Source Protection Committee - AGENDA

Agenda for Meeting of the Source Protection Committee (SPC) to be held on Wednesday, March 9, 2016 at the Essex Civic Centre, Council Chambers, 360 Fairview Avenue West, Essex, ON, commencing at 4:00 PM.

Pages

Chair's Welcome

Disclosure of Conflict of Interest

Agenda

Agenda for the Meeting of the Essex Region Source Protection Committee (SPC) held on Wednesday, March 9, 2016.

Recommendation

THAT the Agenda for the Wednesday, March 9, 2016, Meeting of the Essex Region Source Protection Committee (SPC) be approved.

Minutes

Minutes for the Meeting of the Essex Region Source Protection Committee (SPC) held on Wednesday, September 23, 2015.

Recommendation

THAT the Minutes for the Wednesday, September 23, 2015, Meeting of the Essex Region Source Protection Committee (SPC) be approved.

Correspondence

None

Source Protection Authority (SPA) Information

1. Minutes of the February 12, 2015 Source Protection Authority (SPA) Meeting.

Recommendation

THAT the Minutes for the February 12, 2015, Meeting of the Essex Region Source Protection Authority (SPA) be approved.

MOE Liaison’s Update

Teresa McLellan, Liaison Officer, Ministry of the Environment (MOE) will provide a brief update to the SPC.
**Reports**

1. **Report SPC 01/16** – Update on Risk Management Services in Essex County  
   **Recommendation**  
   THAT Report SPC01/16 be received for information.

2. **Report SPC 02/16** – Source Protection Committee Updates  
   **Recommendation**  
   THAT the Essex Region Source Protection Committee advise the Source Protection Authority that the committee size should remain at 15 members; and further,  
   THAT edits to the Rules of Procedure, Code of Conduct and Conflict of Interest Policies be accepted; and further,  
   THAT the proposed tentative schedule of meetings be accepted.

3. **Report SPC 03/16** – Proposed changes to Technical Rules and Drinking water Threats Tables  
   **Recommendation**  
   THAT Report SPC03/16 be received for information; and further,  
   THAT the Project Manager prepare a response to the MOECC in accordance with discussion resulting from Report SPC03/16.

4. **Report SPC 04/16** – Annual Reporting  
   **Recommendation**  
   THAT Report SPC04/16 be received for information

5. **Report SPC 05/16** – Update on Source Protection Municipal Implementation Funding  
   **Recommendation**  
   THAT Report SPC05/16 be received for information.

**Other Business**

**New Business**

**Date – Next Meeting**

The next meeting of the SPC is not yet scheduled.
Conclusion of Meeting

Katie Stammler,
Source Water Protection Project Manager/
Water Quality Scientist
### Members Present:
- John Barnett – carrying proxy for A.Grundner
- David Church
- Bill Dukes
- Elizabeth Forrest (MOE Liaison)
- Tom Fuerth (Chair)
- Thom Hunt
- Dave Monk
- Tim Mousseau – carrying proxy for A.Goifu
- Robert Peterson
- Hans Peter Pfeifer
- Stephanie Pongracz (Health Unit Liaison)
- Larry Verbeke (SPA Liaison)
- Ian Wilson

### Absent:
- Antonietta Giofu
- Bernard Nelson
- Andrew Pula
- John Stuart

### Regrets:
- Ashley Grundner
- Roger Palmini, GIS Technician

### Staff:
- Katie Stammler, Project Manager, Source Water Protection/Water Quality Scientist
- Candice Kondratowicz, Corporate Services Assistant
- Dan Jenner, Compliance Officer
- Mike Nelson, Watershed Planner
- Paul Drca, City of Windsor

### Delegates:
- None

### Guests:
- Paul Drca, City of Windsor
CALL TO ORDER
The Chair of the SPC, Tom Fuerth, called the meeting to order

CHAIRS WELCOME
Chair Tom Fuerth welcomed everyone to the meeting. Chair Fuerth noted that John Barnett is carrying the proxy for Ashley Grundner & Tim Mousseau is carrying the proxy for Antonietta Giofu. Ashley Grundner, Antonietta Giofu, Bernard Nelson, Andrew Pula and John Stuart have sent regrets for this meeting.

Ling Mark has been appointed as the Director, Land and Water Policy Branch and Heather Malcolmson will serve as the Acting Director of the Source Protection Programs Branch.

Tim Mousseau attended the Chair’s meeting in March as Chair Fuerth was away. The Chair’s meeting that was scheduled for October will now be a webinar and be rescheduled for December or January.

INTRODUCTIONS
Stephanie Pongracz, Windsor Essex County Heath Unit Liaison
Dan Jenner, Compliance Officer, ERCA
Paul Drca, City of Windsor, will be replacing the position that Mario Sonego had on the SPC

DISCLOSURE OF CONFLICT OF INTEREST
None

AGENDA
1. The Agenda for the Meeting of the Essex Region Source Protection Committee (SPC) held on Wednesday, September 23, 2015.
   Resolution SPC06/15 Moved by John Barnett
   Seconded by Bob Peterson

   THAT the Agenda for the Wednesday, September 23, 2015, Meeting of the Essex Region Source Protection Committee (SPC) be approved.
   - CARRIED

MINUTES
1. Minutes of the Meeting of the Source Protection Committee (SPC) held on Wednesday, January 21, 2015.
   Resolution SPC07/15 Moved by Tim Mousseau
   Seconded by Ian Wilson

   THAT the Minutes for the Wednesday, January 21, 2015, Meeting of the Essex Region Source Protection Committee (SPC) be approved.
   - CARRIED

CORRESPONDENCE
1. Letter, Ministry of the Environment and Climate Change, Glen Murray, Minister, dated April 15, 2015
   Re: Minister’s Approval Letter of the Source Protection Plan
2. Letter, Ministry of the Environment and Climate Change, Ling Mark, Director, Source Protection Programs Branch, dated September 21, 2015 re: Source Protection Plan Effective Date
Resolution SPC08/15 Moved by Hans Peter Pfeifer
Seconded by John Barnett

THAT the correspondence be received for information.

SOURCE PROTECTION AUTHORITY (SPA) INFORMATION
Meeting minutes of the September 11, 2014 and December 18, 2014 Source Protection Authority (SPA).
Resolution SPC09/15 Moved by Bill Dukes
Seconded by Hans Peter Pfeifer

THAT the Minutes for the September 11, 2014 and December 18, 2014, Meeting of the Essex Region Source Protection Authority (SPA) be received.

MOE LIAISON’S UPDATE
Beth Forrest, MOE Liaison provided an update to the SPC.
There are three plans left to be approved, Saugeen, Long Point and Grand River. They are expected to be approved by the end of this year.
The mapping tool that shows all vulnerable areas to the public has been approved and expected to be launched to the public in mid-late October. The intention of this tool is that it will be tied to the policies once all SPPlans have been approved.
The Provincial road signs that will be installed in all vulnerable areas is in the draft process. Materials relating to the artwork will be forwarded to the PMs soon.
Chris Tasker is stepping down from the Project Manager position at the Thames-Sydenham Region.

PRESENTATION
None

REPORTS
1. **Report SPC 02/15** – Source Water Protection Plan and Assessment Report Approval Process
Resolution SPC10/15 Moved by Tim Mousseau
Seconded by Bob Peterson

THAT Report SPC02/15 be received for information
2. **Report SPC 03/15** – Updates on changes to Regulation 288 of the Clean Water Act related to Source Protection Committees

   Resolution SPC11/15  Moved by  Bill Dukes
   Seconded by  Hans Peter Pfeifer

   **THAT Report SPC03/15 be received for information**  - CARRIED

1. **Report SPC 04/15** – Update on Risk Management Services in Essex County

   Resolution SPC12/15  Moved by  Thom Hunt
   Seconded by  John Barnett

   **THAT Report SPC04/15 be received for information.**  - CARRIED

1. **Report SPC 05/15** – Phosphorus and microcystin monitoring

   Resolution SPC13/15  Moved by  David Church
   Seconded by  Thom Hunt

   **THAT Report SPC05/15 be received for information.**  - CARRIED

**OTHER BUSINESS**

None

**NEW BUSINESS**

None

**MEETING ADJOURNMENT**

Resolution SPC14/15  Moved by  Consensus
Seconded by  Consensus

**THAT the meeting be adjourned.**  - CARRIED

**DATE – NEXT MEETING**

The next meeting of the SPC is at the call of the Chair, but is expected to be held in January 2016.

**CONCLUSION OF MEETING**

Katie Stammler,
Project Manager, Source Water Protection/
Water Quality Scientist
Minutes for the Essex Region Source Protection Authority (ERSPA) meeting held Thursday, February 12, 2015, Council Chambers, Essex Civic Centre, 360 Fairview Avenue West, Essex, ON, following the ERCA Board of Directors’ Meeting.

**Members Present:**
- Rick Atkin
- Steve Bjorkman
- Susanne Coghill
- Fred Francis
- Al Fazio
- Rick Fryer
- Len Janisse
- Irek Kusmierczyk
- Anthony Leardi
- Rick Masse
- Crystal Meloche
- Larry Patterson
- Ed Sleiman (Chair)
- Larry Snively
- Hilary Payne
- Larry Verbeke

**Absent:**
- Terry Burns
- Tania Jobin

**Regrets:**
- Richard Wyma, General Manager/Secretary-Treasurer
- Candice Kondratowicz, Corporate Services Assistant
- Tim Byrne, Director, Watershed Management Services
- Shelley McMullen, Director, Finance and Corporate Services
- Kevin Money, Director, Conservation Services
- Katie Stammler, Water Quality Specialist/Source Water Protection Project Manager

**Guests:**
- None
CALL TO ORDER
The Chair of ERSPA, Ed Sleiman, called the Meeting to Order

DISCLOSURE OF CONFLICT OF INTEREST
None

AGENDA
1. Agenda for the Meeting of the Essex Region Source Protection Authority (ERSPA) held on Thursday, February 12, 2015.
   Resolution SPA 01/15 Moved by Crystal Meloche
   Seconded by Len Janisse
   THAT the Agenda for the Thursday, February 12, 2015 Meeting of the Essex Region Source Protection Authority (ERSPA) be approved. - CARRIED

MINUTES
1. Source Protection Authority (SPA)
   Resolution SPA 02/15 Moved by Al Fazio
   Seconded by Susanne Coghill
   THAT the Minutes of the Meeting of the Essex Region Source Protection Authority (ERSPA) held on Thursday, December 18, 2014, and the recommendations therein be adopted as distributed. - CARRIED

2. Source Protection Committee (SPC)
   Resolution SPA 03/15 Moved by Al Fazio
   Seconded by Hilary Payne
   THAT the Minutes of the Meetings of the Source Protection Committee (SPC) held on November 19, 2014 be approved as presented. - CARRIED

REPORTS
None

CLOSED SESSION – IN CAMERA
Meeting move from Source Protection Authority to Closed Session: A personnel related matter regarding Source Protection Committee (SPC) Membership.
Resolution SPA 04/15 Moved by Rick Fryer
Seconded by Anthony Leardi
THAT the meeting move from Source Protection Authority to Committee of the Whole. - CARRIED
Meeting moved from Closed Session to Source Protection Authority's Open Session

Resolution SPA 05/15
Moved by Len Janisse
Seconded by Rick Fryer

THAT the actions of the Committee of the Whole be endorsed. - CARRIED

NEW BUSINESS
None

MEETING ADJOURNMENT

Resolution SPA 06/15
Moved by Crystal Meloche
Seconded by Len Janisse

THAT the meeting be adjourned - CARRIED

DATE – NEXT MEETING

The next meeting of the ERSPA is not known.

CONCLUSION OF MEETING

Richard J.H. Wyma
General Manager/Secretary-Treasurer
FROM: Katie Stammler, Source Water Protection Project Manager
       Ashley Gyori, Risk Management Official/Inspector

SUBJECT: Update on Risk Management Services in Essex County

DATE: March 3, 2016

PURPOSE
To inform the SPC of progress made toward the implementation of Part IV policies through Risk Management Services

REPORT SUMMARY
- Transfer agreements to delegate Risk Management Services to the Essex Region Conservation Authority were completed with all member municipalities in February, 2016
- The RMO/I has been working on program development and has begun to screen new applications

BACKGROUND
Further to SPC Report 04/15, the Essex Region Conservation Authority has finalized agreements to provide Risk Management Services on behalf of all of the municipalities in Essex County in order to meet their responsibilities to implement Part IV polices.

Municipalities received the final proposal for the provision of Risk Management Services (RMS) by ERCA in May, 2015 along with a detailed summary of proposed costs. The approach used for cost estimates included some fixed costs for Program Development which will be shared equally among municipalities (e.g. development of RMP template, Planning for S.59 screening, Education and Outreach, Monitoring and Reporting, and Technical Inquiries Support) and proportional costs related to the number of threats in each municipality (number of RMP negotiations, compliance, S.59 screening).

The process to appoint Risk Management Officials and Inspectors requires several steps. This process is prescribed by subsections 47 and 48 of the Clean Water Act.

Staff met with individuals at each municipality to review the proposal and address any questions. Municipal staff then prepared reports to their councils which were reviewed by the Source Water Protection Project Manager, who also attended council meetings as required at the request of municipal staff. Once the intention of all municipalities was known, the Source Protection Plan Part IV Enforcement Transfer Agreement was circulated to municipal clerks on August 31, 2015. Through discussions with both ERCA and various municipal legal councils, the agreement was amended and recirculated on November 2, 2015. ERCA received seven of nine signed agreements in November, 2015; however further meetings were required for the remaining two municipalities to reach a mutual understanding. Because all municipalities have signed a joint agreement, the agreement could not be completed until all municipalities signed.
On September 10, 2015 and December 10, 2015 the ERCA Board of Directors received a report to appoint Katie Stammler, Dan Jenner and Ashley Gyori as RMO/I under Section 48(2) upon receipt of the signed Source Protection Plan Part IV Enforcement Transfer Agreement from all municipalities transferring their Risk Management responsibilities to ERCA in keeping with Council Resolutions. The ERCA Chair, as Chair of the SPA issued the certificates of appointment once all agreements were in place.

Upon final signature of the ERCA Chair and General Manager, Risk Management Officials and Inspectors were officially appointed by the ERCA Board.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Date</th>
<th>Resolution</th>
<th>Final Agreement Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township of Pelee</td>
<td>March 20, 2014</td>
<td>Approved</td>
<td>November 18, 2015</td>
</tr>
<tr>
<td>Municipality of Leamington*</td>
<td>July 6, 2015</td>
<td>Approved</td>
<td>January 27, 2016</td>
</tr>
<tr>
<td>Town of Essex</td>
<td>July 13, 2015</td>
<td>Approved</td>
<td>November 9, 2015</td>
</tr>
<tr>
<td>Town of LaSalle</td>
<td>July 28, 2015</td>
<td>Approved</td>
<td>November 29, 2016</td>
</tr>
<tr>
<td>Town of Amherstburg</td>
<td>August 10, 2015</td>
<td>Approved</td>
<td>November 10, 2015</td>
</tr>
<tr>
<td>Town of Kingsville</td>
<td>August 24, 2015</td>
<td>Approved</td>
<td>November 18, 2015</td>
</tr>
<tr>
<td>The Corporation of the City of Windsor</td>
<td>September 8, 2015</td>
<td>Approved</td>
<td>November 20, 2015</td>
</tr>
<tr>
<td>Town of Lakeshore*</td>
<td>September 8, 2015</td>
<td>Approved</td>
<td>November 23, 2015</td>
</tr>
</tbody>
</table>

* Note that for Leamington and Lakeshore, the RMO/I will implement Part IV policies for both the Essex Region SPP and the Thames-Sydenham SPP.

Risk Management Services

ERCA Staff have been working to develop an efficient and comprehensive Risk Management Services program. A consultant has been hired to build a database similar to that used by ERCA’s Watershed Management Services to store information about significant drinking water threats, including inquiries, applications, site visits, notices, Risk Management Plans and/or orders issued. This database is designed to allow staff to generate letters in response to Building Permit or Planning Applications and will also be used to generate information for annual reports as required by the Clean Water Act.

The RMO/IIs have prepared a Section 59 application form for requesting a notice to proceed with a Building Permit or Planning Application. This notice is required for all proposed projects occurring in the identified vulnerable areas until written guidance is provided to the municipalities. Risk Management Services Staff are in the process of developing this simple guidance document for the Event Based Areas. The intent of this document is to assist the municipalities in expediting the Section 59 screening process. This will allow the RMO/I to receive applications that the Source Protection Plan policies apply to, but will not require the RMO/I to review every Planning Application and Building Permit. As a result of this, it
is anticipated that the Section 59 screening process will increase in efficiency. Staff have also prepared a number of templates for letters and notices that may be issued as a result of an inquiry, site visit or application. These templates include:

- Proposed Development – S.58 Notice – Risk Management Plan Required
- Existing Regulated Activities Letter – S. 57 or S.58 Do Not Apply
- S.58 Notice – Risk Management Plan Established
- S.59 Letter – Property is Out of EBA
- S.59 Letter – S.57 Prohibition Applies
- S.59 Notice – Risk Management Plan Established
- S.59 Notice – S.57 or S.58 Do Not Apply

Staff have also been working to develop supplemental material to give to landowners. This material includes:

- Sample Fuel Tank Inspection Records
- Sample Staff Training Sign Off Sheets
- Examples of Emergency Response and Spill Prevention Plans
- Sample Spill Reporting Forms
- Fuel Storage and Handling Factsheets

Since the agreement was finalized on February 17, 2016, the RMO has issued seven (7) notices to date and applications are continuing to be submitted.

**Next Steps**

- Meet with municipal planners and building officials to discuss the screening approach and guidance document for Section 59 policies
- Finalize the Risk Management Services database
- Continue to contact landowners and begin completing site visits to verify potential existing threats
- Finalize the Risk Management Plan template
- Begin negotiating and establishing Risk Management Plans with applicants and landowners
- Continue to collaborate with Thames-Sydenham and Region Source Protection Authority

**RECOMMENDATION**

THAT Report SPC01/16 be received for information.

Katie Stammler  
Source Water Protection Project Manager

Ashley Gyori  
Risk Management Official/Inspector

Attachments:

1) Draft Notice to proceed for the reason that no S.57 or S.58 policies apply
Restricted Land Use Notice

Clean Water Act, 2006, Sections 57 and 58 Do Not Apply

[Date]

[Name of Applicant]

[Street Number and Name]

[Municipality, Province, Postal Code]

Dear [Name of Applicant]

Re: Application for Notice # [Notice Number]

[Address of Proposed Works]

[Corporation Name]

[Municipality of Proposed Works]

We acknowledge your inquiry concerning the above described property. A Risk Management Official has reviewed the information submitted, the approved [Source Protection Region] Source Protection Plan (SPP) policies and the SPP mapping for the area in question and has determined that your project may proceed for the reason that Section 57 (Prohibition) and Section 58 (Risk Management Plan) of the Clean Water Act do not apply to this specific application at this time.

The above-referenced application was reviewed because the location/site has been identified as being wholly or partially within the [Event Based Area and Intake Protection Zone], and as such, is subject to policies written under Section 59 (Restricted Land Use) of the Clean Water Act in the SPP, which came into effect [Effective Date]. These policies require building permits and planning applications to be screened for potential significant drinking water threats that were identified in the SPP.

The applicant is proposing to [Proposed Works Description]. Due to the nature of this activity, the proposed works do not meet the specific risk circumstances for the policy [Policy # and Description] in the SPP, which means that there are no apparent significant drinking water threat activities associated with the application at this time.

You are advised that this Notice relates strictly to the proposal as described above and in the Application. If during the proposed construction you wish to alter this proposal, please contact this office immediately to confirm that the proposed alterations do not pose a
significant drinking water threat. Please note that the SPP is subject to update and review processes.

This Notice is not valid for any subsequent approvals which the proposal may require under the Planning Act, or for any building permits that may be required under the Building Code Act, and in such cases, an additional Section 59 Notice may be required. This Notice does not constitute compliance with all potentially applicable legislation, regulations or bylaws. Further notices or permits may be required by other legislative authorities including your municipality, the Province of Ontario or the Conservation Authority.

The Essex Region Conservation Authority provides Risk Management Services on behalf of all municipalities in the Essex Region. The Risk Management Official and Risk Management Inspector are responsible for the implementation of policies in the Essex Region Source Protection Plan and Thames-Sydenham Source Protection Plan written under Part IV of the Clean Water Act for these municipalities.

If you have any questions or require further clarification, please do not hesitate to contact this office.

Date Issued: [Date Issued]

Yours truly,

Ashley Gyori
Risk Management Official and Inspector
Essex Region Conservation Authority
(519) 776-5209 ext. 247
agyori@erca.org
FROM: Katie Stammler, Source Water Protection Project Manager

SUBJECT: Source Protection Committee Updates

DATE: March 3, 2016

PURPOSE
To discuss the approved amendments to O.Reg 288/07, update the Essex Region SPC’s Rules of Procedure, Code of Conduct and Conflict of Interest Policies, and set a tentative SPC meeting schedule

REPORT SUMMARY
- Ontario Regulation 288/07 was amended on October 16, 2015
- As a result, the Rules of Procedure, Code of Conduct, and Conflict of Interest Policies for the Essex Region SPC need to be updated
- A tentative schedule of meetings is proposed

BACKGROUND
As outlined in SPC Report 03/15, several changes to Ontario Regulation 288/07 which regulates the Source Protection Committee composition, appointments and rules of procedure were proposed. After public consultation and discussion with Source Protection Project Managers and Chairs, several changes were approved and the amended Ontario Regulation 310/15 became effective on October 16, 2016. The amended Regulations are attached to this report.

The main changes to the Regulations include:
- The option to reduce the SPC membership size
- Expiration of SPC membership
- Changes to the recruitment process

As discussed at the Essex Region Source Protection Committee meeting on 23 September, 2015, it is the general desire of this committee to keep membership at 15 members to ensure that all sectors and municipal interests are represented. Under O.Reg 310/15 s.7, the Source Protection Authority must consult with the Chair of the SPC before passing a resolution to reduce the size of the SPC. Although the SPA has not expressed the intention to reduce the committee size, it is important to receive feedback from members pre-emptively given the reduction in the number of face to face SPC meetings.

As a result of the updated Regulations, it is also necessary to update the Essex Region SPC’s Rules of Procedure, Code of Conduct and Conflict of Interest Policies to reflect these changes. The Project Manager has reviewed the Rules of Procedure, Code of Conduct and Conflict of Interest Policies and has made minor edits to refer to the amended regulations along with the following suggested changes:
- Change to meeting frequency and scheduling
- Approving meeting minutes by electronic recorded vote
- Addition of responsibility to provide written comments to the SPA on annual reports
The proposed workplan for 2016-17 for the Essex Region Source Protection Authority includes a request for three Source Protection Committee meetings, however this has not yet been approved. Should the MOECC approve three meetings for the SPC, the following tentative schedule is proposed:

- May 2016
- October 2016
- March 2017

The Project Manager will continue to provide updates to the SPC via email between scheduled face to face meetings.

**RECOMMENDATION**

THAT the Essex Region Source Protection Committee advise the Source Protection Authority that the committee size should remain at 15 members; and further,

THAT edits to the Rules of Procedure, Code of Conduct and Conflict of Interest Policies be accepted; and further,

THAT the proposed tentative schedule of meetings be accepted.

__________________________
Katie Stammler  
Source Water Protection Project Manager

Attachments:
1. Amended O.Reg 288/07  
2. Updated Rules of Procedure, Code of Conduct and Conflict of Interest Policies
ONTARIO REGULATION 288/07
SOURCE PROTECTION COMMITTEES

Number and Appointment of Members

1. (1) Subject to subsection (3), the source protection committee for a source protection area or source protection region listed in Column 1 of the Table to this section shall be composed of the chair of the committee and,

(a) before Ontario Regulation 310/15 comes into force, the maximum number of members set out opposite the source protection area or source protection region in Column 2 of the Table;

(b) on or after the day Ontario Regulation 310/15 comes into force and subject to subsection (5), if a source protection authority satisfies the requirements set out in subsection (7) to reduce the number of members in a source protection committee, no fewer than the minimum number of members set out opposite the source protection area or source protection region in Column 3 of the Table; or

(c) on or after the day Ontario Regulation 310/15 comes into force and subject to subsection (6), if a source protection authority has reduced the number of members in a source protection committee under clause (b) and satisfies the requirements set out in subsection (7) to increase the number of members in the source protection committee, no more than the maximum number of members set out opposite the source protection area or source protection region in Column 2 of the Table. O. Reg. 310/15, s. 1 (1).

2. REVOKED: O. Reg. 310/15, s. 1 (1).

3. The number of members of the committee is increased by the number of members appointed under section 6. O. Reg. 288/07, s. 1 (3).

4. Despite clauses (1) (b) and (c), the composition of the source protection committee must continue to meet the requirements set out in paragraphs 1, 2 and 3 of section 2. O. Reg. 310/15, s. 1 (2).

5. For the purposes of clause (1) (b), the number of members in a source protection committee shall be reduced in accordance with the following rules:

1. If the maximum number of members set out in Column 2 of the Table to this section with respect to the source protection committee is 21 members, the committee may be reduced in size to 18, 15, 12 or 9 members.

2. If the maximum number of members set out in Column 2 of the Table to this section with respect to the source protection committee is 15 members, the committee may be reduced in size to 12, 9 or 6 members.

3. If the maximum number of members set out in Column 2 of the Table to this section with respect to the source protection committee is 9 members, the committee may be reduced in size to 6 members. O. Reg. 310/15, s. 1 (2).

6. For the purposes of clause (1) (c), the number of members in a source protection committee shall be increased in accordance with the following rules:

1. If the minimum number of members set out in Column 3 of the Table to this section with respect to the source protection committee is 6 members and the maximum number of members set out in Column 2 of the Table with respect to the committee is 9 members, the committee may be increased in size to 9 members.

2. If the minimum number of members set out in Column 3 of the Table to this section with respect to the source protection committee is 6 members and the maximum number of members set out in Column 2 of the Table with respect to the committee is 15 members, the committee may be increased in size to 12 or 15 members.

3. If the minimum number of members set out in Column 3 of the Table to this section with respect to the source protection committee is 9 members and the maximum number of members set out opposite in Column 2 of the Table
with respect to the committee is 21 members, the committee may be increased in size to 12, 15, 18 or 21 members. O. Reg. 310/15, s. 1 (2).

(7) The requirements referred to in clauses (1) (b) and (c) to reduce or increase the number of members in a source protection committee are the following:

1. The source protection authority must consult with the chair of the source protection committee about the authority’s intention to pass a resolution described in paragraph 3 before passing such a resolution.

2. In the case of a source protection committee established for a source protection region, the lead source protection authority must consult with every other source protection authority in the source protection region before passing a resolution described in paragraph 3.

3. The source protection authority must pass a resolution to reduce or increase the number of members of the source protection committee. O. Reg. 310/15, s. 1 (2).

### TABLE

**NUMBER OF MEMBERS**

<table>
<thead>
<tr>
<th>Item</th>
<th>Source Protection Area or Source Protection Region</th>
<th>Column 2 Maximum number of members</th>
<th>Column 3 Minimum number of members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ausable Bayfield Maitland Valley Source Protection Region</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>2.</td>
<td>Catarraqi Source Protection Area</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>3.</td>
<td>CTC Source Protection Region</td>
<td>21</td>
<td>9</td>
</tr>
<tr>
<td>4.</td>
<td>Essex Region Source Protection Area</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>5.</td>
<td>Halton-Hamilton Source Protection Region</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>6.</td>
<td>Lake Erie Source Protection Region</td>
<td>21</td>
<td>9</td>
</tr>
<tr>
<td>7.</td>
<td>Lakehead Source Protection Area</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>8.</td>
<td>Mattagami Region Source Protection Area</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>9.</td>
<td>Mississippi-Rideau Source Protection Region</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>10.</td>
<td>Niagara Peninsula Source Protection Area</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>11.</td>
<td>Sudbury Source Protection Area</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>12.</td>
<td>North Bay-Mattawa Source Protection Area</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>13.</td>
<td>Quinte Conservation Source Protection Area</td>
<td>15</td>
<td>6</td>
</tr>
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<td>14.</td>
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O. Reg. 310/15, s. 1 (3).

**Appointment of members**

2. Subject to subsection 7 (4) of the Act, the members of a source protection committee shall be appointed by the source protection authority that establishes the committee in accordance with the following rules:

1. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect the interests of the municipalities that are located, in whole or in part, in the source protection area or source protection region.

2. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect the interests of the agricultural, commercial or industrial sectors of the source protection area’s or source protection region’s economy, including small business interests.

3. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect interests other than the interests referred to in paragraphs 1 and 2, including, in particular, environmental, health and other interests of the general public. O. Reg. 288/07, s. 2.

**Appointment process, par. 1 of s. 2**

3. (1) Each source protection authority that is required by section 7 of the Act to establish a source protection committee shall, for the purpose of appointing members to the committee pursuant to paragraph 1 of section 2,

(a) divide the municipalities that are located, in whole or in part, in the source protection area or source protection region into one or more groups, as determined by the source protection authority; and
(b) assign, to each of the groups established under clause (a), a number of members of the source protection committee determined by the source protection authority, so that the total number of members assigned to all of the groups is equal to the number of members to be appointed pursuant to paragraph 1 of section 2. O. Reg. 288/07, s. 3 (1).

(2) The source protection authority shall consult with all of the municipalities that are located, in whole or in part, in the source protection area or source protection region before establishing groups under clause (1) (a) and assigning numbers of members under clause (1) (b). O. Reg. 288/07, s. 3 (2).

(3) For each group established under clause (1) (a), the source protection authority shall appoint the number of members of the source protection committee that are assigned to the group under clause (1) (b) from a list of persons that is submitted jointly by the councils of the municipalities that are in the group. O. Reg. 288/07, s. 3 (3).

(4) The source protection authority shall, not later than September 3, 2007, give a notice described in subsection (5) to the clerk of each municipality that is located, in whole or in part, in the source protection area or source protection region. O. Reg. 288/07, s. 3 (4).

(5) The notice that is given under subsection (4) must contain the following information:

1. A summary of the functions of the source protection committee that is to be established by the source protection authority.
2. A summary of the obligations of a member of the source protection committee.
3. The number of persons to be appointed to the source protection committee pursuant to paragraph 1 of section 2.
4. A list of the groups established under clause (1) (a), showing the municipalities that are in each group and the number of members of the source protection committee that are assigned to each group under clause (1) (b).
5. The date by which the councils of the municipalities in each group established under clause (1) (a) must jointly submit a list of persons to the source protection authority for the purpose of subsection (3). O. Reg. 288/07, s. 3 (5).

(6) The date set out in a notice under paragraph 5 of subsection (5) shall not be earlier than two months after the notice is given to the clerks of the municipalities. O. Reg. 288/07, s. 3 (6).

(7) Despite subsection (3),

(a) if the councils of the municipalities that are in a group established under clause (1) (a) do not jointly submit a list for the purpose of subsection (3) by the date specified under paragraph 5 of subsection (5), the source protection authority may select all of the persons to be appointed for the group pursuant to subsection (3) without the list; and

(b) if the councils of the municipalities that are in a group established under clause (1) (a) jointly submit a list for the purpose of subsection (3) by the date specified under paragraph 5 of subsection (5), but the list contains the names of fewer persons than the number of members assigned to the group under clause (1) (b), the source protection authority may select the other persons to be appointed for the group pursuant to subsection (3). O. Reg. 288/07, s. 3 (7).

(8) To the extent that the source protection authority has any ability to select persons to be appointed pursuant to subsection (3) to the source protection committee for a group established under clause (1) (a), the authority shall attempt to appoint persons who, as a group, are representative of the interests of all of the municipalities that are in the group. O. Reg. 288/07, s. 3 (8).

Appointment process, pars. 2 and 3 of s. 2

4. (1) Each source protection authority shall, before appointing a member to the committee under paragraphs 2 and 3 of section 2, publish a notice described in subsection (2) on the Internet. O. Reg. 310/15, s. 2 (1).

(2) A notice referred to in subsection (1) that is published on the Internet must contain the following information:

1. A summary of the functions of the source protection committee established by the source protection authority.
2. A summary of the obligations of a member of the source protection committee.
3. A description of the information that must be submitted to the source protection authority by applicants for appointments pursuant to paragraphs 2 and 3 of section 2.
4. The date by which applications for appointments pursuant to paragraphs 2 and 3 of section 2 must be submitted to the source protection authority.
5. The address of the Internet website where the notice is published.
6. The name, address and telephone number of a person who may be contacted for further information and to whom applications must be submitted. O. Reg. 310/15, s. 2 (1).

(3) In addition to publishing the notice required by subsection (1), if the source protection authority is of the opinion that it is necessary in the circumstances to notify the public of the vacancy on the source protection committee by publishing a notice in a newspaper, the source protection authority shall publish a notice in one or more newspapers that, in the opinion of
the source protection authority, are of sufficient circulation to bring the notice to the attention of the public in all or in part of
the source protection area or source protection region. O. Reg. 310/15, s. 2 (1).

(4) The date referred to in paragraph 4 of subsection (2) that is set out in a notice published on the Internet under
subsection (1) shall be,

(a) if notice is only published on the Internet under subsection (1), not earlier than one month after the notice is first
published on the Internet; or

(b) if notice is also published in a newspaper under subsection (3), not earlier than one month after the notice is first
published in a newspaper. O. Reg. 310/15, s. 2 (1).

(5) The source protection authority shall make a copy of the notice published under clause (1) (a) available for inspection
by the public at one or more locations that, in the opinion of the source protection authority, are sufficiently accessible to give
the public in the source protection area or source protection region a reasonable opportunity to inspect the notice. O. Reg.
288/07, s. 4 (5).

(6) In addition to publishing the notice required by subsection (1), the source protection authority may solicit applications
for appointments pursuant to paragraphs 2 and 3 of section 2 in any other manner that the authority considers appropriate.
O. Reg. 288/07, s. 4 (6); O. Reg. 310/15, s. 2 (2).

(7, 8) REVOKED: O. Reg. 310/15, s. 2 (3).

(9) In considering applications for appointments pursuant to paragraph 2 of section 2, the source protection authority shall
attempt to appoint persons who,

(a) are engaged in agricultural, commercial or industrial activities that have or will have an impact on existing or future
sources of drinking water or that are significantly dependant on existing or future sources of drinking water; and

(b) as a group, are representative of the agricultural, commercial and industrial sectors of the source protection area’s or
source protection region’s economy. O. Reg. 288/07, s. 4 (9).

(10) In considering applications for appointments pursuant to paragraph 3 of section 2, the source protection authority
shall attempt to appoint persons who,

(a) have demonstrated an interest in the protection of drinking water sources; and

(b) as a group, are representative of interests other than the interests referred to in paragraphs 1 and 2 of section 2,
including, in particular, interests of the general public. O. Reg. 288/07, s. 4 (10).

5. REVOKED: O. Reg. 310/15, s. 3.

Appointment of members selected by band councils

6. (1) In this section,

“band”, “council of the band” and “reserve” have the same meanings as in the Indian Act (Canada). O. Reg. 288/07, s. 6 (1).

(2) If a source protection area or source protection region includes any part of a band’s reserve, the source protection
authority that is required by section 7 of the Act to establish a source protection committee for the area or region shall, not
later than August 3, 2007 and before it establishes the committee, give the chief of the band a notice that,

(a) contains a summary of the functions of the source protection committee that is to be established by the source
protection authority;

(b) contains a summary of the obligations of a member of the source protection committee;

(c) contains a list of the chiefs to whom the notice is being given; and

(d) advises the chiefs to whom the notice is being given of the opportunity for the councils of the bands to jointly select,

(i) one person to be appointed as a member of the source protection committee if, without regard to subsection 1 (3),
under subsection 1 (1) the source protection committee has 6 or 9 members,

(ii) two persons to be appointed as members of the source protection committee if, without regard to subsection 1 (3),
under subsection 1 (1) the source protection committee has 12 or 15 members, or

(iii) three persons to be appointed as members of the source protection committee if, without regard to subsection 1
(3), under subsection 1 (1) the source protection committee has 18 or 21 members. O. Reg. 288/07, s. 6 (2);
O. Reg. 310/15, s. 4 (1).

(3) If the councils of the bands jointly provide the source protection authority with the name of a person to be appointed as
a member of the source protection committee in accordance with clause (2) (d) and the length of the term of the appointment,
the authority shall appoint the person as a member, in addition to the number of members referred to in subsection 1 (1).
O. Reg. 288/07, s. 6 (3); O. Reg. 310/15, s. 4 (2).
Conditions of appointment

7. (1) A source protection authority shall not appoint a person as a member of the source protection committee unless the person resides in, owns or rents land in, is employed in, operates a business in, or is employed by a municipality that is located, in whole or in part, in the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must reside in, own or rent land in, be employed in, operate a business in, or be employed by a municipality that is located, in whole or in part, in the source protection area or source protection region. O. Reg. 288/07, s. 7 (1).

(2) If a consultant is retained by a person who resides in, owns or rents land in, is employed in or operates a business in the source protection area or source protection region, the consultant is not, by reason of the retainer, a person who is employed in or operates a business in the source protection area or source protection region for the purposes of subsection (1). O. Reg. 288/07, s. 7 (2).

(3) A source protection authority shall not appoint a person as a member of the source protection committee if the person is a member or employee of a conservation authority whose area of jurisdiction under the Conservation Authorities Act includes any part of the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must not be a member or employee of a conservation authority whose area of jurisdiction under the Conservation Authorities Act includes any part of the source protection area or source protection region. O. Reg. 288/07, s. 7 (3).

