A or IPZ-1 is changing (#3), a written rationale must be provided to the ministry to explain why it is only the WHPA-A or IPZ-1 (and not other parts of the WHPA or IPZ) that needs to be re-delineated.
- If a plan amendment is made to include a well or intake that is replacing an existing well or intake (#3) or to reflect and protect a new or changing well or intake located in a neighbouring source protection area (#4), the source protection authority (SPA) must send a copy of the amendment notice to every municipality affected by the new or changed protection area/ zone, provide data supporting the delineation of the vulnerable areas to the ministry and update the explanatory document to reflect the amendment.

Source Protection Plan Amendment Approval Process

Consultation

Previous Requirement

- Two formal stages of consultation were required to amend a source protection plan:
  - Pre-consultation with implementing bodies (i.e., those responsible for implementing policies in the plan)
  - Public consultation, including mandatory newspaper notifications and making drafts available for review at a public location at specific times

Current Requirement

- One phase of consultation for all plan amendments (except for the amendments listed under s. 51, which do not require consultation).
- Updated to reflect modern practice (e.g., no requirement for the proposed amendment to be available at a public location)



- Requiring only one phase of consultation shortens the time it takes to complete the plan amendment process by ~2.5 months while continuing to ensure the right people are consulted at the right time.
- Receiving notification of plan amendments once decreases the risk of confusion implementing bodies have reported experiencing creating efficiencies for both SPAs and implementing bodies.

Source Protection Plan Amendment Approval Process

Plan Amendment Approval

Previous Approval Authority

- All amendments (aside from minor changes described under s.51 “Typographical and other changes” of O. Reg. 287/07) required minister approval.

Current Approval Authority

- Source protection authorities are the approval authority for certain routine plan amendments.
- Where minister approval is required, minister has 120 days to exercise one of the following options or the amendment is deemed approved:
  - Approve
  - Require changes/additional consultation and re-submission



- Faster (up to 6 months), simplified approvals for plan amendments, while empowering local decision making.
- Make the amendment process more efficient and effective, while enhancing transparency and accountability.
- Ensure certainty in process and timelines.

Source Protection Plan Amendment Approval Process

Local Approval

- Circumstances are defined in regulation where a SPA (not the Minister) makes the decision on whether to approve a source protection plan amendment. These circumstances are:
  - Delineation of a new or modified protection area around a well or intake and application of existing source protection plan policies in that area, and
  - Revising a significant threat policy that prohibits a significant threat activity or land use to a policy that manages or regulates the activity (for example, when allowing an activity will result in better environmental outcomes than prohibiting it).
- The usual consultation process would apply, but before the SPA begins consultation, the assessment report for the proposed amendment must be submitted to the Director. Approval of the assessment report by the MECP Director is required before the SPA approves a plan amendment.
- Following a decision to approve the plan amendment, the SPA is required to send a notice of approval to the MECP Director, appropriate municipalities and any implementing person or body responsible for implementing a policy that is affected by the amendment.
  - Other information, outlined in regulation, is required to be submitted by the SPA to the MECP Director such as any municipal council resolutions, summary of approved amendment, consultation records (including how comments led to changes, if any, to the final proposed amendment), data to support the new or altered delineation, and an update to the explanatory document (if applicable).

Source Protection Plan Amendment Approval Process

Minister Approval

- For source protection plan amendments where Minister's approval is still required, the SPA cannot submit the amendment to the Minister for approval until the SPA receives a statement from the Director confirming that their amendment package is considered complete and accurate.
    - The regulation prescribes documents and information required to be included by the SPA with a proposed plan amendment to constitute a complete and accurate submission (see next slide).
- The 120-day period for the Minister to exercise an option on a source protection plan amendment (approve or require revisions or additional consultation and re-submission) begins when the SPA submits the plan amendment to the Minister for approval (the amendment package will have already been confirmed by the Director to be complete/accurate).
- In cases where the minister requires additional consultation and/or revisions, the Minister similarly will have 120 days once the re-submission is submitted to decide whether to approve the re-submission or approve it with additional revisions, otherwise the re-submission is deemed approved.
- After the amendment is approved or deemed approved, a notice will be published on the environmental registry.

Source Protection Plan Amendment Approval Process

Minister Approval

- O. Reg. 287/07 prescribes documents that constitute a complete and accurate proposed plan amendment submission:
    - Covering letter from the SPA that includes:
        - summary of proposed amendment, including a brief description of any policy changes or revisions to the assessment report,
        - relevant implementation timelines, and
        - summary of written comments sent to the SPA about the proposed amendment, and how those comments led to changes, if any, to the final proposed amendment.
    - Document(s) that clearly identifies the proposed amendment, including:
        - Any new policies or changes to policy text
        - Any changes to the list of policies that must be set out in the appendix of the approved plan including those policies that have a legal effect (i.e., legal effect list), and
        - Any revisions to the assessment report in the plan.
    - Any technical reports or studies prepared for revisions to assessment report.
    - A copy of every written comment received regarding the proposed amendment.
    - A copy of any municipal council resolution regarding the proposed amendment.
    - All data supporting the delineation of a new vulnerable area or change to an existing area, if applicable to the amendment.

