

STAFF REPORT: ENGINEERING AND PUBLIC WORKS DEPARTMENT



REPORT TO: Infrastructure and Recreation
 Committee
MEETING DATE: August 23, 2012
REPORT NO.: EPW.12.057
SUBJECT: Source Water Protection Update
PREPARED BY: John Caswell, Manager of Water &
 Wastewater Services

A. Recommendations

THAT Council receive Staff Report EPW.12.057 entitled 'Source Water Protection Update' for their information.

B. Background

In January 2012, Council received report Planning Staff Report PL.12.02, Source Water Protection, for information purposes (Attachment #1). The purpose of this report is to update Council on the Source Water Protection timeline plans.

It has been stated that all source protection areas or regions must undertake source protection plan development. Draft plans will be submitted to the Ontario Ministry of the Environment by August 2012. The plan for the Town of The Blue Mountains, Nottawasaga Valley area, will be submitted by the Nottawasaga Conservation Authority. The plan for the Town of The Blue Mountains, Grey Sauble area will be submitted by the Saugeen Valley Conservation Authority.

- 2007 Source Protection Committee was established
- 2008 - 2009 Terms of Reference were prepared, submitted and approved by the Minister of the Environment
- 2010- 2011 Public consultation on Proposed Assessment Reports, Commencement of Source Protection plan preparation, submission and approval of Updated Assessment Reports
- 2012 Preparation of draft proposed Source Protection Plan – Public Consultation Period closed on July 3, 2012
Plans submitted to the Ministry of Environment August 2012
- 2013 Approval and implementation of the Source Protection Plan anticipated

A source water protection plan takes effect on the date notice of approval is published on the environmental registry established under the Environmental Bill of Rights, 1993. Once a source protection plan has been approved, the source protection authority shall ensure that the plan is available to the public on the Internet, and in such other manner as the source protection authority considers appropriate.

As outlined in the Clean Water Act, Part III, Effect of Source Protection Plans, a municipality, local board or source protection authority shall comply with any obligation that is imposed on it by a significant threat policy or Great Lakes policy that is set out in the source protection plan.

In addition, a decision made by a municipal council under the Planning Act or the Condominium Act (1998) shall conform with significant threat policies and designated Great Lakes policies set out in the source protection plan and have regard to other policies set out in the source protection plan.

A source protection plan shall set out policies intended to achieve the following objectives for every area identified in the assessment report as an area where an activity is or would be a significant drinking water threat;

- i. Ensuring that the activity never becomes a significant drinking water threat
- ii. Ensuring that, if the activity is being engaged in, the activity ceases to be a significant drinking water threat.

The Source Protection Plan will be carried out through existing land use planning and regulatory requirements or approvals, or voluntary initiatives. Activities that pose a significant risk to drinking water sources may be prohibited or may require a site specific risk management plan. This plan will set out the measures that a property owner will take to ensure the activity is no longer a threat.

As outlined in the Clean Water Act, Part IV, Regulation of Drinking Water Threats, the council of a single-tier municipality is responsible for the enforcement of this Part in the municipality. The councils of two or more municipalities may enter into an agreement providing for the joint enforcement of this Part within their respective municipalities.

The Municipality (or the body responsible for enforcing Part IV) will be responsible for the appointment of one or more Risk Management Officials (RMOs) and Risk Management Inspectors (RMIs), who are necessary to administer Part IV. The distinction between a RMO and a RMI is similar to the distinction made between Chief Building Official and Building Inspector. Once the plan is approved the Town will probably enter into an agreement with others to enforce Part IV, due to the limited number of threats. It is possible a conservation authority may be responsible for enforcement of Part IV on behalf of a municipality through an agreement.

The timeline for implementation of the Plan has considered dates that balance the urgency of addressing drinking water threats versus the capacity of the implementing body to act.

C. The Blue Mountains' Strategic Plan

The generation of this report furthers the Town's Strategic Goal #2 "Addressing the Town's municipal infrastructure needs" as well as Strategic Goal #3 "Preserving and enhancing natural and environmental features, and cultural heritage of the community".

D. Environmental Impacts

None

E. Financial Impact

None at this time.

F. In Consultation With

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region and South Georgian Bay Lake Simcoe Source Protection Region.
Cindy Welsh, Senior Policy Planner

G. Attached

Attachment #1- Planning Staff Report PL.12.02, Source Water Protection

Respectfully submitted,

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STAFF REPORT: Planning & Building Services Department



REPORT TO: Council
MEETING DATE: January 9, 2012
REPORT NO.: PL.12.02
SUBJECT: Source Water Protection
PREPARED BY: Cindy Welsh, MCIP, RPP
Senior Policy Planner

A. Recommendations

THAT Council does hereby receive Planning Staff Report PL.12.02, Source Water Protection for information purposes; and

That Council direct Planning Staff to advise the South Georgian Bay Lake Simcoe Source Protection Region and the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Water Protection Region that the Town has no comments related to the Draft Source Protection Plans.

B. Background

The South Georgian Bay Lake Simcoe Source Protection Region and the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region have released their preliminary Source Protection Plan Policies for preconsultation with area municipalities. The Town of The Blue Mountains is located within both of these Source Protection Regions. Town staff attended both preconsultation sessions hosted by each of the Source Protections Regions in late 2011.

The *Clean Water Act*, 2006, came into effect in July 2007 and requires Source Protection Plans to be developed for Source Protection Areas in Ontario. The Source Protection Plans must be submitted to the Minister of the Environment (MOE) by August 2012. Both Source Protection Regions have developed preliminary policies that are the primary focus of their preconsultation period. Comments on the policies distributed as part of the preconsultation package need to be submitted on or before January 13, 2012. Town staff has had an opportunity to review policies of both Source Protection Regions. Given the limited number of identified threats that affect the Town, Town staff do not have any concerns with respect to the policies as set out in the draft documents.

With respect to the identified threats, the South Georgian Bay Lake Simcoe Source Protection Region, there are six significant threats identified in the Buckingham Woods Well supply area (located in Clearview Township) in association with six land parcels. Two of these lands parcels are within the Town of The Blue Mountains. Most of the significant threats identified are associated with residential land uses (septic tanks and potential fuel storage for heating). Within the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region, no significant threats have been identified for the Town.

Once the Source Protection Plans have been approved by the Minister of the Environment, the Town will need to ensure conformity to the policies within the South Georgian Bay Lake Simcoe Source Protection Plan that address septic tanks and potential fuel storage for heating via amending the Town's Official Plan.

C. The Blue Mountains' Strategic Plan

1. Managing growth to ensure the ongoing health and prosperity of the community.

D. Environmental Impacts

No environmental impacts have been identified at this time.

E. Financial Impact

No financial impacts have been identified at this time.

F. In Consultation With

South Georgian Bay Lake Simcoe Source Protection Region.

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region

Greg Miller, Manager, Building & By-law/CBO, Building & By-law Services, The Blue Mountains.

G. Attached

1. Nil.

Submitted by:

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