(4) Every appointment made to a source protection committee is subject to the following conditions:

1. The appointee must regularly attend meetings of the source protection committee.
2. The appointee must comply with the source protection committee’s code of conduct and conflict of interest policy. O. Reg. 288/07, s. 7 (4).

Term of appointment

8. (1) The term of the appointment of a member of a source protection committee who was appointed by a source protection authority on or before the day Ontario Regulation 310/15 came into force for a term governed by subsection 8 (1) or (3), as it read immediately before that day, expires in accordance with the following rules:

1. In the case of a source protection committee established for a source protection area, the term must expire before January 1 of the calendar year in which the third annual progress report required by section 46 of the Act is required to be submitted.
2. In the case of a source protection committee established for a source protection region, if the third annual progress reports required by section 46 of the Act with respect to the source protection areas in the source protection region are required to be submitted in the same calendar year, the term must expire before January 1 in that calendar year.
3. In the case of a source protection committee established for a source protection region, if the third annual progress reports required by section 46 of the Act with respect to the source protection areas in the source protection region are required to be submitted in different calendar years, the term must expire before January 1 in the last calendar year in which the final report is required to be submitted. O. Reg. 310/15, s. 5.

(2) A source protection authority that appoints a person as a member of a source protection committee on or after the day Ontario Regulation 310/15 comes into force may appoint the member for a term of not less than six months and not more than five years. O. Reg. 310/15, s. 5.

(3) Despite subsections (1) and (2), the composition of the source protection committee must continue to meet the requirements set out in paragraphs 1, 2 and 3 of section 2. O. Reg. 310/15, s. 5.

(4) Despite subsections (1) and (2), the term of the appointment of a member of a source protection committee who is appointed pursuant to section 6 is the term provided under subsection 6 (3). O. Reg. 310/15, s. 5.

Vacancies

9. (1) Subject to subsection (1.1), if a vacancy occurs among the members of the source protection committee who are appointed by a source protection authority, the authority shall appoint a new member to fill the vacancy. O. Reg. 288/07, s. 9 (1); O. Reg. 310/15, s. 6 (1).

(1.1) If a vacancy arises as a result of the expiration of a member’s term of office due to the operation of subsection 8 (3), as it read immediately before the day Ontario Regulation 310/15 came into force, the authority may appoint a new member to fill the vacancy or reappoint the same member as long as the term of the appointment or reappointment expires in accordance with the rules set out in subsection 8 (1). O. Reg. 310/15, s. 6 (2).

(2) If a vacancy occurs among the members of a source protection committee who are appointed by a source protection authority, sections 2 to 7 apply, with necessary modifications, to the appointment of a person to fill the vacancy. O. Reg. 288/07, s. 9 (2).

(3) Subsection (2) does not apply to,
(a) a vacancy that arises as a result of the removal of a member from office under subsection 22 (6); or
(b) a vacancy described in subsection (1.1) that is filled by the reappointment of a member under that subsection. O. Reg. 310/15, s. 6 (3).
(4) REVOKED: O. Reg. 310/15, s. 6 (3).
(5) Subject to subsection (6), if subsection (2) applies to a vacancy with respect to a member appointed pursuant to section 2, the source protection authority may, despite sections 3, 4, 5 and 8, appoint a person to fill the vacancy on an interim basis until the vacancy is filled in accordance with subsection (2). O. Reg. 288/07, s. 9 (5).
(6) Subsections 3 (8) and 4 (9) and (10) apply, with necessary modifications, to an appointment under subsection (5). O. Reg. 288/07, s. 9 (6).

List of appointments
10. Every source protection authority that establishes a source protection committee shall publish notice of every appointment to the committee on the Internet and shall maintain an up-to-date list of the members of the committee on the Internet, including a brief biography of each member. O. Reg. 288/07, s. 10.

Exemptions
11. On application, the Minister may grant an exemption from any provision in section 3, 4, 5, 7, 8 or 9, subject to such conditions and restrictions as the Minister may impose. O. Reg. 288/07, s. 11.

OPERATION

Chair
12. (1) The chair of a source protection committee shall preside at all meetings of the committee. O. Reg. 288/07, s. 12 (1).
(2) If the chair is absent or unable to act or the office of the chair is vacant, the remaining members shall appoint an acting chair from among themselves, and the acting chair has all the powers and shall perform all the duties of the chair. O. Reg. 288/07, s. 12 (2).

Quorum
13. (1) The quorum of a source protection committee is the chair or acting chair, plus at least two-thirds of the number of members of the committee that the source protection authority is authorized to appoint under section 2. O. Reg. 288/07, s. 13 (1); O. Reg. 310/15, s. 7.
(2) One or more vacancies in the membership of a source protection committee does not prevent the committee from conducting business as long as the number of members remaining in office is sufficient to maintain a quorum. O. Reg. 288/07, s. 13 (2).

Rules of procedure for committee business
14. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, the committee shall prepare written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 14 (1).
(2) The committee shall ensure that the rules of procedure contain the following rules:
1. The business of the committee shall be carried out at meetings of the committee at which a quorum is present.
2. The committee shall attempt to make decisions by consensus among the members.
3. If the chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of two-thirds of the members present, not counting the chair.
4. The chair shall not vote. O. Reg. 288/07, s. 14 (2).
(3) The committee shall publish its rules of procedure on the Internet. O. Reg. 288/07, s. 14 (3).
(4) The committee shall conduct its business in accordance with its rules of procedure. O. Reg. 288/07, s. 14 (4).

Code of conduct and conflict of interest policy
15. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, a source protection committee shall prepare a written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 15 (1).
(2) The committee shall publish its code of conduct and conflict of interest policy on the Internet. O. Reg. 288/07, s. 15 (2).
(3) The members of the committee shall comply with the code of conduct and conflict of interest policy. O. Reg. 288/07, s. 15 (3).

Meetings

16. The source protection committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Internet and in such other manner as may be determined by the committee. O. Reg. 310/15, s. 8.

Proxies

17. A member of a source protection committee who is appointed by a source protection authority may participate in meetings of the committee by proxy and, for that purpose, a reference to a member in the provisions of this Regulation that relate to meetings includes the proxy. O. Reg. 288/07, s. 17.

Meetings open to the public

18. (1) All meetings of a source protection committee shall be open to the public. O. Reg. 288/07, s. 18 (1).

(2) Despite subsection (1), the committee may close a meeting or part of a meeting to the public if the subject matter to be discussed is a personal or financial matter about an identifiable individual. O. Reg. 288/07, s. 18 (2).

(3) The committee shall not close a meeting or part of a meeting to the public under subsection (2) unless it has passed a resolution that,

(a) states that the meeting or part of the meeting is closed to the public; and

(b) states the general nature of the subject matter to be discussed in the absence of the public. O. Reg. 288/07, s. 18 (3).

Liaison

19. The following persons may attend and participate in discussions at meetings of a source protection committee, including any meeting or part of a meeting that is closed to the public:

1. A person designated by the source protection authority as a representative of the authority.

2. A person designated by the Minister as a representative of the Ministry.

3. A representative of the medical officers of health for the health units in which any part of the source protection area or source protection region is located. O. Reg. 288/07, s. 19; O. Reg. 310/15, s. 9.

Minutes of meetings

20. A source protection committee shall keep minutes of its meetings and shall publish the minutes on the Internet. O. Reg. 288/07, s. 20.

21. REVOKED: O. Reg. 310/15, s. 10.

Removal from office

22. (1) A source protection authority that has established a source protection committee may, on its own initiative or on the request of the chair of the committee, remove from office a member of the committee who was appointed by the authority if the authority is of the opinion that the member has failed to comply with a condition of the appointment referred to in section 7. O. Reg. 288/07, s. 22 (1).

(2) If the source protection authority proposes, on its own initiative, to remove a member of a source protection committee from office, it shall give the member a written statement of the reasons for the proposed removal. O. Reg. 288/07, s. 22 (2).

(3) If the chair of the source protection committee requests the removal from office of a member of the committee,

(a) the request shall be made in writing and shall include a written statement of the reasons for the request; and

(b) if the source protection authority proposes, on the request of the chair, to remove the member from office, it shall give the member a copy of the chair’s request. O. Reg. 288/07, s. 22 (3).

(4) The source protection authority shall provide the member and the chair of the source protection committee with an opportunity to make submissions to the authority before it makes a decision on whether or not to remove the member from office under subsection (1). O. Reg. 288/07, s. 22 (4).

(5) The source protection authority shall give written notice of its decision on whether or not to remove a member from office under subsection (1) to the member and to the chair of the source protection committee, together with the authority’s reasons. O. Reg. 288/07, s. 22 (5).

(6) A source protection authority shall, as soon as reasonably possible, remove from office a member of the committee who was appointed by the authority pursuant to paragraph 1 of section 2 if,

(a) the member was appointed from a list of persons that was submitted jointly by the councils of the municipalities that are in a group established under clause 3 (1) (a);
(b) the removal of the member from office is jointly requested by the councils of the municipalities referred to in clause (a); and

(c) the councils of the municipalities referred to in clause (a) jointly submit the name of a person to be appointed to fill the vacancy created by the removal of the member. O. Reg. 288/07, s. 22 (6).

(7) If a member is removed from office under subsection (6), the source protection authority shall, pursuant to paragraph 1 of section 2 and as soon as reasonably possible, appoint the person whose name was submitted under clause (6) (c) as a member of the source protection committee. O. Reg. 288/07, s. 22 (7).

Transition

23. (1) The source protection committee established for the Quinte Source Protection Region under clause 7 (6) (b) of the Act is continued as the source protection committee for the Quinte Conservation Source Protection Area. O. Reg. 284/10, s. 2.

(2) For the purposes of section 7 of the Act and for the purposes of this Regulation, the Quinte Conservation Authority is deemed to have established the source protection committee described in subsection (1) and appointed the members of the committee. O. Reg. 284/10, s. 2.

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ESSEX REGION SOURCE PROTECTION AREA
SOURCE PROTECTION COMMITTEE

RULES OF PROCEDURE,
CODE OF CONDUCT AND CONFLICT OF INTEREST POLICIES

March 2016
UPDATED

Chair

Project Manager

SPC Approval Date:

Effective Date (SPA Approval Date)
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INTRODUCTION

These ‘Rules of Procedure, Code of Conduct and Conflict of Interest Policies’ are prepared in accordance with the requirements of Sections 14 and 15 of Ontario Regulation 288/07 under the Clean Water Act, R.S.O. 2006.

In this regulation, a Committee refers to the Essex Region Source Protection Committee as defined by Ontario Regulation 288/07.

Definitions of terms used throughout this document correspond to those definitions given in Section (1) of the Clean Water Act, R.S.O. 2006 and Ontario Regulation 288/07.

RULES OF PROCEDURE

CALLING OF MEETINGS

1. The Committee shall at its first meeting and every six months thereafter annually establish a meeting schedule for the following six months and publish this schedule on the internet.

2. The Committee shall meet as necessary to complete required tasks at least once a month until the proposed Terms of reference is submitted to the Source Protection Authority.

3. Notice of all Committee meetings shall be conveyed to members, liaison representatives, municipalities, and to the local media at least 5 days prior to the date of the meetings via the website calendar. The notice shall include the time and place of the meeting and all items to be discussed at the meeting.

4. Anyone wishing notice of meetings shall leave their name and address or email address with the Project Manager. The Project Manager or his or her designate shall inform that person, by email, in writing or by telephone, in advance of meetings.

5. The Committee shall meet at such time and place as the Chair shall decide or at other such intervals as the Chair shall decide.

6. Email notice of all Committee meetings shall be sent to each member and liaison representative at least 5 days prior to the meetings.
APPOINTMENTS AND ELECTIONS

1. The Minister appoints the Chair. The fifteen voting members are appointed by the Essex Region Source Protection Authority (ERCA Board). The membership of the Committee shall be in accordance with Regulation 288/07 and the amended Regulation 310/15 under the Clean Water Act, R.S.O. 2006.

2. The Committee may elect a Chair pro-tempore or other positions as the Committee may determine, from among the voting members. The order of procedure for the elections shall be:

   (a) As the Minister appoints the Chair, the Chair may preside from the outset of the meeting. In the absence of the Chair, the Project Manager will preside over the election of a Chair pro-tempore.

   (b) The election procedure shall be as follows:
      (i) an open verbal nomination, no seconder required
      (ii) the calls for nomination
      (iii) each nominee has the opportunity to speak to his/ her nomination, stating a willingness to stand
      (iv) motion to close nominations
      (v) elections shall be held by secret ballot on those accepting the nomination. Ballots will be distributed to qualified members only and no member may vote by proxy. In the event of a tie the names shall be put into a container and the winner drawn.

3. The Term of appointment and filling of vacancies shall be done in keeping with Regulation 288/07 and the amended Regulation 310/15.

RULES OF ORDER FOR CONDUCTING MEETINGS

1. The Chair of the Committee, or, in his/her absence, the Chair pro-tempore, shall preside over all Committee meetings. He/She shall call the meeting to order promptly at the time designated, or as soon thereafter as a quorum is present. He/She shall preserve order and decorum and decide upon all questions of order, stating if requested, that the decision or his/her ruling is based Bourinot’s Rules of Order, and stating the rule that is being applied. In such case there shall be no debate.

   If any member, however, challenges the Chair on a ruling, other than that based on the rules of order, the member shall explain his/her basis for the objection, and the question shall be put in the form of a motion, duly moved and seconded, and debated if required, and voted on. A simple majority vote in favour of the motion...
carries the motion and the ruling is defeated or overturned.

2. The Chair shall cause the Project Manager, or his/her designate, to record the names of members present and members absent.

3. In the event of the absence of the Chair from any meeting, the members present shall, upon receiving notice of the absence, or after a waiting period of fifteen (15) minutes from the time of the duly called meeting, appoint a Chair pro-tempore from the Committee members present, who, for the purposes of that meeting, has all the powers and shall perform all duties of the Chair. The Chair pro-tempore shall preside over the meeting for so long as the Chair remains absent from the meeting and until the immediate business at hand is completed. The Project Manager or his/her designate shall preside over the appointment of the Chair pro-tempore. The Chair pro-tempore shall not vote on any matter.

4. The Committee shall conduct business only when a quorum is present. One or more vacancies in the membership of the Committee does not prevent the Committee from conducting business as long as the number of members in office is sufficient to maintain quorum.

5. A quorum for any meeting of the Committee shall consist of the Chair or Chair pro-tempore plus two-thirds of the fifteen members of the Committee (10 members). Participation by teleconference, when necessary in extenuating circumstances, may count toward quorum. If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Project Manager records the names of those present and the meeting shall stand adjourned until the next meeting.

6. Delegations to any Committee meeting will be considered, if requested in writing at least ten (10) days prior to the meeting, or if otherwise approved by the Chair. Such written request must state the purpose of the delegation.

Delegations to any meeting of the Committee will be limited to one key spokesperson and will be allotted a maximum of five (5) minutes for their related presentation, with the Chair's discretion to allow ten (10) minutes. The Chair may limit the number of delegations per meeting.

7. Where an evening meeting is being held, every effort should be made to adjourn the meeting by 11:00 p.m. The Chair shall not permit the meeting to continue beyond 11:00 p.m. without the consent of the majority of the members present.

8. The Committee shall attempt to make decisions through consensus. If the Chair determines that consensus is not likely to be achieved within a reasonable time, the Chair may call for a motion on the business, or ask to have the business deferred to a subsequent meeting. Motions will carry by majority vote of at least 2/3 of the members present, not counting the Chair. Any motion on which there is
an equality of votes is lost (i.e. at least 2/3 of the members present must vote, and the vote is carried on a simple majority of those voting – and if 2/3 do not vote then it is lost)

9. At any meeting of the Committee, each member is entitled to one (1) vote. The Chair shall not vote. A member may participate by proxy as follows;

- Proxy will count toward quorum and in voting.
- A Member wishing to give their proxy vote to another Member must advise the Chair in writing prior to the meeting (email is acceptable).
- In addition to giving their general proxy vote to another Member, the Member may give specific instructions regarding their vote in a particular matter.
- A Member attending a meeting may carry only one proxy.

10. No motion or amendment shall be debated or put to a vote unless seconded.

11. When a motion is proposed, then an amendment and subsequently an amendment to the amendment (sub-amendment), the vote of the members shall first be taken on the sub-amendment, then on the amendment, and finally on the main motion. Only two (2) amendments (an amendment and a sub-amendment) may be proposed at the same time to a question. When one or both amendments have been disposed of, a further amendment or sub-amendment may be entertained by the Chair. When either an amendment or a sub-amendment has been carried, the question is put on the motion (or amendment) as amended.

12. The Chair, when the meeting is ready for the decision on any question, shall read the question (motion) before calling for the vote. He/she shall first call for those who favour the question, and next for those who oppose it.

13. Voting shall be by show of hands. Any member may request a recording of the vote by calling of the vote. A member has a right to abstain from voting.

14. If the Chair desires to leave the Chair for the purpose of taking part in the debate or for any other purpose, he/she shall call another member to fill his/her place until he/she resumes the Chair. Any member temporarily occupying the Chair shall discharge all the duties and enjoy all the rights of the Chair.

15. Every member may speak once for no more than five (5) minutes on each motion amendment or sub-amendment. Additional time or additional opportunities to speak on the same motion, amendment or sub-amendment may be granted by
the Chair after all members have had an opportunity to speak.

16. When a member desires to speak, he/she shall address the Chair and confine himself/herself to the question under debate.

17. No member shall interrupt another while speaking unless to raise a point of order or to correct a mistake. The member so interrupting shall confine himself/herself to the point of order or explanation.

18. When a member transgresses the rules, the Chair shall call him/her to order, in that case the member so called to order shall come to order, unless permitted to explain by the Chair.

19. Every motion must be put in writing by the recording secretary and seconded. It shall then be in the possession of the Committee, and can be disposed of only by a vote, unless the Committee unanimously allows the mover to withdraw it. A single voice can prevent such withdrawal.

20. Any member may require the motion under discussion to be read at any period of the debate, but not so as to interrupt the speaker.

21. A motion to adjourn the meeting shall always be in order but when a motion is under consideration no other motion shall be received except a motion:
   a) to adjourn the debate
   b) to put the previous question
   c) to postpone the discussion
   d) to refer
   e) to table
   f) to amend

22. After the motion has been put by the Chair, no debate shall be allowed, nor shall any other motion be made until the question under discussion has been decided, and the decision of the Chair as to whether the question has been put shall be conclusive.

23. At a subsequent meeting, any member may move to have reconsidered any motion which has already been decided. A motion to reconsider is not debatable, but shall be voted upon immediately. If a motion to reconsider a resolution is carried by 2/3 majority, then the meeting must reconsider said resolution immediately.

24. No person, other than a member of the Committee, shall be allowed to address the Chair without permission of the Chair, except the liaison representatives appointed by the Source Protection Authority or Ministry of the Environment.

25. All communication to the Committee should be addressed through the Project
26. Every substantive motion shall require five (5) days notice before it will be considered. This requirement may be waived with the consent of 2/3 of all members of the Board. A substantive motion is one which sets or alters Committee policy.

27. Motions, which are passed by the Committee, shall be referred to as "Resolutions". Resolutions shall be given two letters/ followed by a consecutive number/ followed by the last two digits of the current year.

28. The Committee members shall at all times be governed by the provisions of the Municipal Freedom of Information and Protection of Privacy Act. (FIPPA), and will continue to be bound by these requirements after they are no longer on the Committee.

29. 29.1 All meetings of the Committee and it’s Sub-committees or Working Groups, shall be open to the public except as noted in 29.2 below

29.2 The following subjects may be discussed at properly constituted closed meetings, following adoption of a resolution by a majority of members present in open session, to hold a closed meeting and containing the general nature of the matters to be considered at the closed meeting:

a) the security of the property of the Essex Region Conservation Authority.

b) Personal matters about an identifiable individual, which include the following (as outlined in the Freedom of Information and Protection of Privacy Act (FIPPA)

   i) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, or marital or family status of the individual;
   ii) information relating to the education or the medical, psychiatric, psychological, criminal, or employment history of the individual or information relating to financial transactions in which the individual has been involved;
   iii) any identifying number, symbol, or other particular assigned to the individual;
   iv) the address, telephone number, fingerprints, or blood type of the individual;
   v) the personal opinions or views of the individual except if they relate to another individual;
   vi) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
vii) the views or opinions of another individual about the individual, and
viii) the individual’s name, if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual;

c) a proposed or pending acquisition of land;

d) labour relations or employee negotiations;

e) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;

f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

g) A matter in respect of which a council, board, committee, or other body has authorized a meeting to be closed under any other Act

29.3 An agenda shall be prepared for closed meetings where applicable, and will be limited to brief reference to the nature of matters to be discussed. Supporting reports shall be distributed to the members and those persons authorized to attend such meetings only. Where applicable, notice of the meeting together with the agenda, but excluding supporting reports, shall be available to the public immediately after it has been distributed to members.

29.4 No person other than Committee members, liaison representatives, the Project Manager, and his/her designate(s), and persons authorized by the Committee shall attend closed meetings. Invited persons will be excused from the meeting when the matter of business concerning such persons has been dealt with.

29.5 The Project Manager or his/her designate shall keep and maintain Minutes of each closed meeting containing only resolutions adopted and decisions reached and such Minutes shall be accessible to members and liaison representatives.

29.6 No decision of the closed meeting shall be deemed to have legal effect until ratified at a regular meeting of the Committee.

29.7 Delegations shall be permitted to address the closed meeting only upon a majority vote by members present. Delegates shall be excused from such meetings prior to discussion on a matter and/or a vote being taken on the matter affecting such delegation.
29.8 Closed meeting may be held following a regularly scheduled meeting, when an item or items described herein warrants such closed meetings.

30. In accordance with the Conflict of Interest Act, 1980, every member shall declare any conflict of interest when such potential conflict arises.

31. The Committee will deal only with matters that appear on the Agenda unless the matter is of an emergency nature and with approval of 2/3-majority vote of the members present, and all pertinent information is made available.

32. Any Administrative Policy or Procedure of the Committee may be temporarily suspended when 2/3 of the members present determine to do so by vote, and if in the best interests of transacting certain business.

33. The order of business (agendas) at regular Committee meetings shall be determined at the discretion of the Chair, and shall normally be as outlined in Appendix A. (attached)

34. Meeting minutes will be circulated to members for approval by an electronic recorded vote and then posted on the website.

**PER DIEM and EXPENSES**

1. (a) The Chair shall receive compensation from the province in keeping with their letter of appointment. Members shall receive a per diem allowance for attending Committee meetings, and any other such meetings to which they are appointed or directed by the Committee to attend in advance of the meeting. If no quorum is present, the per diem rate shall be paid to those in attendance. Liaison representatives may be compensated in keeping with Ministry guidance.

(b) For meetings longer than 3 hours, members will be eligible for a per diem of $200. For meetings which are less than 3 hours, members will be eligible for a per diem of $125.

(c) It is the intent of the Province that members not be paid twice for their involvement with the Committee. Should the member wish to collect the per diem, their employer may need to be made aware so that the intent of the Province can be followed.

(d) Members will be paid for mileage and other allowable travel expenses incurred on authorized Committee business. Liaison representatives may be compensated in keeping with Ministry guidance.

(d) All per diem expenses, mileage and other allowable expenses are to be in accordance with the procedural direction and policies of the Essex Region
Conservation Authority. It is intended that attendance at any event approved by the Committee or the Chair be eligible for compensation.

FUNCTIONS and RESPONSIBILITIES

1. Members

As per Sections 1 and 2 of O. Reg 288/07 and O. Reg 310/15, the Committee members consist of 15 members, as follows:

- 1/3 of the members (5) must reflect the interests of the local municipalities,
- 1/3 of the members (5) must reflect the interests of agriculture, commerce, industry, and small business,
- 1/3 of the members must reflect other interests including environmental, and other public interests.

The members’ primary responsibilities are to the Committee. It is understood that members bring the viewpoints of various sectors to the committee table; however their primary responsibility is to meeting the legislated requirements of the Committee. Ultimately the Committee must develop a Source Protection Plan which reduces existing risks to an acceptable level and prevents new risks to drinking water sources. This Plan must be based on best available science.

Subject to the Clean Water Act and attending Regulations, the Members are responsible to:

(a) Oversee the preparation of rules of procedure including a code of conduct and conflict of interest policy within the required timeframe;

(b) Oversee the preparation and submission of a Terms Of Reference in the prescribed manner and in keeping with Regulation 287/07 within the required timeframe. This includes a map showing the source protection region boundaries, a list of municipalities within the region, defining which drinking water systems will be subject to the Act and which will not be subject to the act, identification and allocation of tasks, demonstrated consideration for the Great Lakes Agreements and public consultation and the total budget for the ensuing year;

(c) Provide notice of a drinking water hazard in keeping with Regulation 286/07;

(d) Oversee the preparation and submission of the Assessment Report in keeping with the Regulations, and technical guidance modules within the prescribed timeframe;

(e) Oversee the preparation and submission of a Source Protection Plan in keeping with the Regulations within the prescribed timeframe;

(f) Undertake public consultation as required by Regulation;

(g) Provide written comments to the Source Protection Authority on annual
reports prepared under s.46 of the Clean Water Act. Comments shall include the extent to which, in the opinion of the committee, the objectives set out in the Source Protection Plan are being achieved by the measures described in the report.

2. **Chair**

   The Chair of the Committee shall provide direction for all phases of the Committee's activities and shall see that all business of the Committee is conducted in a fair and just manner and shall in particular:

   (a) Represent the Committee at such functions as warrant the interest of the Committee, except where this responsibility is specifically assigned to some other person;
   (b) Direct the Project Manager in the day-to-day operation and administration of the Committee;
   (c) Ensure that all financial activities of the Committee are carried out correctly and with strict observance of all legal requirements and regulations;
   (d) Be "ex-officio", a member of all Working Groups, sub-committees and ad hoc Working Groups;
   (e) Preside over the Source Protection Committee meetings.
   (f) Provide a quarterly report of progress to the Source Protection Authority, after completion of the Terms of Reference.

3. **Project Manager**

   The Project Manager of the Committee shall represent the Committee in such capacity as and when required, subject to the direction of the Chair of the Committee:

   (a) To administer and coordinate the total program of the Committee;
   (b) To provide direction and instructions for the consultants, contractors and other individuals engaged to assist in the program of the Committee;
   (c) Direct the preparation of material or projects to be undertaken by the Committee and to provide such reports as might be from time to time requested by the Committee;
   (d) To be responsible for all documentary requirements necessary to obtain approval under the Clean Water Act;
   (e) To direct the preparation of budget estimates in accordance with the requirements of the Committee;
   (f) To communicate all instructions from the Committee and its various committees and to supervise the carrying out of all such communications
   (g) To be responsible for the preparation of reports and correspondence to other agencies, governments and individuals dealing with the policy of the Committee on particular items;
4. **Liaison Representatives**

O. Reg. 288/07 and O.Reg 310/15 allows for 3 liaison representatives (non-voting): 1 from the Source Protection Authority (SPA), 1 from the Health Unit, and 1 from MOE. These liaisons are able to participate in all discussions of the Committee, including in-camera meetings. The Rules of Procedure, Code of Conduct, and Conflict of Interest Policies of the Committee also apply to the liaison representative with respect to Committee business.

5. **Working Groups or Sub-committees**

The Committee may establish Working Groups or Sub-committees from time to time, which will be expected to follow the same Rules of Procedure, Code of Conduct, and Conflict of Interest Policies as the Committee. The Chair (and Vice-Chair, if any), are members ex-officio of Sub-committees or Working Groups established by the Committee.

6. **Signing Officers**

The signing officers of the Committee shall be the signing officers of the Conservation Authority.

**INDEMNITY**

1. In keeping with Section 99 of the Clean Water Act, 2006, every member of the Committee and the member's heirs, executors, administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Committee from and against all costs charges, and expenses whatsoever which Member of the Committee sustains or incurs in any or about any action, suit or proceeding which is brought, commenced, or prosecuted against the member for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by the member in or about the execution of the duties of the member's office; all other costs, charges and expenses the member sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by the member's own wilful neglect or default.
CODE OF CONDUCT AND CONFLICT OF INTEREST POLICIES

1. General

As duly appointed members of the Committee, members are responsible to:

(a) regularly attend Committee meetings;
(b) become aware and knowledgeable of programs, projects, and activities of the Committee;
(c) work collaboratively with their fellow members in developing a Source Protection Plan;
(d) keep the sectors and organizations which they represent informed of Committee programs, projects and activities;
(e) be prepared to discuss issues and make decisions at all Committee meetings.

Members shall abide by and be governed by the Rules of Procedure Code of Conduct, and Conflict of Interest Policies, as set by the Committee to the satisfaction of the Source Protection Authority.

2. Our Values

The Committee believes that a framework of common values is an essential foundation for the development and maintenance of a strong, teamwork environment and effective partnerships.

These values will act as a foundation to all the processes used to communicate and make decisions and will be the guidelines by which representatives establish and work in our partnerships. The Committee will apply the following values in all aspects of doing business.

<table>
<thead>
<tr>
<th>Values</th>
<th>Means</th>
</tr>
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<tbody>
<tr>
<td>Openness</td>
<td>communicating and sharing information and ideas</td>
</tr>
<tr>
<td>Clarity</td>
<td>using appropriate language and communications techniques to bring about clear understanding</td>
</tr>
<tr>
<td>Understanding</td>
<td>analyzing, listening and communicating all aspects of what has to be discussed</td>
</tr>
</tbody>
</table>
Sensitivity  caring for and being responsive to the needs of others in a respectful manner

Action  establishing priorities and undertaking initiatives based on desired results

Integrity  ensuring that actions or decisions do not compromise fundamental values or principles

Trust  believing and having confidence in each other to achieve our goals

Flexibility  being adaptable and willing to change

Fairness  being objective and equitable in all aspects of doing business

Preparedness  being ready with prudence, foresight and forethought for the actions being taken

Innovative  being receptive to and taking fresh, new approaches to our business

Honesty  telling the truth

Decisiveness  making decisions in a timely manner

Commitment  being prepared to help each other to make things happen

3. **Attendance**

Members are expected to attend all meetings. The Chair may approach the Source Protection Authority to have a member removed if the Chair believes that the absence of a member is having an impact on the Committee.

4. **Confidential Information - FIPPA**

The Committee is bound by the Freedom of Information and Protection of Privacy Act (FIPPA). Members have access to confidential information by reason of their participation on the Source Protection Committee. Members must not make such information available unless it is public information. Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Project manager.
For example, particular care should be exercised with respect to information relating to the following matters (not an exclusive list):

- personal information about any individual
- items under litigation
- personnel matters
- information about suppliers provided for evaluation which might be useful to competitors
- sources of complaints about a variety of matters where the identity of the complainant is given in confidence
- items under negotiation
- information supplied in support of licence applications, etc., where such information is not part of the public documentation
- schedule of prices in contract tenders
- personal opinions regarding ERCA policies, regulations and programs should not be given to the public.

Although the business of the Committee is to be open and transparent, it will be Important that personal privacy is maintained throughout the development of the Plan. For this reason, among others, portions of the business of the Committee will be considered private and will be conducted 'In Camera'. Discussions of the Committee, Working Groups, or Sub-committees undertaken in camera, and information related to such discussions, are to be treated with the strictest of confidence. Committee members will continue be bound by FIPPA requirements after they are no longer on the Committee.

5. **Media Relations**

Contact with the media on behalf of the Committee is to be undertaken only by media spokespersons as designated by the Chair. The Chair or Project Manager will most often be relied upon as media spokespersons. If Members or others provide comments to the media it should be clear that they are providing a personal opinion and not speaking on behalf of the Committee.

6. **Conflicts of Interest**

(a) A Member will be considered to have a potential conflict of interest where he or she or a member of his or her family (spouse, partner, children, parents, siblings) has a direct or indirect financial interest in a matter, a contract or proposed contract with the SPC or its agent, the Lead SPA, and where the Member could influence the decision made by the SPC with respect to the matter or contract.

(b) If a potential conflict exists because of a member’s personal or family interest in a property matter, a business dealing with the SPC, or similar circumstance, the Member must advise the SPC of the situation, either verbally or in writing, and this shall be reflected in the minutes.
(c) Where a member declares a conflict, they must refrain from comment and withdraw from the room during the deliberations and voting on the matter.

(d) Members should not engage in private employment or render services for any person or corporation where such employment or services are considered a conflict of interest as defined by the Province of Ontario Conflict of Interest legislation. Where a member is or becomes involved in such private employment, the Member must resign from the Committee.

7. **Use of Property**

Property of the Committee, the Conservation Authority, or their agents, shall not be used by members for personal use.

8. **Gifts and Benefits**

(a) In order to preserve the image and integrity of the SPC, members shall not accept any gifts, payments, services, privileges or favours from any person or business or organization that has dealings with the Committee except in cases where the value of such item is nominal, received very infrequently, and acceptance of such items does not impair the ability (in fact or appearance), to perform one’s duties in an objective and impartial manner. Such gifts, if any, must always be of a form and substance that an impartial observer could not construe them as an improper incentive. All gifts should be reported to the Chair or Project Manager.

(b) The “gifts” policy does not apply to gifts received in connection with services to professional organizations or non-profit community groups.

9. **Anti-Harassment Policy**

Every Member of the Committee, the staff or consultants are entitled to work in an environment that is free from discrimination and/or harassment. The Chair will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment. Every Member, staff or consultant of the Committee will deal with their fellows in a fair and equitable manner free from discrimination and/or harassment.

Harassment may include, but is not limited to the following:

(a) Sexual Harassment

- unwelcome remarks, jokes, and innuendos or taunting about a person’s body, attire, sexual orientation or gender;
- practical jokes of a sexual nature which cause awkwardness or embarrassment;
- displaying pornographic pictures or other offensive material;
• leering (suggestive staring) or other gestures;
• unnecessary physical contact such as touching, patting or pinching;
• physical assault;
• demands for sexual favours or repeated unwanted social invitations

(b) Racial or Ethnic Harassment

• unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
• the displaying of derogatory or offensive racist pictures or material;
• refusing to converse or work with an Member or volunteer because of his or her racial or ethnic background;
• insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness;

(c) Other Harassment

• unwelcome remarks jokes, innuendo or taunting about a person's age, record of offenses, marital status, family status, handicap or creed.

(d) A Member or volunteer who feels they are being harassed should:

i. make it clearly known to the offender that their conduct is unacceptable and should not be repeated; and/or
ii. discuss the situation, in confidence, with the Chair or Project Manager;
iii. keep a short written record of dates, incidents and names of witnesses, if any;
iv. if necessary, prepare a written complaint.

(e) Investigation

Upon receipt of a verbal or written complaint, the Chair or Project Manager will conduct an investigation in confidence. The Chair or Project Manager may make use of advice from Human Resources of legal experts as may be deemed necessary. If the investigation concludes that harassment has occurred, appropriate disciplinary action will be taken (this may include suspension or termination). If the investigation concludes that the complaint is unfounded the complaint and investigation file will be destroyed. The Member or staff who issued the complaint will be informed of the results of the investigation and of any action taken.
10. **Removal from the Committee**

A member may be removed by the Source Protection Authority (SPA), on its own initiative or at the request of the Chair.

Pursuant to O. Reg. 288/07, s. 7(4) appointments are subject to the condition that members attend meetings and abide by the Code of Conduct and Conflict of Interest Policy. Failure to abide by these conditions is grounds for the removal of the member from the Committee. The SPA may also remove a member if the Authority is of the opinion that the member does not meet the conditions of appointment described Section 7 of the Regulation which pertains to residing, owning or renting land, or being employed within the Essex Region Source Protection Area.

The source protection authority shall provide the member and the chair with an opportunity to make in-person submissions to the authority before it considers the request, either publicly or in-camera, to remove the member from office, and further, the member and chair will be entitled to be present to receive the Authority's decision, including the reasons for the final decision.

Procedures to be followed in dealing with the removal of a member from office are as described in section 22 of Ontario Regulation 288/07.

11. **Acknowledgment**

Each member shall be required to review a copy of these ‘Rules of Procedure, Code of Conduct, and Conflict of Interest Policies’ and acknowledge in writing that he or she has done so. The Source Protection Authority will retain a copy of each members signed acknowledgement.
Sample Acknowledgement

I, _______________________, a Member of the source protection committee for the Essex Region source protection area/region, hereby acknowledge that I have reviewed the Code of Conduct and Conflict of Interest Policy for Members of Source Protection Committee Members dated _______________________ and further acknowledge that I understand that it is a condition of my appointment to the source protection committee that I will comply with the Code of Conduct and Conflict of Interest policy.