2 – Use of Source

Ontario

Use of Source

Enable supply of drinking water prior to amending the source protection plan

Previous

- O. Reg. 205/18, under the SDWA, required that where a drinking water works permit amendment is granted for a new or altered well or intake that involves a new or change in the mapping of the WHPA or IPZ, the SDWA Director must include a condition prohibiting municipal residential drinking water systems from supplying drinking water from that well or intake until the source protection plan was amended in all cases.
- The requirement to include the prohibition condition only applied to the drinking water works permit ("permit").

Current

- In certain circumstances, the SDWA Director will not be required to include the prohibition condition in the SDWA instrument. For example, where the SPA has provided their opinion that the prohibition condition would not be necessary.
- When and how the prohibition condition must be included has been clarified. For example, the prohibition condition must also be included in drinking water licences ("licence") when an amendment to the licence is granted. A condition prohibiting using increased rated capacity until the plan is amended must be included if there is an increase in the rated capacity of the drinking water system involving a WHPA or IPZ mapping change. In addition, if a vulnerable area spans more than one source protection area, the prohibition needs to be applied until all advisable amendments to all affected source protection plans have been made.



- Enables the supply of municipal drinking water more quickly in circumstances where there are already existing protections in place.

Ontario

Use of Source

Enable supply of drinking water prior to amending the source protection plan

Process

- Under O. Reg. 205/18 and s. 48(1.1) of O. Reg. 287/07, when the municipal drinking water system owner intends to establish a new drinking water system or make certain changes to the drinking water system (add a new or alter a well or intake, or increase the rated capacity of the system) that would involve a change in the mapping of WHPAs or IPZs, a notification process exists wherein the owner will notify the SPA and the SPA provides the municipal drinking water system owner with a notice indicating that technical work for the source protection plan amendment reflecting the new or changing drinking water system is complete and any source protection plan amendments that would be advisable.
- A copy of this notice must accompany an application for a permit or licence for a new system or an amendment to an existing permit. Regulatory changes extended this requirement to include an application for an amendment to an existing licence as well.
- If, in this notice, the SPA indicates one of the following, then when granting an amendment to a licence or permit, the SDWA Director is no longer required to include a condition in the permit or licence prohibiting the supply of water or use of increased rated capacity until source protection plan amendments have been made:
    - That the SPA is of the opinion that the prohibition condition is not necessary, having regard to:
        - The nature of the technical work
        - The nature of any advisable plan amendments
        - Existing policies in the source protection plan, if any, that apply to the identified drinking water threats
        - If a neighbouring source protection area and authority would be impacted by this drinking water system change and related WHPA or IPZ mapping changes, information on any advisable plan amendments received from the neighbouring SPA
    - That the application involves the replacement of an existing well or intake and meets the criteria under paragraph 13 of s.51 (where the only mapping change is to the WHPA-A or IPZ-1, with no new significant threats identified, etc.).

3 – Prescribed Instruments

Ontario

Overview of Prescribed Instruments under the Clean Water Act

Instruments are legal documents created or issued by different persons with the relevant statutory authority (e.g., Minister, delegated person) to manage site specific activities. Certain instruments (see below) are prescribed for the purposes of the CWA which provide a means to address drinking water threats, as outlined in source protection plan policies.

Ministry of the Environment, Conservation and Parks

Environmental Compliance Approval

- Sewage works (Ontario Water Resources Act (OWRA))
- Waste disposal site (Environmental Protection Act (EPA))
- Waste management system (EPA)

Municipal Drinking Water Licence and Drinking Water Works Permit (Safe Drinking Water Act (SDWA))

Renewable Energy Approval (EPA)

Permits to Take Water (OWRA)

Pesticide Permits (Pesticide Act)

Ministry of Natural Resources

Aggregate Instruments

- Licence (Aggregate Resources Act (ARA))
- Permit (ARA)
- Site Plan (ARA)

Ministry of Transportation

Aggregate Instruments

- Wayside Permit (ARA)

Ministry of Agriculture, Food and Agribusiness/Certified Consultant

Nutrient Management Instruments

- Nutrient Management Strategy (Nutrient Management Act (NMA))
- Nutrient Management Plan (NMA)
- Non-Agricultural Source Material Plan (NMA)

Prescribed Instruments

Standardization and/or removal of prescribed instrument policies

Previous Approach

- Source protection plans contain varied policies that use prescribed instrument decisions to mitigate existing and future threats (significant, moderate and low) to sources of drinking water.

Approach as of January 1, 2027

- SPAs will be required to review, remove and/or replace the following types of policies in their plans:
  - existing prescribed instrument policies that do not prohibit activities will need to use standardized language (included in new Minister's regulation) which places responsibility on the issuer/creator of the prescribed instrument to achieve the objective that the activity ceases to be or never becomes a significant drinking water threat
  - prescribed instrument policies that prohibit existing activities (with some exceptions such as activities governed under the Nutrient Management Act, and policies already established in source protection plans that are undergoing implementation) will need to be removed and replaced with prescribed instrument policies that "manage" the activity,
  - all moderate/low threat policies affecting prescribed instruments need to be removed
  - monitoring policies related to prescribed instruments need to be removed
- Remove the requirement for decisions on prescribed instruments to conform with designated Great Lakes policies*
- Revisions to be completed within 30 days (by January 31, 2027) and SPAs must provide notice to the MECP Director and publish the amended plan upon completion.

