

Ministry of the Environment,
Conservation and Parks

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

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Chair, Grey Sauble Source Protection
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Luke Charbonneau
Chair, Saugeen Valley Source
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Milt McIver
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Bill Twaddle
Chair, Saugeen, Grey Sauble, Northern
Bruce Peninsula Source Protection
Committee
2771 9th Avenue East
Owen Sound ON N4K 3H6

Dear Ms. Little, Mr. Charbonneau, Mr. McIver and Mr. Twaddle:

I am following up on your proposed workplan for the review and update of the assessment reports and source protection plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region. The workplan, dated November 29, 2019, was submitted in compliance with the order dated October 16, 2015, issued under section 36 of the *Clean Water Act*.

I am pleased to note that your workplan confirms that implementation of the source protection plan is going well, and I appreciate the level of effort you put into the analysis of your assessment reports and plan.

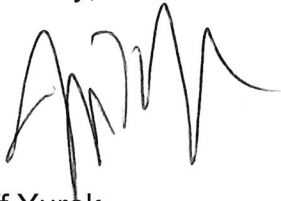
Pursuant to subsection 36 (1) of the *Clean Water Act*, I am amending the order dated October 16, 2015, to establish requirements governing the content and timeframes of the review and the process to be followed for any updates to your assessment reports and plan. The source protection committee shall update the assessment reports and source protection plan to address the workplan items identified in the attachment to this order and ensure those changes comply with the General Regulation (O. Reg. 287/07) and Director's Technical Rules.

I would also like to thank you for considering other updates of local interest. While not specifically required, I would encourage you to work with both your community and your municipalities to find cooperative ways to move forward with items that are consistent with the Act, its regulations and Director's Technical Rules that are in effect at the time of the updates. Staff in the Ministry's drinking water source protection program are also available to provide you advice on this. You may contact Debbie Scanlon, Manager Approvals Section (647-627-5917) if you have any questions.

When undertaking any updates, the source protection committee and lead source protection authority must follow the amendment process and consultation requirements set out in the attachment to this letter. All updates carried out under section 36 of the *Clean Water Act* are to be submitted to Ministry within six months after the completion of the required updates and consultation.

Thank you for the continued efforts of the source protection authorities, committee and local communities to ensure sources of drinking water are protected. Significant progress has been made in source protection and the province looks forward to continuing to work with you and all stakeholders to protect sources of drinking water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Yurek', with a stylized, cursive script.

Jeff Yurek
Minister

Enclosure

C: Carl Seider, Project Manager, SGSNBP Source Protection Region
Karen Gillan, Program Supervisor, SGSNBP Source Protection Region
Susan Ecclestone, Director, Source Protection Programs Branch, MECP
Debbie Scanlon, Approvals Manager, Source Protection Programs Branch, MECP
Erin Harkins, Program Analyst, MECP
Tea Pesheva, Liaison Officer, MECP

Attachment: Saugeen, Grey Sauble, Northern Bruce Peninsula Updates under Section 36 of the Clean Water Act

Mandatory Updates to the Assessment Reports and Source Protection Plan

The Saugeen, Grey Sauble, Northern Bruce Peninsula Region Source Protection Committee and the Grey Sauble Source Protection Authority, who is performing the functions of the lead source protection authority for the region, shall ensure that the review includes updates to the assessment reports and source protection plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Region to:

- Comply with the amendments made to the Director's Technical Rules, published on the Environmental Registry in March 2017 under posting number 012-8507 and the 2018 amendments to the Rules and General Regulation (O. Reg. 287/07). For your source protection region this includes:
 - assessing locations where liquid hydrocarbon pipelines and the above-grade handling and storage of fuel pose a significant, moderate and low risk in the assessment reports and plan, and ensuring policies apply to all relevant protection zones;
 - updating the significant groundwater recharge areas in the assessment reports and plan to align with the amended Technical Rules, including any related policies; and
 - updating the assessment reports and source protection plan to revise references to circumstances, chemicals of concern or thresholds that may have changed as a result of changes to the Technical Rules.
- Include technical work for changes to drinking water systems, including the Durham (Municipality of West Grey), Dundalk (Municipality of Southgate) and Burgoyne (Arran-Elderslie) systems under O. Reg 205/18 of the Safe Drinking Water Act.
 - the source protection committee, authority and affected municipality should jointly determine if it would be more appropriate to have the source protection authority propose amendments under section 34 of the Clean Water Act to deal with the changes to any drinking water systems, as opposed to including these updates as part of the review under section 36.
- Assess lands surrounding Ruhl Lake (Brockton) for previously unidentified surface water transport pathways and revising the protection zone accordingly, where the committee, authority and municipality determine it is necessary.
- Further assess and make revisions to address implementation challenges associated with risk management plan policies for agriculture as well as road salt management.

Amendment Process for Updates including Consultation:

The rules that source protection committees and source protection authorities were required to follow under the *Clean Water Act* in preparing, consulting on and submitting assessment reports and source protection plans to the Ministry will generally apply when

making updates as part of the review. However, as with locally initiated amendments, any proposed updates to an assessment report and plan are to be consulted on concurrently and submitted together as one package to the Ministry by the source protection authority.

Only those provisions of the *Clean Water Act* and the General Regulation (O. Reg. 287/07) referred to below apply to the update of your assessment reports and source protection plan. For example, as no terms of reference is being required for the review and update of the assessment reports and plan, subsection 36 (3) of the *Clean Water Act* does not apply.

Accordingly, for the updates to the assessment reports and source protection plan, the following provisions apply:

- Assessment report content outlined in section 15 of the *Clean Water Act* and sections 11 to 14 of the General Regulation.
- Source protection plan content outlined in subsections 22 (2) to (15) of the *Clean Water Act* and sections 20 to 34 of the General Regulation.

Updates to the assessment reports and source protection plan shall be made in consultation with affected municipalities, the Ministry, and any other bodies responsible for implementing a policy that may be revised by as part of the updates. Consultation shall include the following minimum requirements:

- Early consultation on any draft updates to the assessment reports and plan with the Source Protection Programs Branch prior to carrying out pre-consultation with other bodies.
- Pre-consultation with all implementing bodies as well as persons and businesses engaged in significant drinking water threats in the geographic areas affected by the updates in accordance with sections 35 to 39 of the General Regulation.
- Consultation for a minimum of 35 days, as outlined below.

The Explanatory Document that accompanies the plan (section 40, General Regulation) shall also be updated to reflect the proposed changes to the plan and made available for consultation.

While consulting on the proposed updates to the assessment reports and source protection plan in accordance with the requirements set out above, comments received shall be documented, considered and addressed prior to advancing to the next consultation stage or finalizing the proposed updates to the assessment reports and plan.

Notification and publication of the proposed updates shall follow the provisions included in the General Regulation for assessment reports and plans as described below. This includes making the proposed updates available on the Internet and in locations that are accessible to give the public and other interested parties an opportunity to inspect and comment on the updates. Specifically, consultation on the proposed updates to the assessment reports and plan shall occur concurrently and sections 23 to 25 of the *Clean Water Act* and section 41 of the General Regulation apply with the modifications noted below:

- References to a draft or proposed source protection plan shall be read as references to the proposed updates to the assessment reports and source

protection plan that result from the review carried out under section 36 of the Clean Water Act.

- Notices shall be provided to the clerk of each municipality and all other persons and bodies listed in section 41 that are affected by the proposed updates.
- A public meeting referred to in clause (c) of subsection 41 (3) and in subsection 41 (7) is optional as determined by the source protection committee in consideration of the nature and scope of the proposed updates.