Date ____________________________     Signature _______________________

Essex Region Source Protection Committee (SPC)        January 2008 March 2016
APPENDIX A – NORMAL ORDER OF BUSINESS FOR SPC MEETINGS

1. Chair’s Opening Remarks
2. Disclosure of Interest
3. Acceptance of Agenda
4. Adoption of Previous Meeting’s Minutes
5. Correspondence
6. Delegations
7. Reports
8. Other Business/Un-finished Business
9. New Business
10. Conclusion of Meeting
FROM: Katie Stammler, Source Water Protection Project Manager

SUBJECT: Proposed changes to Technical Rules and Drinking Water Threats Tables

DATE: March 3, 2016

PURPOSE
To inform the SPC of proposed changes to Technical Rules and Drinking Water Threats Tables and to receive feedback for the PM to provide to the MOECC

REPORT SUMMARY

- The MOECC has proposed several short term changes to the Technical Rules and Drinking Water Threats Table as a result of feedback from Chairs, PMs, implementing bodies, and municipalities
- Several proposed changes will impact the Essex Region Source Protection Area and should be discussed with the SPC
- The Project Manager and Chair will provide feedback to the MOECC

BACKGROUND

At the chair’s meeting in October 2015, the MOECC presented the Chairs and Project Managers with some proposed updates to the Drinking Water Threats Tables and the Technical Rules that govern the work completed for Assessment Report. The first version of the technical rules was released in 2008 and was amended in 2009 and 2013. All Assessment Reports prepared using these rules were approved by the end of 2015. Several factors led to the need to consider updates to these rules including:

- Discussions with local SPA / municipalities / consultants during the ARs development stages
- Recommendations provided by other agencies (e.g. OMAFRA, TSSA)
- Information provided in the submission letters of the ARs / SPPs (including the ARs)
- Information gathered from various SP Chair’s and PM meetings (attached)
- Recommendations in the 2015 Auditors Report

Suggested changes were to be separated into ‘short term’ and ‘long term’ targets based on the level of effort required and the possible outcome of the changes. For example, short term changes would result in editorial changes of the AR, whereas long term changes would require full updates of the AR. Long term changes are still under development as they require more extensive research and analysis as well as technical working groups. On February 29, 2016 a list of short term changes was circulated to the Project Managers to request feedback to be returned to MOECC by March 18, 2016 and to be discussed at the upcoming Chair’s meeting in March, 2016. The MOECC is requesting feedback related to the items subject to change, the proposed changes and the rationale behind the changes. They also suggest that additional items can be added to this list with proposed changes and rationale. Once finalized, the proposed changes will be posted for public consultation before the new versions of the rules and threats tables are released.
The current version of the Technical Rules and the table of proposed changes are attached. The Project Manager has reviewed the proposed changes and comments are included in the attached table in the ‘SPA opinion’ columns. Many of the changes are editorial or add clarification, however some would benefit from discussion with the SPC. These include:

- Item 5 - if the area delineated in accordance with rule 62 intersects with transport pathway(s), the IPZ-1 may be extended to capture the transport pathway(s).
- Item 6 - the area delineated in accordance with rules 68 or 70 may be extended to include storm water management works that may contribute water to the intake with respect to the time of travel criteria if any.
- Item 7 - Table 3 (Source Vulnerability Scores) will be expanded to include another set of ranges of SVF for Type A and B intakes only, i.e. SVF ranges from 0.5 to 1 under some conditions, see rationale for more details. As a reminder – Type A intakes are located in a Great Lake and include all of the ERSPA Lake Erie intakes. Type B intakes are located in a connecting channel in the Great Lakes system and include intakes in the Detroit River. Intakes in Lake St. Clair are Type D.
- Item 8 - Part V.2 - Rule 45 ‘Delineation of significant groundwater recharge areas’
- Item 15 - Part XI.3 Conditions - new sub rule i.e. 126(6) to deal with contaminated sites in IPZs that impact GW quality leaching to impair the SW quality of the SW source.

All items suggested to change in the Threats table should be discussed.

The Project Manager will provide a response to the MOECC based on comments received from the SPC. The Chair and PM will participate in discussions at the upcoming chair’s meeting and will circulate the final proposed changes via email when they are available for public consultation.

**RECOMMENDATION**

THAT Report SPC03/16 be received for information; and further,

THAT the Project Manager prepare a response to the MOECC in accordance with discussion resulting from Report SPC03/16.

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Katie Stammler  
Source Water Protection Project Manager

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Attachments

2. Table of proposed changes
3. Technical framework gaps identified by PMs
Technical Rules: Assessment Report

Clean Water Act, 2006
November 20, 2008

Amended on:

December 12, 2008 (administrative amendments)

November 16, 2009 (EBR Posting Number EBRO10-7573)

December 2, 2013 (Technical Bulletin)
Technical Rules: Assessment Report

Clean Water Act, 2006

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Clean Water Act, 2006
Technical Rules: Assessment Reports

Part I - General

Part I.1 - Definitions

1. In these rules,

   (1) the following definitions apply:

   “Act” means the Clean Water Act, 2006;

   “agricultural managed land” means managed land that is used for agricultural production purposes including areas of cropland, fallow land and improved pasture where agricultural source material (ASM), commercial fertilizer or non-agricultural source material (NASM) is applied or may be applied;

   “agricultural source material” has the same meaning as in section 1 of O. Reg 276/03 (General) made under the Nutrient Management Act, 2002;

   “allocated quantity of water” means, in respect of an existing surface water intake or an existing well, the existing demand of the intake or well plus any additional quantity of water that would have to be taken by the intake or well to meet its committed demand, up to the maximum quantity of water that can lawfully be taken by the intake or well.

   “committed demand” means a quantity of water, greater than the existing demand, that is necessary to meet the needs of the approved settlement area within an official plan.

   “cone of influence” means,

   (a) in respect of one or more wells that draw water from a unconfined aquifer, the area within the depression created in the water table when the wells are pumped at a rate equivalent to their allocated quantity of water; and

   (b) in respect of one or more wells that draw water from a confined or semi-confined aquifer, the area within the depression created in the potentiometric surface when the wells are pumped at a rate equivalent to their allocated quantity of water;

   “connecting channel” means the St. Lawrence River, St. Mary’s River, St. Clair River, Detroit River, Niagara River and the Welland Canal;
“Conservation Authority Regulation Limit” means the areas delineated in accordance with O. Reg. 97/04 (Content of Conservation Authority Regulations Under Subsection 28(1) of the Conservation Authorities Act: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for the purpose of describing the areas where development is prohibited unless a person obtains a permission under section 28 of the Act;

“consumptive activity” means an activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body;

“Director” means a director appointed for the purpose of section 107 of the Act;

“drinking water” has the same meaning as in the Safe Drinking Water Act, 2002;

“existing demand” means the quantity of water determined to be currently taken from an existing surface water intake or an existing well during the study period.

“extreme event” means,

(a) a period of heavy precipitation or winds up to a 100 year storm event;

(b) a freshet; or

(c) a surface water body exceeding its high water mark;

“farm unit” has the same meaning as in section 1 of O. Reg 267/03 (General) made under the Nutrient Management Act, 2002;

“future development” means the development of an area in accordance with the official plans applicable to the area to an extent that would have the most significant impact on the quality of water used for drinking water purposes and the quantity of water available from sources of drinking water;

“geographic information system” means a computer based system that has the capability to input, store, retrieve, manipulate, analyze, and output geographically referenced data;

“Great Lakes agreement” means an agreement to which subsection 14(1) of the Act applies;
“land cover” means the physical and biological cover on the land, including vegetation and anthropogenic features;

“local area” means,

(a) in respect of a surface water intake, the drainage area that contributes surface water to the intake and the area that provides recharge to an aquifer that contributes groundwater discharge to the drainage area; and

(b) in respect of a well, the area that is created by combining all of the following areas:

(i) the cone of influence of the well;

(ii) the cones of influence resulting from other water takings where those cones of influence intersect that of the well;

(iii) the areas outside the combined cones of influence where a future reduction in recharge would have a measurable impact on the wells; and

(iv) the surface water drainage area upstream of, and including, a losing reach of a stream that contributes a significant proportion of surface water to the wells.

“managed land” means land to which agricultural source material, commercial fertilizer or non-agricultural source material is applied;

”non-agricultural source material” has the same meaning as in section 1 of O. Reg 276/03 (General) made under the Nutrient Management Act, 2002;

“nutrient unit” has the same meaning as in section 1 of O. Reg 267/03 (General) made under the Nutrient Management Act, 2002;

“Nutrient Management Protocol” has the same meaning as in section 1 of O. Reg. 267/03 (General), made under the Nutrient Management Act, 2002;

“official plan” means an official plan prepared in accordance with part III of the Planning Act;

“Ontario Drinking Water Quality Standards” means O. Reg 169/03 (Ontario Drinking Water Quality Standards) made under the Safe Drinking Water Act, 2002;
“planned demand” means a specific quantity of water that is required to meet the projected growth identified within a master plan or class environmental assessment, but is not already linked to growth within an official plan.

“planned quantity of water” means,

(a) in respect of an existing surface water intake or existing well, any amount of water that meets the definition of a planned system in O.Reg 287/07 and any amount of water that is needed to meet a committed demand above the maximum quantity of water that can lawfully be taken by the intake or well.

(b) in respect of a new planned surface water intake or planned well, any amount of water that meets the definition of a planned system in O.Reg 287/07.

“Regulation Limit” Removed and replaced with “Conservation Authority Regulation Limit”;

“river” includes a creek, stream, brook and any similar watercourse but does not include a connecting channel;

“Soil, Ground Water and Sediment Standards” means the Ministry of the Environment publication entitled “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” dated March 9, 2004, or as amended from time to time;¹

“study year” Deleted ²

“study period” means the period during which data is available in relation to the current, representative water demand of an existing drinking water system;

“subwatershed” means an area that is drained by a tributary or some defined portion of a stream;

“surface soil” means soil that is no more than 1.5 metres beneath the soil surface but does not include soil beneath any non-soil surface treatment including asphalt, concrete or aggregate;

¹ In effect December 2, 2013
² In effect December 2, 2013
³ In effect December 2, 2013
“Tables of Drinking Water Threats” means the Ministry of the Environment publication "Table of Drinking Water Threats: Clean Water Act, 2006" dated December 12, 2008, as amended from time to time;


“ten year drought period” means the continuous ten year period for which precipitation records exist with the lowest mean annual precipitation;

“Tier One” in respect of a water budget means a water budget developed using a geographical information system or equivalent to assess groundwater flows and levels, surface water flows and levels, and the interactions between them;

“Tier Two” in respect of a water budget means a water budget developed using computer based three dimensional groundwater flow models and computer based continuous surface water flow models to assess groundwater flows and levels, surface water flows and levels, and the interactions between them;

“Tier Three” in respect of a water budget means a water budget developed using computer based three dimensional groundwater flow models and computer based continuous surface water flow models to assess groundwater flows and levels, surface water flows and levels, and the interactions between them, and that includes consideration of the following circumstances:

(a) current and future land cover within the area;

(b) hydraulic flow controls within the area;

(c) water taken by the surface water intakes and wells related to the area;

(d) other uses of water within and downstream of the area;

(e) steady and transient states in groundwater;

(f) drought conditions;

(g) the average daily supply and demand for surface water within the area; and

(h) average monthly supply and average monthly demand for groundwater within the area;
“time of travel” means,

(a) in respect of groundwater, the length of time that is required for groundwater to travel a specified horizontal distance in the saturated zone; and

(b) in respect of surface water, the length of time that is required for surface water to travel a specified distance within a surface water body;

“total impervious surface area” means the surface area of all highways and other impervious land surfaces used for vehicular traffic and parking, and all pedestrian paths;

“two year or greater drought period” means,

(a) in relation to an assessment of surface water quantity, the continuous period, consisting of at least two years, for which precipitation records exist with the lowest mean annual precipitation, or

(b) in relation to an assessment of groundwater quantity, a simulated period, consisting of at least two years with no groundwater recharge;

“type I system” means a drinking water system described in subclause 15(2)(e)(i) of the Act;

“type II system” means a drinking water system described in subclause 15(2)(e)(ii) of the Act;

“type III system” means a drinking water system described in subclause 15(2)(e)(iii) of the Act; and

“water taking” has the same meaning as in the Ontario Water Resources Act;

(2) the following equation shall be used where these rules require the calculation of a percent water demand in relation to groundwater:

\[
\text{% Water Demand (Groundwater)} = \frac{Q_{\text{DEMAND}}}{Q_{\text{SUPPLY}} - Q_{\text{RESERVE}}} \times 100;
\]

\(Q_{\text{DEMAND}}\) - Definition: Groundwater Consumptive Use; Calculation: Groundwater consumptive use is calculated as the portion of estimated average annual and monthly rate of groundwater takings in a subwatershed that is not returned to the aquifer that is the source of the water taking;

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4 In effect December 2, 2013
QSUPPLY – Definition: Groundwater Supply; Calculation: Groundwater supply is calculated as the groundwater recharge plus the groundwater inflow into a subwatershed. Recharge can be estimated by multiplying the average subwatershed recharge rate by the area of a subwatershed.5

QRESERVE - Definition: Groundwater Reserve; Calculation: Groundwater reserve is calculated as 10% of the estimated average annual groundwater discharge rate, if available, or if such information is not available to make such a calculation, 10% of the estimated annual groundwater supply (Q SUPPLY); (3) the following equation shall be used where these rules require the calculation of a percent water demand in relation to surface water:

\[
\text{% Water Demand} = \frac{Q_{DEMAND}}{Q_{SUPPLY} - Q_{RESERVE}} \times 100.
\]

QDEMAND - Definition: Surface Water Consumptive Use; Calculation: Surface Water Consumptive Use is calculated as the portion of estimated monthly surface water takings in a subwatershed that is not returned to the surface water body that is the source of the water taking;

QSUPPLY - Definition: Surface Water Supply; Calculation: Monthly surface water supply is calculated by determining the monthly median flow of a surface water body. Where median flow conditions cannot be determined, best available monthly baseflow measurements or estimates should be used;

QRESERVE - Definition: Surface Water Reserve; Calculation: Surface water reserve is calculated by determining the lower decile stream flow (Qp90) on a monthly basis. The lower decile stream flow is the stream flow value that is exceeded 90% of the time. Where measured or modeled stream flow data is not available, an equivalent method may be used.6,7

5 In effect December 2, 2013
6 Amended on November 16, 2009
7 In effect December 2, 2013
Part I.2 - Assessment Report Contents

Watershed Characterization

2. The watershed shall be described for the purposes of paragraph 1 of subsection 13(1) of O. Reg. 287/07 (General) in accordance with Part II.

Water budget

3. Subject to rule 4, a water budget set out for the purpose of clause 15(2)(c) of the Act shall be completed as follows:
   (1) prepare a conceptual water budget for every watershed in accordance with Part III.1; and
   (2) prepare a water budget for every subwatershed in the source protection area in accordance with Part III.2.

4. An area represented by a conceptual water budget or water budget prepared in accordance with rule 3 shall not include any part of a surface water body that is a Great Lake, a connecting channel, Lake Simcoe, Lake Nipissing, Lake St. Clair or the Ottawa River.

Vulnerable area delineation

5. The identification of vulnerable areas for the purposes of clauses 15(2)(d) and 15(2)(e) of the Act shall be completed as follows:
   (1) prepare a qualitative description of the physical geology and hydrodynamic settings across the source protection area, including information to support the delineation of significant groundwater recharge areas, highly vulnerable aquifers and wellhead protection areas;*
   (2) assess and delineate areas of groundwater vulnerability in accordance with Part IV;
   (3) delineate highly vulnerable aquifers, significant groundwater recharge areas and wellhead protection areas in accordance with Part V; and
   (4) delineate surface water intake protection zones in accordance with Part VI.**

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* In effect December 2, 2013
** Amended on November 16, 2009
Drinking water issues

6. The description of drinking water issues for the purpose of clause 15(2)(f) of the Act shall be completed in accordance with Part XI.1.

Drinking water threats

7. The listing of drinking water threats for each vulnerable area for the purpose of clause 15(2)(g) of the Act shall be completed as follows:

   (1) For every local area for which Part III.2 requires a water budget to be prepared, assign a risk level associated to the area in accordance with Part IX.

   (2) List those activities that are determined to be activities that are or would be drinking water threats in relation to water quantity in accordance with Part X.1.

   (3) List those activities that are determined to be activities that are or would be drinking water threats in relation to water quality in accordance with Part XI.2.

   (4) List those conditions that result from past activities that are determined to be drinking water threats in relation to water quality in accordance with Part XI.3.

Significant, moderate or low drinking water threats

8. The identification of the areas within vulnerable areas where an activity is or would be a significant, moderate or low drinking water threat for the purpose of subclause 15(2)(h)(i) of the Act and subparagraphs 2i and 2ii of subsection 13(1) of O. Reg. 287/07 (General) and where a condition that results from past activities is a significant, moderate or low drinking water threat for the purpose of subclause 15(2)(h)(ii) and subparagraphs 2iii and 2iv of subsection 13(1) of O. Reg. 287/07 (General) shall be completed as follows:

   (1) Assign vulnerability scores to highly vulnerable aquifers, significant groundwater recharge areas and wellhead protection areas in accordance with Part VII.

   (2) Assign vulnerability scores to surface water intake protection zones in accordance with Part VIII.

   (3) Identify those areas where activities listed as drinking water threats in relation to water quantity in accordance with Part X.1 are or would be significant or moderate drinking water threats in accordance with Part X.2.

   (4) Identify those areas where activities listed as drinking water threats in relation to water quality in accordance with Part XI.2 are or would be significant, moderate or low drinking water threats in accordance with Part XI.4.
(5) Identify those areas where conditions that result from past activities and that are listed as drinking water threats in accordance with Part XI.3 are significant, moderate or low drinking water threats in accordance with Part XI.5.

Minimum information

9. An assessment report shall include the following:

(1) One or more maps, graphics or tables detailing the following:

(a) The elements required to be included in a characterization of a watershed in accordance with Part II.

(b) The component elements of the water budget for the source protection area that are listed in rule 19.

(c) The location or distribution of the following within the source protection area:

(i) Areas of groundwater vulnerability determined in accordance with Part IV.1.

(ii) Vulnerable areas delineated in accordance with Parts V and VI.

(iii) Drinking water systems and their related surface water intake protection zones and wellhead protection areas.

(iv) Vulnerability scores for areas within vulnerable areas assigned in accordance with Part VII and VIII.

(v) Subwatersheds delineated and stress levels assigned to subwatersheds in accordance with Part III.3 and Part III.4.

(vi) Risk levels assigned to local areas in accordance with Part IX.1.

(vii) Removed.

(viii) Source vulnerability factors and area vulnerability factors for areas within surface water intake protection zones.

(ix) Areas determined in accordance with Parts X and XI.4 to be areas within vulnerable areas where activities listed as drinking water threats in accordance with Parts X and XI.2 are or would be significant, moderate or low drinking water threats.

(x) Areas determined in accordance with Part XI.5 to be areas within vulnerable areas where conditions resulting from past activities listed as
drinking water threats in accordance with Part XI.3 are significant, moderate or low drinking water threats.

(xi) Areas within a vulnerable area where drinking water threats listed in accordance with rule 118 or 119 may contribute to a parameter or pathogen associated with a drinking water issue described in accordance with rule 114.

(xii) Drinking water issues and the related information described in rules 114 and 115.

(d) Activities that are or would be and conditions resulting from past activities that are drinking water threats and their respective hazard rating provided by the Director if one is required to be determined in accordance with rule 120, 121, or 139.

(e) The number of locations at which an activity that is a significant drinking water threat is being engaged in.

(f) The number of locations at which a condition resulting from a past activity is a significant drinking water threat.

(2) A written description of the work undertaken in accordance with these rules including,

(a) information sources for data used in developing the assessment report and the purposes for which information was used,

(b) methods of analysis applied to the data,

(c) any limitations in respect of (a) and (b),

(d) the component elements of the water budget for the source protection area that are listed in Part III.1 and the interrelationships between those elements,

(e) with respect to the assessment of the climate of the source protection area undertaken in accordance with Part III.1, the effects that projected changes in the climate over the following 25 years will have on the conclusions reached in the assessment report and a list of the information sources underlying those projected changes,

(f) a description of every uncertainty analysis conducted in accordance with these rules and the results of that analysis, and
(g) a description of how the Great Lakes agreements were considered in the work undertaken, if the source protection area contains water that flows into the Great Lakes or the St. Lawrence River.

(3) Tables listing with respect to the source protection area:

(a) The quality of groundwater and surface water across the area.

(b) The results of every calculation, assessment and assignment required by Parts III.3, III.4 and IX.

(c) Conditions resulting from past activities that are drinking water threats.

(d) Stress levels assigned to subwatersheds and risk levels assigned to local areas.10

Part I.3 - General

Method and models

10. A method or model used in the preparation of the assessment report shall be representative of the area or thing under study.

No assessment of risk management measures

11. Where these rules provide for or require an assessment of risk for the purpose of listing a drinking water threat in accordance with clause 15(2)(g) of the Act or for the purpose of identifying an area where a drinking water threat may be a significant, moderate or low drinking water threat in accordance with 15(2)(h) of the Act and subsection 13(1) of O. Reg. 287/07 (General), the assessment does not and shall not include consideration of any risk management measures.

Map standards

12. Maps submitted in an assessment report shall,

(1) include a title, scale bar and a compass rose indicating north;

(2) include a legend using symbols in accordance with the Ministry of Natural Resources publication “Mapping Symbology for the Clean Water Act”, dated November 2008, as amended from time to time; and

(3) be uncluttered and have such large and clear typeface and symbols that they remain legible upon being reduced to one half of their original size.11

10 Amended on November 16, 2009
11 Amended on November 16, 2009
Part I.4 - Uncertainty analysis – Water quality

13. An analysis of the uncertainty, characterized by “high” or “low” shall be made in respect of the following:

(1) The assessment of the vulnerability of groundwater throughout the area undertaken in accordance with Part IV.

(2) The delineation of highly vulnerable aquifers, significant groundwater recharge areas and wellhead protection areas undertaken in accordance with Part V.

(3) The delineation of surface water intake protection zones undertaken in accordance with Part VI.

(4) The assessment of the vulnerability of surface water intake protection zones undertaken in accordance with Part VIII.

(5) The assessment of the vulnerability of significant groundwater recharge areas, highly vulnerable aquifers and wellhead protection areas undertaken in accordance with Part VII.

14. The following factors shall be considered in an analysis conducted for the purpose of rule 13:

(1) The distribution, variability, quality and relevance of data used in the preparation of the assessment report.

(2) The ability of the methods and models used to accurately reflect the flow processes in the hydrological system.

(3) The quality assurance and quality control procedures applied.

(4) The extent and level of calibration and validation achieved for models used or calculations or general assessments completed.

(5) For the purpose of subrule 13(1), the accuracy to which the groundwater vulnerability categories effectively assess the relative vulnerability of the underlying hydrogeological features.

(6) For the purpose of subrule 13(4), the accuracy to which the area vulnerability factor and the source vulnerability factor effectively assesses the relative vulnerability of the hydrological features.

15. An uncertainty factor of “high” or “low” shall be assigned to each vulnerable area delineated based on the results of the analysis conducted under rule 13.
Part I.5 – Alternate Methods or Approaches

15.1 Despite any provision of these rules, in preparing an assessment report a source protection committee may use an alternate method or approach for gathering information or for performing a task that departs from the method or approach prescribed in these rules if the following conditions are met:

(1) The assessment report includes,
   (a) a rationale for the departure; and
   (b) an explanation of how the method or approach used by the source protection committee to gather information or perform the task is equivalent to or better than the approach or method prescribed in these rules.

(2) The Director has provided the source protection committee with written confirmation that he or she agrees to the departure and a copy of the confirmation is included in the assessment report.

15.2 For greater certainty, section 15.1 does not relieve the source protection committee from ensuring that an assessment report is prepared in accordance with an applicable requirement in the Act, the regulations or the terms of reference.

Part I.6 – Climate Data – Director’s Directions

15.3 If, in preparing an assessment report, the source protection committee is required by these rules to consider climate data in making a determination or performing a task, the Director may give directions to the committee for the purpose of ensuring that impacts from climate change are taken into account, including directing the committee to,

(1) use a climate data set provided by the Director; or

(2) use any climate data gathered by the committee in the manner specified by the Director.
Part II – Watershed Characterization

16. The following shall be included in a characterization of a watershed, where the information is available:

   (1) The boundaries of the watershed.

   (2) The following areas within the watershed:

      (a) Subwatersheds.

      (b) Areas of settlement, as defined in the Places to Grow Act, 2005.

      (c) Municipal boundaries, and their population and population density.

      (d) Reserves as defined in the Indian Act (Canada), and their population and population density.

      (e) Federal lands.

   (3) With respect to drinking water systems,

      (a) the location and area served by a system,

      (b) the classification of the system into the following classifications as defined by O. Reg. 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002:

         (i) Large municipal residential system.

         (ii) Small municipal residential system.

         (iii) Large municipal non-residential system.

         (iv) Small municipal non-residential system.

         (v) Non-municipal year-round residential system.

         (vi) Non-municipal seasonal residential system.

         (vii) Large non-municipal non-residential system.

         (viii) Small non-municipal non-residential system.

      (c) the number of users served by the system,

      (d) the location of surface water intakes and wells that are part of the system, and their average annual and average monthly pumping rates, and

      (e) the location of monitoring wells related to the system.
(4) The location and types of natural vegetative cover, including wetlands, woodlands and vegetated riparian areas, and the percentage of land coverage of each type.

(5) The location and types of aquatic habitats, including coldwater, mixed, and warm water fisheries, and macroinvertebrate communities.

(6) A comparison of the communities described in clause (5) to similar communities not impacted by anthropogenic factors.

(7) A description of Species within the source protection area that are on the Species at Risk in Ontario List as defined in the *Endangered Species Act, 2007*, if the source protection committee is of the opinion that the watershed characterization should include a discussion for the purposes of informing the public about species at risk in the source protection area.

(8) Surface water quality and groundwater quality across watersheds.

(9) One or more maps of the percentage of managed lands within,

(a) a significant groundwater recharge area;

(b) a highly vulnerable aquifer;

(c) each of the following areas within a vulnerable area:

   (i) WHPA-A.
   (ii) WHPA-B.
   (iii) WHPA-C.
   (iv) WHPA-C1, if any.
   (v) WHPA-D.
   (vi) WHPA-E.
   (vii) IPZ-1.
   (viii) IPZ-2.
   (ix) IPZ-3, if any;

If two or more areas in an area referred to in clause (a) to (c) have different vulnerability scores, the percentage of managed land may be determined for each of those areas. Mapping the percentage of managed lands is not required for any area in an area mentioned in clause (a) to (c) where the vulnerability scores for that area are less than those necessary for the following activities to be considered a significant, moderate or low drinking water threat in the Table of Drinking Water
Threats: the application of agricultural source material to land, the application of non-agricultural source material to land and the application of commercial fertilizer to land. Each map prepared in accordance with this subrule shall be labelled the “managed land map”.

(10) One or more maps of livestock density for each area referred to in subrule (9). Livestock density shall be determined by dividing the nutrient units generated in each area by the number of acres of agricultural managed land in that area where agricultural source material is applied. If two or more areas in an area referred to in subrule (9) (a) to (c) have different vulnerability scores, the livestock density may be determined for each of those areas. Mapping livestock density is not required for any area in an area mentioned in clause (9)(a) to (c) where the vulnerability scores for that area are less than those necessary for the following activities to be considered a significant, moderate or low drinking water threat in the Table of Drinking Water Threats: the application of agricultural source material to land, the application of non-agricultural source material to land and the application of commercial fertilizer to land. Each map prepared in accordance with this subrule shall be labelled the "livestock density map".

(11) For each vulnerable area, one or more maps of the percentage of the impervious surface area where road salt can be applied per square kilometre in the vulnerable area. Mapping the percentage of impervious surface area is not required for an area in a vulnerable area where the vulnerability scores for that area is less than the vulnerability score necessary for the application of road salt to be considered a significant, moderate or low threat in the Table of Drinking Water Threats. Each map prepared in accordance with this subrule shall be labelled the "total impervious surface area map".

17. For the purposes of subrule 16(11), the location of a square kilometre in a vulnerable area shall be determined by overlaying a 1 kilometre by 1 kilometre grid over the vulnerable area with a node of the grid centred on the centroid of the source protection area.

18. Parameters used to assess the quality of groundwater and surface water across the watershed shall be selected with consideration given to the natural features and land uses within the source protection area.

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16 Amended on November 16, 2009
17 Amended on November 16, 2009
Part III – Water Budget

Part III.1 - Conceptual Water Budget

19. Subject to rule 24, a conceptual water budget shall include an assessment of the following:

(1) Physiography.
(2) Geology.
(3) Surface water bodies and their flows and water levels.
(4) Surface water control structures, including any dams within the meaning of section 1 of the Lakes and River Improvement Act, and any plans that govern operations of the structure.
(5) Groundwater aquifers, their direction of flow, and mapping of the water table and potentiometric surface(s).
(6) Wells and surface water intakes.
(7) Interactions between groundwater and surface water.
(8) In respect of every surface water intake and well for which a permit to take water has been issued under the Ontario Water Resources Act the maximum annual quantity of water that a person is permitted to take under the permit and the purpose for which water is being taken.
(9) How land cover across the area affects groundwater and surface water.
(10) In respect of every surface water intake and well for which a permit to take water has not been issued under the Ontario Water Resources Act, the annual quantity of water taken and the purpose for which water is being taken, including whether water is being taken for a domestic use, agricultural use, commercial use, industrial use or any other specified use.
(10.1) In respect of the water takings described in subrules (8) and (10), where available, the actual amounts of water taken annually and the projected annual takings of water.
(11) Aquatic habitat dependent upon water depth, flow and temperature.
(12) Trends related to any items listed in subrules (3) to (11).
(13) The climate of the area, including historical trends and existing projections related to changes in the climate of the area.\textsuperscript{18}

**Part III.2 – Subwatershed water budgets**

20. Subject to rule 24, prepare a Tier One water budget for every subwatershed in the source protection area.

21. Subject to rule 24, using the data underlying the Tier One water budget for the subwatershed, assign every subwatershed in the source protection area a surface water stress level and a groundwater stress level in accordance with Part III.3.

22. Subject to rule 24, prepare a Tier Two water budget that,

(1) assigns a surface water stress level for every subwatershed in the source protection area that was assigned a significant or moderate surface water stress level in accordance with rule 21 and from which an existing or planned type I, II or III system takes or will take water from a surface water supply; and

(2) assigns a groundwater stress level for every subwatershed in the source protection area that was assigned a groundwater stress level of significant or moderate in accordance with rule 21 and from which an existing or planned type I, II or III system takes or will take water from a groundwater supply.\textsuperscript{19}

23. Subject to rule 24, using the data underlying the Tier Two water budget for the subwatershed, assign every subwatershed in the source protection area for which a Tier Two water budget has been prepared a surface water stress level and a groundwater stress level in accordance with Part III.4.

24. Rules 19, 20, 21, 22 and 23 do not apply if a water budget was prepared for every subwatershed in the source protection area and those water budgets meet the requirements of a Tier Two water budget and include an assessment of the elements listed in rule 19.\textsuperscript{20}

25. Where rules 19, 20, 21, 22 and 23 do not apply as a result of the application of rule 24, using the data underlying the equivalent Tier Two water budgets described in rule 24, assign every subwatershed in the source protection area from which an existing or planned type I, II or III system takes water a surface water stress level and a groundwater stress level in accordance with Part III.4.

26. Delineate a local area in respect of every surface water intake in the source protection area relating to an existing or planned type I, II or III system that takes

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\textsuperscript{18} Amended on November 16, 2009
\textsuperscript{19} Replaced on November 16, 2009
\textsuperscript{20} Amended on November 16, 2009
water from a subwatershed assigned a surface water stress level of significant or moderate in accordance with rule 23.

27. Delineate a local area in respect of every well in the source protection area relating to an existing or planned type I, II or III system that takes water from a subwatershed assigned a groundwater stress level of significant or moderate in accordance with rule 23.

28. Removed 21

29. Removed 22

30. For every local area delineated in accordance with rule 26 or 27, prepare a Tier Three water budget for the local area in accordance with Part IX for the purpose of determining if the local area should be assigned a risk level of significant, moderate or low. 23

30.1 If the information required to delineate a local area or to complete a Tier Three water budget in accordance with rule 30 cannot be readily ascertained, the assessment report shall include,

(1) a plan that includes a work schedule for ascertaining the information necessary to delineate the local area or complete the Tier Three water budget, including any additional work that must be carried out under these rules as a result of ascertaining this information; and

(2) if, after completing the work the source protection committee becomes aware that the assessment report is no longer accurate or complete, an estimate of the date by which the source protection committee expects an updated assessment report would be submitted to the Director under section 19 of the Act. 24

31. Where the rules in Part III.3 and Part III.4 require that a percent demand calculation is undertaken in relation to a scenario,

(1) the annual percent demand or twelve consecutive monthly percent demands shall be calculated based on the water demand of the study period; 25

(2) data used to determine demand shall meet the requirements listed in Column 3 of Table 1 where a requirement in respect of all or part of the data is listed, and in all other cases the data shall be reflective of conditions that existed

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21 In effect December 2, 2013
22 In effect December 2, 2013
23 Replaced on June 8, 2015
24 Introduced on November 16, 2009
25 In effect December 2, 2013
during the most recent period for which data is available and which parallels the duration and starting point of the study period;\textsuperscript{26} and

(3) data used to determine supply and reserve shall meet the requirements listed in Column 4 of Table 1 where a requirement in respect of all or part of the data is listed, and in all other cases the data shall be reflective of conditions that existed during the study period.\textsuperscript{27}

**Part III.3 – Subwatershed stress levels – Tier One Water Budget**

32. For the purposes of rule 21, a subwatershed shall be assigned a surface water stress level of significant, moderate or low in accordance with the following:

(1) Significant, if during scenario A or B in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be greater than or equal to 50%.

(2) Moderate, if a stress level was not assigned by subrule (1) and one or more of the following circumstances exist:

(a) During scenario A or B in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be less than 50% but greater than 20%.

(b) At any time after January 1, 1990, in relation to a type I, II or III system within the subwatershed,

(i) any part of a surface water intake was not below the water’s surface during normal operation of the intake, or

(ii) the operation of a surface water intake pump was terminated because of an insufficient quantity of water being supplied to the intake.

(c) Both of the following are true:

(i) The result of one or more maximum monthly percent water demand calculations made in accordance with clause (a) of subrule (2) is between 18% and 20%, inclusive.

(ii) A sensitivity analysis of the data used to prepare the Tier One Water Budget suggests that the stress level for the subwatershed could be moderate.

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\textsuperscript{26} In effect December 2, 2013

\textsuperscript{27} In effect December 2, 2013
Low, if a stress level was not assigned by either subrule (1) or subrule (2).

33. For the purposes of rule 21, a subwatershed shall be assigned a groundwater stress level of significant, moderate or low in accordance with the following:

(1) Significant, if during scenario A or B in Table 1 one or both of the following circumstances exist:

(a) The annual percent water demand for groundwater for the subwatershed would be greater than or equal to 25%.

(b) The maximum monthly percent water demand for groundwater for the subwatershed would be greater than or equal to 50%.

(2) Moderate, if a stress level was not assigned by subrule (1) and one or more of the following circumstances exist:

(a) During scenario A or B in Table 1 the annual percent water demand for groundwater for the subwatershed would be less than 25% but greater than 10%.

(b) During scenario A or B in Table 1 the maximum monthly percent water demand for groundwater for the subwatershed would be less than 50% but greater than 25%.

(c) At any time after January 1, 1990, in relation to a type I, II or III system within the subwatershed,

(i) the groundwater level in the vicinity of the well was not at a level sufficient for the normal operation of the well, or

(ii) the operation of a well pump was terminated because of an insufficient quantity of water being supplied to the well.

(d) Both of the following are true:

(i) The result of one or more annual percent water demand calculations made in accordance with clause (a) of subrule (2) is between 8% and 10%, inclusive.

(ii) A sensitivity analysis of the data used to prepare the Tier One Water Budget suggests that the stress level for the subwatershed could be moderate.

(e) Both of the following are true:
(i) The result of one or more maximum monthly percent water demand calculations made in accordance with clause (b) of subrule (2) is between 23% and 25%, inclusive.

(ii) A sensitivity analysis of the data used to prepare the Tier One Water Budget suggests that the stress level for the subwatershed could be moderate.

(3) Low, if a stress level was not assigned by either subrule (1) or subrule (2).
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<td>existing system - future demand</td>
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<td>planned system - operational year - two year drought</td>
<td>Data related to demand associated with an existing type I, II or III system within the subwatershed shall be reflective of the demand that would exist in the year that the planned system will be operational.</td>
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</tr>
</tbody>
</table>

\(^{28}\) In effect December 2, 2013
\(^{29}\) In effect December 2, 2013
\(^{30}\) In effect December 2, 2013
Part III.4 – Subwatershed stress levels – Tier Two Water Budgets

34. For the purposes of rule 23 or 25, a subwatershed shall be assigned a surface water stress level of significant, moderate or low in accordance with the following:

(1) Significant, if one or both of the following circumstances exist:

(a) During scenario A or B in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be greater than or equal to 50%.

(b) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be greater than or equal to 50%.

(2) Moderate, if a stress level was not assigned by subrule (1) and one or more of the following circumstances exist:

(a) During scenario A or B in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be less than 50% but greater than 20%.

(b) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the maximum monthly percent water demand for surface water for the subwatershed would be less than 50% but greater than 20%.

(c) At any time after January 1, 1990, in relation to a type I, II or III system within the subwatershed,

(i) any part of a surface water intake was not below the water’s surface during normal operation of the intake, or

(ii) the operation of a surface water intake pump was terminated because of an insufficient quantity of water being supplied to the intake.

(d) In relation to a type I, II or III system within the subwatershed, one or both of the circumstances described in clause (c) would occur during scenarios D, E, F, G, H or I.\(^{31}\)

(e) Removed

(f) All of the following are true:

\(^{31}\) In effect December 2, 2013
(i) The result of one or more maximum monthly percent water demand calculations made in accordance with this subrule is between 18% and 20%, inclusive.\textsuperscript{32}

(ii) The uncertainty associated with the percent demand calculations required by this rule, when evaluated to be high or low considering the factors set out in rule 36, is high.

(iii) A sensitivity analysis of the data used to prepare the Tier Two Water Budget suggests that the stress level for the subwatershed could be moderate.

(3) Low, if a stress level was not assigned by either subrule (1) or subrule (2).

35. For the purposes of rule 23 or 25, a subwatershed shall be assigned a groundwater stress level of significant, moderate or low in accordance with the following:

(1) Significant, if one or more of the following circumstances exist:

   (a) During scenario A or B in Table 1 the annual percent water demand for groundwater for the subwatershed would be greater than or equal to 25%.