*there are no designated Great Lake policies in a source protection plan because no Great Lakes target has been set under the CWA

Prescribed Instruments

Documentation and reporting

Current

- No requirement for issuer/creator to document how prescribed instrument policies were considered in the issuance of instruments.
- Varied/inconsistent reporting from issuers/creators of instruments on the implementation of prescribed instrument policies.

Approach as of January 1, 2027

- Requires the issuer or creator that implements a prescribed instrument significant threat policy to document how their decision on the instrument considered source protection.
- Standardized requirement for prescribed instrument decision makers to report annually to the SPA on prescribed instruments through regulation and removes the ability for plans to include specific policies governing reporting on how prescribed instrument policies are implemented.



- Increased transparency through documentation of how the instrument considered source protection
- Increased consistency in annual reporting on prescribed instrument policies

Prescribed Instruments

Review of existing instruments

Current

- When source protection plans undergo amendments, this may create new areas where prescribed instrument policies apply.
  - Each prescribed instrument decision-maker has their own process to review existing instruments to ensure conformity with source protection plan policies

Approach as of January 1, 2027

- Continues to require the review of previously issued instruments to determine whether amendments to the instrument are required to be made to implement significant threat prescribed instrument policies.
- Establish a standardized timeline of three years for these reviews to be conducted.
- Where the review of existing instruments is underway that timeframe would continue (rather than re-starting with a three-year timeline).
- The generally administrative amendments that would be made to prescribed instrument policies as described on slide 24 would not require decision-makers to review their existing instruments to implement those revised policies.



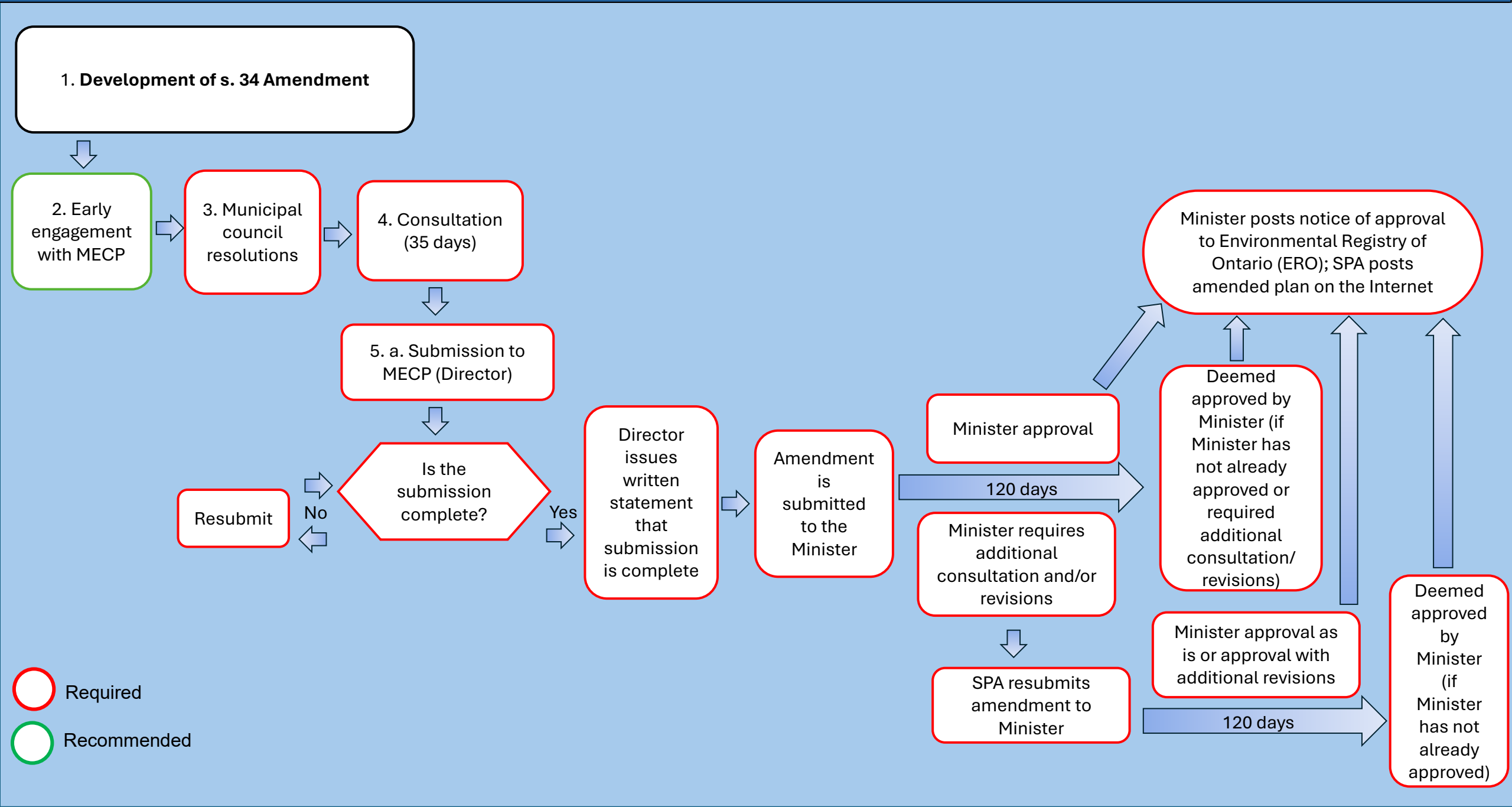
- Timely and consistent reviews of existing prescribed instruments over time to ensure conformity with source protection plan policies.

