

CENTRAL LAKE ONTARIO SOURCE PROTECTION AUTHORITY

A G E N D A SEVENTH CLOSPA MEETING

Tuesday, October 17, 2017 – 5:00 p.m.
MEETING LOCATION: 100 WHITING AVENUE, OSHAWA
AUTHORITY'S MAIN BOARDROOM

CIRCULATION LIST

Authority Members:	Don Mitchell, Chair Bob Chapman, Vice Chair John Aker Shaun Collier Joe Drumm Adrian Foster Derrick Gleed Ron Hooper Joe Neal John Neal Gerri Lynn O'Connor David Pickles Nester Pidwerbecki Tom Rowett Elizabeth Roy	Authority Staff:	C. Darling, Chief Administrative Officer B. Boardman, Administrative Assistant/Recording Secretary H. Brooks, Director, Watershed Planning & Natural Heritage R. Catulli, Director, Corporate Services G. Geissberger, Marketing & Communications Coordinator D. Hope, Land Management & Operations Supervisor C. Jones, Director, Planning & Regulations P. Lowe, Director, Community Engagement P. Sisson, Director, Engineering & Field Operations
Municipalities:	Town of Ajax, Clerk Municipality of Clarington, Clerk City of Oshawa, Planning City of Pickering, Clerk Town of Whitby, Public Works Town of Whitby, Planning Township of Uxbridge, Clerk	Region:	Region of Durham, Clerk Region of Durham, Planning & Econ Dev.
		Media:	Ajax Pickering News Advertiser CHEX TV CKDO Compton Cable TV 94.9 The Rock KX-96 Radio Orono Times Oshawa Express Oshawa/Whitby/Clarington This Week Rogers Cable TV The Scugog Standard

AGENDA ITEM:

SUPPORTING DOCUMENTS

1. **CALL TO ORDER**
2. **DECLARATIONS of interest by members on any matters herein contained**
3. **ADOPTION OF MINUTES of October 18, 2016** pg. 2
4. **CHIEF ADMINISTRATIVE OFFICER**
(1) Staff Report #SP-014-17 pg. 4
Re: Drinking Water Source Protection Program Updates
Presentation - Jennifer Stephens, Program Manager, CTC Source Water Protection Region
5. **MUNICIPAL AND OTHER BUSINESS**
6. **ADJOURNMENT**

CENTRAL LAKE ONTARIO SOURCE PROTECTION AUTHORITY

MINUTES NO. 6 SIXTH CLOSPA MEETING

2

Tuesday, October 18, 2016 – 5:00 p.m.

MEETING LOCATION: 100 WHITING AVENUE, OSHAWA
AUTHORITY'S MAIN BOARDROOM

Present: Don Mitchell, Chair
John Aker
Shaun Collier
Joe Drumm
Adrian Foster
Derrick Gleed
Ron Hooper
John Neal
Gerri Lynn O'Connor
Nester Pidwerbecki
Tom Rowett
Elizabeth Roy
C. Darling, Chief Administrative Officer
B. Boardman, Administrative Assistant/Recording Secretary
H. Brooks, Director, Watershed Planning & Natural Heritage
D. Hope, Land Management & Operations Supervisor
C. Jones, Director, Planning & Regulations
P. Sisson, Director, Engineering & Field Operations
R. Wilmot, GIS Systems Supervisor

Absent: Bob Chapman, Vice Chair

Excused: Joe Neal
David Pickles

—◆—
The Chair called the meeting to order at 5: 10p.m.

DECLARATIONS of interest by members on any matters herein contained - NONE

ADOPTION OF MINUTES of June 21, 2011 (Agenda pg. 2)

Res. #22 Moved by R. Hooper
Seconded by John Neal

THAT the minutes of June 21, 2011 be adopted.
CARRIED

Cont'd

CHIEF ADMINISTRATIVE OFFICER

(1) Staff Report #SP-013-16 (Agenda pg. 28)
CVC-TRCA-CLOCA (CTC) Source Protection Committee Member Replacement

Res. #23 Moved by J. Aker
Seconded by T. Rowett

THAT Staff Report #SP-013-16 be received for information.
CARRIED

ADJOURNMENT

Res. #24 Moved by T. Rowett
Seconded by A. Foster

THAT the meeting adjourn.
CARRIED

The meeting adjourned at 5:11 p.m.

REPORT

CENTRAL LAKE ONTARIO SOURCE PROTECTION AUTHORITY

DATE: October 17, 2017
FILE: NSPG1
S.R.: SP-014-17
MEMO TO: Chair and Members, CLOSPA Board of Directors
FROM: Chris Darling, C.A.O.
SUBJECT: **Drinking Water Source Protection Program Updates**

APPROVED BY C.A.O. 