   (b) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the annual percent water demand for groundwater for the subwatershed would be greater than or equal to 25%.

   (c) During scenario A or B in Table 1 the maximum monthly percent water demand for groundwater for the subwatershed would be greater than or equal to 50%.

   (d) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the maximum monthly percent water demand for groundwater for the subwatershed would be greater than or equal to 50%.

(2) Moderate, if a stress level was not assigned by subrule (1) and one or more of the following circumstances exist:

   (a) During scenario A or B in Table 1 the annual percent water demand for groundwater for the subwatershed would be less than 25% but greater than 10%.

\textsuperscript{32} In effect December 2, 2013
(b) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the annual percent water demand for groundwater for the subwatershed would be less than 25% but greater than 10%.

(c) During scenario A or B in Table 1 the maximum monthly percent water demand for groundwater for the subwatershed would be less than 50% but greater than 25%.

(d) Where there is a planned type I, II or III system proposed to be located within the subwatershed, during scenario C in Table 1 the maximum monthly percent water demand for groundwater for the subwatershed would be less than 50% but greater than 25%.

(e) At any time after January 1, 1990, in relation to a type I, II or III system within the subwatershed, one or both of the following circumstances occurred:

   (i) The groundwater level in the vicinity of the well was not at a level sufficient for the normal operation of the well.

   (ii) The operation of a well pump was terminated because of an insufficient quantity of water being supplied to the well.

(f) In relation to a type I, II or III system within the subwatershed, one or both of the circumstances described in clause (e) would occur during scenarios D, E, F, G, H or I.

   (i) Removed

   (ii) Removed\(^33\)

(g) Removed

(h) All of the following are true:

   (i) The result of one or more annual percent water demand calculations made in accordance with subclause (a) or (b) of this subrule is between 8% and 10%, inclusive.\(^34\)

   (ii) The uncertainty associated with the percent demand calculations required by this rule, when evaluated to be high or low considering the factors set out in rule 36, is high.

\(^33\) In effect December 2, 2013

\(^34\) In effect December 2, 2013
(iii) A sensitivity analysis of the data used to prepare the Tier Two Water Budget suggests that the stress level for the subwatershed could be moderate.

(i) All of the following are true:

(i) The result of one or more maximum monthly percent water demand calculations made in accordance with clause (c) or (d) of subrule (2) is between 23% and 25%, inclusive.

(ii) The uncertainty associated with the percent demand calculations required by this rule, when evaluated to be high or low considering the factors set out in rule 36, is high.

(iii) A sensitivity analysis of the data used to prepare the Tier Two Water Budget suggests that the stress level for the subwatershed could be moderate.

(3) Low, if a stress level was not assigned by either subrule (1) or subrule (2).

Uncertainty analysis

36. The following factors shall be considered in an analysis of uncertainty required by subclauses 34(2)(f)(ii) and 35(2)(h)(ii) and 35(2)(i)(ii):35

(1) The distribution, variability, quality and relevance of the available input data.

(2) The ability of the methods and models used to accurately reflect the hydrologic system.

(3) The quality assurance and quality control procedures applied.

(4) The extent and level of calibration and validation achieved for any groundwater and surface models used or calculations and general assessments completed.

Part IV – Groundwater Vulnerability Assessment

Part IV.1 - Vulnerability Assessment and Delineation, Groundwater

37. The vulnerability of groundwater within a source protection area shall be assessed using one or more of the following groundwater vulnerability assessment methods:

35 In effect December 2, 2013
(1) Intrinsic susceptibility index (ISI).

(2) Aquifer vulnerability index (AVI).

(3) Surface to aquifer advection time (SAAT).

(4) Surface to well advection time (SWAT).

(5) Removed.36

38. A source protection area shall be divided into areas of high, medium or low groundwater vulnerability, high corresponding to greater vulnerability, as follows:

(1) Where a method described in subrule 37(1) or (2) was used to assess vulnerability,

   (a) areas of high vulnerability are those areas with scores that are less than 30,

   (b) areas of medium vulnerability are those areas with scores that are greater than or equal to 30 but less than or equal to 80, and

   (c) areas of low vulnerability are those areas with scores that are greater than 80.

(2) Where a method described in subrule 37(3) or (4) was used to assess vulnerability,

   (a) areas of high vulnerability are those areas with results that are less than 5 years,

   (b) areas of medium vulnerability are those areas with results that are greater than or equal to 5 years but less than or equal to 25 years, and

   (c) areas of low vulnerability are those areas with results that are greater than 25 years.

(3) Where, in accordance with rule 15.1, a method that departs from the methods specified in rule 37 has been used to assess vulnerability, an approach shall be used that, in the Director’s opinion, is comparable to the approach specified in subrules (1) and (2).37

38.1 When using a groundwater vulnerability assessment method referred to in subrules 37(3) or (4) to assess the vulnerability of groundwater in a wellhead

36 Amended on November 16, 2009

37 Amended on November 16, 2009
protection area in respect of a drinking water system mentioned in clause 15(2)(e) of the Act, the shallow and deep aquifer shall be independently assessed and delineated into areas of high, medium or low groundwater vulnerability in accordance with subrule 38(2).

38.2 If more than one method is used to assess groundwater vulnerability under rule 38.1, the results of both methods must be mapped.

Vulnerability increase, transport pathways

39. Where the vulnerability of an area identified as low in accordance with rule 38 is increased because of the presence of a transport pathway that is anthropogenic in origin, the area shall be identified as an area of medium or high vulnerability, high corresponding to greater vulnerability.

40. Where the vulnerability of an area identified as medium in accordance with rule 38 is increased because of the presence of a transport pathway that is anthropogenic in origin, the area shall be identified as an area of high vulnerability.

41. When determining whether the vulnerability of an area is increased for the purpose of rules 39 and 40 and the degree of the increase, the following factors shall be considered:

   (1) Hydrogeological conditions.
   (2) The type and design of any transport pathways.
   (3) The cumulative impact of any transport pathways.
   (4) The extent of any assumptions used in the assessment of the vulnerability of the groundwater.

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38 Introduced on November 16, 2009
39 Introduced on November 16, 2009
40 In effect December 2, 2013
Part V – Delineation of Vulnerable Areas: Highly Vulnerable Aquifers, Significant Groundwater Recharge Areas and Wellhead Protection Areas

42. Where the rules in this Part require that the extent of an area be determined by time of travel to a wellhead, one or more of the following models and methods shall be used:

(1) A computer based three-dimensional groundwater flow model.

(2) Two-dimensional analytical model.

(3) Uniform flow method.

(4) Calculated fixed radius method.

(5) Removed.\textsuperscript{41}

Part V.1 - Delineation of highly vulnerable aquifers

43. An area identified as an area of high groundwater vulnerability in accordance with Part IV and the subsurface beneath that area shall be delineated as a highly vulnerable aquifer.\textsuperscript{42}

43.1 If the vulnerability of a shallow and deep aquifer in a wellhead protection area is assessed and delineated independently in accordance with rule 38.1 the area identified as a shallow aquifer with high groundwater vulnerability in accordance with Part IV shall be delineated as a highly vulnerable aquifer.\textsuperscript{43}

Part V.2 - Delineation of significant groundwater recharge areas

44. Subject to rule 45, an area is a significant groundwater recharge area if,

(1) the area annually recharges water to the underlying aquifer at a rate that is greater than the rate of recharge across the whole of the related groundwater recharge area by a factor of 1.15 or more; or

(2) the area annually recharges a volume of water to the underlying aquifer that is 55% or more of the volume determined by subtracting the annual evapotranspiration for the whole of the related groundwater recharge area from the annual precipitation for the whole of the related groundwater recharge area.

\textsuperscript{41} Amended on November 16, 2009
\textsuperscript{42} Amended on November 16, 2009
\textsuperscript{43} Introduced on November 16, 2009
45. Despite rule 44, an area shall not be delineated as a significant groundwater recharge area unless the area has a hydrological connection to a surface water body or aquifer that is a source of drinking water for a drinking water system.

46. The areas described in rule 44 shall be delineated using the models developed for the purposes of Part III of these rules and with consideration of the topography, surficial geology, and how land cover affects groundwater and surface water.

**Part V.3 - Delineation of wellhead protection areas, type I systems**

47. A wellhead protection area for a well associated with a type I system is the area created by combining all of the following areas:

1. Area WHPA-A, being the surface and subsurface area centred on the well with an outer boundary identified by a radius of 100 metres.

2. Area WHPA-B, being the surface and subsurface areas within which the time of travel to the well is less than or equal to two years but excluding WHPA-A.

3. Area WHPA-C, being the surface and subsurface areas within which the time of travel to the well is less than or equal to five years but greater than two years.

4. Area WHPA-D, being the surface and subsurface areas within which the time of travel to the well is less than or equal to twenty-five years but greater than five years.

5. Area WHPA-E, being the area delineated in accordance with the rules in Part VI that apply to the delineation of an IPZ-2, as if an intake for the system were located,

   (a) at the point of interaction between groundwater that is the source of raw water supply for the well and the surface water that is directly influencing that groundwater, or

   (b) at the point in the surface water body influencing the raw water supply for the well that is closest in proximity to the well, if the point of interaction described in (a) is not known.

6. Area WHPA-F, being the area delineated in accordance with the rules in Part VI that apply to the delineation of an IPZ-3, as if an intake for the system were located in the surface water body influencing the well at the point closest in proximity to the well.
48. Despite rule 47, where a zone representing a ten year time of travel was delineated for the well in a report prepared prior to April 30, 2005 and a five year time of travel has never been delineated for the well the wellhead protection area for a well associated with a type I system is the area created by combining all of the following areas:

(1) Area WHPA-A, delineated in accordance with the requirements of subrule 47(1).

(2) Area WHPA-B, delineated in accordance with the requirements of subrule 47(2).

(3) Area WHPA-C1, being the surface and subsurface areas within which the time of travel to the well is less than or equal to ten years but greater than two years.

(4) Area WHPA-D, being the surface and subsurface areas within which the time of travel to the well is less than or equal to twenty-five years but greater than ten years.

(5) Area WHPA-E, delineated in accordance with the requirements of subrule 47(5).

(6) Area WHPA-F, delineated in accordance with the requirements of subrule 47(6).\textsuperscript{44}

49. Despite subrules 47(5) and 48(5), area WHPA-E shall only be added to a wellhead protection area where,

(1) the well obtains water from a raw water supply that is groundwater under the direct influence of surface water as determined in accordance with subsection 2(2) of O. Reg. 170/03 (Drinking Water Systems) made under the \textit{Safe Drinking Water Act, 2002};

(2) a determination has not been made under subsection 2(3) of O. Reg. 170/03 (Drinking Water Systems) that subsection 2(2) of that regulation does not apply; and

(3) the interaction between surface water and groundwater has the effect of decreasing the time of travel of water to the well when compared to the time it would take water to travel to the well if the raw water supply for the well was not under the direct influence of surface water.\textsuperscript{45}

\textsuperscript{44} Amended on November 16, 2009
\textsuperscript{45} Amended on November 16, 2009
50. Despite subrules 47(6) and 48(6), area WHPA-F shall only be added to a wellhead protection area where,

   (1) the wellhead protection area contains a WHPA-E;
   
   (2) a drinking water issue is identified in accordance with Part XI.1 in relation to the well; and
   
   (3) the source of the drinking water issue described in subrule (2) originates outside of areas WHPA-A, WHPA-B, WHPA-C, WHPA-C1 if any, WHPA-D and WHPA-E.

50.1 If the information required to delineate a WHPA-E or WHPA-F in accordance with subrule 48(5) or 48(6) cannot be readily ascertained, the assessment report shall include,

   (1) a plan that includes a work schedule for ascertaining the information necessary to delineate the WHPA-E and F, including any additional work that must be carried out under these rules as a result of ascertaining this information; and
   
   (2) if, after completing the work the source protection committee becomes aware that the assessment report is no longer accurate or complete, an estimate of the date by which the source protection committee expects an updated assessment report would be submitted to the Director under section 19 of the Act.46

Part V.4 - Delineation of wellhead protection areas, type II and III systems

51. The wellhead protection area for a well associated with a type II or III system to which O. Reg. 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002, O. Reg. 318/08 (Transitional – Small Drinking Water Systems) made under the Health Protection and Promotion Act or O. Reg. 319/08 (Small Drinking Water Systems) made under the Health Protection and Promotion Act applies, is the area created by combining all of the following areas:

   (1) Area WHPA-A, being the surface and subsurface area centred on the well with an outer boundary identified by a radius of 100 metres.

   (2) Area WHPA-B, being the surface and subsurface areas within which the time of travel to the well is less than or equal to two years but excluding WHPA-A.

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46 Introduced on November 16, 2009
Area WHPA-C, being the surface and subsurface areas within which the time of travel to the well is less than or equal to five years but greater than two years.

Area WHPA-D, being the surface and subsurface areas within which the time of travel to the well is less than or equal to twenty-five years but greater than five years.

The wellhead protection area for a wellhead associated with a type II or III system to which none of the regulations described in rule 51 apply, is the area created by combining all of the following areas:

(1) Area WHPA-A, being the surface and subsurface area centred on the well with an outer boundary identified by a radius of 100 metres.

(2) Area WHPA-B, being the surface and subsurface areas within which the time of travel to the well is less than or equal to two years but excluding WHPA-A.

Part V.5 – Delineation of WHPA-Q1 or WHPA-Q2

A wellhead protection area shall include all of the following areas if the relating well takes water from a subwatershed assigned a groundwater stress level of moderate or significant in accordance with Part III.4:

(1) Area WHPA-Q1, being the combined area that is the cone of influence of the well plus the whole of the cones of influence of all other wells that intersect that area and any surface water drainage area upstream of, and including, a losing reach of a stream that contributes a significant proportion of surface water to the wells.

(2) Area WHPA-Q2, being the area described in subrule (1) and any area outside the WHPA-Q1 where a future reduction in recharge would have a measureable impact on the municipal wells.

The model used in Part III to prepare the water budget for the local area that contains the well described in rule 53 shall be used to delineate WHPA-Q1 and WHPA-Q2.
Part VI – Delineation of Vulnerable Areas: Surface Water Intake Protection Zones

Part VI.1 – General

Classification of intakes

55. Subject to rule 55.1, a surface water intake associated with a type I, II or III system shall be classified as a,

(1) type A intake if the intake or the planned intake is or would be located in a Great Lake;

(2) type B intake if the intake or the planned intake is or would be located in a connecting channel;

(3) type C intake if the intake or the planned intake is or would be located in a river and neither the direction nor velocity of the flow of the water at the intake is affected by a water impoundment structure; or

(4) type D intake if the intake is not described in subrule (1), (2) or (3).47

55.1 The Director may, by written notice, classify an intake or planned intake associated with a type I, II or III system and the classification specified in the notice shall deem to be the classification for the intake or planned intake and any written notice given by the Director under this rule shall be included in the assessment report.48

Identification of surface water bodies

56. Where these rules require the delineation of an IPZ-2 or an IPZ-3, the Water Virtual Flow – Seamless Provincial Data Set and the Water Poly Segment data layers housed in the Ontario Land Information Warehouse shall be used to identify the surface water bodies to be included in the IPZ-2 or IPZ-3, as the case may be.

57. Where there is no data in respect of the subwatershed in which the drinking water system related to the IPZ-2 or IPZ-3 is located in the Water Virtual Flow – Seamless Provincial Data Set data layer or in the Water Poly Segment data layer housed in the Ontario Land Information Warehouse, or where the data in the data layers is not sufficient to allow conclusions to be drawn with respect to the surface water bodies to be included in the IPZ-2 or IPZ-3, as the case may be, a computer based geographical information system shall be used to identify the surface water bodies to be included in the IPZ-2 or IPZ-3.

47 Amended on November 16, 2009
48 Introduced on November 16, 2009
Part VI.2 - Area of surface water intake protection zones

58. A surface water intake protection zone for a surface water intake associated with a type I system or a type II or type III system to which O. Reg. 170/03 (Drinking Water Systems) made under the Safe Drinking Water Act, 2002, O. Reg. 318/08 (Transitional – Small Drinking Water Systems) made under the Health Protection and Promotion Act or O. Reg. 319/08 (Small Drinking Water Systems) made under the Health Protection and Promotion Act applies, is the area created by combining all of the following areas:

(1) Area IPZ-1, delineated in accordance with the rules in Part VI.3, as applicable.

(2) Area IPZ-2, delineated in accordance with the rules in Parts VI.4 and VI.6, as applicable.

(3) Area IPZ-3, delineated in accordance with the rules in Parts VI.5 and VI.6, as applicable.

(4) Area IPZ-Q, delineated in accordance with the rules in Part VI.7, as applicable.

59. A surface water intake protection zone for a surface water intake associated with a type II or type III system to which none of the regulations described in rule 58 apply, is the area created by combining all of the following areas:

(1) Area IPZ-1, delineated in accordance with the rules in Part VI.3.

(2) Area IPZ-Q, delineated in accordance with rules in Part VI.7, as applicable.

60. An area delineated in accordance with Parts VI.3 to Part VI.7 includes all surface and subsurface land, water and beds under the water within the boundary of the area delineated.

Part VI.3 - Delineation of IPZ-1

61. An area known as IPZ-1 shall be delineated in respect of each surface water intake associated with a drinking water system described in rules 58 and 59 and shall be composed of all of the following areas:

(1) A circle that has a radius of 1000 metres from the centre point of every intake that serves as the source or entry point of raw water supply for the system, if the intake is a,

(a) type A intake,
(b) type D intake, or

(c) a type C intake to which rule 63 applies.

(2) If the intake is a type B intake, a semi-circle that has a radius of 1000 metres extending upstream from the centre point of every intake that serves as the source or entry point of raw water supply for the system and a rectangle with a length of 2000 metres and a width of 100 metres extending downstream from the centre point.

(3) If the intake is a type C intake to which rule 63 does not apply, a semi-circle that has a radius of 200 metres extending upstream from the centre point of every intake that serves as the source or entry point of raw water supply for the system and a rectangle with a length of 400 metres and a width of 10 metres extending downstream from the centre point.49

62. If the area delineated in accordance with rule 61 includes any land, the IPZ-1 shall only include a setback on the land that is the greater of,

(1) the area of land that drains into the surface water body measured from the high water mark and the area must not exceed 120 metres; and

(2) if a Conservation Authority Regulation Limit is in effect in the IPZ-1, the area of land that is within the Conservation Authority Regulation Limit.50

63. The area of an IPZ-1 in a surface water body may be delineated in accordance with subrule 61(1) if the relating surface water body intake is a Type C intake and, having regard to the direction and flow velocity of the water at the intake, it would be reasonable to do so to protect the quality of the water that may enter the intake.51

64. The area of an IPZ-1 in a surface water body may be modified to reflect local hydrodynamic conditions affecting flow if the modification is documented in the assessment report and a rationale is provided for the modification.52

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49 Amended on November 16, 2009
50 Replaced on November 16, 2009
51 Amended on November 16, 2009
52 Amended on November 16, 2009
Part VI.4 - Delineation of IPZ-2

65. An area known as IPZ-2 shall be delineated for each surface water intake associated with a drinking water system described in rule 58, and shall be composed of all of the following areas:

(1) The area within each surface water body that may contribute water to the intake where the time of travel to the intake, subject to rule 66, is equal to or less than the time that is sufficient to allow the operator of the system to respond to a spill or other event that may impair the quality of the water at the intake and where the area abuts land, a setback that is the greater of,

(a) the area of land that drains into the surface water body measured from the high water mark and the area must not exceed 120 metres, and

(b) if a Conservation Authority Regulation Limit is in effect in the IPZ2, the area of land that is within the Conservation Authority Regulation Limit.

(2) In respect of every stormwater management works that may contribute water to the intake, the area within the storm sewershed that contributes water to the works where the time of travel to the intake, subject to rule 66, is equal to or less than the time that is sufficient to allow the operator of the system to respond to a spill or other event that may impair the quality of the water at the intake.

(3) Removed.53

66. For the purposes of subrules 65(1) and 65(2), where the time that is sufficient to allow the operator of the system to respond to an adverse condition in the quality of the surface water is less than two hours, the time of travel to the surface water body intake shall be deemed to be two hours.

67. Removed.54

Part VI.5 - Delineation of IPZ-3

68. If, in respect of a drinking water system described in rule 58, modeling or other methods demonstrates that contaminants released during an extreme event may be transported to a type A and type B surface water intake or a type C or type D surface water intake located in Lake Nipissing, Lake Simcoe, Lake St. Clair or the Ottawa River, an area known as IPZ-3 shall be delineated and shall be composed of all of the following areas:

53 Amended on November 16, 2009
54 Removed on November 16, 2009
(1) Subject to rule 69, the area within each surface water body through which contaminants released during an extreme event may be transported to the intake.

(2) A setback on the land that abuts the portion of the surface water body that has been delineated in accordance with subrule (1), and this setback shall be the greater of,

(a) the area of land that drains into the surface water body measured from the high water mark and the area must not exceed 120 metres, and

(b) if a Conservation Authority Regulation Limit is in effect in the IPZ-3, the area of land that is within the Conservation Authority Regulation Limit.\(^{55}\)

69. The area delineated in accordance with subrule 68(1) shall not exceed the area within each surface water body that may contribute water to the intake during or as a result of an extreme event.

70. An area known as IPZ-3 shall be delineated for each type C and type D surface water intake that is not located in Lake Nippising, Lake Simcoe, Lake St. Clair or the Ottawa River, associated with a drinking water system described in rule 58 and shall be composed of all of the following areas:

(1) The area within each surface water body that may contribute water to the intake.

(2) A setback on the land that abuts the portion of the surface water body that has been delineated in accordance with subrule (1), and this setback shall be the greater of,

(a) the area of land that drains into the surface water body measured from the high water mark and the area must not exceed 120 metres, and

(b) if a Conservation Authority Regulation Limit is in effect in the IPZ-3, the area of land that is within the Conservation Authority Regulation Limit.\(^{56}\)

71. Removed.\(^{57}\)

\(^{55}\) Amended on November 16, 2009

\(^{56}\) Amended on November 16, 2009

\(^{57}\) Removed on November 16, 2009
Part VI.6 - Transport Pathways

72. Where an area that is an IPZ-2 or IPZ-3 includes a setback from a surface water body delineated in accordance with subrules 65(1), 68(2), 70(2) the area may be extended to include an area that contributes water to the IPZ-2 or IPZ-3, as the case may be, through a natural or anthropogenic transport pathway.\(^{58}\)

73. If an area of an IPZ-2 or IPZ-3 is extended under rule 72, the following factors shall be considered when determining the extended area:

   (1) The hydrological and hydrogeological conditions of the area where the transport pathway is located.

   (2) Where a transport pathway is anthropogenic in origin, the type and design of the pathway.

   (3) In respect of an IPZ-2, the time of travel for water to enter into and pass through the transport pathway.

74. Despite rules 65, 66, and 72, an IPZ-2 shall not include an area of land or water that lies within the IPZ-1 that has been delineated for that surface water intake.\(^{59}\)

75. Despite rules 68, 70, and 72, an IPZ-3 shall not include an area of land or water that lies within the IPZ-1 or IPZ-2 that has been delineated for that surface water intake.\(^{60}\)

Part VI.7 - Delineation of IPZ-Q

76. A surface water intake protection zone shall include an area known as IPZ-Q if the relating intake takes water from a subwatershed assigned a surface water stress level of moderate or significant in accordance with Part III.4.

77. The boundary of the IPZ-Q described in rule 76 is the local area delineated in accordance with Part III.2 that relates to the surface water intake.

78. The models required to be used by Part III in the preparation of the water budget for the local area shall be used to delineate IPZ-Q.

\(^{58}\) Amended on November 16, 2009
\(^{59}\) Amended on November 16, 2009
\(^{60}\) Amended on November 16, 2009
Part VII – Vulnerability: Highly Vulnerable Aquifers, Significant Groundwater Recharge Areas and Wellhead Protection Areas

Part VII.1 - Highly vulnerable aquifers

79. A highly vulnerable aquifer shall be assigned a vulnerability score of 6.61

Part VII.2 - Significant groundwater recharge areas

80. A significant groundwater recharge area shall be subdivided by the areas of groundwater vulnerability identified in accordance with Part IV rule 38.

81. The areas identified in accordance with rule 80 shall be assigned a vulnerability score of,

(1) 6, where the groundwater vulnerability for the area is high;

(2) 4, where the groundwater vulnerability for the area is medium; or

(3) 2, where the groundwater vulnerability for the area is low.

Part VII.3 - Wellhead protection areas

82. A wellhead protection area shall be subdivided by the boundaries of the areas of groundwater vulnerability identified in accordance with Part IV rule 38.

83. The areas identified in accordance with rule 82 shall be assigned a vulnerability based upon their location within the areas identified in Part V rules 47 or 48 in accordance with,

(1) Table 2(a) and rule 84 where the groundwater vulnerability was determined by the use of a method listed in Part IV subrules 37(1) or 37(2);

(2) Table 2(b) and rule 84 where the groundwater vulnerability was determined by the use of a method listed in Part IV subrules 37(3) or 37(4); or

(3) an approach that is, in the opinion of the Director, comparable to those specified in subrules (1) and (2), if, in accordance with rule 15.1, a method that departs from the methods specified in rule 42 has been used, to determine time of travel to a wellhead.62
Table 2(a): Wellhead Protection Area Vulnerability Scores – ISI or AVI

<table>
<thead>
<tr>
<th>Groundwater Vulnerability Category for the Area</th>
<th>Location Within a Well Head Protection Area</th>
<th>WHPA-A</th>
<th>WHPA-B</th>
<th>WHPA-C</th>
<th>WHPA-C1</th>
<th>WHPA-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td></td>
<td>10</td>
<td>10</td>
<td>8</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Medium</td>
<td></td>
<td>10</td>
<td>8</td>
<td>6</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Low</td>
<td></td>
<td>10</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 2(b): Wellhead Protection Vulnerability Scores – SAAT or SWAT

<table>
<thead>
<tr>
<th>Groundwater Vulnerability Category for the Area</th>
<th>Location Within a Well Head Protection Area</th>
<th>WHPA-A</th>
<th>WHPA-B</th>
<th>WHPA-C</th>
<th>WHPA-C1</th>
<th>WHPA-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td></td>
<td>10</td>
<td>10</td>
<td>8</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Medium</td>
<td></td>
<td>10</td>
<td>8</td>
<td>6</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Low</td>
<td></td>
<td>10</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

84. The areas identified in accordance with rule 82 that are located in WHPA-E shall be assigned a vulnerability score in accordance with the rules in Part VIII that apply to an IPZ-2.

85. Removed.  

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63 Removed on November 16, 2009
Part VIII – Vulnerability: Surface Water Intake Protection Zones

Part VIII.1 - Vulnerability scores

86. A vulnerability score shall be assigned to each IPZ-1 and IPZ-2 associated with a type A, B, C or D intake and to each area of an IPZ-3 associated with a type C or type D intake.

87. The vulnerability score assigned to each IPZ-1, IPZ-2 and each area of an IPZ-3 associated with a type C or type D intake shall be calculated in accordance with the following formula,

\[ B \times C \]

Where,

- \( B \) = the area vulnerability factor of the area of the surface water intake protection zone determined in accordance with rules 88 to 93; and
- \( C \) = the source vulnerability factor of the surface water intake determined in accordance with rules 94 to 96.\(^{64}\)

Part VIII.2 - Area vulnerability factor

88. An IPZ-1 shall be assigned an area vulnerability factor of 10.

89. An IPZ-2 shall be assigned an area vulnerability factor that is not less than 7 and not more than 9 based on the vulnerability of the area where a higher factor corresponds to a higher vulnerability.

90. One or more area vulnerability factors that are not less than 1 and not greater than 9 shall be assigned to each area within an IPZ-3 associated with a type C or type D intake based on the vulnerability of the area within the IPZ-3 where a higher factor corresponds to a higher vulnerability.

91. An area vulnerability factor that is assigned to an IPZ-3 or an area within an IPZ-3 shall not be greater than the area vulnerability factor assigned to the IPZ-2 within the surface water intake protection zone.

92. The following shall be considered and documented in determining the area vulnerability factor of an IPZ-2 or of an area within an IPZ-3 for the purpose of rule 89 or 90 and an explanation shall be provided on how each affected the determination of the area vulnerability factor of that area:

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\(^{64}\) Amended on November 16, 2009
(1) The percentage of the area of the IPZ-2 or IPZ-3, as the case may be, that is composed of land.

(2) The land cover, soil type, permeability of the land and the slope of any setbacks.

(3) The hydrological and hydrogeological conditions of the area where the transport pathway is located.

(4) In respect of an IPZ-3, the proximity of the area of the IPZ-3 to the intake.65

93. An area vulnerability factor assigned for the purpose of rule 89 or 90 shall be expressed as a whole number.

**Part VIII.3 - Source vulnerability factor**

94. A source vulnerability factor shall be assigned to each surface water intake related to a type I, II or III system in accordance with Table 3 where a factor of 1 corresponds to a higher vulnerability.66

95. The following shall be considered and documented in determining the source vulnerability factor of a surface water intake and an explanation shall be provided on how each affected the determination of the source vulnerability factor for the surface water intake:

(1) The depth of the intake from the top of the water surface.

(2) The distance of the intake from land.

(3) The history of water quality concerns at the surface water intake.67

**Table 3 – Source Vulnerability Factors**

<table>
<thead>
<tr>
<th>Intake Type</th>
<th>Source Vulnerability Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>type A intake</td>
<td>0.5 to 0.7</td>
</tr>
<tr>
<td>type B intake</td>
<td>0.7 to 0.9</td>
</tr>
<tr>
<td>type C intake</td>
<td>0.9 or 1</td>
</tr>
<tr>
<td>type D intake</td>
<td>0.8 to 1</td>
</tr>
</tbody>
</table>

96. A source vulnerability factor assigned for the purpose of rule 94 may be expressed to one decimal place.

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65 Amended on November 16, 2009
66 Amended on November 16, 2009
67 Amended on November 16, 2009
Part IX – Tier Three Water Budgets (Risk Level Assignment to Local Areas)68

Part IX.1 Local Area, Evaluation of Scenarios

97. Every local area delineated in accordance with rule 26 of Part III in respect of one or more planned or existing intakes that relate to one or more type I, II or III systems shall be assigned a risk level of significant, moderate or low by evaluating the surface water scenarios identified in Table 4A.

(1) Removed

(2) Removed

98. Every local area delineated in accordance with rule 27 of Part III in respect of one or more planned or existing wells that relate to one or more type I, II or III systems shall be assigned a risk level of significant, moderate or low by evaluating the groundwater scenarios identified in Table 4B.

(1) Removed

(2) Removed

99. For the purposes of Part IX.2, a reference to “other water uses" means,

(a) waste water assimilation,

(b) other water takings including agricultural, commercial and industrial water takings,

(c) navigation,

(d) recreation,

(e) aquatic habitat, and

(f) a provincially significant wetland.

100. For the purposes of evaluating the surface water scenarios A and B in Table 4A and the groundwater scenarios C and D in Table 4B, a tolerance level shall be assigned to the existing type I, II or III system to which the local area relates that is the subject of evaluation in accordance with the following:

(1) A tolerance level of high if the existing system is capable of meeting peak demand during all assessment periods.

68 Section replaced June 8, 2015
(2) A tolerance level of low if sub-rule (1) does not apply to the existing system.

Part IX.2 Assignment of Risk Level

101. Removed

102. Removed

103. When evaluating the surface water scenarios in Table 4A in accordance with rule 97, the local area shall be assigned a risk level of significant if any of the following determinations are made:

(1) In respect of scenarios A and B, the tolerance level assigned to the drinking water system in accordance with rule 100 would be low.

(2) In respect of scenarios A, B, E1, E2, E3, F1, F2 and F3 it is determined in any of these scenarios that a period of time would exist where the quantity of water that can be taken from the surface water bodies in the local area would be insufficient to meet the associated demand of the intakes.

(3) In respect of scenario E5, it is determined that a period of time would exist where the difference between the allocated quantity of water and the planned quantity of water would result in a reduction to flows or levels of water thereby creating an unacceptable impact to other water uses.

104. When evaluating the groundwater scenarios in Table 4B in accordance with rule 98, the local area shall be assigned a risk level of significant if any of the following determinations are made:

(1) In respect of scenarios C and D, the tolerance level assigned to the drinking water system in accordance with rule 100 would be low.

(2) In respect of scenarios C, D, G1, G2, G3, H1, H2 and H3 it is determined in any of these scenarios that a period of time would exist where the quantity of water that can be taken from the groundwater system in the local area would be insufficient to meet the associated demand of the wells.

(3) In respect of scenario G5, it is determined that a period of time would exist where,

(a) the difference between the allocated quantity of water and the planned quantity of water would result in a reduction to flows or levels of water thereby creating an unacceptable impact to other water uses, or
(b) the difference between the allocated quantity of water and the planned quantity of water would result in a reduction in groundwater discharge to aquatic habitat that is classified as a cold water stream by an amount that is greater than,

(i) 20 percent of the existing estimated stream flow that is exceeded 80 per cent of the time (Qp80), or

(ii) 20 percent of the existing estimated average monthly base flow of the stream

105. When evaluating the surface water scenarios E4 and E5 in Table 4A, in accordance with rule 97, the local area shall be assigned a risk level of moderate, if a determination is made that a period of time would exist where,

(1) in respect to scenario E4, the difference between the existing demand and the allocated quantity of water, would result in a reduction to flows or levels of water thereby creating a measurable and potentially unacceptable impact to other water uses, or

(2) in respect to scenario E5, the difference between the allocated quantity of water and the planned quantity of water would result in a reduction to flows or levels of water thereby creating a measurable and potentially unacceptable impact to other water uses

106. When evaluating the groundwater scenarios G4 and G5 in Table 4B in accordance with rule 98, the local area shall be assigned a risk level of moderate, if a determination is made that a period of time would exist where,

(1) in respect to scenario G4:

(a) the difference between the existing demand and the allocated quantity of water, would result in a reduction to flows or levels of water thereby creating a measurable and potentially unacceptable impact to other water uses, or

(b) the difference between the existing demand and the allocated quantity of water, would result in a reduction in groundwater discharge to aquatic habitat that is classified as a cold water stream by an amount that is,

(i) at least 10 per cent of the existing estimated stream flow that is exceeded 80 per cent of the time (Qp80), or

(ii) at least 10 per cent of the existing estimated average monthly base flow of the stream
(2) in respect to scenario G5:

(a) the difference between the allocated quantity of water and the planned quantity of water would result in a reduction to flows or levels of water thereby creating a measurable and potentially unacceptable impact to other water uses, or

(b) the difference between the allocated quantity of water and the planned quantity of water would result in a reduction in groundwater discharge to aquatic habitat that is classified as a cold water stream by an amount that is,

(i) at least 10 per cent but not greater than 20 per cent of the existing estimated stream flow that is exceeded 80 per cent of the time (Qp80), or

(ii) at least 10 per cent but not greater than 20 per cent of the existing estimated average monthly base flow of the stream

107. If a local area is not assigned a risk level of significant or moderate in accordance with rule 103, 104, 105 or 106, a risk level of low shall be assigned to the local area.

Part IX.3 Uncertainty and Sensitivity Analysis:

108. After assigning a risk level to a local area, an uncertainty analysis shall be conducted that considers the following factors for the purpose of determining if the uncertainty underlying the risk assignment should be characterized as high or low:

(1) The distribution, variability, quality and relevance of the data used to evaluate the scenarios.

(2) The degree to which the methods and models used to evaluate the scenarios accurately reflects the hydrologic system of the local area for both steady state and transient conditions.

(3) The quality assurance and control procedures used in evaluating the scenarios.