Questions and Answers

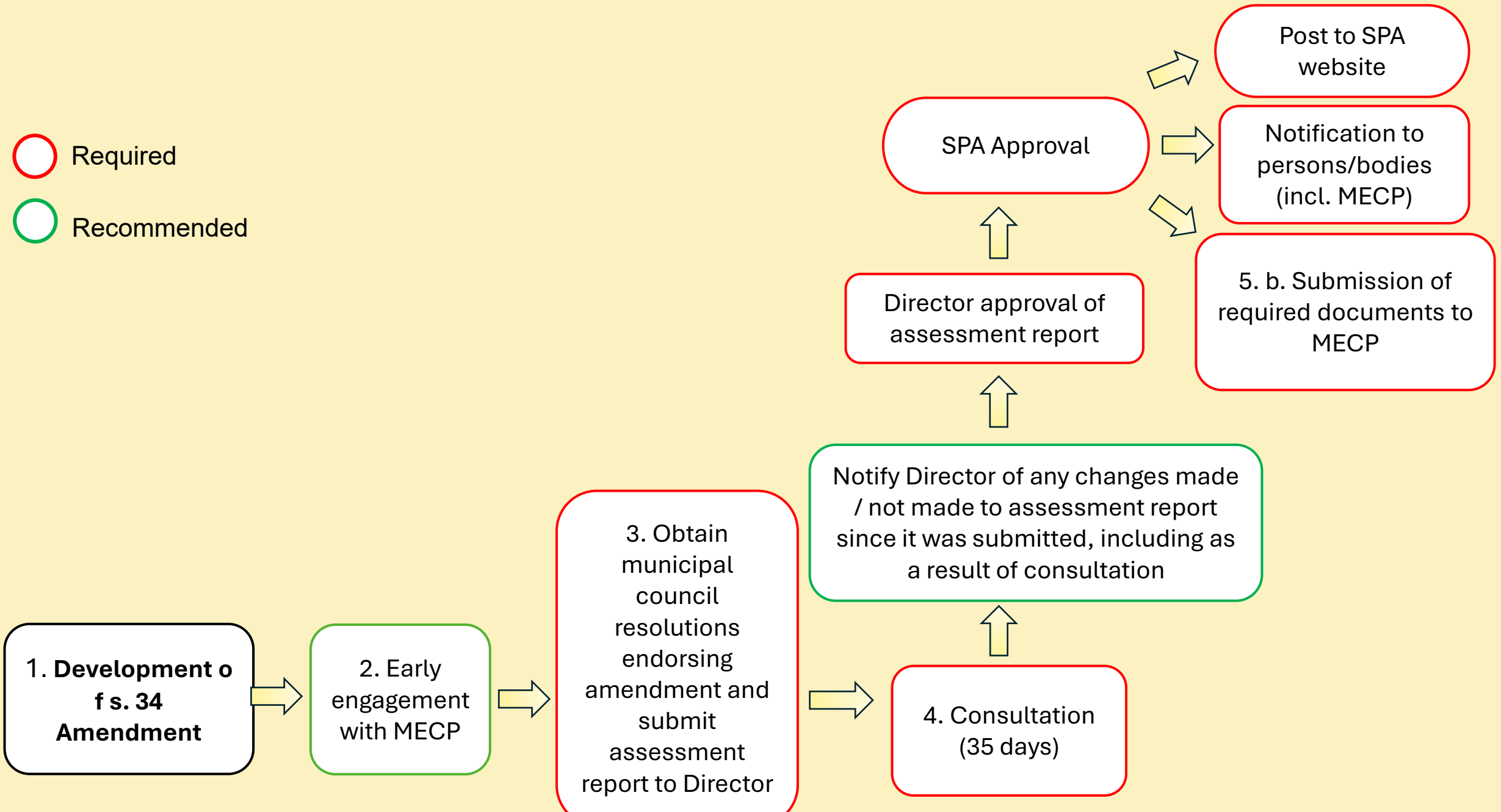


Ontario

Minister Approval – Subsections 34 (6) and (7) of the *Clean Water Act, 2006*



Source Protection Authority (SPA) Approval – Section 34 (8) of the *Clean Water Act, 2006*



Paragraphs 13 and 14 of subsection 51(1) of O. Reg. 287/07 (General) under the *Clean Water Act, 2006*

Development of s. 34 amendment

Complete technical work and determine whether the amendment satisfies the criteria in paras. 13 or 14 of s. 51(1) of the Regulation

If criteria under paras. 13 or 14 of s. 51(1) are not satisfied, SPA proceeds through s. 34 consultation and Minister or SPA approval process

If criteria for amendments under paras. 13 or 14 of s. 51(1) are satisfied, SPA makes amendment then publishes amended plan and notice of amendment on Internet

Notification to persons/bodies (incl. MECP)

For amendments described in paragraph 13 of s. 51(1) of the Regulation, the SPA shall:

- provide MECP Director written explanation of why altered delineation is only required for the specific part of the wellhead protection area (WHPA) or surface water intake protection zone (IPZ) (e.g., why only WHPA-A or IPZ-1 and not other parts of the WHPA or IPZ)

For amendments described in paragraphs 13 and 14 of s. 51(1) of the Regulation, the SPA shall:

- send a copy of the amendment notice to every municipality affected by the new or changed WHPA or IPZ,
- provide technical information to MECP Director (e.g., updated geospatial mapping data), and
- update the explanatory document to reflect the amendment

○ Required

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: November 20, 2026

Re: TSR Program Update

THAT the Thames-Sydenham Source Protection Committee receives the staff report TSR Program Update, for information.