BACKGROUND:

The Credit Valley – Toronto & Region – Central Lake Ontario (CTC) Source Protection Plan was approved by the Minister of the Environment and Climate Change (the Minister) in July 2015 and became effective on December 31, 2015. Municipalities, source protection authorities, and various provincial ministries have been implementing policies within the Plan since it became effective.

ANNUAL REPORTING:

Annual Monitoring and Reporting Requirements are outlined in the *Clean Water Act (CWA), 2006* under section 46 (Annual Progress Reports) and section 81 (Part IV Regulation of Drinking Water Threats).

- The reporting requirements under section 46 are generally broad and include measures taken to implement the Source Protection Plan, results of monitoring policies, the extent to which objectives in the Plan are being achieved and other information as prescribed by the Regulations. The CTC Source Protection Region (CTC SPR) is required to submit its first Annual Progress Report to the Ministry of the Environment and Climate Change (MOECC) by May 1, 2018.
- Under Section 81 of the *Clean Water Act, 2006* and section 65 of Ontario Regulation (O. Reg.) 287/07, each Risk Management Official (RMO) must prepare a report annually and submit it to the appropriate source protection authority within which their jurisdiction is located. This report summarizes the actions taken by the Risk Management Official and Risk Management Inspector(s) during the preceding year. In the CTC SPR there are eight (8) Risk Management Officials; one (1) in the CLOSPA.

The general process by which annual reporting will be carried out in the CTC SPR is outlined in Figure 1. Those responsible for the implementation of policies in the CTC Source Protection Plan are required to submit a report of their activities during the previous calendar year to the source protection authority by February 1. Staff will summarize the results of implementation activities and bring this information to the CTC Source Protection Committee (CTC SPC) for their review. The CTC SPC must provide written comments to the source protection authority about 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. The source protection authority must then submit a report to the Minister by May 1 documenting implementation progress.

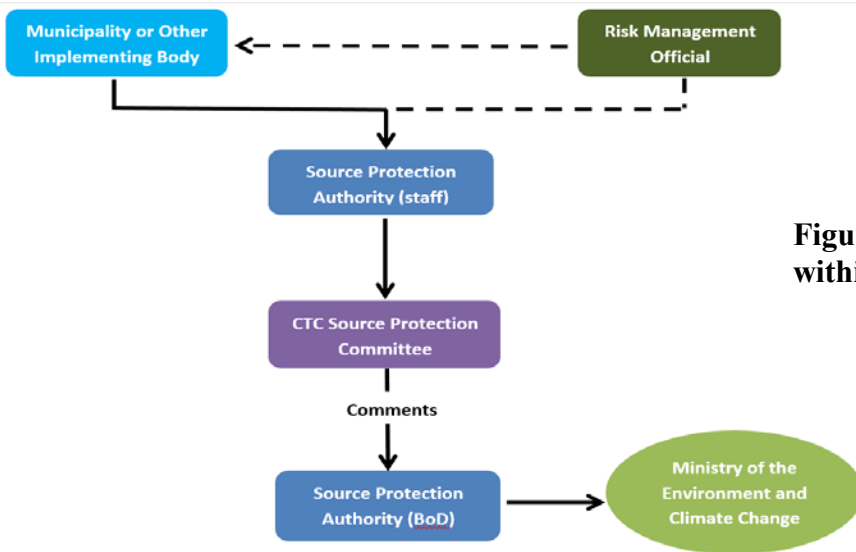


Figure 1: Schematic of Annual Reporting within the CTC Source Protection Region

CTC SPR APPROACH TO ANNUAL REPORTING

At CTC SPC meeting #1/16, held on November 28, 2016, by RES. #4/16, the CTC SPC authorized the formation of an Annual Reporting Working Group (WG) to work with staff and municipal partners to develop recommendations for reporting due to the Toronto and Region Source Protection Authority (TRSPA), the Credit Valley Source Protection Authority (CVSPA), and the Central Lake Ontario Source Protection Authority (CLOSPA). The WG proposed an approach to annual reporting which was presented to the CTC SPC at meeting #2/17, held on September 20, 2017. By RES #11/17, the CTC SPC endorsed the CTC SPR approach to annual reporting to consist of three components:

- 1) Creation of municipality specific annual reporting templates which will be used to populate the Annual Reporting Supplemental Form provided by the Source Protection Programs Branch (MOECC);
- 2) Completion of the MOECC 'Public Facing' Annual Progress Report; and
- 3) Establishment of a CTC SPR Public Facing Annual Report.