109. Despite rules 105 and 106, a local area that is assigned a risk level of moderate in accordance with those rules shall be assigned a risk level of significant, if the uncertainty analysis conducted in accordance with rule 108 characterizes the uncertainty as high and a sensitivity analysis of the data used to prepare the water budget for the local area suggests that the risk level for the local area could be significant.
<table>
<thead>
<tr>
<th>Scenario</th>
<th>Time Period</th>
<th>Land Cover of the Local Area</th>
<th>Quantity of Water/Demand</th>
<th>Other Permitted Water Demand</th>
<th>Model Simulation</th>
<th>Determining Significant Risk</th>
<th>Determining Moderate Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>A (Base)</td>
<td>Climate data period</td>
<td>Existing</td>
<td>Existing Demand</td>
<td>Existing Demand</td>
<td>Long term daily flow using hourly climate and monthly pumping</td>
<td>R 103(1) or R 103(2)</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Two year or greater drought period</td>
<td>Existing</td>
<td>Existing Demand</td>
<td>Existing Demand</td>
<td>Long term daily flow using hourly climate and monthly pumping</td>
<td>R 103(1) or R 103(2)</td>
<td></td>
</tr>
<tr>
<td>E (1)</td>
<td>Climate data period</td>
<td>Recharge Reduction</td>
<td>Allocated plus Planned</td>
<td>Anticipated Demand</td>
<td>Long term daily flow using hourly climate and monthly pumping</td>
<td>R 103(2)</td>
<td></td>
</tr>
<tr>
<td>E (2)</td>
<td>Existing</td>
<td>Allocated plus Planned</td>
<td>Existing Demand</td>
<td></td>
<td>R 103(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E (3)</td>
<td>Recharge Reduction</td>
<td>Existing Demand</td>
<td>Anticipated Demand</td>
<td></td>
<td>R 103(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E (4)</td>
<td>Existing</td>
<td>Allocated</td>
<td>Existing Demand</td>
<td></td>
<td>R 103(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E (5)</td>
<td>Existing</td>
<td>Planned</td>
<td>Existing Demand</td>
<td></td>
<td>R 103(3)</td>
<td>R 105 (2)</td>
<td></td>
</tr>
<tr>
<td>F (1)</td>
<td>Two year or greater drought period</td>
<td>Recharge Reduction</td>
<td>Allocated plus Planned</td>
<td>Anticipated Demand</td>
<td>Long term daily flow using hourly climate and monthly pumping</td>
<td>R 103(2)</td>
<td></td>
</tr>
<tr>
<td>F (2)</td>
<td>Existing</td>
<td>Allocated plus Planned</td>
<td>ExistingDemand</td>
<td></td>
<td>R 103(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F (3)</td>
<td>Recharge Reduction</td>
<td>Existing Demand</td>
<td>Anticipated Demand</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scenario</td>
<td>Time Period</td>
<td>Land Cover of the Local Area</td>
<td>Quantity of Water/Demand</td>
<td>Other Permitted Water Demand</td>
<td>Model Simulation</td>
<td>Determining Significant Risk</td>
<td>Determining Moderate Risk</td>
</tr>
<tr>
<td>----------</td>
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</tr>
<tr>
<td>C (Base)</td>
<td>Climate data period</td>
<td>Existing</td>
<td>Existing Demand</td>
<td>Existing Demand</td>
<td>Steady state groundwater model should simulate water levels and flows using average annual recharge and monthly pumping</td>
<td>R 104(1) or R 104(2)</td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>Two year or greater drought period</td>
<td>Existing</td>
<td>Existing Demand</td>
<td>Existing Demand</td>
<td>Transient groundwater model should simulate water levels and flows using monthly recharge and monthly pumping</td>
<td>R 104(1) or R 104(2)</td>
<td></td>
</tr>
<tr>
<td>G (1)</td>
<td>Climate data period</td>
<td>Recharge Reduction</td>
<td>Allocated plus Planned</td>
<td>Anticipated Demand</td>
<td>Steady state groundwater model should simulate water levels and flows using average annual recharge and monthly pumping</td>
<td>R 104(2)</td>
<td></td>
</tr>
<tr>
<td>G (2)</td>
<td>Climate data period</td>
<td>Existing</td>
<td>Allocated plus Planned</td>
<td>Existing Demand</td>
<td></td>
<td>R 104(2)</td>
<td></td>
</tr>
<tr>
<td>G (3)</td>
<td>Climate data period</td>
<td>Recharge Reduction</td>
<td>Existing Demand</td>
<td>Anticipated Demand</td>
<td>Steady state groundwater model should simulate water levels and flows using average annual recharge and monthly pumping</td>
<td>R 104(2)</td>
<td></td>
</tr>
<tr>
<td>G (4)</td>
<td>Climate data period</td>
<td>Existing</td>
<td>Allocated</td>
<td>Existing Demand</td>
<td></td>
<td>R 106(1)</td>
<td></td>
</tr>
<tr>
<td>G (5)</td>
<td>Climate data period</td>
<td>Existing</td>
<td>Planned</td>
<td>Existing Demand</td>
<td></td>
<td>R 104(3)</td>
<td>R 106(2)</td>
</tr>
<tr>
<td>H (1)</td>
<td>Two year or greater drought period</td>
<td>Recharge Reduction</td>
<td>Allocated plus Planned</td>
<td>Anticipated Demand</td>
<td>Transient groundwater model should simulate water levels and flows using monthly recharge and monthly pumping</td>
<td>R 104(2)</td>
<td></td>
</tr>
<tr>
<td>H (2)</td>
<td>Two year or greater drought period</td>
<td>Existing</td>
<td>Allocated plus Planned</td>
<td>Existing Demand</td>
<td></td>
<td>R 104(2)</td>
<td></td>
</tr>
<tr>
<td>H (3)</td>
<td>Recharge Reduction</td>
<td>Existing Demand</td>
<td>Anticipated Demand</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Explanatory Notes on Table 4A and 4B

1. Column 1 sets out the name of the scenario

2. Column 2 sets out the period of time that each scenario is required to evaluate. The term “climate data period” means the historical period for which climate and stream flow data are available for.

3. Column 3 sets out how “land cover”, as defined in sub-rule 1(1), should be considered when evaluating a scenario. “Existing” indicates that the scenario should consider the existing amount and extent of impervious and non-impervious areas in the local area. “Recharge Reduction” indicates the scenario should consider the amount and extent of impervious and non-impervious areas in the local area assuming development occurred as projected in the municipal official plan or in accordance with class environmental assessments.

4. Column 4 sets out the “Quantity of Water” or “Demand” as defined in sub-rule 1(1) that should be determined and assessed for each scenario. “Existing Demand” means the quantity of water determined to be currently taken from an existing surface water intake or an existing well during the study period. “Allocated” means, in respect of an existing surface water intake or an existing well, the existing demand of the intake or well plus any additional quantity of water that would have to be taken by the intake or well to meet its committed demand, up to the maximum quantity of water that can lawfully be taken by the intake or well. “Planned” means in respect of an existing surface water intake or existing well, any amount of water that meets the definition of a planned system in O.Reg 287/07 and any amount of water that is needed to meet a committed demand above the maximum quantity of water that can lawfully be taken by the intake or well, or, in respect of a new planned surface water intake or planned well, any amount of water that meets the definition of a planned system in O.Reg 287/07.

5. Column 5 sets out how other water takings in the local area, as identified under sub-rule 99(b), should be considered when evaluating a scenario. However, for the purposes of the column, only water takers that are required to obtain a permit to take water under the Ontario Water Resources Act should be considered. “Existing” means determining for each permitted water taker the actual or estimated amounts of consumptive water taking. “Anticipated” means determining for those permitted water takers, where possible, the estimated amounts of consumptive water taking that may likely, or will occur in the near future.
6. Column 6 sets out the modelling mode and minimum climate and pumping time periods for the surface and groundwater models as defined in sub-rule 1(1). For surface water, the model should simulate long term daily flow using hourly climate and monthly pumping inputs. For groundwater, the model should simulate both steady state (using average annual recharge and monthly pumping) and transient (using monthly recharge and monthly pumping) conditions.

7. Column 7 identifies the rules that set out the determinations for a risk level of “significant” for the corresponding scenario. Column 8 identifies the rules that set out the determinations for a risk level of “moderate” for the corresponding scenario. Where, after evaluating a scenario, no determination has been made for that scenario in accordance with a rule referred to in Column 7 or 8, the local area that is the subject of evaluation must be given a risk level of low.
Part X – Drinking Water Threats: Water Quantity

Part X.1 – Listing of drinking water threats

110. The activities prescribed to be drinking water threats for a vulnerable area in paragraphs 19 and 20 of subsection 1.1(1) of O. Reg. 287/07 (General) may be collectively listed in the assessment report as “the activities prescribed to be drinking water threats in paragraphs 19 and 20 of subsection 1.1(1) of O. Reg. 287/07 (General)”.

Part X.2 – Listing of significant and moderate drinking water threats

111. An activity listed in Column 1 of Table 5 is a significant drinking water threat in the circumstances and the areas within a vulnerable area set out opposite to the activity in Columns 2 and 3 respectively.

112. An activity listed in Column 1 of Table 5 is a moderate drinking water threat in the circumstances and the areas within a vulnerable area set out opposite to the activity in Columns 2 and 4 respectively.

113. For the purposes of Table 5, “existing taking” in respect of an activity means the historical average annual quantity of water taken by that activity.

Table 5 – Water Quantity Drinking Water Threats and Significant Drinking Water Threats

<table>
<thead>
<tr>
<th>Column 1 Activity (Drinking Water Threat)</th>
<th>Reference Number</th>
<th>Column 2</th>
<th>Column 3 Area where Activity is a Significant Drinking Water Threat</th>
<th>Column 4 Area where Activity is a Moderate Drinking Water Threat</th>
</tr>
</thead>
</table>
| An activity that takes water from a surface water body without returning the water taken to the same aquifer or surface water body. | 1 | 1. An existing taking, an increase to an existing taking or a new taking.  
2. The water is or would be taken from within an IPZ-Q. | IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of significant in accordance with Part IX. | IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of moderate in accordance with Part IX. |

Amended on November 16, 2009
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Reference Number</th>
<th>Circumstance</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity (Drinking Water Threat)</td>
<td></td>
<td></td>
<td>Area where Activity is a Significant Drinking Water Threat</td>
<td>Area where Activity is a Moderate Drinking Water Threat</td>
</tr>
<tr>
<td>An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.</td>
<td>2</td>
<td>1. An existing taking, an increase to an existing taking or a new taking. 2. The water is or would be taken from within a WHPA-Q1.</td>
<td>WHPA-Q1 where the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of significant in accordance with Part IX.</td>
<td>WHPA-Q1 where the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
</tr>
<tr>
<td>An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.</td>
<td>3</td>
<td>1. An increase to an existing taking or a new taking. 2. Section 34 of the <em>Ontario Water Resources Act</em> requires a permit to take water in respect of the increase or new taking. 3. The water is or would be taken from within an IPZ-Q. 4. Despite the local area from which the water is or would be taken having been assessed for the purposes of the latest assessment report to have a risk level of moderate in accordance with Part IX, the local area would be assessed to have a risk level of significant if the increase to the existing taking or the new taking were factored into the risk level assessment.</td>
<td>IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
<td></td>
</tr>
</tbody>
</table>

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70 In effect December 2, 2013
<table>
<thead>
<tr>
<th>Column 1 (Activity (Drinking Water Threat))</th>
<th>Reference Number</th>
<th>Circumstance</th>
<th>Column 3 (Area where Activity is a Significant Drinking Water Threat)</th>
<th>Column 4 (Area where Activity is a Moderate Drinking Water Threat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.</td>
<td>4</td>
<td>1. An increase to an existing taking or a new taking.</td>
<td>WHPA-Q1 where the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The water is or would be taken from within a WHPA-Q1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Section 34 of the <em>Ontario Water Resources Act</em> requires a permit to take water in respect of the increase or new taking.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>4. Despite the local area from which the water is or would be taken having been assessed for the purposes of the latest assessment report to have a risk level of moderate in accordance with Part IX, the local area would be assessed to have a risk level of significant if the increase to the existing taking or the new taking were factored into the risk level assessment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>An activity that reduces recharge to an aquifer.</td>
<td>5</td>
<td>1. An existing activity, a modified activity or a new activity.</td>
<td>IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of significant in accordance with Part IX.</td>
<td>IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The activity is or would be wholly or partly located within an IPZ-Q.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
<td>Column 3</td>
<td>Column 4</td>
<td></td>
</tr>
<tr>
<td>----------</td>
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<td></td>
</tr>
<tr>
<td>Activity (Drinking Water Threat)</td>
<td>Reference Number</td>
<td>Circumstance</td>
<td>Area where Activity is a Significant Drinking Water Threat</td>
<td>Area where Activity is a Moderate Drinking Water Threat</td>
</tr>
<tr>
<td>An activity that reduces recharge to an aquifer.</td>
<td>6</td>
<td>1. An existing activity, a modified activity or a new activity.</td>
<td>WHPA-Q2 where the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of significant in accordance with Part IX.</td>
<td>WHPA-Q2 the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The activity is or would be wholly or partly located within a WHPA-Q2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>An activity that reduces recharge to an aquifer.</td>
<td>7</td>
<td>1. A modified activity or a new activity.</td>
<td>IPZ-Q where the water is or would be taken if the area relates to one or more surface water intakes and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The activity is or would be wholly or partly located within an IPZ-Q.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>3. Despite the local area from which the water is or would be taken having been assessed for the purposes of the latest assessment report to have a risk level of moderate in accordance with Part IX, the local area would be assessed to have a risk level of significant if the modified activity were factored into the risk level assessment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>An activity that reduces recharge to an aquifer.</td>
<td>8</td>
<td>1. A modified activity or a new activity.</td>
<td>WHPA-Q2 where the water is or would be taken if the area relates to one or more wells and the local area was assessed to have a risk level of moderate in accordance with Part IX.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The activity is or would be wholly or partly located within a WHPA-Q2.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>3. Despite the local area from which the water is or would be taken having been assessed for the purposes of the latest assessment report to have a risk level of moderate in accordance with Part IX, the local area would be assessed to have a risk level of significant if the modified activity were factored into the risk level assessment.</td>
<td></td>
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</tr>
</tbody>
</table>
Part XI – Drinking Water Threats: Water Quality

Part XI.1 - Describing drinking water issues

114. If the source protection committee is aware of one of the following, the committee shall describe it as a drinking water issue under clause 15(2)(f) of the Act in accordance with rule 115:

(1) The presence of a parameter in water at a surface water intake or in a well, including a monitoring well related to a drinking water system to which clause 15(2)(e) of the Act applies, if the parameter is listed in Schedule 1, 2 or 3 of the Ontario Drinking Water Quality Standards or Table 4 of the Technical Support Document for Ontario Drinking Water Standards, Objectives and Guidelines and,

(a) the parameter is present at a concentration that may result in the deterioration of the quality of the water for use as a source of drinking water, or

(b) there is a trend of increasing concentrations of the parameter at the surface water intake, well or monitoring well and a continuation of that trend would result in the deterioration of the quality of the water for use as a source of drinking water.

(2) The presence of a pathogen in water at a surface water intake or in a well, including a monitoring well, related to a drinking water system to which clause 15(2)(e) of the Act does apply, if a microbial risk assessment undertaken in respect of the pathogen indicates that,

(a) the pathogen is present at a concentration that may result in the deterioration of the quality of the water for use as a source of drinking water, or

(b) there is a trend of increasing concentrations of the pathogen at the surface water intake or well and a continuation of that trend would result in the deterioration of the quality of the water for use as a source of drinking water.

(3) In respect of drinking water systems in the vulnerable area that are not mentioned in clause 15(2)(e) of the Act, there is evidence of the widespread presence of a parameter listed in Schedule 2 or 3 of the Ontario Drinking Water Quality Standards or Table 4 of the Technical Support Document for Ontario Drinking Water Standards, Objectives and Guidelines at surface water intakes or in wells, including monitoring wells, related to those systems, and
(a) the parameter is present at a concentration that may result in the deterioration of the water for use as a source of drinking water, or

(b) there is a trend of increasing concentrations of the parameter at the intake, well or monitoring well and a continuation of that trend would result in the deterioration of the quality of the water for use as a source of drinking water. 71

115. Only in respect of a drinking water issue identified in accordance with rule 114, where the drinking water issue is the result of, or partially the result of, anthropogenic causes, the description of the drinking water issue shall include the following information:

(1) The parameter or pathogen concerned.

(2) The surface water intake, well or monitoring well at which the presence of the parameter or pathogen has occurred.

(3) The area within a vulnerable area where activities, conditions that result from past activities, and naturally occurring conditions may contribute to the parameter or pathogen and this area shall be identified as the “issue contributing area”; and

(4) The identification of the drinking water threats listed in accordance with rules 118, 119 or 126 that contribute or may contribute to the parameter or pathogen of concern. 72

115.1 In respect of a drinking water issue that is not described under rule 115, the description of the drinking water issue shall include, 73

(1) the parameter or pathogen concerned; and

(2) an explanation of the nature of the issue and the possible causes of the issue. 74

116. If the information specified by subrules 115(3) or (4) cannot be readily ascertained, the assessment report shall include,

(1) a plan that includes a work schedule for ascertaining the information specified by those subrules, including any additional work that must be carried out as a result of ascertaining this information; and

71 Amended on November 16, 2009
72 Amended on November 16, 2009
73 In effect December 2, 2013
74 Introduced on November 16, 2009
(2) if, after completing the work the source protection committee becomes aware that the assessment report is no longer accurate or complete, an estimate of the date by which the source protection committee expects an updated assessment report would be submitted to the Director under section 19 of the Act.\(^{75}\)

117. If the source protection committee is of the opinion that areas, activities or conditions referred to in subrules 115(3) or (4) are located outside the boundaries of the source protection area, the description of the drinking water issue shall include this information and shall identify the source protection area in which the source protection committee believes such areas and activities or conditions may be located.

**Part XI.2 - Listing drinking water threats - Activities**

Activities prescribed to be drinking water threats

118. The activities prescribed to be drinking water threats for a vulnerable area in paragraphs 1 through 18 and paragraph 21 of subsection 1.1(1) of O. Reg. 287/07 (General) may be collectively listed in the assessment report as “the activities prescribed to be drinking water threats in paragraphs 1 through 18 and paragraph 21 of subsection 1.1(1) of O. Reg. 287/07 (General)”.

118.1 When identifying the circumstances in which an activity is or would be a significant drinking water threat, a moderate drinking water threat, or a low drinking water threat in accordance with paragraphs 3 to 5 of subsection 13(1) of O. Reg 287/07 (General), the report may refer to the applicable parts of the Table of Drinking Water Threats that sets out the set of circumstances that makes an activity a significant, moderate or low drinking water threat.\(^{76}\)

Other activities

119. In addition to activities prescribed to be drinking water threats in paragraphs 1 through 18 and paragraph 21 of subsection 1.1(1) of O. Reg. 287/07 (General), an activity shall be listed as a drinking water threat for a vulnerable area if,

(1) the activity has been identified by the source protection committee as an activity that may be a drinking water threat; and

(2) information provided by the Director indicates that,

   (a) the chemical hazard rating of the activity is greater than 4; or

   (b) the pathogen hazard rating of the activity is greater than 4.

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\(^{75}\) Replaced on November 16, 2009  
\(^{76}\) Introduced on November 16, 2009
(3) Removed.\textsuperscript{77}

120. The chemical hazard rating of an activity that is not prescribed to be a drinking water threat under O. Reg. 287/07 (General) shall be a rating that in the opinion of the Director reflects the hazard presented by the chemical parameter associated with the activity, if any, considering the following factors:

(1) Toxicity of the parameter.

(2) Environmental fate of the parameter.

(3) Quantity of the parameter.

(4) Method of release of the parameter to the natural environment.

(5) Type of vulnerable area in which the activity is or would be located.

121. The pathogen hazard rating of an activity that is not prescribed to be a drinking water threat under O. Reg. 287/07 (General) shall be a rating that in the opinion of the Director reflects the hazard presented by pathogens associated with the activity, if any, considering the following factors:

(1) The frequency of the presence of pathogens that may be associated with the activity.

(2) Method of release of the pathogen to the natural environment.

(3) Type of vulnerable area in which the activity is or would be located.

122. The risk score of an area within a vulnerable area in respect of an activity that is not listed in the Tables of Drinking Water Threats shall be calculated in accordance with the following formula:

\[ A \times B \]

where,

\[ A = \text{the chemical hazard rating or pathogen hazard rating of the activity determined in accordance with rule 120 or 121, as the case may be; and} \]

\[ B = \text{the vulnerability of the score of the area within the vulnerable area determined in accordance with Part VII or Part VIII, as the case may be.} \]

\textsuperscript{77} Amended on November 16, 2009
123. Removed.78

124. Removed.79

125. If an activity that is not prescribed to be a drinking water threat under O. Reg. 287/07 (General) is listed as an activity that is or would be a drinking water threat, the following information shall be provided in a table format:

(1) The circumstances that make the activity a drinking water threat shall be specified opposite the activity.

(2) The hazard rating of the activity determined in accordance with rule 120 or 121 or both, as the case may be, shall be listed opposite the activity.80

**Part XI.3 - Listing drinking water threats - Conditions**

**Listing Conditions that result from past activities**

126. If the source protection committee is aware of one of the following conditions that results from past activities, the committee shall list it as a drinking water threat under clause 15(2)(g)(ii) of the Act:

(1) The presence of a non-aqueous phase liquid in groundwater in a highly vulnerable aquifer, significant groundwater recharge area or wellhead protection area.

(2) The presence of a single mass of more than 100 litres of one or more dense non-aqueous phase liquids in surface water in a surface water intake protection zone.

(3) The presence of a contaminant in groundwater in a highly vulnerable aquifer, significant groundwater recharge area or a wellhead protection area, if the contaminant is listed in Table 2 of the Soil, Ground Water and Sediment Standards, is present at a concentration that exceeds the potable groundwater standard set out for the contaminant in that Table, and the presence of the contaminant in groundwater could result in the deterioration of the groundwater for use as a source of drinking water.81

(4) The presence of a contaminant in surface soil in a surface water intake protection zone if, the contaminant is listed in Table 4 of the Soil, Ground Water and Sediment Standards is present at a concentration that exceeds the surface soil standard for industrial/commercial/community property use set out for the

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78 Removed on November 16, 2009
79 Removed on November 16, 2009
80 Amended on November 16, 2009
81 Amended on November 16, 2009
contaminant in that Table and the presence of the contaminant in surface soil could result in the deterioration of the surface water for use as a source of drinking water.\textsuperscript{82}

(5) The presence of a contaminant in sediment, if the contaminant is listed in Table 1 of the Soil, Ground Water and Sediment Standards and is present at a concentration that exceeds the sediment standard set out for the contaminant in that Table’ and the presence of the contaminant in sediment could result in the deterioration of the surface water for use as a source of drinking water.\textsuperscript{83, 84}

\textbf{Part XI.4 - Identifying areas for significant, moderate and low drinking water threats - Activities}

**Significant drinking water threats**

127. An activity listed as a drinking water threat in accordance with rule 118 is or would be a significant drinking water threat in an area set out opposite to the activity in column 3 of Table 1 or Table 2 of the Tables of Drinking Water Threats if the area has a vulnerability score set out in column 4 of the respective Table and the set of circumstances set out in a cell of column 2 of the respective Table opposite to the area apply to the activity.\textsuperscript{85}

128. An activity listed as a drinking water threat in accordance with rule 118 is or would be a significant drinking water threat if rule 127 does not apply and the following apply:

(1) The chemical hazard rating or pathogen hazard rating for the chemical parameter or pathogen associated with the circumstances under which the activity is or will be engaged in, determined in accordance with rule 120 or 121, is greater than 4.

(2) The area within a vulnerable area where the activity is or will be engaged in has a risk score calculated in accordance with rule 122 that is equal to or greater than 80.

129. An activity listed as a drinking water threat in accordance with rule 119 is or would be a significant drinking water threat in an area within a vulnerable area that has a risk score in respect of the activity calculated in accordance with rule 122 that is equal to or greater than 80.

\textsuperscript{82, 85} In effect December 2, 2013
\textsuperscript{83} Amended on November 16, 2009
\textsuperscript{84, 85} In effect December 2, 2013
\textsuperscript{83} Amended on November 16, 2009

\textbf{Clean Water Act, 2006}
130. An activity listed as a drinking water threat in accordance with rule 118 or 119 is or would be a significant drinking water threat in a surface water intake protection zone associated with a surface water intake to which rule 68 applies at the location where the activity is or would be engaged in, if modeling or another method demonstrates that a release of a chemical parameter or pathogen from the activity or the proposed activity would be transported through the surface water intake protection zone to the intake and result in the deterioration of the water for use as a source of drinking water for the intake.  

131. Despite anything else in these rules, an activity is or would be a significant drinking water threat if,

(1) the activity is associated with a drinking water issue described in subrule 114(1) or (2);

(2) the activity is identified as a drinking water threat in accordance with subrule 115(4);

(3) the activity is located in an issue contributing area identified in accordance with subrule 115(3); and

(4) the circumstances described in rule 131.1 apply to the activity.  

131.1 The circumstances for the purposes of subrule 131(4) are,

(1) if the activity is listed as a drinking water threat in accordance with rule 118, a set of circumstances set out in an applicable cell in Column 2 of the Table of Drinking Water Threats that contribute or may contribute to the drinking water issue mentioned in subrule 131(1); or

(2) if the activity is listed as a drinking water threat in accordance with rule 119, the circumstances for the activity specified in accordance with rule 125 that contribute or may contribute to the drinking water issue mentioned in subrule 131(1).  

Moderate drinking water threats

132. An activity listed as a drinking water threat in accordance with rule 118 is or would be a moderate drinking water threat in an area set out opposite to the activity in column 3 of Table 1 or Table 2 of the Tables of Drinking Water if the area has a vulnerability score set out in column 5 of the respective Table and all of the

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86 Replaced on November 16, 2009
87 In effect December 2, 2013
88 Replaced on November 16, 2009
89 Introduced on November 16, 2009
circumstances set out in column 2 of the respective Table opposite to the area apply to the activity.90

133. An activity listed in accordance with rule 118 is or would be a moderate drinking water threat if rule 132 does not apply and the following apply:

(1) The chemical hazard rating or pathogen hazard rating for the chemical parameter or pathogen associated with the circumstances under which the activity is or will be engaged in, determined in accordance with rule 120 or 121, is greater than 4.

(2) The area within a vulnerable area in which the activity is or will be engaged in has a risk score calculated in accordance with rule 122 that is equal to or greater than 60 but less than 80.

134. An activity listed as a drinking water threat in accordance with rule 119 is or would be a moderate drinking water threat in an area within a vulnerable area that has a risk score in respect of the activity calculated in accordance with rule 122 equal to or greater than 60 but less than 80.

134.1 Despite anything else in these rules an activity is or would be a moderate drinking water threat if,

(1) The activity is not identified in accordance with rules 127 to 131.1 as an activity that is or would be a significant drinking water threat;

(2) the activity is associated with a drinking water issue described in subrule 114(3);

(3) the activity is identified as a drinking water threat in accordance with subrule 115(4);

(4) the activity is located in an issue contributing area identified in accordance with subrule 115(3); and

(5) the circumstances described in rule 134.2 apply to the activity.91

134.2 The circumstances for the purposes of subrule 134.1(5) are,

(1) if the activity is listed as a drinking water threat in accordance with rule 118, a set of circumstances set out in an applicable cell in Column 2 of the Table of Drinking Water Threats that contribute or may contribute to the drinking issue mentioned in subrule 134.1(1); or

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90 Amended on November 16, 2009
91 Introduced on November 16, 2009
(2) if the activity is listed as a drinking water threat in accordance with rule 119, the circumstances for the activity specified in accordance with rule 125 that contribute or may contribute to the drinking water issue mentioned in subrule 134.1(1).  

Low drinking water threats

135. An activity listed as a drinking water threat in accordance with rule 118 is or would be a low drinking water threat in an area set out opposite to the activity in column 3 of Table 1 or Table 2 of the Tables of Drinking Water if the area has a vulnerability score set out in column 6 of the respective Table and all of the circumstances set out in column 2 of the respective Table opposite to the area apply to the activity.

136. An activity listed as a drinking water threat in accordance with rule 118 is a low drinking water threat if rule 135 does not apply and the following apply:

(1) The chemical hazard rating or pathogen hazard rating for the chemical parameter or pathogen associated with the circumstances under which the activity is or will be engaged in, determined in accordance with rule 120 or 121, is greater than 4.

(2) The area within a vulnerable area in which the activity is or will be engaged in has a risk score calculated in accordance with rule 122 that is greater than 40 but less than 60.

137. An activity listed as a drinking water threat in accordance with rule 119 is or would be a low drinking water threat in an area within a vulnerable area that has a risk score in respect of the activity calculated in accordance with rule 122 to be greater than 40 but less than 60.

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92 Introduced on November 16, 2009
93 Amended on November 16, 2009
Part XI.5 - Identifying areas for significant, moderate and low drinking water threats - Conditions

138. The risk score of an area in respect of a condition that results from a past activity shall be calculated in accordance with the following formula:

\[ A \times B \]

where,

A = the hazard rating of the condition;

B = the vulnerability of the score of the area determined in accordance with Part VII or VIII, as the case may be.

139. For the purpose of rule 138, the hazard rating of a condition that results from a past activity is,

(1) if there is evidence that the condition is causing off site contamination, the hazard rating is 10;

(2) if the condition is on a property where a well, intake or monitoring well related to a drinking water system to which clause 15(2)(e) of the Act applies is located, the hazard rating is 10; and

(3) if subrules (1) or (2) do not apply to the condition, the hazard rating is 6.94

Identifying areas for significant conditions

140. An area within a vulnerable area is an area where a condition that results from a past activity listed in accordance with rule 126 is a significant drinking water threat if the risk score of the area in respect of the condition is equal to or greater than 80.

140.1 A condition listed as a drinking water threat in accordance with rule 126 is a significant drinking water threat in a surface water intake protection zone associated with a surface water intake to which rule 68 applies at the location where condition exists, if modeling or another method demonstrates that a release of a chemical or pathogen from the condition would be transported through the surface water intake protection zone to the intake and result in the deterioration of the water for use as a source of drinking water for the intake.95,96

94 Amended on November 16, 2009
95 Introduced on November 16, 2009
96 In effect December 2, 2013
141. Despite anything else in these rules, a condition that results from a past activity is a significant drinking water threat if, \(^{97}\)

(1) the condition is associated with a drinking water issue described in subrule 114(1) or (2);

(2) the condition is identified as a drinking water threat in accordance with subrule 115(4);

(3) the condition is located in an issue contributing area identified in accordance with subrule 115(3); and

(4) there is evidence that the condition is causing off-site contamination or the condition is on the property where the surface water intake, well or monitoring well identified in accordance with subrule 115(2) is located.\(^{98,99}\)

Identifying areas for moderate conditions

142. Subject to rule 141, an area within a vulnerable area is an area where a condition that results from a past activity listed in accordance with rule 126 is a moderate drinking water threat if the risk score of the area in respect of the condition is equal to or greater than 60 but less than 80.

142.1 Despite anything else in these rules a condition that results from a past activity is a moderate drinking water threat if:\(^{100}\)

(1) The condition is not identified in accordance with rules 140 and 141 as a condition that is a significant drinking water threat; \(^{101}\)

(2) the condition is associated with a drinking water issue described in subrule 114(3);

(3) the condition is identified as a drinking water threat in accordance with subrule 115(4); and

(4) the activity is located in an issue contributing area identified in accordance with subrule 115(3).\(^{102}\)

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\(^{97}\) In effect December 2, 2013
\(^{98}\) Amended on November 16, 2009
\(^{99}\) In effect December 2, 2013
\(^{100}\) In effect December 2, 2013
\(^{101}\) In effect December 2, 2013
\(^{102}\) Introduced on November 16, 2009
Identifying areas for low conditions

143. Subject to rule 141, an area within a vulnerable area is an area where a condition that results from a past activity listed in accordance with rule 126 is a low drinking water threat if the risk score of the area in respect of the condition is greater than 40 but less than 60.

Made by:

Original Signed by Ling Mark, Director
Source Protection Programs Branch,
Ministry of the Environment

Director, Section 107 Clean Water Act, 2006

Date made: June 8, 2015
**NOTES:**
1. This sheet provides proposed changes to Technical Rules and Drinking water Threats Tables (V.2013/published 2015) to address recommendations that do not require significant review/research of the science behind the technical framework.
2. It is recommended to update all the technical guidance/bulletins where needed and attach them to technical rules as appendices; still subject to legal advice.
3. Please review the following items and if in the opinion of the SPA there is anything, in addition to below, can be done so no significant review of the science, insert your suggestions at the end of the table under "OTHERS".

<table>
<thead>
<tr>
<th>Item: Rule No.</th>
<th>Current Text of the Rule</th>
<th>Proposed Text/Method/Approach of the Rule</th>
<th>Rationale for the Proposed Text</th>
<th>SPA Opinion: &quot;Agreed&quot; or &quot;Disagreed&quot; to the proposed item to change. If disagreed, please provide your rationale.</th>
<th>SPA Opinion: In the case of &quot;Agreed&quot; with the item to change but disagree with the proposed text/approach, please propose a different method/approach to address the item.</th>
<th>Any Additional Notes by the SPAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Part II. Rule 16(1) and 17 Road Salt Approach</td>
<td>Currently there is no definition.</td>
<td>Proposed definition: &quot;Transport Pathways are commonly known as preferential pathways, either constructed or natural. They can ultimately enhance the transport of contaminants to drinking water sources. Constructed pathways may include sewer discharge pipes, utility trenches, ditches, swales, tile drainage, and urban and rural drainage. Natural pathways include small channels/gutters and etc.&quot;</td>
<td>There have been many questions around the definition of Transport Pathways in the rules. There has been some confusion around transport pathways and which one should be used in delineating an IPZ and which should not. The proposed definition will address this confusion.</td>
<td>Agreed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Part II. Rule 16(1) and 17 Road Salt Approach</td>
<td>Currently there is no definition.</td>
<td>Proposed definition: &quot;High water mark (HWM) is calculated as the 80th percentile elevation for the month in which the highest annual water level occurs. For Great Lakes and Connecting Channels drinking water sources, the 80th percentile has been determined by DFO. For Grand River drinking water sources where the 80th percentile is not available, or the length of records of water levels is not sufficient, the HWM would be determined as the normal high operating levels.&quot;</td>
<td>There have been many questions around the definition of HWM in the rules. Although SPPB provided guidance, it has not been applied consistently and the HWM level has not been determined correctly. If this definition were not added to the rules, SPPB may add it to an appendix of the rules (subject to legal advice).</td>
<td>Agreed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Part II. Rule 16(1) and 17 Road Salt Approach</td>
<td>Please refer to the full text in these rules.</td>
<td>Item: Rule No. Current Text of the Rule</td>
<td>Proposed Text/Method/Approach of the Rule</td>
<td>Rationale for the Proposed Text</td>
<td>SPA Opinion: &quot;Agreed&quot; or &quot;Disagreed&quot; to the proposed item to change. If disagreed, please provide your rationale.</td>
<td>SPA Opinion: In the case of &quot;Agreed&quot; with the item to change but disagree with the proposed text/approach, please propose a different method/approach to address the item.</td>
</tr>
<tr>
<td></td>
<td>16 (1)</td>
<td>For each vulnerable area, one or more maps of the percentage of the impervious surface area where road salt can be applied are prescribed in the vulnerable area. Mapping the percentage of impervious surface area is not required for an area in a vulnerable area where the vulnerability scores for that area is less than the vulnerability score necessary for the application of road salt to be considered a significant threat. The Table of Drinking Water Threats. Each map prepared in accordance with this sub rule shall be labeled the &quot;total impervious surface area map&quot;. 17 This rule may include sub-rules to explain how the Road Salt Potential Formula used in Waterloo/Grand River AR can be applied.</td>
<td>the 1km x 1km grid approach did not work for some SAPs as some WHPAs or IPZs were smaller than 1km². The risk assessment using the current prescribed approach does not seem to be working to identify SWRFs. The proposed approach is the approach developed by the Region of Waterloo that uses a Road Salt Potential Loadings Formula. This formula accounts for the length of the roads, the type of the roads (Hwy vs. in-city) and the width of the road (1 lane vs. 2 lanes).</td>
<td>Agreed Rule 16. Abstain Rule 17</td>
<td>Agree in principal with changing approach in Rule 17, but will wait to see details before agreeing with specifics. Appreciate the option to chose the appropriate approach.</td>
<td></td>
</tr>
</tbody>
</table>
### (3) Ground Water Vulnerability Assessment Rules