FURTHER THAT the Thames-Sydenham Source Protection Committee direct staff to continue with issuing the section 48 notices

Summary

- Section 34 Amendment
- Section 51 Amendment
- Source Protection Committee Membership Updates
- Best Practices for Source Water Protection
- Environmental Permissions and Municipal environmental assessment requirements
- Upcoming PM Meetings
- Work planning for Transfer Payment Agreement
- SPC Meeting Dates for 2027

Report

Section 34 Amendment

a. Petrolia Intake - On September 18, 2026, Chair Edwardson received a letter from the Honourable Todd McCarthy, MECP, informing him that the MECP has completed the review of the amended Thames-Sydenham and Region Source Protection Plan and associated St. Clair Region Assessment Report as it relates to the new Petrolia Intake on Lake Huron. Honourable McCarthy approved the amendments pursuant to section 34 of the Clean Water Act, 2026. As a follow-up, Source Protection Authority staff reached out to applicable municipalities to

inform them of this approval so that they could move forward by putting the Intake online. See Attachment #1 for approval letter.

b. Future - Tavistock Intake - In 2020, Oxford County undertook a Class EA to select a location for a new municipal drinking water well. In May 2026, the preferred test well was constructed as a full production well. A pump test and sampling were completed on the well to determine the achievable flow for the new well and ensure water quality was suitable, as well as determining whether the well is GUDI. The technical work and modelling are currently being completed to delineate the new WHPA and fine tune the existing Tavistock WHPA. Once the technical work and Early Engagement with the MECP are complete, policy updates will be undertaken by Oxford County to ensure that all applicable policies for the new WHPA are in conformance with the 2021 DTR changes.

Section 51 Amendment

The types of source protection plan amendments listed under s. 51 ("Typographical and other changes") has been expanded to capture more types of changes that are administrative and/or do not affect current protections.
The following will be included in the next s.51 amendment:

- S.48 Notices (St. Pauls, Sebringville, Mitchell Well #3) - all are replacement wells with no new threats, no change to pumping rates and in close proximity to existing well. All are covered under current Source Protection Policies.
- Mapping changes for those above
- Minor administrative changes as per direction from MECP
- PI policies – see report on CWA updates

Source Protection Committee Membership Updates

The terms of seven TSR Source Protection Committee (SPC) members expire in June 2027. In anticipation of these terms ending, and to support the continued functioning of the TSR SPC and maintenance of quorum, staff initiated the recruitment process for the vacancies this fall 2026.

The *Clean Water Act, 2006* requires that the Source Protection Authority for each Source Protection Region, form, and maintain, a Source Protection Committee. In the Thames-Sydenham and Region, the Upper Thames River, Lower Thames Valley and St. Clair Region Source Protection Authorities share this role. A Striking Committee was established and evolved to include 1 Board representative from each Source Protection Authority to carry out the responsibilities related to the formation and maintenance of the Source Protection Committee. The Source Protection Authorities' General Managers and the Program Coordinator provide support to the Striking Committee.

With the impending amalgamation to Ontario's conservation authorities on February 1, 2027, the current composition of the Striking Committee will provide challenges given

the change to the three Source Protection Authorities. Source Protection Authority staff are recommending that the Striking Committee be made up of the Source Protection Authority Staff Program Coordinator and the Manager of Planning and Regulations. These two individuals can conduct interviews and provide their recommendations to the Source Protection Authority for approval. This approach aligns with many other Source Protection Regions across Ontario. **Note: This will only apply as long as Source Protection Committees exists.**

As of February 1, 2027, the Source Protection Authority will be the Western Lake Erie Regional Conservation Authority.

The Striking Committee may need to meet in the spring of 2027 to review and select members for the SPC for the positions whose terms expire June 1, 2027. The following positions terms are set to expire:

- Lambton County -1 representative
- Oxford County -1 representative
- Perth County, Huron County, Stratford, St. Marys -1 representative
- Industry -1 representative
- Public – 2 representatives

Source Protection Authority staff have reached out to current members to inquire on their interest of continuing to represent their sector on the Thames-Sydenham Source Protection Committee. At the time of this report, most have shown interest with continuing.