AMENDMENTS TO THE CTC SOURCE PROTECTION PLAN:

The *Clean Water Act*, 2006 (CWA) and Ontario Regulation (O. Reg. 287/07) allow for amendments to be made to a source protection plan. The four sections of the *Act* and Regulation which describe amendments are outlined in Figure 2. Section 34, in particular, allows the source protection authority to make amendments that cannot wait until the section 36 update (mandated review of the CTC SPP due in November 2018) and do not qualify as minor administrative amendments under section 51. Amendments that are appropriate to make under section 34 include those that are necessary to ensure new or expanded municipal sources of drinking water are protected, incorporate important information not available at the time the Plan was first approved, and critical implementation issues are addressed.

At CTC Source Protection Committee (CTC SPC) meeting #1/16, held on November 28, 2016, by RES. #5/16, the CTC SPC authorized the formation of an Amendments Working Group (WG) to work with staff and municipal partners to develop recommendations for amendments to the CTC Source Protection Plan (CTC SPP). The WG has met twice to discuss necessary amendments to the Credit Valley Assessment Report (CVAR), the Toronto and Region Assessment Report (TRAR), and the Central Lake Ontario Assessment Report (CLOAR), as well as the CTC Source Protection Plan (CTC SPP).

4 Types of Revisions	Examples
s.34 Amendment (CWA) (SPA Proposes)	<ul style="list-style-type: none"> • New/expanded systems • Completion of technical work <ul style="list-style-type: none"> • e.g., water budgets
s. 35 Order (CWA) (Minister's Order)	<ul style="list-style-type: none"> • Minister's discretion <ul style="list-style-type: none"> • e.g., authority unable to obtain municipal support for amendments
s. 36 Update (CWA) (Mandatory Review)	<ul style="list-style-type: none"> • Most plan revisions <ul style="list-style-type: none"> • e.g., new policies, new technical work
s. 51 (O.Reg.287/07) (SPA's Discretion)	<ul style="list-style-type: none"> • Minor administrative errors <ul style="list-style-type: none"> • e.g., correction of typos, spelling, etc.

Figure 2: Options for Amendments to Source Protection Plans under the Clean Water Act, 2006.

1. TECHNICAL AMENDMENTS: SUMMARY AND ANALYSIS

In advance of negotiating the CTC Source Protection Region (CTC SPR) workplan for 2017-2018 with the Source Protection Programs Branch, staff consulted with municipal partners to confirm whether there were any technical activities planned in their jurisdiction. Some new and revised technical work will be taking place in the Toronto and Region, as well as the Credit Valley Source Protection Areas between April 1, 2017 and March 31, 2018. No technical work is proceeding in the Central Lake Ontario Source Protection Area during this fiscal year. All of this technical work falls within the scope of a section 34 amendment to the CTC SPP. WG members are supportive of proceeding with incorporating this technical information into the CTC SPP through a section 34 amendment in spring 2018.

2. POLICY AMENDMENTS: SUMMARY AND ANALYSIS

During their two meetings, the WG discussed CTC SPP policies which municipal staff have communicated are challenging to implement given a number of ambiguities, practicalities, and enforcement difficulties associated with the policies. For a number of these policies, the WG proposed that the CTC SPC review the implementation challenges brought forward by municipal staff and revise these policies through a section 34 amendment in Spring 2018.

ANALYSIS:

At CTC SPC meeting #2/17, held on September 20, 2017, by RES. #10/17, the CTC SPC endorsed the recommendations of the WG to proceed with section 34 amendments to the CTC SPP. With support from the Source Protection Committee, it is the responsibility of the Central Lake Ontario Source Protection Authority (CLOSPA) to initiate these amendments. Once endorsement is obtained from the CLOSPA, staff will proceed to work with the WG to advance the Plan Amendment Process documented in Table 1. It is expected that policy text developed in conjunction with the WG will be brought before the CTC SPC for their consideration at their January 2018 meeting.

FILE: NSPG1

S.R.: SP-014-17

Table 1: Anticipated Source Protection Plan Amendment Process (2017-2018)

Stage of Plan Amendment Process	Anticipated Timeline
Need for Plan Revisions Confirmed (SPA initiates amendments)	October 2017
Plan Amendment(s) Developed (In consultation with SPC)	Sept. 2017 – Jan. 2018
Early Engagement (Municipalities, MOECC)	June 2017 – Jan. 2018
Pre-consultation (All Implementing Bodies)	Feb. – March 2018
Municipal Endorsement (Council Resolutions)	Feb. – April 2018
Public Consultation	March – April 2018
SPA submits to the MOECC	May – June 2018

RECOMMENDATIONS:***THAT Staff Report #SP-014-17 be received for information, and******THAT the CLOSPA endorses the recommendation of the CTC SPC to proceed with amendments to the CTC Source Protection Plan.***

JS/CD/bb

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