<table>
<thead>
<tr>
<th>Item: Rule No.</th>
<th>Current Text of the Rule</th>
<th>Proposed Text/Method/Approach of the Rule</th>
<th>Rationale for the Proposed Text</th>
<th>SPA Opinion: “Agreed” or “Disagreed” to the proposed item to change. If disagreed, please provide your rationale.</th>
<th>SPA Opinion: In the case of “Agreed ” with the item to change but disagree with the proposed text/approach, please propose a different method/approach to address the item.</th>
<th>Any Additional Notes by the SPAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part VI.3 Source Ground Water Vulnerability Assessment Rules</td>
<td>Table 3 is prescribed different ranges of SVFs based on the type of intake (A, B, C or D).</td>
<td>Table 3 is to be expanded to include another set of ranges of SVF for Type A and B intakes only, i.e. SVF ranges from 0.5 to 1 under some conditions, see rationale for more details.</td>
<td>There have been some concerns around the vulnerability scores for Type A/B intakes that are too low to identify SDWTs. This could be addressed by classifying the intake type (i.e. from Type A to Type D) under TR 55.1. When an intake is classified as a Type D, the entire IPZ-3 must be delineated to capture the larger watershed. However, this approach would need to be modified to include an additional rationale for not delineating the entire watershed for a GL system. The approach proposed here would address this concern but without the requirement to delineate IPZ-3 as required for Type D Intake. Some limitation would apply to the proposed approach; the new SVF scores would be associated with Type A/B intakes that has the following characteristics: - the Intake is shallow, - the Intake location is close to the shoreline, - the Intake has some water quality problems.</td>
<td>How is shallow depth defined? What would be considered 'close to the shoreline'? How would water quality problems be defined?</td>
<td></td>
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</tr>
<tr>
<td>Part V.2 - Rule 44: Delineation of significant groundwater recharge areas</td>
<td>Despite rule 44, an area shall not be delineated as a significant groundwater recharge area unless the area has a hydrological connection to a surface water body or aquifer that is a source of drinking water for a drinking water system.</td>
<td>Despite rule 44, an area shall not be delineated as a significant groundwater recharge area unless the area has a hydrological connection to a surface water body or aquifer that is a source of drinking water for a drinking water system {including those drinking water systems located on a Great Lake, a connecting channel, Lake Simcoe, Lake Nipissing, Lake St. Clair or the Ottawa River.}</td>
<td>It has been brought to SPA’s attention that including the red text would clarify which drinking water systems are excluded from the application of technical rule 44. The red text clarifies that.</td>
<td>Seeking clarity still - Rule 45 excludes certain drinking water systems from having to follow Rule 44. The next suggested text excludes certain systems from that exclusion? Is there possibly a better way to phrase this?</td>
<td></td>
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<tr>
<td>Part VI.2 SGRAs</td>
<td>Rules 80 and 81 remove the vulnerability scores associated with SGRAs.</td>
<td>The main intent of the SGRAs was for water quantity and not to identify threats for water quality. The delineation of SGRAs would remain the same but there would be no vulnerability scores. The Tab for ‘Short Term Changes - Threats’ includes proposed changes to remove SGRAs from the threats tables.</td>
<td>Agreed</td>
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</tr>
<tr>
<td>Item</td>
<td>Rule No.</td>
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<td>Any Additional Notes by the SPA As</td>
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<tr>
<td>10</td>
<td>Part 11 'Definition'</td>
<td>&quot;Soil, Ground Water and Sediment Standards” means the Ministry of the Environment publication entitled “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” dated March 9, 2004</td>
<td>&quot;Soil, Ground Water and Sediment Standards” means the Ministry of the Environment publication entitled “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” dated March 9, 2004 or as amended from time to time. Standards to be used should be related to the purpose of drinking water consumption.</td>
<td>The new 2011 Standards would override the old 2004 Standards. 2011 standards had been used in some ARs. The proposed changes in red will address this change in the standards. <strong>NOTES:</strong> 1. The 2011 standards no longer includes some chemical parameters that were listed in 2004 standards, for example Nitrate. 2. The use of 2011 standards must be related to parameters standards for drinking water purposes.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Part XI.2 &quot;Drinking water issues&quot; Rule 114 (1)</td>
<td>Rule 114 (1)</td>
<td>Replace the term “monitoring Well” with “Monitoring Location”</td>
<td>The more general term “monitoring location” would include locations where surface water quality is monitored. The current language may be understood to be limited to GW well monitoring.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Part XI.5 Rule 15.1 Alternate Methods</td>
<td>In preparing an assessment report a source protection committee may use...</td>
<td>In preparing an assessment report a source protection committee or authority may use...</td>
<td>In a few cases the SPA used this rule to apply for an alternative method. The added text would include these cases. The new text is added in red.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Part XI.2 Rule 119 (1) Local Threat</td>
<td>The activity has been identified by the source protection committee as an activity...</td>
<td>The activity has been identified by the source protection committee or authority as an activity...</td>
<td>In a few cases the SPA used this rule to apply for an alternative method. The added text would include these cases. The new text is added in red.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Part XI.3 Conditions - new sub-rule i.e. 126(5)</td>
<td>Currently sub-rule needs to be more specific for which vulnerable areas this rule would apply.</td>
<td>&quot;The presence of a contaminant in sediment in an intake protection zone, if the contaminant is listed in Table 1 of the Soil, Ground Water and Sediment Standards and is...&quot;</td>
<td>There has been some confusion around the applicability of this sub-rule, i.e. does it apply for SW or GW vulnerable areas. The new addition will clarify this. The new text is added in red.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Part XI.3 Conditions - new sub-rule i.e. 126(6)</td>
<td>Currently the Conditions rules do not deal with contaminated sites in IPZs that impact GW quality leaching to impair the SW quality of the SW source.</td>
<td>The presence of a contaminant in groundwater discharging into an intake protection zone if the contaminant is listed in Table 2 of the Soil, Ground Water and Sediment Standards, is present at a concentration that exceeds the potable groundwater standard set out for the contaminant in that Table, and the presence of the contaminant in groundwater could result in the deterioration of the surface water for use as a source of drinking water.</td>
<td>There are a few cases where the Condition is located in an IPZ associated with a SW source and the Condition impacts both the GW quality as well as the SW quality, of the source through leaching of contaminants to the source. This addition would capture this scenario.</td>
<td>Agreed</td>
<td></td>
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<tr>
<td>20</td>
<td>Part XI.5 - Rule 139 (1) Off-site contamination</td>
<td>If there is evidence that the condition is causing off-site contamination, the hazard rating is 10</td>
<td>If there is evidence that the condition is causing off-site contamination that has the potential to impact the quality of water of the aquifer or surface water supply source to the drinking water, the hazard rating is 10.</td>
<td>If there is evidence that the condition is causing off-site contamination that has the potential to impact the quality of water of the aquifer or surface water supply source to the drinking water, the hazard rating is 10.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Part XI.5 - Rule 140.1 Modelling Conditions</td>
<td>A condition listed as a drinking water threat in accordance with rule 126 is a significant drinking water threat in a surface water intake protection zone associated with a surface water intake to which rule 68 applies at the location where condition exists, if modeling or another method used in accordance with rule 15.1 demonstrates that a release of a chemical or pathogen from the condition would be transported through the surface water intake protection zone to the intake and result in the deterioration of the water for use as a source of drinking water for the intake.</td>
<td>Remove the rule.</td>
<td>The Event Based modelling is designed for spill event scenarios. Contaminated sites (Conditions) may discharge to the environment but not as an event, rather, contaminants would be released slowly over a longer period of time. Therefore, the design concept for modelling of events does not apply to discharges from Conditions.</td>
<td>Agreed</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Part XI.5 - Rule 141.4 Evidence of off-site contamination</td>
<td>There is evidence that the condition is on the property where the surface water intake, well or monitoring well...</td>
<td>There is evidence that the condition is or may be causing that has the potential to impact the quality of water of the aquifer or surface water supply source to the drinking water or the condition is on the property where the surface water intake, well or monitoring well...</td>
<td>There were a few cases where the Condition and its off-site migration were not causing an impact to the source of drinking water and therefore it was not necessary to identify the Condition. The new addition in red will address these cases.</td>
<td>Agreed</td>
<td></td>
</tr>
</tbody>
</table>
### Drinking Water Threats Tables

<table>
<thead>
<tr>
<th>Item</th>
<th>Note</th>
<th>Current Threat/Circumstance</th>
<th>Proposed Threat/Circumstance</th>
<th>Rationale for the Proposed Text</th>
<th>SPA Opinion: “Agreed” or “Disagreed” to the proposed item to change. If disagreed, provide your rationale.</th>
<th>Any Additional Notes by the SPAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>New Threat or New Circumstances- Pipeline activity</td>
<td>Currently, pipelines are not included in the list of threats prescribed by regulation, nor the threats table.</td>
<td>Threat: The conveyance of oil by way of a pipeline.</td>
<td>Circumstances for SW and GW systems: the circumstances provided in the local threats approval letters will be used in here. The ministry developed the hazard rating for WHPAs and IPZs and will format it in the same way for other prescribed threats.</td>
<td>The pipeline threat has been approved as a local threat for many SPRs. Majority for GW sources. SPB has been requested to elevate this local threat to prescribed threat.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Handling and Storage of Fuel Above grade in protection zones</td>
<td>Current text remain same but the vulnerable scores for IPZs may change.</td>
<td>There have been some concerns when the activity of storing fuel above grade activities is not a SDWT for SW zones. Comments claimed that the Hazard Rating of fuel is too low for the activity to be identified as a SDWT. SPB will review the rating and any new science that may suggest elevating the rating at least so that the rating for above grade fuel storage should be equal to rating for partially below grade fuel storage.</td>
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<tr>
<td>3</td>
<td>Transportation of DRARs, Organic Solvents, Fuels, Fertilisers, Hauled Sewage</td>
<td>Currently there are no circumstances addressing the transportation of these substances.</td>
<td>Adding circumstances relating to the transportation of listed substances will be added to either handling or storage of the same prescribed threats.</td>
<td>The transportation of the substances for some of the listed threats was approved as a local threat for some SPRs. There have been some recommendations to add circumstances related to transportation for these prescribed threats.</td>
<td></td>
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</tr>
<tr>
<td>4</td>
<td>Removal of items in the threats tables</td>
<td>SGRAs references</td>
<td>remove all SGRAs reference</td>
<td>Since the vulnerability scores of SGRAs will be removed from the technical rules, the reference of SGRAs becomes irrelevant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Septic Systems and Holding Tanks</td>
<td>remove all Sodium and Chloride circumstances</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>6</td>
<td>Chemicals associated with pesticides threat</td>
<td>remove (and remove where applicable) the circumstances related to pesticides that are already prohibited by provincial or federal law.</td>
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<tr>
<td>7</td>
<td>All Sub-threats categories- Review the short name of the sub-threats / circumstances to align with other ministry program areas and</td>
<td>Sewage System or Sewage Works - Discharge of Untreated Stormwater from a Stormwater Retention Pond</td>
<td>Sewage System or Sewage Works - Discharge from a Stormwater Management Facility including storm sewers outfalls.</td>
<td>During the AR review, there was some confusion around whether or not Storm sewers and their outfalls were included in this category. The suggested short name would clarify and address this gap. It is anticipated that the wording of the Circumstances may have to be changed to reflect the addition.</td>
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<tr>
<td>8</td>
<td>For the sub-category threats Sewage System or Sewage Works - Discharge of Untreated Stormwater from a Stormwater Retention Pond AND Sewage System or Sewage Works - Sanitary sewers and related pipes, the wording of the circumstance “The discharge from the system.”</td>
<td>Replace the term “discharge” with “release.”</td>
<td>The intent of the proposed change is to address the impact of these threats on GW. The current text has caused some confusion around the possible impact on GW.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threat/Circumstance(s)</td>
<td>Current Text of Threats/Circumstances</td>
<td>Proposed Text of Threats/Circumstances</td>
<td>Rationale for the Proposed Text</td>
<td>SPA Opinion: “Agreed” or “Disagreed” to the proposed item to change. If disagreed, please provide your rationale.</td>
<td>SPA Opinion: In the case of “Agreed” with the item to change but disagree with the proposed text/approach, please propose a different method/approach to address the item.</td>
<td>Any Additional Notes by the SPAs</td>
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</tr>
<tr>
<td>Sewage System or Sewage Works - Septic System</td>
<td>Sewage System or Sewage Works - Cristie Sewage Systems</td>
<td>The change is proposed to match the intent of the circumstances.</td>
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<tr>
<td>Sewage System or Sewage Works - Septic System Holding Tank</td>
<td>Sewage System or Sewage Works - Cristie Sewage Systems Holding Tanks</td>
<td>The change is proposed to match the intent of the circumstances.</td>
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<tr>
<td>Sewage System or Sewage Works - Storage of Sewage (E.G. Treatment Plant Tanks)</td>
<td>Sewage System or Sewage Works - Storage Works - Treatment or Holding Tanks</td>
<td>The purpose of the proposed change is to clarify which type of storage is intended to be included in this threat.</td>
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<tr>
<td>Waste Disposal Site - Landfilling (Hazardous Wastes)</td>
<td>The land disposal of hazardous waste, liquid industrial waste, or processed liquid industrial waste at a waste disposal site</td>
<td>Clarification was needed to identify the threat activity as the landfill that accepts hazardous waste, liquid industrial waste, or processed liquid industrial waste, as opposed to the site where the waste is generated. The risk is related to the leaching of contaminants to groundwater or discharging to surface water due to the discharge from the area where the waste is disposed.</td>
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<tr>
<td>Waste Disposal Site - Landfilling (Municipal Wastes)</td>
<td>The land disposal of solid non-hazardous waste generated by municipalities (residential) at a waste disposal site</td>
<td>The risk associated with the threat activity is related to the leaching of contaminants to groundwater or discharging to surface water due to the release from the area where the waste is disposed at Municipal waste disposal site (Landfill). It has been clarified by the SPPR that this potential drinking water threat is related to solid non-hazardous waste generated by municipalities (residential) that is sent to landfills or dumps in Ontario for final disposal.</td>
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</tr>
<tr>
<td>Waste Disposal Site - Landfilling (Solid Non-Hazardous Industrial or Commercial)</td>
<td>The land disposal of solid non-hazardous waste generated by industrial and commercial sources at a waste disposal site</td>
<td>The risk associated with the threat activity is related to the leaching of contaminants to groundwater or discharging to surface water due to the release from the area where the waste is disposed at industrial or commercial waste disposal site (Landfill). It does not include domestic waste.</td>
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<td></td>
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</tr>
<tr>
<td>Waste Disposal Site - PCB Waste Storage</td>
<td>Storage of PCB Waste at any location (generating or accepting)</td>
<td>The intent of the change is to clarify that the threat category includes sites that generate and/or accept PCB Wastes. The risk of the threat activity is related to the potential of spills at any site, including where it is generated as a waste and stored temporarily.</td>
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<tr>
<td>Waste Disposal Site - Storage of Hazardous Waste at Disposal Sites</td>
<td>Waste Disposal Site - Storage of Hazardous Wastes or Liquid Industrial Wastes subject to registration and manifesting</td>
<td>The risk associated with the threat activity is related to the release in any quantity from the area where the hazardous waste or LIW is stored requiring registration and manifesting, including at a transfer station or landfill facility.</td>
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<tr>
<td>Waste Disposal Site - Storage of wastes described in clauses (q), (r), (s), (t) or (u) of the definition of hazardous wastes</td>
<td>Storage of Small Quantity Exemptions (SQQs) of Hazardous Wastes or Liquid Industrial Wastes at any type of waste disposal site including generators, receivers, and Transfer/Processing Sites</td>
<td>The risk associated with the threat activity is related to a potential release from the area where hazardous or liquid industrial waste is generated, handled, collected, transferred, treated or processed at sites subject to neither registration with MOECC nor an ECA for the storage of hazardous wastes or DINs.</td>
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<tr>
<td>Application of Non-Agricultural Source Material (NASM) to Land (Including Treated Seepage)</td>
<td>Application of Non-Agricultural Source Material (NASM) or biosolids to Land</td>
<td>The proposed change would clarify which activities are included in the threat by including “non-agricultural managed land,” i.e., the threat includes the application of processed organic waste to land off-farm, even if by definition the existing regulatory framework for NASM applies only once the product reaches the farm. The land application of biosolids off-farm is regulated under the EPA, not NOSAA.</td>
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<tr>
<td>Item: Threat/Circumstance(s)</td>
<td>Current Text of Threats/Circumstances</td>
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<td><strong>SPA Opinion:</strong> In the case of &quot;Agreed&quot; with the item to change but disagree with the proposed text/approach, please propose a different method/approach to address the item.</td>
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### 16
- **For Storage of NASM (Ref #1965 and 1967):**
  1. The non-agricultural source material contains material generated by a seafood processing operation, an animal food manufacturing operation that manufactures food from animal sources, or a pulp and paper mill, and any portion of the material is stored at or above grade.

<table>
<thead>
<tr>
<th>Item: Threat/Circumstance(s)</th>
<th>Current Text of Threats/Circumstances</th>
<th>Proposed Text of Threats/Circumstances</th>
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<th>Any Additional Notes by the SPAs</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

### 19
- **For Application of NASM (Ref #1970):**
  1. The application of any quantity of non-agricultural source material that contains materials from a seafood processing operation, a dairy producer, a dairy product manufacturing operation, an animal food manufacturing operation that manufactures food from animal sources, or a pulp and paper mill.

### 20
- **Application of Untreated Septage to Land:**
  The Application of Hauled Sewage to Land.
  The intent of the change is to clarify that the threat sub-category does not include “untreated septage” as defined under the NMA. The terms “septage” and “untreated septage” are not specifically defined in the EPA or its regulations. The term “untreated septage” is defined O. Reg. 267/03 made under the Nutrient Management Act; The NMA definition of “untreated septage” does differ from the EPA definition of “hauled sewage,” in that the NMA definition doesn’t include wastewaters generated from “other” sources.
The Drinking Water Source Protection (DWSP)/Source Water Protection (SWP) technical framework gaps identified by SWP Project Managers and municipalities are listed below. These are gaps of a technical nature, related to the list of prescribed threat activities, Technical Rules, Tables of Drinking Water Threats and circumstances.

1. **The approach and formula designed to assess the vulnerability** of a wellhead protection area works well for groundwater sources. A similar approach designed for assessing the vulnerability of an intake protection zone does not work well for surface water sources. E.g., the vulnerability assessment does not adequately account for situations where activities are occurring close to or in surface water, e.g., spills from bridges (rail, road), pipelines crossing surface water bodies.

2. **The pathogen formula** is not founded on the same risk-based thinking as for chemical threats and the reasoning is not transparent, which causes a lot of the concerns regarding agricultural threats. E.g., the approach used for pathogenic risk is based on the assumption that one pathogen can impact the drinking water sources, i.e., can kill. Unlike for chemicals, the quantity aspects were not considered, which, if implemented, results in a regulatory nightmare, specifically for surface water.

3. **The risk score formula for Great Lakes intakes** is one aspect that needs to be reviewed as it currently does not allow significant threats. However, it can be overridden by using the events based approach that uses locally specific modelling to identify potential risks. Significant risks have been identified for one Great Lake intake in the Lake Erie Region (Elgin Primary Intake at Port Stanley). This, and other significant risks identified across the province through the events based modelling approach, questions the validity of low scores for Great Lakes intakes through the threats approach, at least in some situations. The low scores applicable to Great Lakes intakes are based on general assumptions of intake depths and distances from shores in large water bodies allowing greater dilution that are not necessarily appropriate for all Great Lakes intakes.

4. **Chemicals of concern and their circumstances of occurrence** need frequent updating.
   a. **Pesticides** commonly used may have changes in composition with market changes. The chemicals of concerns under the Clean Water Act should be updated to reflect changes, and there should be a list of pesticides that is updated regularly to ensure that chemicals of concern are captured. **Further, the circumstances related to pesticide application** currently do not allow for managing the effects of application of different pesticides known to have negative impacts on human health and aquatic life when they enter surface water and groundwater. The Material Safety Data Sheets (MSDS) provide toxicity information, describe impacts on human health if ingested/inhaled, and the setbacks to apply to watercourses, wells, etc. For example, atrazine must not be used within 50 feet of any well. However, the application of atrazine is not a significant threat in WHPA-A, due to the circumstance tied to area of application.
This is because atrazine is only a significant threat when applied in area over 10 hectares but there are only 3.14 hectares in a WHPA A. The Table of Drinking Water Threats and circumstances should be updated in order to allow policies to address different pesticides, for true protection of sources of drinking water.

b. **Referring to “DNAPLs in any amount”** is not practical nor of any use. Every drug store has DNAPLs in their cosmetics section as does those whose business is cleaning and spas (manicure/pedicure places). It is suggested that a quantity be included such as “in any amount in a single container larger than 1 Litre (500 mL?)”. **PAHs in trace amounts** are not often included in product MSDS, however RMP policies may apply. MOECC should provide a master list of DNAPLs and products containing DNAPLs which could be significant threat chemicals of concern, to avoid any confusion or error.

5. **Above ground fuel oil tanks.** It is well known that outdoor tanks that are about 30 times more likely to fail than below grade tanks. The threat circumstances must allow for outdoor tanks also to be identified as significant threats. **Fuel oils in WHPA B** is also a concern. It is questionable as to how education and outreach alone is sufficient to mitigate the threat.

6. **Excavation** below the water table that breaches the confining layer protecting an aquifer that is a drinking water source. This is the terminology that the Lake Erie Region has been using and what is of great concern to that committee. The core of this matter is that currently only “activities” can be SDWTs (with aggregate extraction not being on the list of prescribed drinking water threat activities), and changes to the vulnerability, e.g., taking away the protective layer, are not being addressed adequately (currently only option is to change the vulnerability i.e. low to medium/high, or medium to high).

7. **Application of road salt** – the calculation of percent impervious surface area and threshold for significant threats (>80% impervious surface area) does not allow this activity to be identified as a significant threat in areas where it is known that this activity is impacting drinking water wells. The Region of Waterloo applied for and uses an alternate method approved by MOECC that identifies this activity as a significant threat. The calculations and threshold should be revised, or alternate methods allowed for to capture local situations.

8. **Transportation Corridors: include pipelines, railways, etc. into the plan.** Realizing that for the most part they are under federal jurisdiction, but by noting them in the plan would demonstrate that SPCs have considered the problems, and that plans are in place to mitigate (as best possible) the impact on the source water, should a spill occur. Provincial direction should be given so that each SPC has a common approach.

9. **Blue Green Algae** appears to be a chronic problem. There is the need for a defined method by which the plan can address the issue through mandatory policies beyond education and outreach.

10. **The term “ceases to be”** has been addressed by way of direction, but explaining this to the public is problematic, and can be misunderstood. The wording should be clear.

11. **Contiguous storm water catchment areas.** Currently a storm outfall collecting storm water from a given catchment area is considered a threat when the area is larger than the given size, while several contiguous areas of a much larger size are not. The larger
catchment areas are more likely to have some storm water treatment in place while the outfalls from contiguous areas are not. The better approach is to consider contiguous areas as well.

12. **Non-significant threat vulnerable areas** of Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) are important delineations that include groundwater aquifers and their interactions with surface water. Consider significant threat scoring methods in these vulnerable areas, not just in those overlapping areas with WHPA, ICA and IPZ where significant threats could occur.

13. **Water Budget technical studies** were conducted often spending significant funds. The Technical Rules required full studies, even when a less costly alternative may have been available that would have likely come to the same conclusion. Consideration should be given to revising the Technical Rules for water quantity studies at all tiers to allow for flexibility around the use of professional judgement to determine the best course of action. This will reduce the costs to the program.

Contact:
Chitra Gowda
Source Water Protection Lead
Conservation Ontario
cgowda@conservationontario.ca
FROM: Katie Stammler, Source Water Protection Project Manager

SUBJECT: Annual Reporting

DATE: March 3, 2016

PURPOSE

To inform the SPC of proposed annual reporting framework requested by the MOECC for annual reporting and of the reports received by the SPA in response to monitoring policies in the Essex Region Source Protection Plan

REPORT SUMMARY

- The MOECC prepared and circulated proposed annual reporting framework to be used to analyze the effectiveness of the Source Water Protection Program on an annual basis
- The Project Managers and Chairs were invited to provide comment on feedback on the annual reporting framework
- Annual reports related to monitoring policies in the Essex Region Source Protection Plan were received from the RMO, MOECC and OMAFRA

BACKGROUND

At the chair’s meeting in October 2015, the MOECC presented the Chairs and Project Managers with background information on a proposed framework for annual reporting and committed to releasing the full suite of proposed reportables and performance measures to all Chairs and Project Managers for comment. These documents were originally received on December 4, 2015 with a request for feedback by January 11, 2016. However, many questions arose that required further clarification via a teleconference with the MOECC and all Chairs and Project Managers on January 15, 2016 and feedback was then requested to be submitted by February 26, 2016.

The proposed reporting framework is very extensive and one of the main concerns raised by Chairs and PMs was that the task of completing the framework would be quite onerous and perhaps not justifiable. They also felt that some items would be difficult or impossible to answer and questioned whether all of the data collected would be valuable. The various Source Protection Areas are also at different stages of implementation of their Source Protection Plans with some already preparing for their mandated Annual Reporting to the MOECC and others, like the Essex Region, who have just begun implementation. The first annual report for the Essex Region is to be submitted May 1, 2018 and as such, staff had not yet begun to consider the content of these reports.

The Source Protection Authority is required to prepare annual reports under s.46 of the Clean Water Act with details as to their content provided in s.52 of the O.Reg 287/07. These reports must be circulated to the SPC for comment, particularly related to the committee’s opinion of the effectiveness of the Source Protection Plan and policies. Once reviewed and submitted, this document becomes publicly available. The Risk Management Official must also prepare an annual report under s.81 of the Clean Water Act.
Water Act with details as to their content provided in s.65 of the O.Reg 287/07. The MOECC reviewed each of these sections of the Clean Water Act and regulations, along with the policies in all the Source Protection Plans in Ontario to determine the type of data available and required to do a full analysis of the effectiveness of the Source Water Protection program in Ontario. From this analysis, they came up with a list of 81 reportables in different categories. Responses will be required from all implementing bodies including the various provincial ministries, the Source Protection Authority and the municipalities (see table below). While their proposed annual reporting framework may seem overly extensive, it is important to remember that the Province has invested $250 million into the Source Water Protection program and that with this level of investment, there will be an expectation and obligation for the MOECC to show the progress and effectiveness of this program. The proposed annual reporting framework will allow them to collect consistent and standardized data across Source Protection Areas in order to conduct defensible analysis. The intention is not for this extensive, and complicated framework to be used as the SPA’s annual report for review by the SPC and eventual public presentation, but the data gathered can be used to inform that report. The SPA, with input from the SPC will determine the content of the local annual public report.

Number of reportables requested by the MOECC for annual reporting

<table>
<thead>
<tr>
<th>Reporting Frequencies</th>
<th>Count</th>
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<tbody>
<tr>
<td>One-time</td>
<td>12</td>
</tr>
<tr>
<td>Limited time (until needed/completed/first number of years of reporting, etc.)</td>
<td>37</td>
</tr>
<tr>
<td>Ongoing/Annually</td>
<td>32</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>81</strong></td>
</tr>
</tbody>
</table>

The Project Manager and Risk Management Official provided comments to the MOECC (attached) largely supporting the need to collect data, but acknowledging that it may not be possible to gather all of the requested data. They also note that the task will be time consuming for all parties and that in many cases the SPAs may be responding on behalf of the municipalities, adding to the time commitment to complete this task. There is also a suggestion to consider this an adaptive process as the MOECC learns what data are obtainable and/or useful. The annual reporting framework and supporting documentation are provided for information purposes.

In addition to the annual reports mandated by the Clean Water Act, each policy in the Essex Region Source Protection Plan also includes a monitoring policy that requires implementing bodies to report to the SPA on their progress by February 1 of each year. The SPA received reports from the RMO, OMAFRA, and MOECC. Because our SPP had only been effective since October 1, there was very little progress to report on for 2015. The MOECC is also working with each of the other ministries to ensure that their responses are standardized and contain sufficient information to meet the needs of monitoring policies in all SPPs. The responses are attached for information purposes.
RECOMMENDATION

THAT Report SPC04/16 be received for information

Katie Stammler
Source Water Protection Project Manager

Attachments

1. Annual reporting framework
2. Annual reporting framework – supporting document
3. Comments from Project Manager and RMO
4. Annual report for monitoring policies – MOECC
5. Annual report for monitoring policies – OMAFRA
6. Annual report for monitoring policies - RMO
The requirement for annual progress reporting is established in the *Clean Water Act*, 2006. Source Protection Authorities (SPA) are required to provide regular reports to the Ministry of the Environment and Climate Change (MOECC) in accordance with the regulations established under the *Clean Water Act*, 2006 and any Director’s instructions established under O. Reg. 287/07. The Minister is required to include a summary of the progress reports in the annual report prepared by the Minister under the *Safe Drinking Water Act*, 2002.

Certain information is anticipated to be important in the summary prepared by the Minister. To gather this information, a series of preliminary “reportables”, or key questions, are identified below, the answers to which will feed into key “performance measures”, also shown below. Collectively, the information generated from the progress reports will provide valuable information about the implementation of source protection plans and the overall success of the program. In many cases, the answers to the reportables may come from information source protection authorities receive from various implementing bodies who are responding to the monitoring policies included in source protection plans, or from reports prepared by Risk Management Officials (RMO). Other times, additional information from implementing bodies will need to be compiled with the assistance of lead source protection authorities and Source Protection Programs Branch (SPPB) at MOECC. The diagram below shows the flow of reporting information from the implementing bodies to the SPA and MOECC that will inform the Minister’s annual report.

This document consists of the complete set of proposed reportables along with the performance measures to help convey the story of progress towards the full implementation of source protection plans and, in a broader sense, the protection of drinking water sources. The lead SPA is required to develop an annual progress report that will be publically available and satisfy the requirements under section 46 of the *Clean Water Act* and section 52 of O. Reg. 287/07. In addition, as a supplement to this report, the SPPB is requesting that lead SPAs compile information to answer the questions included in this document, and provide it to the SPPB. The SPAs may wish to consider incorporating some of this compiled information into their publically available annual progress report.
Some reportables are grouped into reporting themes which mirror policy tools (Prescribed Instruments, Land Use Planning, etc.) and legislative requirements while other reportables are grouped into broad themes (e.g., Municipal use of tools/resources, source protection knowledge and action, etc.). Furthermore, some reportables are labeled “optional” when the intent is to collect examples of positive success stories that may be showcased in public reports. Some reportables could be answered on a province-wide basis (e.g., # of hits to ministry websites about “source protection”, provincial program integration of source protection considerations, etc.), while others may require a response on a geographic basis related to either each source protection committee, approved plan (22), or source protection area. A reporting frequency is also noted below each reportable to differentiate between those that may be a one-time reporting item, or an item that may be reported upon in the first few years of reporting, or those that may be an ongoing (i.e., annual) reporting item.

The document titled “Description and Rationale” is a supporting document that provides a description and rationale for the proposed set of reportables and/or performance measures. The description and rationale may help with understanding why a reportable and/or performance measure is being asked and what the information that is being solicited may tell us about the progress being made towards the implementation of source protection plan policies.

Most reportables are associated with a performance measure and a target. While the measure is intended to track progress on an annual basis, the target is the ultimate goal towards which each measure is striving to attain over time. There are a few reportables that do not have a corresponding performance measure associated with them for a variety of reasons including that it was not always necessary to establish one for every reportable, or that the reportables are qualitative in nature, or that they feed into other established measures. Collectively, the performance measures will tell the story of progress.

Each performance measure and target will, in turn, achieve a short-, medium- and/or long-term program outcome. These outcomes were developed by SPPB staff over a series of four workshops in 2014 under the guidance of MOECC’s Program Planning and Implementation Branch (PPIB), and subsequently re-visited by a working group of SPPB staff to further assess their relevance to the program. These outcomes are described in another supporting document titled “Program Outcomes” and graphically displayed and numbered in the Program Logic Model (also included as a separate document) that was developed by SPPB staff with the guidance of PPIB. Some reportables and performance measures may achieve outcomes in the short-, medium-, and/or the long-term. The anticipated outcomes are denoted with “S” for a short-term outcome, “M” for a medium-term outcome, and “L” for a long-term outcome in the last column of the table below. The letters S, M, L are followed by a number in brackets that corresponds to the specific program outcome described in the program outcomes document and displayed in the program logic model.

Throughout the summer and fall of 2015, we consulted with a variety of stakeholders including staff from the Source Protection Programs Branch, other MOECC branches, other provincial ministries, a Project Manager Working Group, as well as members of the Municipal Working Group. This document reflects changes made as a result of the valuable feedback and comments that we received from these groups. As such, the set of reportables and measures are evolving, meaning we recognize that as the program matures and evolves, it may be necessary to add, remove, and/or modify some reportables and performance measures to better reflect the changing reporting needs and priorities of the source protection program.

The exact reporting system/mecchanism (e.g., Excel, fillable PDF, etc.) to be used to collect this information from the SPAs continues to be under consideration.
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Reportables</th>
</tr>
</thead>
</table>
| Monitoring Policy Implementation | SPA | 1 | (i) Did the implementing bodies to which monitoring policies apply submit a status update to the Source Protection Authority as required by the monitoring policy?  
□ Yes  
□ No  
(ii) If no, how many implementing bodies did not submit their status updates? ____  
(iii) Which implementing bodies did not submit?  
_________________________________________________________  
_________________________________________________________  
*Reporting Frequency:* Ongoing (annually) or one-time depending on actual policy item |
| Implementation status | SPA & SPPB | 2a | Report on the implementation status of each policy:  
i) Implemented  
i) In progress/some progress made  
i) Not implemented/no progress made  
i) No response received  
*Reporting Frequency:* Ongoing (annually) or one-time depending on actual policy item |
<table>
<thead>
<tr>
<th>Performance Measures</th>
<th>ID</th>
<th>Measure</th>
<th>Target</th>
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<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</table>

**Outcomes (S, M, L)**

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**NOTE:** While various provincial ministry offices are involved in implementing source protection plan policies, SPPB is listed in the second column when it is anticipated SPPB may facilitate the collection and sharing of information on policy implementation and the reportables identified for annual progress reports.
### Reportables

<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>ID</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SPAS &amp; SPPB</strong></td>
<td>2b</td>
<td><strong>ID</strong></td>
</tr>
<tr>
<td><strong>Who compiles this info?</strong></td>
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<td>Whenever the implementation status is &quot;Not implemented / no progress made&quot;, provide the following:</td>
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<td></td>
<td>- A listing of all applicable policies (i.e., policy ID)</td>
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<td></td>
<td>- An explanation of why actions were not taken by the person(s) or body(ies)</td>
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<td>- What action(s)/next steps are planned in the future</td>
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<tr>
<td></td>
<td><strong>Reporting Frequency:</strong> Ongoing (annually) or one-time depending on actual policy item</td>
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### Part IV (Section 57 – Prohibition, Section 58 - Risk Management Plan & Section 59 - Restricted Land Uses)

**NOTE:**

Additional reportables for Part IV are being collected in an Executive Summary (reflects information from s65 of O. Reg. 287/07).