Best Practices for Source Water Protection (BPSWP)

The MECP announced a call for applications for funding under the BPSWP on October 5, 2026. This program is designed to assist Ontario communities not covered by the province's source protection planning framework in developing local source water protection action plans, including identifying their sources of drinking water and associated risks. This program aims to help protect drinking water sources and systems in rural, northern and Indigenous communities. This program has been funded intermittently since 2022 through the source protection program. The call has been circulated to all municipal partners and First Nation communities. Best Practices Guidance

Environmental Permissions and Municipal Environmental Assessment Requirements

Exempting low-risk activities from requiring environmental permissions (ERO 025-1361):

Proponents undertaking certain low-risk activities are no longer required to obtain environmental permissions for air and noise emissions, sewage works, waste management and water takings, provided they meet specified condition and environmentally protection requirements set out in the applicable regulations. Futher

details are available in the associated regulations: Ontario Regulation 525/98, Ontario Regulation 387/04, Regulation 347, Ontario Regulation 524/98

The province is beta testing a new online Notification Subscription Tool for Environmental Permissions. This tool allows the user to find information about environmental permissions based on criteria put into the tool. For example, TSR staff can set it up to only receive notifications of Environmental Compliance Approval (ECA) and Environmental Activity and Sector Registry (EASR) within source water vulnerable areas. This beta testing is for Source Water Program Managers at this time but will be available for municipalities in the future.

New Regulation of focus on municipal environmental assessment requirements (ERO 019-7891) :

Staff attended an MECP information session presented at the Risk Management Officials seminar on October 7, 2026, which provided an overview of the forthcoming Municipal Project Assessment Process and transition requirements. Through ERO posting #019-7891, the Province has made the decision to revoke the Municipal Class Environmental Assessment process and replace it with a streamlined project assessment approach for more complex municipal infrastructure projects. Proponents are directed to assess potential impacts on the environment and engage approval agencies to determine the kind of studies (e.g. source protection) necessary for certain municipal infrastructure projects, such as drinking water, wastewater, and shoreline erosion projects. The new regulatory framework is scheduled to come into effect on January 1, 2027. Until that time, the Municipal Class Environmental Assessment process remains in effect. Staff will continue to monitor implementation guidance and assess any implications for source protection planning within vulnerable source water areas. MECP will be developing a guidance document to support implementation and has been hosting webinars through October 2026.

Upcoming PM Meeting

Staff will be attending the Drinking Water Source Protection Managers Retreat on Monday, November 16 and Tuesday, November 17, 2026 at Credit Valley Conservation Area. The retreat is an opportunity for Program Managers and source protection staff from MECP from across the province to meet in person to discuss current challenges and opportunities given the changes in regulations and the upcoming amalgamation of the Conservation Authorities and the potential impacts on the Source Protection program.

Work Planning for Transfer Payment Agreement (TPA)

The current drinking water source protection transfer payment agreement expires on March 31, 2027. Staff, in consultation with municipal staff, has started discussing potential source protection program work in the Thames-Sydenham Source Protection Region for the next funding round. Staff await guidance and direction from the Ministry of the Environment, Conservation and Parks on planning for the upcoming transfer payment agreement.

SPC Meeting Dates for 2027

Staff has selected potential dates for the 2027 Source Protection Committee meetings. The proposed dates, and locations are as follows:

Friday, March 26, 2027 @ 10 a.m. - Watershed Conservation Centre

Friday, June 11, 2027 @ 10 a.m. - Virtual

Friday, November 19, 2027 @ 10 a.m. - Watershed Conservation Centre



Julie Welker

Coordinator, Source Water Protection

Attachment #1 - Letter from the Honourable Todd McCarthy, MECP

Ministry of the Environment, Conservation and Parks

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
Tel.: 416 314-6790

Ministère de l'Environnement, de la Protection de la nature et des Parcs

Bureau du ministre

777, rue Bay, 5e étage
Toronto ON M7A 2J3
Tél. : 416 314-6790

Ontario

357-2026-2017

September 18, 2026

Mr. Brian Petrie
Chair
Upper Thames River Conservation Authority
Email: mayor@ingersoll.ca

Mr. Dean Edwardson
Chair
Thames-Sydenham and Region Source Protection Committee
Email: dean_edwardson@outlook.com

Dear Mr. Petrie and Mr. Edwardson:

I am pleased to inform you that the Ministry of the Environment, Conservation and Parks has completed the review of the amended Thames-Sydenham and Region Source Protection Plan and associated St. Clair Region Assessment Report. The amendments are related to proposed changes to the Petrolia drinking water system in Lambton County, developed in accordance with the *Clean Water Act, 2006*.

I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006.* These amendments will take effect on the day a notice of this decision is posted to Ontario's Environmental Registry.

I appreciate the dedication of the local municipalities, source protection authorities and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

Todd McCarthy
Minister of the Environment, Conservation and Parks

c: Julie Welker, Source Water Protection Project Coordinator, Upper Thames River Conservation Authority
Leo Luong, Director, Great Lakes and Inland Waters Branch, MECP

SARNIA
NEWS

Lake Huron intake pipeline nearing completion

BY JESSICA MUNDAY
OCTOBER 6, 2026 - 6:29AM

Construction is nearly complete on the multi-community intake pipeline replacement project in Brights Grove.

The project has been years in the making and is expected to be completed by mid-November if all goes well.

"It's a huge project. They've been talking about it for a decade or more. We were fortunate to get some funding. It's a $16 million job thereabouts, and then we've got about $12 million in funding," said Town of Petrolia Director of Operations, Mike Thompson.

The project is expected to restore treatment capacity at the Brights Grove Water Treatment Plant and maintain safe drinking water for more than 11,200 residents.

"It's an exciting project. We've been working on this for two or three years, maybe more. Back in the day, it was a joint application with other municipalities, Enniskillen, Oil Springs, and Dawn Euphemia, to replace our intake pipe in the lake. It's the pipe that brings the raw water in to be treated and then pushed to the residents and the municipalities."



Construction being done on intake pipeline. Photo from Town of Petrolia Facebook page.

The first length of pipe was put in during the first week of October, and the second part is expected to be installed in the coming weeks.

The Town of Petrolia posted videos of the pipeline being pulled up the St. Clair River late last week.

"The second section is a little bit longer than the first, and then once the pipe is in and backfilled on the bottom of the lake, they'll install the intake at the end with the crib that goes over top of the intake. So they'll be out in the water probably for another month working on that," said Thompson.

The new pipeline is made of 24-inch poly pipe, whereas the old one, which is nearly 70 years old, is made of cast iron.

Murray Schlotzhauer and Rose Anderson

November 6, 2025

Significant Cost Savings After Oil Replaced With Geothermal on Farm Property

Stratford, Buchanan & Hall, Murray Schlotzhauer, Rose Anderson.

In the winter of 2006 Murray Schlotzhauer received a home heating bill of more than $800 one month and began pondering the possibility that his oil furnace was not his friend. Then he noticed a mess on the basement floor, wiped it up, and realized that the black substance on the mop was oil.



He suspected it was leaking out of a crack in the firepot. After the last fuel bill, he didn't want to mention this to his wife, Heather, but the mopping up soon became too frequent. It was time for a conversation about how they were heating their country place near Stratford, Ontario.

"I'm just a poor hog farmer so I've got to watch my pennies," says Murray. "At one time I sat on the insurance board and I learned how many leaky oil tanks there were out there. People said geothermal created nice even heat; and provides air conditioning too."

A Stratford company called Buchanan & Hall helped them verify that geothermal would be a good investment for their property. The company used a mini-excavator to dig some 5-foot deep trenches and a header pit in the field near the house. They layed tubing in the trenches and connected them to a 5-ton geothermal heat pump.

Thousands of geothermal systems have been installed for decades all over North America. It's a clean energy technology, based on the principle that the temperature underground is warmer than the air above ground in the winter, and cooler during the summer. This creates an inexpensive renewable energy opportunity.

A geothermal heat pump helps collect and intensify the ground warmth or cooling energy, using a very small amount of electricity. It creates luxurious, healthy indoor air quality very affordably, while eliminating most of the system's greenhouse gas footprint.

"It's highly efficient because it has electronic variable speed technology. It doesn't keep blasting on or suddenly shut off," says Murray. "The heat is lovely. Heather especially likes it because she's sensitive to temperature changes. If you have the thermostat set for 72 degrees, it will always be around 72."

"Usually with my oil furnace they came every year to do an annual servicing, and then often, once more to fix something. After two years with the geothermal system I phoned Buchanan & Hall and asked about it. They sent someone over to look at the pressure levels and I received a bill for about $100. Since then, nothing. It hasn't needed service. It just keeps on working year after year."

Rose Anderson, Engineer and Principal at Buchanan & Hall says that when properly installed, geothermal systems don't usually require maintenance. "They can be checked every few years, but it's simple technology that lasts a long time." Ground loop fields last 25-50 years and ground source heat pumps last 20-30 years. Modern systems are equipped with internet hookups so they can be monitored without even being on site. The numbers generally remain constant and systems rarely need attention.

What about cost? "Well now I spend about $350 on electricity for heating and cooling, compared with $800 or so previously for oil. This is a much better situation. Because don't forget," says Murray with a twinkle in his eye, "I'm just a poor hog farmer."

Video also available on the website article.

London

After 5 years of no clean drinking water, Oneida pipeline project approved

The First Nation to get water from the Lake Huron water supply starting in spring 2027



Isha Bhargava · CBC News · Posted: Mar 12, 2026 12:00 PM EDT | Last Updated: March 12



The Lake Huron Primary Water Supply System will be extended to the Oneida Nation of the Thames, near London to help supply the First Nation with clean drinking water. (Colin Butler/CBC News)

Construction to build a water supply pipeline to the Oneida Nation of the Thames will soon be underway after a London, Ont., company was awarded the federal contract last week.

The $23.4 million project will extend the Lake Huron Primary Water Supply System (LHPWSS), which currently ends near Mount Brydges, to the settlement boundary of the territory located south of London, supplying it with clean drinking water.
"This project is about more than the pipeline, it reflects a growing recognition of First Nations [who] should be partners in the infrastructure that moves through our territories and supports the region as we all share," Oneida's Chief Todd Cornelius said.

"Many First Nations infrastructure projects have historically happened around us rather than with us. Opportunities to participate directly in the development and construction of major regional infrastructures have often been too limited. Today represents a step forward in changing that."

- **After 5 years, Oneida still has no clean water. Why a class action settlement could be a 'relief'**

State of emergency declared amid water shortage in Oneida Nation of the Thames

Oneida has been under a boil-water advisory since September 2019. The aging water tower is the primary source of water for 550 homes and 26 community buildings buildings in the territory, according to data from Indigenous Services Canada (ISC).