### SPA

<table>
<thead>
<tr>
<th>ID</th>
<th>Reporting Frequency: Ongoing (annually) or one-time depending on actual policy item</th>
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<tbody>
<tr>
<td>3a</td>
<td>How many risk management plans (RMPs) were <strong>estimated</strong> to be required to address existing significant drinking water threats during this reporting period? _____</td>
</tr>
<tr>
<td>3b</td>
<td>How many RMPs within the SPC’s region or area have been agreed to or established (for existing and future threats) under the provisions of the Clean Water Act within this reporting period? _____</td>
</tr>
<tr>
<td>3c</td>
<td>How many properties (i.e., parcels) does this apply to? (Note: Count the number of properties (i.e., parcels) to which a particular RMP applies) _____</td>
</tr>
</tbody>
</table>

### SPA 4a

<table>
<thead>
<tr>
<th>ID</th>
<th>Reporting Frequency: Ongoing (annually) or until such time all existing (enumerated) threats are prohibited according to plan policies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>How many <strong>existing</strong>? significant drinking water threats have been managed through the established RMPs? _____ (** meaning engaged in OR enumerated as existing significant risks at the time of SPP approval)</td>
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</table>

**N/A**

### Outcome

<table>
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<tr>
<th>Outcomes (S, M, L)</th>
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<tbody>
<tr>
<td>M (#4, #7)</td>
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<tr>
<td>L (#9, #10)</td>
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### Reporting Frequency

<table>
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<tr>
<th>Reporting Frequency: Ongoing (annually)</th>
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### Notes

- *No direct measure, but links with measure “W” associated with Implementation Status and Enumerated Risks: Percent of significant drinking water risks that existed in the area when the SPP was approved and that have been addressed (i.e., eliminated or reduced).*
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-SDWT included in enumeration estimates at time of plan approval but subsequently determined through field verification that: (i) it was not actually engaged in at a particular location after all OR (ii) it was no longer engaged in (e.g., land may still have an agricultural operation but owner no longer applying pesticides for their own reasons)</td>
<td></td>
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<td>Reportables</td>
<td>managed)</td>
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<tr>
<td>SPA 4b</td>
<td>How many existing significant drinking water threats have been prohibited as a result of section 57 prohibitions?_____</td>
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<td>Reporting Frequency: Ongoing (annually) or until such time all existing (enumerated) threats are prohibited according to plan policies</td>
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<tr>
<td>SPA 5</td>
<td>[OPTIONAL]: On average, what proportion of the risk management measures (not including administrative reporting requirements) included in the RMPs were additional requirements or actions (i.e., beyond what the person engaged in the activity was already undertaking)?</td>
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<td>Reporting Frequency: Ongoing (annually)</td>
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<tr>
<td>SPA 6</td>
<td>How many section 59 notices were issued in this reporting period for: (i) activities to which neither a prohibition (section 57) nor a risk management plan (section 58) policy applied, as per ss. 59(2)(a) ____</td>
<td></td>
<td>Reporting Frequency: Ongoing (annually)</td>
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<tr>
<td>SPA 7a</td>
<td>For the purposes of section 61 of O. Reg. 287/07, how many times did the risk management official receive a notice and/or a copy of the prescribed instrument that states the prescribed instrument conforms with the significant threat policies in the source protection plan (i.e., statement of conformity confirms the instrument holder is exempt from requiring a Risk Management Plan)? ____</td>
<td></td>
<td>Reporting Frequency: Ongoing (annually)</td>
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<tr>
<td>SPA 7b</td>
<td>For the question above, please state the prescribed drinking water threat activity(ies) to which the statements of conformity pertain (as per O. Reg. 287/07 ss. 65(1), p. 4(iii)).</td>
<td></td>
<td>Reporting Frequency: Ongoing (annually)</td>
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</table>
### Reportables

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<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes</th>
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</thead>
<tbody>
<tr>
<td><strong>NOTE:</strong> The term inspections as used in the reportables below refer to those conducted on a planned and/or responsive basis.</td>
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<tr>
<td>SPA 8a</td>
<td></td>
<td>E</td>
<td>Percent of RMO inspections that show conformity with prohibition and risk management plan policies in an approved SPP.</td>
<td>M (#4, #7) L (#9, #10)</td>
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<tr>
<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<tr>
<td>SPA 8b</td>
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<td>Among these inspections, how many showed that activities were taking place on the landscape even though they were prohibited (i.e., in contravention) under section 57 of the <em>Clean Water Act</em>? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<tr>
<td>SPA 9a</td>
<td></td>
<td>F</td>
<td>Percent compliance with the contents of risk management plans.</td>
<td>M (#4, #7) L (#9, #10)</td>
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<td>What is the total number of inspections (including any follow-up site visits) that were carried out for activities that require a risk management plan under section 58 of the <em>Clean Water Act</em>? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<tr>
<td>SPA 9b</td>
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<tr>
<td>(i) how many were in contravention with section 58 of the <em>Clean Water Act</em> (i.e., person engaging in a drinking water threat activity without a RMP as required by the SPP)? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<td>(ii) how many were in non-compliance with the specific contents of the RMP (i.e., major non-compliance that is not of an administrative nature)? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<tr>
<td>SPA 9c</td>
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<td>(i) Where major/significant cases of contraventions and non-compliance of a non-administrative nature have been found and reported as a result of inspections, what percentage were successfully brought back into compliance? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<td>(ii) If not all the above cases were successfully brought back into compliance, please state the reason(s), and the expected timeline by which these cases are expected to be brought back into compliance.</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<tr>
<td>SPA 10</td>
<td></td>
<td>N/A</td>
<td>No direct measure. This is an attempt to illustrate the value-</td>
<td>N/A</td>
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<td>How many properties (i.e., parcels) had inspections during this reporting period? _____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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**NOTE:** The term inspections as used in the reportables below refer to those conducted on a planned and/or responsive basis.
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<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
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<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
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<tbody>
<tr>
<td>Reportables</td>
<td>ID</td>
<td></td>
<td><strong>Measure</strong></td>
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<tr>
<td><strong>SPA 11</strong></td>
<td><strong>ID:</strong> SPA, <strong>Measure:</strong> Overall, how would the lead SPA describe the amount of new/additional source protection information (e.g., threats, transport pathways, abandoned wells, etc. and how they are managed), if any, which the RMO/RMI learned through their duties as compared to what was known at the time of plan approval, and that was shared with the lead SPA during this reporting period?</td>
<td><strong>Target:</strong> added knowledge/benefits the RMOs bring to communities through their day-to-day work.</td>
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<tr>
<td><strong>SPA 11</strong></td>
<td><strong>ID:</strong> SPA, <strong>Measure:</strong> Which provincial ministry program areas integrate source protection considerations into their business processes associated with prescribed instruments?</td>
<td><strong>Target:</strong> All applicable provincial ministries integrating source protection considerations and/or use source protection science/information in their business or operational processes.</td>
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**Prescribed instruments - Integration and Conformity**

(The reportables for Prescribed Instruments applies to Ministries responsible for)

<table>
<thead>
<tr>
<th>Prescribed instruments - Integration and Conformity</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
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<tbody>
<tr>
<td><strong>SPA 11</strong></td>
<td><strong>ID:</strong> SPA, <strong>Measure:</strong> Which provincial ministry program areas integrate source protection considerations into their business processes associated with prescribed instruments?</td>
<td><strong>Target:</strong> All applicable provincial ministries integrating source protection considerations and/or use source protection science/information in their business or operational processes.</td>
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<tr>
<td><strong>SPA 11</strong></td>
<td><strong>ID:</strong> SPA, <strong>Measure:</strong> Which provincial ministry program areas integrate source protection considerations into their business processes associated with prescribed instruments?</td>
<td><strong>Target:</strong> All applicable provincial ministries integrating source protection considerations and/or use source protection science/information in their business or operational processes.</td>
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**Reporting Frequency:** Ongoing (annually)

**Reporting Frequency:** One-time
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<th>Reportable theme</th>
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<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
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</thead>
<tbody>
<tr>
<td>the following legislation: Environmental Protection Act, Ontario Water Resources Act, Pesticides Act, Safe Drinking Water Act, Nutrient Management Act, and Aggregate Resources Act)</td>
<td></td>
<td>13</td>
<td>Please identify the specific measures that provincial ministries have taken to integrate source protection into their business processes associated with prescribed instruments. Check all that apply.</td>
<td>from these reportables will provide supporting info for reportables / measures on Implementation Status and Enumerated Risks.</td>
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<tr>
<td></td>
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<td>□ Appropriate staff training for source protection related to prescribed instruments</td>
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<td>□ Guidance documents revised or created to align with new program changes for source protection for reference by ministry staff</td>
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<td>□ Information bulletins or other support materials/tools created and/or made available to external stakeholders (i.e. applicants) to inform them that restrictions may result from source protection policies, so that potential impacts can be considered in advance of making an application</td>
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<td></td>
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<td>□ Protocol in place to review existing PIs potentially affected by SPP policies</td>
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<td>□ System in place to track the PIs that are subject to SPP policies</td>
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<td>□ Process in place to map or otherwise geo-reference PIs that are subject to PI policies</td>
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<td>□ Screening process in place to identify PI applications potentially affected by SPP policies.</td>
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<td>□ Other changes made to business processes. Please provide a brief description below.</td>
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<td>□ No changes made. If no changes made to business processes to integrate source protection, please explain the reason(s) below.</td>
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<td></td>
<td>Reporting Frequency: One-time (but may be needed again if and when further changes are made to business processes to integrate source protection)</td>
<td></td>
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<tr>
<td></td>
<td>SPPB</td>
<td>14</td>
<td>Provide a description of each provincial ministry’s process for ensuring PI decisions (new or amendments) conform with the significant threat PI policies applicable to each SPC (i.e., a description of the screening process in place).</td>
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<td>Reporting Frequency: One-time</td>
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<td></td>
<td>SPPB</td>
<td>15</td>
<td>Provide a description of each provincial ministry’s process for ensuring PI decisions (new or amendments) have regard to the moderate and low threat PI policies applicable to each SPC.</td>
<td></td>
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<tr>
<td>Reportable theme</td>
<td>Who compiles this info?</td>
<td>ID</td>
<td>Reportables</td>
<td>Performance Measures</td>
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<tr>
<td>SPPB</td>
<td></td>
<td>16a</td>
<td>Provide a description of each provincial ministry’s process for ensuring PIs that were previously issued or otherwise created before the plan took effect conform with the significant threat policies applicable to each SPC.</td>
<td>H Number of prescribed instrument applications where the decision made managed the risk or prevented it from occurring.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Reporting Frequency: One-time</td>
<td>Increasing number of prescribed instrument decisions made over time to conform with policies that address significant risks (on a cumulative basis).</td>
</tr>
<tr>
<td>SPPB</td>
<td></td>
<td>16b</td>
<td>Provide an estimated percent progress for completing the exercise for ensuring that PIs that were previously issued or otherwise created before the plan took effect conform with the significant threat policies for each SPC’s area or region.</td>
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<td>Note: This information is expected to be helpful for SPAs as they maintain a running tally of progress in addressing significant risks that were on the ground before plans were approved (e.g., running tally = A+B-C-D)</td>
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<tr>
<td></td>
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<td>A - original estimate of SDWT engaged in/enumerated when SPP approved</td>
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<td>B - SDWT identified after SPP approved as a result of field verification (i.e., not part of original estimate of SDWT)</td>
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<td>C - SDWT included in enumeration estimates at time of plan approval but subsequently determined through field verification that: (i) it was not actually engaged in at a particular location after all or (ii) it was no longer engaged in (e.g., land may still have an agricultural operation but owner no longer applying pesticides for their own reasons)</td>
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<td>D - SDWT addressed because policy implemented</td>
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<td>Reporting Frequency: Ongoing or until such time as the exercise is completed</td>
<td></td>
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<tr>
<td>SPPB</td>
<td></td>
<td>17a</td>
<td>For each SPC’s area or region, how many applications for PIs subject to significant drinking water threat policies had decisions made?</td>
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<td>Reporting Frequency: Ongoing (annually)</td>
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<tr>
<td>SPPB</td>
<td></td>
<td>17b</td>
<td>Of the applications noted above, how many decisions on the those applications resulted in the following outcomes: (i) Activity managed (ii) Activity prohibited</td>
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<td>Reporting Frequency: Ongoing (annually)</td>
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<td>Outcomes (S, M, L)</td>
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<tr>
<td>SPPB 18a</td>
<td>For each SPC’s area or region, for the purposes of section 61 of O. Reg. 287/07, how many times did the provincial ministry issue a notice or a prescribed instrument that states the prescribed instrument conforms to the significant threat policies in the source protection plan (i.e., statement of conformity confirms the instrument holder is exempt from requiring a Risk Management Plan)? (Note: Not applicable to MOECC instruments under the EPA, OWRA or Pesticides Act. May apply to instruments under the Safe Drinking Water Act, Nutrient Management Act or Aggregate Resources Act).</td>
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<tr>
<td>SPPB 18b</td>
<td>For the question above, please state the prescribed drinking water threat activity(ies) to which the statements of conformity pertain.</td>
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<td>SPPB 19</td>
<td>In situations where a provincial ministry does not issue a decision or otherwise create the prescribed instrument, describe what is being done by the ministry to ensure the PI conforms with the significant threat policies that use the PI tool. (Note: Applicable to only certain OMAFRA instruments under the Nutrient Management Act)</td>
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<tr>
<td>Prescribed instruments - Inspections and Compliance</td>
<td>NOTE: The term inspections as used in the following reportables refer to those conducted on a planned and/or responsive basis. (Responses to this grouping of reportables is to be provided for each ministry program area)</td>
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<tr>
<td>SPPB 20</td>
<td>Briefly describe how provincial ministry staff involved in inspections related to prescribed instruments have been trained in source protection</td>
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<td>SPPB 21</td>
<td>In general, describe how source protection is taken into consideration when planning for and prioritizing inspections.</td>
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<tr>
<td>Reportable theme</td>
<td>Who compiles this info?</td>
<td>ID</td>
<td><strong>Reportables</strong></td>
<td><strong>Performance Measures</strong></td>
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<tr>
<td><strong>affected by PI policies – i.e., sewage, waste, pesticides, aggregates, fuel storage, nutrient management, permit to take water, water works permitting, drinking water municipal licenses</strong></td>
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<td><strong>Reporting Frequency:</strong> One-time but maybe needed again if and when changes are made</td>
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<td>SPPB 22a</td>
<td>During this reporting period, how many inspections (including any follow-up site visits) were conducted on properties/sites/farm units within vulnerable areas with activities governed by prescribed instruments where a significant drinking water threat policy applies? ____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<td>SPPB 22b</td>
<td>On how many properties/sites/farm units did these inspections occur (including any follow-up site visits)? ____</td>
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<td><strong>Reporting Frequency:</strong> Ongoing (annually)</td>
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<td>SPPB 23</td>
<td>In general, describe how each ministry ensures compliance with a prescribed instrument.</td>
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<td><strong>Reporting Frequency:</strong> One-time</td>
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<tr>
<td><strong>Land Use Planning (LUP)</strong></td>
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<td>SPA 24a</td>
<td>In total, how many municipalities (including upper-, lower-, and single-tier) within the SPC’s area or region are required to complete:</td>
<td>J</td>
<td>Percent of municipalities where source protection has been incorporated into planning documents.</td>
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<tr>
<td></td>
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<td>Official Plan (OP) conformity exercises? ____</td>
<td></td>
<td>100% of municipalities that are subject to significant threat policies have incorporated source protection into their planning documents.</td>
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<tr>
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<td>Zoning by-law (ZBL) conformity exercises? ____</td>
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<td>S (#1, #2)</td>
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<td>*Note: Applies to every municipality affected by land use planning or Part IV type policies.</td>
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<td>SPA 24b</td>
<td>Of these municipalities, how many have:</td>
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<td></td>
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<td>(i) Completed / substantially completed* their OP conformity exercise ____</td>
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<td>(ii) Completed / substantially completed* their ZBL conformity exercises ____</td>
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<td>(iii) OP conformity exercise in process ____</td>
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<td>(iv) ZBL conformity exercise in process ____</td>
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<td>(v) Not started their OP conformity exercise ____</td>
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<td>(vi) Not started their ZBL conformity exercise ____</td>
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<td>*Note: Municipalities that have completed their conformity exercises for their respective OP and/or ZBL, and are working through any appeals process are counted as having completed their OP and ZBL conformity</td>
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</table>
## Reportables

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<thead>
<tr>
<th>Reportable theme</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
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### Reporting Frequency

1. Ongoing (annually) or until such time all applicable municipalities have completed their conformity exercise.
2. Ongoing (annually) or until as needed.

### Education & Outreach (E&O)

#### SPA & SPPB

25

(i) What methods are being used to implement E&O policies? Choose all that apply.

- [ ] in-person workshops
- [ ] site visits
- [ ] distribution of materials
- [ ] mention in speeches
- [ ] integration with other programs
- [ ] websites
- [ ] videos
- [ ] podcasts
- [ ] social media promotion
- [ ] traditional advertising
- [ ] radio/TV
- [ ] articles in publications
- [ ] events/festivals
- [ ] other. Please specify ________________________
- [ ] methods for implementing E&O not yet determined

(ii) List the top three most commonly used E&O methods amongst the implementing bodies.

______________________________
______________________________
______________________________

(iii) Are there indications to suggest that the methods used above to implement education and outreach programs are having a positive impact (i.e., objectives achieved, effective in conveying the importance of source protection, etc.)?
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Reportables</th>
<th>Performance Measures</th>
<th>Outcomes</th>
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<tr>
<td>SPA &amp; SPPB</td>
<td>26</td>
<td></td>
<td>What did the E&amp;O policies that were implemented in this reporting period target in the source protection area? Please select all that apply from the list below.</td>
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<td>□ Yes</td>
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<td>□ No</td>
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<td>Please explain.</td>
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<tr>
<td>SPA &amp; SPPB</td>
<td>27</td>
<td></td>
<td>[OPTIONAL: If and where there are E&amp;O initiatives that were particularly successful that the SP Authority wishes to highlight in the annual progress report, include its details here. Please limit the description to only those known E&amp;O initiatives the SPA feels were exceptional/quite successful.]</td>
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<td>Provide a brief description of a successful E&amp;O initiative that has had or is having a positive impact in the box below. In the description, include:</td>
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<td></td>
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<td>• Indicate target population (e.g., farmers, business, residents, municipalities, etc.)</td>
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<td>• Percentage of the target audience reached</td>
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<td>• Outcomes that were achieved</td>
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<td>• Whether these initiatives reached persons and/or businesses within geographic areas where risks could be significant or to wider areas (i.e., specific to areas with significant drinking water risks or general E/O)</td>
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<td>Reporting Frequency: First 3-5 years of reporting</td>
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<td>Reporting Frequency: Annually or when warranted</td>
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Please limit the description to only those known E&O initiatives the SPA feels were exceptional/quite successful.
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<th>Reportables</th>
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### Incentives

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<th>ID</th>
<th>Performance Measures</th>
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<tr>
<td></td>
<td><strong>Outcomes</strong> (S, M, L)</td>
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<tr>
<td></td>
<td>Number of SPAs indicating that the limited availability of incentives was a substantial barrier to addressing significant drinking water risks.</td>
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<td></td>
<td>Decreasing over time.</td>
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<td></td>
<td>S (#2)</td>
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<td>M (#4, #6, #7)</td>
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</table>

#### Reporting Frequency: Annually or when warranted

<table>
<thead>
<tr>
<th>Type of Incentive</th>
<th>Source of Incentive (i.e., Municipality, Conservation Authority, Provincial Ministry(ies), Other (please specify))</th>
<th>Prescribed Drinking Water Threat</th>
<th>Did incentive(s) assist with the implementation of SPP policies? (Yes/No)</th>
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**SPA & SPPB 28**

Complete the table below indicating the type of incentive(s) that was made available (whether as a policy in the SPP or not), the source that provided the incentive(s), the prescribed drinking water threat activity(ies) to which it relates, and state whether the incentive(s) assisted with the implementation of SPP policies that address significant drinking water threat activity(ies). Repeat rows as necessary in the table below.

**SPA 29a**

To what degree was the availability (or lack) of incentives a barrier to ensuring that significant risks were addressed?

- □ Not a barrier (at least one type of policy action was implemented for every significant risk)/Not Applicable
- □ Some degree
- □ Moderate degree
- □ Large degree
- □ Full degree (i.e., no policies were implemented due to the limited availability of incentives)

**Reporting Frequency: Annually or when warranted**

**SPA 29b**

Please provide comments to explain the above answer.

**Reporting Frequency: Annually or when warranted**

**SPA & SPPB 30**

[**OPTIONAL:** If and where there are successful incentive programs in the SPR/SPA that the SP Authority wishes to highlight in the annual progress report, include its details here. Please limit the description to only those incentive programs the SPA feels were exceptional/quite successful.]

Provide a brief description of incentives that have had or are having a positive impact in the box below. In the description include:
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
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<tbody>
<tr>
<td><strong>Provincial ministry integration of source protection</strong> (beyond PIs)</td>
<td></td>
<td>SPPB 31</td>
<td>Reporting Frequency: Annually or when warranted</td>
<td><strong>M</strong> Number of ministry programs integrating source protection considerations and/or use source protection science in business or operational processes. All relevant ministry program areas integrating source protection considerations and/or the use of the science of source in their business or operational processes.</td>
</tr>
<tr>
<td><strong>Provincial Ministry Information</strong></td>
<td></td>
<td>SPPB 32</td>
<td>Reporting Frequency: Annually or when warranted</td>
<td><strong>N/A</strong> No direct measure.</td>
</tr>
<tr>
<td><strong>Sewage System Inspections – Ontario Building Code (OBC)</strong></td>
<td></td>
<td>SPA 33a</td>
<td>Reporting Frequency: One-time</td>
<td><strong>N</strong> Percent progress in completing the mandatory septic inspections where seps are a significant risk.</td>
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<td></td>
<td>SPA 33b</td>
<td>Reporting Frequency: Annually</td>
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<td></td>
<td></td>
<td>SPA 33c</td>
<td>Reporting Frequency: Annually</td>
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- Outcomes achieved
- How widely available was the incentive?
- Whether incentives reached persons and/or businesses within geographic areas where risks could be significant or to wider areas

**Reporting Frequency**: Annually or when warranted
Reportables

<table>
<thead>
<tr>
<th>Drinking Water Issue/Parameter</th>
<th>ICA delineated for this issue? (Yes/No)</th>
<th>Observations</th>
<th>Actions/Behavioural Changes Contributing to Change in Observations (Optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental monitoring for drinking water issues</td>
<td>SPA 34</td>
<td>Complete the table below, where information about drinking water issues is available, indicating any drinking water issue/parameter (chemical or pathogen) that has been/have been identified, whether an Issue Contributing Area was delineated for the identified issues, any observations in the concentration or trend for each issue, and describe the actions/behavioural changes in the ICA that might contributing to the changes.</td>
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<td>Increasing concentration/trend</td>
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<td>Decreasing concentration/trend</td>
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<td>No change in concentration/trend</td>
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<td>Not enough data/information is available to determine changes in concentration/trend</td>
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<td>Reporting Frequency: Annually</td>
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Performance Measures

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<tr>
<th>ID</th>
<th>Measure</th>
<th>Target</th>
<th>Outcomes (S, M, L)</th>
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<tbody>
<tr>
<td>O</td>
<td>Number of identified issues showing improvements in the concentration(s) and/or trend(s) of the identified issue(s).</td>
<td>Improvements over time in the concentration or loadings of contaminant(s)/issue(s) of concern in sources of drinking water.</td>
<td>S (#1, #2) M (#4, #7)</td>
</tr>
<tr>
<td>Reportable theme</td>
<td>Who compiles this info?</td>
<td>ID</td>
<td>Reportables</td>
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<tr>
<td><strong>Drinking water surveillance environmental monitoring</strong></td>
<td>SPPB</td>
<td>35</td>
<td>[OPTIONAL]: If and where there are participating municipal drinking water systems in the Drinking Water Surveillance Program, provide a description of any changes in the concentration or loadings of various parameters that may be of concern in sources of drinking water since the approval of the assessment report. In the description, please indicate if the changes reflect an improvement in water quality.</td>
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<td><strong>Reporting Frequency</strong>: Annually</td>
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<tr>
<td><strong>Signage</strong></td>
<td>SPA &amp; SPPB</td>
<td>36a</td>
<td>Are signage policies (i.e., voluntary and/or mandatory) included in the SPP?</td>
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<td>□ Yes □ No</td>
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<td><strong>Reporting Frequency</strong>: One-time</td>
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<td>36b</td>
<td>How many signs have been installed on provincial highways in the SPA/SPR during this reporting period?</td>
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<td><strong>Reporting Frequency</strong>: Annually for the first 3-5 years of reporting</td>
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<td>36c</td>
<td>How many signs have been installed on municipal roads in the SPA/SPR during this reporting period (for the first report include any installed prior to plans being approved)?</td>
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<td><strong>Reporting Frequency</strong>: Annually for the first 3-5 years of reporting</td>
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<td>36d</td>
<td>Were other signs installed at other locations?</td>
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<td>□ Yes □ No</td>
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<td>If yes, please explain below.</td>
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<tr>
<td><strong>Reporting Frequency</strong>: Annually for the first 3-5 years of reporting</td>
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### Reportable theme: Transport pathways

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<td>37a</td>
<td>SPA &amp; SPPB</td>
<td><strong>Reportables</strong></td>
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<td>R</td>
</tr>
<tr>
<td>37b</td>
<td></td>
<td>Reporting Frequency: Annually</td>
</tr>
<tr>
<td></td>
<td></td>
<td>What actions resulted from the receipt of these notices (e.g., SPA provided information to municipalities about changes in vulnerability, etc.)? Please describe below.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>__________________________________________________________</td>
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<tr>
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<td></td>
<td>__________________________________________________________</td>
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<tr>
<td></td>
<td></td>
<td>Reporting Frequency: Annually</td>
</tr>
<tr>
<td>38</td>
<td>[OPTIONAL]: Provide specific information on actions taken to reduce the impacts that transport pathways have on source water (e.g., number of wells properly abandoned by municipalities and/or private landowners in accordance with O. Reg. 903, the number of vertical boreholes where additional dealing was installed)?</td>
<td></td>
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<td></td>
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<td>__________________________________________________________</td>
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<td>__________________________________________________________</td>
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<td></td>
<td></td>
<td>Reporting Frequency: Annually or when warranted</td>
</tr>
</tbody>
</table>

### Reportable theme: Positive impact examples for each of the following policy tools or topics

<table>
<thead>
<tr>
<th>ID</th>
<th>Who compiles this info?</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>SPA &amp; SPPB</td>
<td><strong>Reportables</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>ID</strong></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>N/A</td>
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<tr>
<td></td>
<td></td>
<td>Reporting Frequency: Annually or when warranted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Provide a brief description for any of the following initiatives that have had or are having a positive impact. In the description, include outcomes that were achieved.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road salt management: __________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transport pathways: ___________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Spill response: _______________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Water quantity: _______________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Great Lakes: _________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other policies: ______________________________________________________________</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reporting Frequency: Annually or when warranted</td>
</tr>
<tr>
<td>Reportable theme</td>
<td>Who compiles this info?</td>
<td>ID</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------</td>
<td>----</td>
</tr>
<tr>
<td>Online source protection tools</td>
<td>SPA &amp; SPPB</td>
<td>40</td>
</tr>
<tr>
<td>Municipal use of tools/resources</td>
<td>SPA</td>
<td>41</td>
</tr>
<tr>
<td>SPA</td>
<td>42a</td>
<td></td>
</tr>
</tbody>
</table>

### Tools/Resources/Advice

<table>
<thead>
<tr>
<th>Tools/Resources/Advice</th>
<th>Number of Municipalities using each tool/resource</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source Protection Interactive Mapping Tool</td>
<td></td>
</tr>
<tr>
<td>Risk Management Official Forum</td>
<td></td>
</tr>
<tr>
<td>Resource Catalogue/Campaign in a Box toolkit</td>
<td></td>
</tr>
<tr>
<td>Education &amp; outreach webinar</td>
<td></td>
</tr>
<tr>
<td>Education &amp; outreach community of practice</td>
<td></td>
</tr>
<tr>
<td>Contact with MOECC staff</td>
<td></td>
</tr>
<tr>
<td>Guidance materials (i.e., fact sheets, information bulletins, etc.)</td>
<td></td>
</tr>
<tr>
<td>MOECC training (e.g., RMO/RMI certification; property entry)</td>
<td></td>
</tr>
<tr>
<td>OMAFRA/OFEC information sessions</td>
<td></td>
</tr>
<tr>
<td>Other. Please specify: ________________</td>
<td></td>
</tr>
</tbody>
</table>

**Reporting Frequency:** Annually for the first 3-5 years of reporting

SPA | 42b | [OPTIONAL]: Are there tools/resources that would be more useful if they were revised/modified? |
<table>
<thead>
<tr>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Municipal integration of source protection

**SPA**

(i) In total, how many municipalities (including upper-, lower-, and single-tier) within the SPR/SPA are subject to SPP policies (any policy tool)? ____

(ii) Of the total municipalities that are subject to SPP policies as noted above, how many are integrating source protection requirements into the following program areas?

<table>
<thead>
<tr>
<th>Municipal Program Area</th>
<th>Number of Municipalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road salt storage/application</td>
<td></td>
</tr>
<tr>
<td>Snow storage</td>
<td></td>
</tr>
<tr>
<td>Pesticide storage/application</td>
<td></td>
</tr>
<tr>
<td>Hazardous waste storage</td>
<td></td>
</tr>
<tr>
<td>Organic solvents storage</td>
<td></td>
</tr>
<tr>
<td>Municipal fuel storage (e.g., for heating, maintenance vehicles, etc.)</td>
<td></td>
</tr>
<tr>
<td>Municipal well maintenance and operations</td>
<td></td>
</tr>
<tr>
<td>Municipal water quantity</td>
<td></td>
</tr>
<tr>
<td>Stormwater infrastructure maintenance</td>
<td></td>
</tr>
<tr>
<td>Other. Please provide a description below:</td>
<td></td>
</tr>
</tbody>
</table>

**Reporting Frequency:** Annually or when warranted

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<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>ID</th>
<th>Description</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who compiles this info?</td>
<td>ID</td>
<td>Reportables</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPA 44a</td>
<td>How many municipalities (including upper-, lower-, and single-tier) within the SPR/SPA are affected by land use planning policies and/or restricted land uses, and which are therefore required to integrate source protection considerations into their business processes. _____</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Reporting Frequency: Annually or when warranted</td>
<td></td>
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</tr>
<tr>
<td>SPA 44b</td>
<td>From the list below, identify the specific measures taken by municipalities (including upper-, lower-, and single-tier) to integrate source protection by checking all that apply from the list below, and state approximately how many of the subject municipalities are integrating source protection beside each of the measures shown.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Staff involved with land use planning and/or section 59 policies trained in source protection _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Staff guidance documents updated/produced for evaluating land use planning applications conforming with/having regard to source protection plan policies _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Planning design and technical guidelines updated/produced for source protection considerations for applicants _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Strategy and timeline established to undertake SPP conformity exercise _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Planning documents updated _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Planning maps/schedules updated _____</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>□ Procedures in place to flag where section 59 policies apply including mechanism/process to facilitate exchange of information about development application process and the issuance of section 59 notices _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Public works operations _____</td>
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<tr>
<td>□ Other. _____ Please provide a description.</td>
<td></td>
<td></td>
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<tr>
<td>□ No Changes Made. If no changes made, please explain below.</td>
<td></td>
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</tr>
<tr>
<td>Reporting Frequency: Annually for a first few years after plan implementation</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>SPA 44c</td>
<td>From the list below, indicate which of the following broad policy outcomes have been achieved through implementing land use planning and/or restricted land use policies, and state how many of the subject municipalities (including upper-, lower-, and single-tier) have achieved each of the listed outcomes shown below.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>□ Prohibition of land uses _____</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>□ Designating restricted land uses _____</td>
<td></td>
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</tr>
<tr>
<td>Reportable theme</td>
<td>Who compiles this info?</td>
<td>ID</td>
<td>Performance Measures</td>
<td>Outcomes</td>
</tr>
<tr>
<td>------------------</td>
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</tr>
<tr>
<td>Reportables</td>
<td></td>
<td></td>
<td>ID</td>
<td>Measure</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Site-specific measures (e.g., design standards/ low impact development/ lot sizing/ best management practices, etc.)</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Siting/placement of activities away from vulnerable areas</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Complete planning application requirements</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>Municipal/communal sewage servicing</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Comprehensive planning review requirements</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Other Please specify below:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reporting Frequency: Annually for a first few years after plan implementation</td>
</tr>
<tr>
<td>SPA 45</td>
<td>What actions are being taken to inform developers of any restrictions on the land, including prohibitions resulting from various SPP policies (e.g., LUP, s57, s58), in advance of them making an application for a land use permission or building permit? Please list examples from a variety of municipalities.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPA 46</td>
<td>List and provide a brief summary of by-laws established under the Municipal Act that are protective of source water (either as a result of SPP policies or at the municipality’s own initiative but influenced by source protection).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPA 47</td>
<td>Examples of successful municipal actions to protect source water</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPA &amp; 48a</td>
<td>Source (i) Have municipalities or SP Authorities within the SPA/SPR undertaken/conducted surveys to gauge source water</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reporting Frequency: Annually or when warranted</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Examples of successful municipal actions to protect source water**

SPA 47  

[OPTIONAL: If and where there are examples of successful municipal actions in the SPR/SPA that the SP Authority wishes to highlight in the annual progress report, include its details here. Please limit the descriptions provided to those the SPA feels are exceptional/very successful municipal actions.]

Are there some unique examples of successful municipal actions within the SPA that are being/have been undertaken to protect source water either directly because of plan policies or as a result of more broad integration of the science from source protection? If yes, please provide details below.

Reporting Frequency: Annually or when warranted
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes (S, M, L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>protection knowledge and action</td>
<td>SPPB</td>
<td>protection knowledge and action?</td>
<td>□ Yes □ No</td>
<td>respondents who indicate general knowledge of the source protection program and its principles.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) If yes, approximately how many municipalities and/or SPAs conducted surveys? _____</td>
<td></td>
<td>respondents indicating knowledge of source protection program and its principles.</td>
</tr>
<tr>
<td>Reporting Frequency: Annually or when available</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>From the surveys conducted, what percentage of respondents (both residents and businesses) who participated in surveys indicated that:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>a. they have general knowledge of the source protection program and its principles _____</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b. they intend to be or have become more proactive in protecting water sources since learning about source protection _____</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reporting Frequency: Annually or when available</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Examples of successful residential or business actions to protect source water</td>
<td>SPA</td>
<td>48b</td>
<td>respondents indicating knowledge of source protection program and its principles.</td>
<td>M (#5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>From the surveys conducted, what percentage of respondents (both residents and businesses) who participated in surveys indicated that:</td>
<td>L (#9)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>a. they have general knowledge of the source protection program and its principles _____</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b. they intend to be or have become more proactive in protecting water sources since learning about source protection _____</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reporting Frequency: Annually or when available</td>
<td></td>
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<td></td>
<td></td>
<td>Are there examples of local residents and/or businesses (including agriculture, salt applicator, fuel providers) who are taking successful concrete actions (e.g., engaged in more “green” behaviours that could protect water sources such as purchasing road salt alternatives, taking precautions when storing or disposing hazardous waste, organic solvents, etc.) to protect source water in their community(ies)? If yes, please provide details below.</td>
<td></td>
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<td></td>
<td></td>
<td>Reporting Frequency: Annually or when warranted</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Reportables

<table>
<thead>
<tr>
<th>ID</th>
<th>Enumerated risks: progress made in addressing significant risks engaged in at time of SPP approval (i.e., enumerated as 'existing')</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPA 50a</td>
<td>Which significant drinking water threats were being engaged in (i.e., enumerated as 'existing' significant risks/threats) at the time of SPP approval? (Check all that apply)</td>
</tr>
<tr>
<td></td>
<td>□ Waste (includes storage, transfer and disposal)</td>
</tr>
<tr>
<td></td>
<td>□ Sewage systems (including stormwater management, septic systems, treatment plants)</td>
</tr>
<tr>
<td></td>
<td>□ Application of agricultural source material to land</td>
</tr>
<tr>
<td></td>
<td>□ Storage of agricultural source material</td>
</tr>
<tr>
<td></td>
<td>□ Management of agricultural source material</td>
</tr>
<tr>
<td></td>
<td>□ Application of non-agricultural source material to land</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of non-agricultural source material</td>
</tr>
<tr>
<td></td>
<td>□ Application of commercial fertilizer to land</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of commercial fertilizer</td>
</tr>
<tr>
<td></td>
<td>□ Application of pesticide to land</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of pesticide</td>
</tr>
<tr>
<td></td>
<td>□ Application of road salt</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of road salt</td>
</tr>
<tr>
<td></td>
<td>□ Storage of snow</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of fuel</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of dense non-aqueous phase liquid</td>
</tr>
<tr>
<td></td>
<td>□ Handling and storage of organic solvent</td>
</tr>
<tr>
<td></td>
<td>□ Management of runoff that contains chemicals used in the de-icing of aircraft</td>
</tr>
<tr>
<td></td>
<td>□ Use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard</td>
</tr>
<tr>
<td></td>
<td>□ Water taking from an aquifer without returning the water to the same aquifer or surface water body</td>
</tr>
<tr>
<td></td>
<td>□ Reducing recharge of an aquifer</td>
</tr>
<tr>
<td></td>
<td>□ Local threat #1 (if applicable, please specify) _____________</td>
</tr>
<tr>
<td></td>
<td>□ Local threat #2 (if applicable, please specify) _____________</td>
</tr>
<tr>
<td></td>
<td>□ Local condition #1 (if applicable, please specify) _____________</td>
</tr>
<tr>
<td></td>
<td>□ Local condition #2 (if applicable, please specify) _____________</td>
</tr>
</tbody>
</table>

### Performance Measures

<table>
<thead>
<tr>
<th>ID</th>
<th>Measure</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>W</td>
<td>Percent of significant drinking water risks that existed in the area when the SPP was approved and that have been addressed (i.e., eliminated or managed).</td>
<td>Increasing percentage over time.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>M (#4, #8)</td>
</tr>
</tbody>
</table>

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Note: This information is not based on any content that is visible in the image.
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>Who compiles this info?</th>
<th>ID</th>
<th>Reportables</th>
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<th>Outcomes (S, M, L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPA 50b</td>
<td>Please provide a description of the progress made in addressing these significant risks. In the description, include:</td>
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<td></td>
<td>□ Which enumerated threats have been addressed?</td>
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<td>□ What remains to be completed?</td>
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<td></td>
<td>□ An estimated percentage of overall progress made. (NOTE: This is intended to be the same as included in the ARDB*).</td>
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<td></td>
<td>* Lead SPAs will be maintaining a running tally of progress in addressing significant risks that were on the ground before plans were approved.</td>
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<td></td>
<td>Reporting Frequency: Annually</td>
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**Assessment report deficiencies**
(as per ss. 52(1), p. 2 of O. Reg. 287/07)

| SPA 51 | Provide a summary of steps taken to implement the work plans described in technical rules #30.1 (Water Budget Tier 3), #50.1 (GUDI for WHPA-E or F), #116 (ICA), if any. | X | Number of SPAs reporting on how deficiencies in assessment report are/were being addressed. | M (#3) |
| | Reporting Frequency: Annually when applicable | | | | |

**Other reporting items**
(as per ss. 52(1), p. 4 of O. Reg. 287/07)

| SPA 52 | Does the SPA have any other item on which it wishes to report? If so, please explain. | N/A | No direct measure. | N/A |
| | Reporting Frequency: Annually when applicable | | | | |

**Source protection outcomes**

<p>| SPA 53 | In the opinion of the lead SPA, what positive outcomes (e.g., less water consumption, changes in behaviour, reduction in phosphorus and nitrogen concentrations, less chloride from road salt, reduction in algal blooms, human health protected, etc.), if any, might have resulted from the implementation of SPP policies? Please describe the outcomes below. | Y | Number of SPAs indicating that plan implementation may be a contributing factor to positive drinking water outcomes. | M (#5, #7) L (#9, #10) |
| | Reporting Frequency: Annually | | | | |</p>
<table>
<thead>
<tr>
<th>Reportable theme</th>
<th>ID</th>
<th>Performance Measures</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Achievement of SPP objectives</strong> (as per ss. 46(3) of the Clean Water Act)</td>
<td>SPA 54a</td>
<td>In the opinion of the Source Protection Committee, to what extent have the objectives of the source protection plan been achieved in this reporting period? <strong>Reporting Frequency:</strong> Annually</td>
<td>Z Percentage of Source Protection Committees indicating that the objectives of the source protection plan have been achieved to the full extent. Increasing over time. S (#1, #2) M (#3, #4, #5, #7) L (#9, #10)</td>
</tr>
<tr>
<td>SPA 54b</td>
<td>Please provide comments to explain how the SPC arrived at its opinion. <strong>Reporting Frequency:</strong> Annually</td>
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</table>
### Annual Reporting for Source Protection