The federal agency said Wednesday that construction is expected to take two years and will result in Oneida being able to lift the drinking water advisory by spring 2027.
The project has been in the works since March 2022, and will run in conjunction with a separate, on-reserve project to fix the water distribution system in Oneida. ISC approved the budgets for both projects in February.



Oneida Nation of the Thames Chief Todd Cornelius said the pipeline project will strengthen regional water infrastructure and create more opportunities for its residents. (Andrew Lupton/CBC)

"For Oneida, this work contributes not only to strengthening regional water infrastructure, but also to building capacity, creating opportunities for our people, and demonstrating the expertise and the access within our nation," Cornelius said.

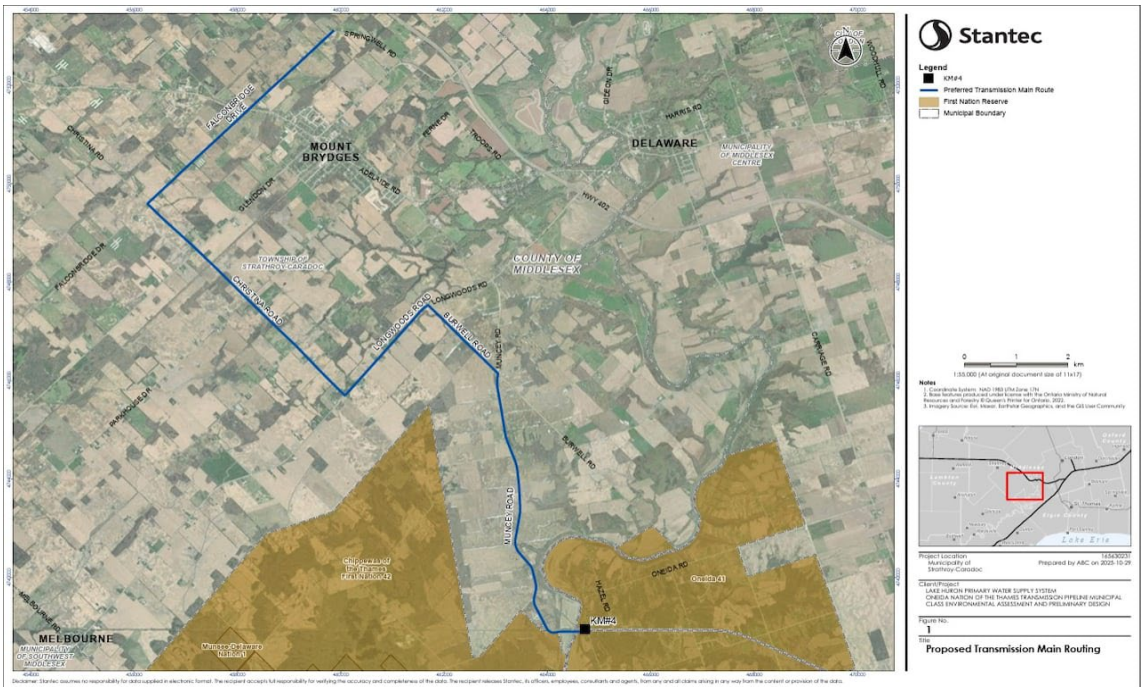
A total of six companies put in a bid for the project that was approved at a March 5 meeting by a board made up of neighbouring municipalities that also draw water from Lake Huron.

The Lake Huron Primary Water Supply System board includes the City of London, Bluewater, South Huron, Lambton Shores, North Middlesex, Lucan-Biddulph, Middlesex Centre and Strathroy-Caradoc.

Water trouble in Chippewas and Munsee

Mayor Cathy Burghardt-Jesson of Lucan-Biddulph said this pipeline has been a long time coming for Oneida and will be a boon to the region.

“This means so much obviously to Oneida and the people that live and call Oneida home, but to the region as well," she said. "I've had the privilege of sitting on this board for a number of years so being able to see this day come really does mean a lot.”



This image shows the routing of the transmission connection to Oneida Nation of Thames within the Municipality of Strathroy-Caradoc. (Lake Huron Primary Water Supply System website)

Two First Nations situated next to Oneida continue to have long term boil-water advisories in place. Chippewas of the Thames First Nation first declared the drinking water unsafe in 2021 impacting 406 homes and 20 community buildings.

Munsee-Delaware Nation first reported problems in 2024, affecting 152 households.

- **Auditor general's findings no surprise to London-area Indigenous leaders**

Feds commitment to Onedia water supply met with hope and uncertainty

In a statement to CBC News, ISC said it is working on a plan created by Chippewas to address the water problem. It said a bottling station is set up on the reserve while work is being done to fix leaks in the distribution system.

In Munsee, high levels of manganese was detected in the water, and repairs were made to fix it, ISC said. The issue was resolved but ISC said new problems have emerged and repair work is now underway again.

"We are fortunate to have three First Nations as our neighbours and I am aware of the challenges that Oneida and the other First Nations have with clean drinking water. So this is a great milestone day," said Strathroy-Caradoc Mayor Colin Grantham, also vice-chair of the LHPWSS board.

ABOUT THE AUTHOR

Isha Bhargava

Reporter

Isha Bhargava is a multiplatform reporter for CBC News Peel where she covers everything from local news to current affairs and human interest stories. She has previously worked at CBC London. You can reach out to her with your story ideas at isha.bhargava@cbc.ca