**DESCRIPTION & RATIONALE for REPORTABLES and/or PERFORMANCE MEASURES**

**December 2015**

<table>
<thead>
<tr>
<th>Reportable No.</th>
<th>Description &amp; Rationale</th>
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<tbody>
<tr>
<td><strong>Monitoring Policy Implementation</strong></td>
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</table>
| 1 | - This reportable will indicate if all implementing bodies have reported as required by the monitoring policies which may speak to the true effectiveness of these monitoring policies.  
- In reviewing and analyzing this submission, it will provide the Ministry of Environment and Climate Change a sense of how complete the reported data is since the source protection authority will only be able to report the data that is made available to them. |
| **Implementation Status** | |
| 2a-2b | - This reportable and measure are essential in tracking progress that is being made over time towards the implementation of all source protection plan policies. Combined, the reportable and measure represent the overarching summary of plan policy implementation.  
- The reporting on the failure to implement (i.e., not implemented/no progress made) is a requirement under ss. 52(1) p. 1 of O. Reg. 287/07 that is to be included in the annual progress reports that are prepared by the source protection authorities.  
- This reportable and performance measure are critical in that they speak most directly about addressing drinking water threats through source protection plan policy implementation. |
| **Part IV (Section 57 – Prohibition, Section 58 – Risk Management Plan & Section 59 – Restricted Land Uses)** | |
| 3a-3c | - The result for 3a will track progress between the number of risk management plans that were estimated to be required and how many risk management plans were actually established during a reporting year.  
- Feedback from some stakeholders recommended that reportable 3a be included to show progress being made in establishing risk management plans.  
- The results for 3b and 3c are designed to track the number of risk management plans that are established on associated properties/parcels to manage drinking water threat activities over time.  
- This set of reportables is measure of the progress being made in establishing the risk management plans as required by plan policies to address significant drinking water threat activities, which will help inform the tracking of threats addressed by policies. |
| 4a-4b | - Reportables 4a and 4b will help track the number of overall threats that have been addressed as a result of the implementation of policy. It is component “D” of the running tally concept to track drinking water threats that are being addressed.  
- These reportables will verify the number of existing threats that have been managed through RMPs or prohibited through section 57 of the Clean Water Act. |
<p>| 5 | - In a general sense, this optional reportable seeks to understand the added value of the risk management plan as a tool to address significant drinking water threat activities. More specifically, the response to this reportable, when provided, will give the Source Protection Program Branch a sense of just how many measures are actual additional requirements that are imposed on the landowner. |
| 6 | - This reportable seeks a count of the number of notices that have been issued for land use restrictions in areas where neither section 57 nor section 58 policies and where only section 58 policies apply within a reporting period. |</p>
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<thead>
<tr>
<th>Reportable No.</th>
<th>Description &amp; Rationale</th>
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</table>
| 7a-7b          | • This reportable tracks the notices received by the risk management official from persons seeking an exemption from the requirement to establish a risk management plan for their drinking water threat activity(ies). It will provide insight as to how often prescribed instruments are addressing a threat instead of a risk management plan.  
• Part (b) of the question confirms the type of drinking water threat activity to which the statement of conformity pertains.  
• Combined, the information from this reportable will assist with running tally of threats in the Source Protection Region/Area. |
| 8a-8b          | • These reportables concern inspections that are carried out by a risk management inspector. These specifically relate to inspections that may be conducted for activities that are prohibited under section 57 of the Clean Water Act.  
• Where conducted, part b inquires about how many of them were deemed to be in contravention. This information could be retrieved from the annual report that is prepared by the risk management official.  
• The responses provided will assist with arriving at the performance measure (see measure “E” above) that has been established to assess conformity with both section 57 and section 58 of the Act. |
| 9a-9b          | • These reportables concern inspections that are carried out by a risk management inspector. These specifically relate to inspections that are conducted for activities that are subject to section 58 of the Clean Water Act.  
• Of the total inspections that are conducted, part b seeks to determine what proportion of the inspections showed cases of contravention with the requirement to establish a risk management plan (i.e., section 58) and non-compliance with the terms and conditions as outlined in an already established risk management plan that is of a non-administrative nature. This information could be retrieved from the annual report that is prepared by the risk management official.  
• While the response provided in #9b(i) will assist with arriving at the performance measure (see measure “E”) that has been established to assess conformity with both section 57 and section 58 of the Act, the response to #9b(ii) will assist with arriving at performance measure that has been established to assess compliance with the risk management plan (see measure “F”). |
| 9c             | • It is understood that cases of contraventions and non-compliance with section 57 and section 58 will be brought into compliance through orders, etc. As such, this reportable simply seeks to confirm that any infractions were successfully brought back into compliance during a reporting period.  
• If not all have been brought back into compliance, then the second part of this reportable seeks an explanation and a timeline by which compliance will be achieved by the landowner(s) engaged in a significant drinking water threat activity.  
• These reportables will give us the assurance that compliance actions are being taken in a timely manner where infractions are found through inspections. They will demonstrate the added value of the work of the risk management inspectors. |
<p>| 10             | • Since there is not always a one-to-one ratio between the number of inspections undertaken and the number of properties to which it applies, this reportable will help with adding context to the number of inspections that are undertaken annually on any number of subject properties. |
| 11             | • This optional reportable is an opportunity to characterize the amount of any new or additional knowledge that is gained and shared by Risk Management Officials through their day-to-day work, which may not always be directly related to the implementation of section 57 prohibition or section... |</p>
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<tr>
<th>Reportable No.</th>
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<tbody>
<tr>
<td>58 risk management plan policies.</td>
<td>• This reportable may serve to illustrate the value-added knowledge/benefits that the risk management officials bring to the communities they serve.</td>
</tr>
</tbody>
</table>

**Prescribed Instruments – Integration and Conformity**

| 12 | • This reportable identifies and confirms the program areas (and ministries by extension) that are integrating source protection considerations into their respective business processes. |
| 13 | • This reportable identifies and confirms the program areas (and ministries by extension) that are integrating source protection considerations into their respective business processes.  
• The identification of specific business process changes illustrates all the tangible ways in which source protection is being/has been incorporated into the day-to-day ministry operations. This reportable goes one step beyond simply identifying which provincial ministry program areas are integrating source protection. |
| 14 | • This reportable elicits a description of the process that each ministry program area has established to review any *new or amended* applications for prescribed instruments that may be subject to significant drinking water threat policies.  
• This reportable confirms that a process is in place to ensure that all *new or amended* applications for prescribed instruments that may be subject to significant drinking water threat policies are carefully screened such that the proposed activity is either prohibited or managed as per the applicable policy direction in the source protection plan. |
| 15 | • This reportable elicits a description of the process that each ministry program area has established to review any *new or amended* applications for prescribed instruments that may be subject to moderate or low drinking water threat policies.  
• This reportable confirms if a process is in place to ensure that all *new or amended* applications for prescribed instruments that may be subject to moderate or low drinking water threat policies are managed as per the applicable policy direction in the source protection plan. |
| 16a-16b | • This reportable is a request for information about any process that may be in place for reviewing *previously issued* prescribed instruments which may be subject to significant drinking water threat policies.  
• This reportable confirms if a process is in place to ensure that all *previously issued* prescribed instruments are reviewed to conform with the applicable significant drinking water threat policies.  
• For the purposes of tracking progress in reviewing prescribed instruments issued before plans took effect and which are subject to significant threat policies, it is assumed that one prescribed instrument corresponds to one significant threat activity. While this may not always be the case, given the absence of field verification of these risks before plans were approved, it is assumed to be a reasonable surrogate for measuring progress in addressing enumerated risks over time. |
| 17a-17b | • This pair of reportables seeks a count of the total number of applications received that are subject to significant drinking water threat policies, and on which a decision has been made in terms of whether the activity is to be prohibited or managed as per the plan policy direction.  
• The responses provided will quantify the actual number of applications that are received and on which a decision has been made to prohibit or manage a drinking water threat activity. Furthermore, the responses will serve as a check against whether new or amended applications are being appropriately screened. The responses should show that an increasing number of decisions on prescribed instruments are conforming with significant drinking water threat policies on a cumulative basis. |
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<tr>
<th>Reportable No.</th>
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| 18a-18b        | • This reportable is about understanding how often persons engaged in significant drinking water risks are getting an exemption from establishing a risk management plan for their activity that is subject to drinking water threat policies because the activity is already managed through a prescribed instrument.  
• These reportables would also assist with tracking the number of significant drinking water threat activities that have been addressed through the implementation of policies, which is component “D” of the running tally formula. |
| 19             | • This reportable is to account for those prescribed instruments (i.e., nutrient management plans) that are not issued by a ministry. As such, this reportable seeks a description of the process that is in place or being put in place to ensure that such instruments do conform with any significant drinking water threat policies that may apply.  
• The inclusion of this reportable ensures that agricultural activities governed by such prescribed instruments are captured and being adequately addressed through a ministry review process. |
| Prescribed Instruments – Inspections and Compliance | |
| 20             | • This reportable solicits a description of how ministry staff involved with the inspection of prescribed instruments is being/have been trained in source protection.  
• This training is expected to help ensure ministry staff involved in prescribed instrument compliance also understand how source water protection is integrated into provincial instruments and the legal obligations established by the Clean Water Act. |
| 21             | • This reportable does request a description of how source protection is factored into how ministries may be planning for and prioritizing the inspection of sites/facilities/farm units with prescribed instruments.  
• The response provided will meet the intent of some policies in approved source protection plans concerning the prioritization of inspections and demonstrate that source protection is being integrated into ministries’ inspection regimes to ensure source water risks are addressed. |
| 22a-22b        | • The first reportable seeks the number of inspections of sites/facilities/farm units located within vulnerable areas closest to wells and intakes with activities governed by a prescribed instrument. The second part of this reportable seeks a count of properties/sites/farm units that have had inspections conducted to provide better context into the number of inspections and the number of properties that were subject to these inspections.  
• Since there is not always a one-to-one relationship between the number of inspections conducted and the number of sites/properties/farm units that are inspected, this reportable asks for both. In other words, there could be several inspections conducted on any one property (e.g., initial, follow up, etc.), thus this reportable gives context for the number of inspections conducted. |
| 23             | • This reportable elicits a general description of how ministries ensure compliance with prescribed instruments. Since compliance is required with all terms and conditions in a prescribed instrument, the general response provided should suffice, especially with understanding how cases of non-compliance are dealt with.  
• By knowing how each ministry ensures compliance with a prescribed instrument, it is expected that all cases of non-compliance are dealt with and brought back into compliance in a timely manner. |
<p>| Land Use Planning | |
| 24a-24c        | • The first part of this set of reportables is a context setting question for the other parts of this question in that it seeks to establish the count of municipalities that are required to complete an official plan and zoning by-law conformity exercise as per the land use planning policies in a plan. |</p>
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<th>Reportable No.</th>
<th>Description &amp; Rationale</th>
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|               | • Part b of this reportable determines what proportion of the total number of municipalities have completed/substantially completed their Official Plan and Zoning By-law conformity exercises, in the process of undertaking their conformity exercises, and the count of municipalities that have not begun their conformity exercises. Where municipalities have not started their conformity exercises, part c of this question seeks an explanation as to why they have not begun their conformity exercise.  
• This set of reportables will help to track progress made on the implementation of land use planning policies (i.e., incorporating source protection into planning documents) by all applicable municipalities. |
|               | **Education & Outreach** |
| 25            | • Reportable #25 is a three-part reportable that elicits information about the methods used to implement Education and Outreach policies along with a listing of the top three ones that are most commonly used. There is also an opportunity for source protection authorities to indicate and explain if a particular method(s) is having a positive impact.  
• The sharing of knowledge and awareness-raising about source protection is the critical first step in bringing about behavioural changes. As such, this reportable will be critical in understanding how that knowledge and awareness-raising was undertaken to reach the intended audiences, and if there any indications that the method(s) used resulted in positive outcomes. |
| 26            | • Since the Education and Outreach policies could target specific threats or more general threats within a source protection region/area, this reportable asks the source protection authority to identify what exactly the education and outreach policies targeted.  
• The implementation of education and outreach policies to raise awareness of threats, conditions, transport pathways, drinking water issues, etc. may contribute towards threats ceasing to be significant through demonstrable changes in behaviour and attitudes amongst Ontarians. |
| 27            | • This optional reportable is an opportunity for a source protection authority to showcase/highlight particularly successful examples of education and outreach initiatives. Where such examples are provided, they may be used as vignettes in the Minister’s annual report on drinking water.  
• Where examples of successful education and outreach initiatives are provided, these may be used as noteworthy initiatives for other source protection authorities to emulate and/or from which lessons can be learned in terms of best practices. |
| **Incentives**| **28-30**  
• Reportable #28 intends to capture the use of any incentive(s), whether as part of an explicit policy or not, to address any of the drinking water threat activities. It seeks to document the source(s) of the incentive(s) and whether they assisted with the implementation of plan policies.  
• Reportable #29 is a two-part reportable that seeks to gauge the degree to which any of the incentives were a barrier to addressing significant drinking water threats.  
• Reportable #30 is an opportunity for source protection authorities to highlight incentive programs that were particularly beneficial and/or successful in terms of achieving the intended outcomes, or the degree of its availability to achieve the outcome(s).  
• The rationale for this set of reportables is that the responses may provide insight into the role and effectiveness of incentives in addressing significant drinking water threats. |
<p>| <strong>Provincial ministry integration of source protection</strong> | • This reportable seeks information about any other provincial ministry program areas (beyond prescribed instruments) that may integrating source protection considerations into their business or operational processes as a result of the available science associated with the source protection |</p>
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<tr>
<th>Reportable No.</th>
<th>Description &amp; Rationale</th>
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<tr>
<td></td>
<td>The rationale behind this ask is to gain an appreciation of the impact that the extensive information generated as a result of the source protection program is having on other relevant government program areas.</td>
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<tr>
<td></td>
<td><strong>Provincial ministry Information</strong></td>
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<tr>
<td>32</td>
<td>This reportable is a placeholder for any provincial ministry to share any other information items that they wish to raise pertaining to source protection.</td>
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<td></td>
<td>This reportable is an opportunity to learn about any other items or information that provincial ministries may choose to share regarding source protection that may be of interest to the program.</td>
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<td></td>
<td><strong>Sewage System Inspections – Ontario Building Code (OBC)</strong></td>
</tr>
<tr>
<td>33a-33c</td>
<td>This three part reportable seeks to establish the total number of on-site sewage system that are required by the Ontario Building Code to be inspected and the results of the inspections to determine what proportion of on-site sewage systems required any follow-up action.</td>
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<td></td>
<td>This reportable confirms that mandatory inspections are being conducted on all identified on-site sewage systems that pose a significant threat to drinking water as per the policies in source protection plans. The performance measure (percent progress) can be calculated from the information provided in parts a and b.</td>
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<td></td>
<td><strong>Environmental monitoring for drinking water issues</strong></td>
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<tr>
<td>34</td>
<td>This reportable seeks information about drinking water issue(s) that have been identified within a source protection region/area, specifically, the name of the issue(s), whether it has been delineated, and an indication of whether there has been any change in the concentration(s)/trend(s) from sampling data. The source protection authority may choose to note any actions or behavioural changes that might be contributing to any observed changes in the concentration(s)/trend(s) of the drinking water issue(s).</td>
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<td>This reportable will allow stakeholders including the public to see changes over time, if any, in the drinking water issue(s) as a measure of water quality within their source protection region/area. More broadly, the annual sampling of the identified issue(s) may indirectly indicate if plan policies are having an impact.</td>
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<td></td>
<td><strong>Drinking water surveillance environmental monitoring</strong></td>
</tr>
<tr>
<td>35</td>
<td>This optional reportable is an opportunity for source protection regions/areas to share the results of the monitoring of parameters in raw/untreated water at their municipal drinking water systems that are participating in the Drinking Water Surveillance Program.</td>
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<tr>
<td></td>
<td>This reportable will allow stakeholders including the public to see changes over time, if any, on any monitored parameters as a measure of their water quality within their source protection region/area.</td>
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<tr>
<td></td>
<td><strong>Signage</strong></td>
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<tr>
<td>36a-36d</td>
<td>Where signage policies are included in a plan either on a mandatory or voluntary basis, this reportable seeks to track the number of signs that have been installed on both provincial highways, municipal roads, as well as on any other locations as a measure to raise awareness.</td>
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<td>The numbers provided in the responses to this reportable will provide an indication of how widespread the source protection signs are across the various source protection regions/areas.</td>
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<td><strong>Transport pathways</strong></td>
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<tr>
<td>37-38</td>
<td>These reportables seek to obtain statistics on the number of transport pathway notices that are being received by source protection authorities from municipalities, and the resulting actions that</td>
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<tr>
<td>Reportable No.</td>
<td>Description &amp; Rationale</td>
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<td>have been/are being taken, in general terms, to ensure transport pathways have minimal impact on source water.</td>
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<td></td>
<td>• Reportable #38 is an optional reportable that seeks information about the specific types of actions that have been taken to reduce impacts that transport pathways have on source water.</td>
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<td></td>
<td>• The rationale for this set of reportables is that it will both reveal and provide some insight into what types of actions are being taken once transport pathway notices are received. It may also provide insight into the overall effectiveness of transport pathway policies in source protection.</td>
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</table>

**Positive impact examples for Road salt management, Transport pathways, Spills response, Water quantity, Great Lakes, and any "other" policy**

| 39  | This reportable is an opportunity to highlight success stories stemming from the implementation of various policies, where this opportunity was not explicitly included for a topic or policy tool elsewhere in the reportables document. Examples that are shared may be used as vignettes in the Minister’s annual report on drinking water. It is an opportunity to highlight success stories for others to emulate and from which lessons may be learned and shared. |

**Online source protection tools**

| 40  | This reportable is a count of all online traffic associated with accessing source protection tools that are provided by source protection authorities, municipalities, and provincial ministries. It seeks a total number of hits or views for each of the listed public bodies. |
|     | • The number of hits or views will serve as an indication of how often available source protection tools are being accessed by any and all stakeholders for both practical and information purposes. |

**Municipal use of tools/resources**

| 41-42 | Reportable #41 is designed to establish the percentage of municipalities that are using source protection tools, resources and/or advice provided by Conservation Ontario, conservation authorities, and provincial ministries. |
|       | Reportable #42a seeks a count of the number of municipalities that are utilizing each of the listed tool/resource/advice provided for assisting with the implementation of plan policies. |
|       | Reportable #42b is an optional reportable for either municipalities or source protection authorities to complete by offering suggestions to improve the resources provided in any way necessary to increase their uptake or usefulness. |
|       | • The statistics provided through these reportables will provide an indication of how extensively the various resources are being used to aid in the implementation of source protection plan policies. It may also reveal which tool(s)/resource(s) are most commonly used amongst the municipalities and which one(s) less so. |

**Municipal integration of source protection**

| 43  | This three-part reportable is a count of municipalities that are integrating source protection into various program areas (i.e., land use planning and municipal operations such as in snow storage, hazardous waste storage, municipal well maintenance, etc.). |
|     | • The counts provided will demonstrate progress towards integrating source protection knowledge and science into municipal operations. |
| 44a-44c | Reportable #44a establishes the count of municipalities that are subject to land use planning and section 59 restricted land use policies, and therefore require them to integrate source protection into their business processes. |
|       | • Reportable #44b is two-fold in that it asks for the identification of specific measures taken to integrate source protection from the list provided, and the number of municipalities that have
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<td>undertaken each listed measure. The quantification of specific examples illustrates the tangible ways in which source protection is being/has been incorporated into day-to-day municipal operations. This reportable goes one step beyond simply identifying which municipal program areas are integrating source protection.</td>
</tr>
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<td></td>
<td>• Reportable #44c identifies the frequency of different types of policy outcomes being achieved through the implementation of land use planning policies in a source protection region/area. It will also show that municipalities have undertaken specific changes to their business processes to ensure that source protection policies are properly implemented.</td>
</tr>
<tr>
<td></td>
<td>• In addition to identifying measures taken to integrate source into business processes, it will be valuable to understand specific policy outcomes that were achieved through the implementation of the various land use planning and restricted land use policies.</td>
</tr>
<tr>
<td>45</td>
<td>• This reportable seeks examples of proactive actions, if any, that have been/are being taken to reach out to developers about land use restrictions that may impact any potential development applications.</td>
</tr>
<tr>
<td></td>
<td>• This reportable will highlight the efforts that are being made by municipalities to ensure that developers are well aware of policies in advance of preparing any application to develop land in the municipality.</td>
</tr>
<tr>
<td>46</td>
<td>• This reportable is an attempt to capture municipal actions, as expressed through by-laws under the <em>Municipal Act</em>, which have been/are being taken to protect source water that may or may not be as a direct result of source protection plan policies.</td>
</tr>
<tr>
<td></td>
<td>• Municipalities are permitted under the <em>Municipal Act</em> to establish by-laws that are protective of the natural environment. As such, this reportable will give a sense of the types of by-laws that have been passed by municipal councils to protect source waters.</td>
</tr>
<tr>
<td><strong>Examples of successful municipal actions to protect source water</strong></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>• This optional reportable is another opportunity to showcase particularly successful examples of municipal actions that have been/are being taken to protect source water because of plan policy direction and/or as a result of a broader integration of the science of source protection.</td>
</tr>
<tr>
<td></td>
<td>• The responses provided, if any, may be considered as candidates for vignettes to be included as part of the Minister’s annual report on drinking water. It is an opportunity to highlight success stories for others to emulate and from which lessons may be learned and shared.</td>
</tr>
<tr>
<td><strong>Source protection knowledge and action</strong></td>
<td></td>
</tr>
<tr>
<td>48a-48b</td>
<td>• This set of reportables seeks information that is derived from surveys that are conducted, if at all, by source protection authorities or municipalities to gauge source protection knowledge and action amongst the public and businesses.</td>
</tr>
<tr>
<td></td>
<td>• These reportables and performance measures relate to short-, medium-, and long-term outcomes of the source protection program as it relates to knowledge and awareness that leads to changes in behaviour that, over the long-term, may lead to attitudes that are favourable towards source protection. It is an attempt to document linkages between knowledge and action.</td>
</tr>
<tr>
<td><strong>Examples of successful residential or business actions to protect source water</strong></td>
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</tr>
<tr>
<td>49</td>
<td>• This optional reportable seeks exceptional concrete examples of residential and/or business actions that have been taken to protect source water.</td>
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<tr>
<td></td>
<td>• The responses provided, if any, may be considered as candidates for vignettes to be included as part of the Minister’s annual report on drinking water. It is an opportunity to highlight success stories for others to emulate and from which lessons may be learned and shared.</td>
</tr>
</tbody>
</table>
## Enumerated risks: Progress made in addressing significant risks engaged in at time of SPP approval

<table>
<thead>
<tr>
<th>No.</th>
<th>Description &amp; Rationale</th>
</tr>
</thead>
</table>
| 50a-50b | - Reportable #50a directs the source protection authority to identify which of the listed 21 prescribed drinking water threat activities along with any applicable/relevant local threats and conditions were being engaged in at the time of the approval of the source protection plan.  
  - Reportable #50b follows by eliciting a description of the progress made in addressing the enumerated significant threats. It specifically asks to identify which enumerated threats were addressed, which ones remain to be addressed, and an estimated percentage of overall progress made in addressing the significant threats.  
  - This is a critical reportable in that it answers the key question about existing threats being addressed over time. It complements the tracking of threats as expressed through the running tally concept and the assessment report database. |

### Assessment report deficiencies (as per ss. 52(1), p. 2 of O. Reg. 287/07)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description &amp; Rationale</th>
</tr>
</thead>
</table>
| 51 | - This reportable is a requirement under O. Reg. 287/07 to provide a description of the steps taken to address any deficiencies in the information that was used in developing the assessment report.  
  - The rationale for this reportable is to ensure the accuracy and integrity of the assessment reports in which threats are assessed and on which plan policies are based that affect landowners, farmers, businesses, public bodies, among others. |

### Other reporting items (as per ss. 52(1), p. 4 of O. Reg. 287/07)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description &amp; Rationale</th>
</tr>
</thead>
</table>
| 52 | - This reportable is also a requirement under O. Reg. 287/07 to provide the source protection authorities an opportunity to report on items not already captured elsewhere in the report.  
  - The rationale for this reportable is to ensure an adequate opportunity for the reporting source protection authorities to provide information on any additional actions taken for source protection. |

### Source protection outcomes

<table>
<thead>
<tr>
<th>No.</th>
<th>Description &amp; Rationale</th>
</tr>
</thead>
</table>
| 53 | - This reportable seeks a description from the source protection authority about positive outcomes that *might* have resulted from the collective implementation of plan policies. Some specific examples are included in the reportable but the response need not be limited to these examples.  
  - Despite the limited ability to draw a direct correlation between the implementation of source protection plan policies and positive outcomes, source protection may still be considered as a contributing factor towards the achievement of positive drinking water outcomes over the long-term. |

### Achievement of SPP objectives (as per ss. 46(3) of the Clean Water Act)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description &amp; Rationale</th>
</tr>
</thead>
</table>
| 54a-54b | - This reportable invites the Source Protection Committee, upon receipt of the annual progress report and prior to the submission to the Director of the Source Protection Programs Branch, to render their opinion in terms of the extent to which the objectives of the source protection plan have been achieved. Once they select from among the options listed in #54a, they are asked to explain their selection in #54b.  
  - Aside from being a requirement under the *Clean Water Act*, this reportable caps off the annual progress report by having the Source Protection Committee provide an overall assessment of progress that has been/is being made towards the ultimate goal of all policies being implemented with the objectives of the plan being met to the full extent. |
Response to Annual Reporting framework from Project Manager, Katie Stammler

First let me complement you on the work that has gone into compiling the reportables and developing all of the accompanying documents. I fully understand and support that the MOECC will need to do a robust analysis of the program given the funding and the time and effort of so many people over nearly a decade (!). I don’t feel that I can really speak to whether all of the metrics that you have identified will be necessary for that analysis as it is beyond the scope of my statistical knowledge, but more data generally leads to more options for analysis or the ability to do better analysis. It looks to me as though you have considered all possible metrics at this point to make sure that all bases are covered – my only caution on this is that sometimes it is tempting to collect as much data as possible, but some of that data could end up clouding your interpretation of analysis later if it is extraneous. If you feel strongly that all of the reportables would be useful, then circulate the forms and we will fill them out to the best of our ability, acknowledging that there will be gaps if certain questions can’t be answered. I would suggest not making this a ‘final’ version of the reportables, but rather take an adaptive approach once you determine whether you can drop some of the data or if there are certain questions that everyone is having trouble addressing. Please also take into consideration that for some of us, the municipalities rely heavily on us for all things related to Source Water and it will be their expectation that we either guide them through this or answer on their behalf.

As outlined below, MOECC is well ahead of us on this. Until we have been implementing our policies for some time, I don’t feel comfortable commenting on most of the particular reportables in terms of whether I think they are attainable or useful. We reviewed the Risk Management requirements and noted that we will not be able to answer ‘ID3a’ – we have identified potential threats in the AR and made a rough estimate of how many of those might need a RMP, but there’s not much basis to that so I don’t think that saying something like ‘80% of estimated RMPs were agreed upon in this reporting period’ would be justifiable. We note that ID6 is not a requirement of S.65 of the O.Regs, but is something that we intend to report on as S.59 screening will constitute the bulk of the work that our RMO does and support including it here. We have a number of other potential responses to S.59 screening in addition to the notices required by the CWA that we will also be tracking (e.g. ‘this property isn’t in the EBA’, ‘you will need a RMP’, ‘your activity is prohibited’). These will be issued as letters and will be tracked in our database and included in our annual reports to the municipalities. Similarly there will be a number of outcomes for identified existing threats (e.g. ‘the threat is outside of the EBA’, ‘the threat does not meet the risk circumstances’, ‘you need a RMP’). We will also track and count these.

My last comment is to provide clarity as to what exactly this form is that you’re asking us to fill out. S.46 of the CWA requires us to prepare annual reports that must be circulated to the SPC.
for comment (which they are obligated to provide) and that report must be made public. S.52 (5) of the Regs says that the Director can approve a form for completing the S.46 report and that this form must be used. This is where a fair bit of confusion came from for me and part of why I suggested that the SPC be involved – if they are ultimately to comment on this then it makes sense that they see what it is they will be expected to comment on and be allowed to provide feedback. It is my understanding now that this form is not what the Director will be issuing under S.52(5), but that is something extra that we fill out in addition to what we prepare for S.46, similar to the ARDB or policy database, correct?

My answers to your specific questions are in red below.

Thank you for the time and effort that you put into preparing this,

Katie

• As PMs, what did you intend to do with the information you receive through the monitoring reports from the various implementing bodies? What level of analysis do you foresee conducting to assess plan implementation?

We have been focused on Plan approval and implementation and had not yet considered what would be done with the information from monitoring reports. I was not aware that formal analysis of the information was going to be required and had considered it at this point. With other more immediate priorities, I cannot say at this time what that analysis may consist of.

• How did you envision reporting that information to the SPPB?

In some sort of spread sheet with a summary cover letter

• How did you envision the SPPB summarizing the annual progress reports to include in the Minister’s annual report on drinking water?

I did not get this far in my thinking and am glad not to be the one who has to compile all the information, it will be no small task!!

• Is there a gap between how you may have envisioned progress reporting and what we are proposing to collect through the supplementary report to us? If yes, what is the gap? How do you propose we close the gap so that our progress reporting efforts are better aligned?

I can’t say that there is a gap as you are well ahead of us with our Plan approved in April 2015 and just effective in October 2015. I appreciate the need to have something in place soon and I know that I will be glad for this discussion when we have to report in 2018, but until we have
been implementing our policies for some time, I find it difficult to provide much useful feedback.

Comments on Annual Reporting framework from Risk Management Official, Ashley Gyori

As we are just in the beginning implementation stages of the program, I don’t think Katie or I had really thought about analyzing data/the reportables to assess plan implementation. I think that as the program progresses we will get a better idea of what information we can gather and analyze. In addition to the other reportables, we think that it is important that we record how many S.59 notices are issued as well as the other letters that Katie mentioned above as we foresee a lot of correspondence to address these. This recording will be done in the form of an organized spreadsheet with a summary table included in the cover letter.

I think that Katie’s responses mirror my own feedback so I think that’s everything.

--Ashley
From: Beaty, Taran (MOECC) [mailto:Taran.Beaty@ontario.ca] On Behalf Of Malcolmson, Heather (MOECC)
Sent: Monday, February 01, 2016 5:02 PM
To: jallain@abca.on.ca; hevans@crca.ca; rmcrae@crca.ca; Katie Stammler; mkeller@grandriver.ca; david.vallier@timmins.ca; mathew.pawson@timmins.ca; brian.stratton@mrsourcetherwater.ca; allison.gibbons@mrsourcetherwater.ca; bwright@npca.ca; Sue Miller (SueM@nbmca.on.ca); ktaylor@quinteconservation.ca; rpilon@nation.on.ca; rbateman@ssmrca.ca; melanie.venne@sudbury.ca; chris.wilkinson@ltc.on.ca; B.Longstaff@lsrca.on.ca; lbrown.spcchair@hay.net; willj@kos.net; tomf@uwindsor.ca; wcascaden@grandriver.ca; ghughes.canada@gmail.com; jstavinga@tanakiwin.com; markaneufeld@gmail.com; jeffcelentano@cogeco.ca; mchristie@xieenvironmental.com; raymondbeauregard@hotmail.com; pjmclarty@shaw.ca; ldollin@innisfil.ca; nelscarol@vianet.ca; sherwoodhunt@bellnet.ca
Cc: kgavine@conservationontario.ca; susanself@powergate.ca; spcchair@hrca.on.ca; bbeddgood@uniserve.com; traynorhomestead@gmail.com; bhartley@tbaytel.net; jstephens@trca.on.ca; dbloomfield@hrca.on.ca; tammy@lakehead.ca; c.seider@waterprotection.ca; fletcherm@thamesriver.on.ca; Kinch, Pat (MOECC); Scanlon, Debbie (MOECC); Lavender, Wendy (MOECC); Forrest, Elizabeth (MOECC); Wooding, Mary (MOECC); McLellan, Teresa (MOECC); Gervais, Neil (MOECC); Beaty, Taran (MOECC)
Subject: Status of MOECC monitoring and reporting

Sent on behalf of Heather Malcolmson, Director, Source Protection Programs Branch, Ministry of the Environment and Climate Change

Good afternoon,

As you know, the Ministry of the Environment and Climate Change has an obligation to report to source protection authorities on any actions taken to implement policies for source protection plans in effect in the previous year. The ministry has been implementing policies province-wide since January 2015, and I am writing to let you know that we in Source Protection Programs Branch are working with our partners within the ministry to document our actions and provide the information in a report on the Ministry’s implementation across Ontario in the near future. We are also working with our partner ministries to make sure you receive their summaries as well.

Sincerely,

Heather Malcolmson, Director
Source Protection Programs Branch
Ministry of the Environment and Climate Change
From: Hurd, Maja (OMAFRA) [mailto:maja.hurd@ontario.ca]
Sent: Wednesday, March 02, 2016 9:46 AM
To: Katie Stammler
Cc: Jessel, Jason (MOECC)
Subject: Source Water Reporting

The intent of this email is to fulfill the Ministry of Agriculture, Food and Rural Affairs reporting requirements under the Source Protection Program.

Between January 1, 2015 and December 31, 2015, no new ASM Nutrient Management Strategies or NASM plans were approved by the Ministry of Agriculture, Food and Rural Affairs within the Essex Source Protection Area.

Maja Hurd

Environmental Specialist
Environmental Management Branch
Ministry of Agriculture, Food and Rural Affairs
1 Stone Road W
Guelph ON N1G 4Y2
Tel: 519 826 6366
Fax: 519 826 3259
email: maja.hurd@ontario.ca

Stay up-to-date with nutrient management
January 28th, 2016

Katie Stammler, Source Water Protection Project Manager
Essex Region Conservation Authority
360 Fairview Ave W, Suite 311
Essex, ON, N8M 1Y6

Re: RMO Annual Report for 2015

Dear Dr. Stammler,

The Town of Amherstburg, the Town of Essex, the Town of Kingsville, the Town of Lakeshore, the Town of LaSalle, the Municipality of Leamington, the Township of Pelee, the Municipality of Leamington, the Town of Tecumseh and the City of Windsor have signed a joint delegation agreement with the Essex Region Conservation Authority for the provision of services required to meet the municipalities’ obligations under Part IV of the Clean Water Act. Ashley Gyori, Dan Jenner and Katie Stammler of the Essex Region Conservation Authority have been appointed as Risk Management Officials/ Risk Management Inspectors (RMO/RMI).

The Essex Region Risk Management Office has worked with municipalities to finalize agreements for the Essex Region Conservation Authority to provide RMO/I services on behalf of all municipalities in the Essex Region, including two municipalities that are also included in the Thames Sydenham and Region Source Protection Area. We have worked with the Thames Sydenham and Region Source Protection Authority to ensure collaboration in our adjacent regions and consistent implementation of our similar policies.

The Essex Region Risk Management Office is developing a Risk Management database that will ensure that all applications and subject properties are adequately addressed and properly organized. This database will be used to record all applications, notices, orders, risk management plans and other actions taken by the RMO/I. The database is being designed to be able to query the information required in Section 65 (1) of the General Regulation (O. Reg. 287/07) under the Clean Water Act, 2006 (CWA) as well as the draft requirements for annual progress reports to the Ministry of Environment & Climate Change (MOECC).

This office has also developed templates of notices to be issued in response to a S.59 of the CWA screening (e.g. no policies apply, Risk Management Plan (RMP) required, activity prohibited, RMP established) as well as templates of notices to be issued as a result of site visits conducted for existing threats under S.58 of the CWA (e.g. no RMP required, RMP...
required, RMP established). We have also drafted an RMP for the Handling and Storage of Fuel and prepared education and outreach materials, as well as other materials to be delivered when conducting site visits. We are also working with the Essex Region Conservation Authority Department to develop guidance documents for municipalities to expedite the S.59 screening process. Landowners that will potentially be affected by the Source Protection Plan have been contacted via regular mail and we have responded to several inquiries about the requirements and regulations.

It is understood that this annual report should contain information as outlined in Section 65 (1) of the General Regulation (O. Reg. 287/07) under the Clean Water Act, 2006. We have included a table to reflect these requirements; however, as of the end of December 31st, 2015, none of the reportable activities have occurred.

During 2016 Essex Region Risk Management staff will:

- Finalize the Essex Region Risk Management database
- Continue to contact landowners and begin to set up site visits
- Negotiate and establish RMPs with landowners
- Commence Section 59 screening with continued communication with municipal staff
- Continue to collaborate with Thames-Sydenham and Region Source Protection Authority

Respectfully submitted by:

Ashley Gyori
RMO/RMI for the Essex Region Source Protection Area

Attachments: Section 81 Annual Report – Essex Region Source Protection Area
Risk Management Official Annual Report for the Essex Region Source Protection Area

Required under Section 81 of the *Clean Water Act*

Risk Management Official (RMO): Ashley Gyori

Reporting Period: January 1, 2015 to December 31, 2015

Municipalities: Town of Amherstburg, Town of Essex, Town of Kingsville, Town of Lakeshore, Town of LaSalle, Municipality of Leamington, Township of Pelee, Town of Tecumseh, City of Windsor

<table>
<thead>
<tr>
<th>Required Report Content</th>
<th>Number</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>(under section 65 of O.Reg.287/07)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Risk Management Plans agreed to by the RMO under subsection 56(1) of the Act and the number of plans established by the RMO under subsection 56(6), 58(10) or (12) of the Act</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>2 Risk Management Plans the RMO refused to agree to or to establish under subsection 56(9), 58(15) or (16)</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>3 Orders issued under Part IV of the Act</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>4 Notices given to or by the RMO under subsection 61(2), (7) and (10)</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>5 Inspections carried out under section 62 of the Act (for the purpose of enforcement)</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>6 Risk assessments submitted under section 60 of the Act</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>7 RMO caused a thing to be done under section 64 of the Act</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>8 Prosecutions and convictions under section 106 of the Act</td>
<td>0</td>
<td>N/A</td>
</tr>
</tbody>
</table>
FROM: Katie Stammler, Source Water Protection Project Manager

SUBJECT: Update on Source Protection Municipal Implementation Funding

DATE: March 2, 2016

PURPOSE

To inform the SPC of new SPMIF funding announced for Essex Region municipalities

REPORT SUMMARY

- Source Protection Municipal Implementation Funding was originally distributed in 2013 to 188 Ontario municipalities, including four in the Essex Region
- In January 2016, additional eight Ontario municipalities were provided with Source Protection Municipal Implementation Funding, including five in the Essex Region

BACKGROUND

In 2013, the Province created the Source Protection Municipal Implementation Fund (SPMIF) and committed $13.5 million to help small, rural municipalities with efforts implementing their responsibilities under local source protection plans. The funding program has helped 188 small rural municipalities to offset a portion of the costs that they would incur as they address their policy obligations. In the Essex Region, The Town of Amherstburg, The Town of Lakeshore, The Town of Tecumseh and The County of Essex received SPMIF in 2013 in the total amount of $175,346. These municipalities along with the Municipality of Chatham-Kent entered into a Collaboration Agreement in December 2014 that resulted in an additional $15,000 for each municipality.

The remaining municipalities were not eligible in 2013 because the work on the Lake Erie intakes was not yet in an approved Assessment Report. ERCA, together with our local municipalities and other Source Protection Authorities, successfully communicated the need for funding for all municipalities to help cover the costs of Source Water implementation. On January 28, 2016 it was announced an additional eight municipalities in Ontario would be receiving SPMIF, which includes The Town of LaSalle, The Township of Pelee, The Town of Essex, The Town of Kingsville and the Municipality of Leamington. The total amount is not known at this time.

RECOMMENDATION

THAT Report SPC05/16 be received for information.

Katie Stammler
Source Water Protection Project Manager