

## Ontario Approves Source Protection Plan for much of the Greater Toronto-Hamilton Region

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August 19, 2015

*On August 14, 2015, Ontario approved the Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan (SPP) and the Halton-Hamilton SPP under the Clean Water Act, 2006. Both plans are designed to safeguard drinking water sources and supplies in the region from current and future threats, and will take effect on December 31, 2015. To date, Ontario has approved 18 SPPs from areas across the province and expects to approve the remaining plans by the end of the year.*

Now that the SPPs have been approved, both Toronto and Region Conservation Authority and the Halton Region source protection authority must prepare and submit workplans that recommend the scope and scale of the reviews for their respective SPPs. To be developed in consultation with the source protection committees, participating municipalities and the Ministry of the Environment and Climate Change, these workplans must be submitted to the ministry no later than November 30, 2018.

Earlier this summer, the Ministry of the Environment and Climate Change also approved updates to the assessment reports for the Credit Valley Source Protection Area (CVSPA), the Toronto and Region Source Protection Area (TRSPA) and the Central Lake Ontario Source Protection Area (CLOSPA). The CTC Source Protection Plan was submitted jointly for approval by all three Source Protection Areas (SPAs) in December 2014.

Municipalities and companies should take note of these developments to prepare for their potential responsibilities and opportunities under Ontario's source protection planning regime. The approved plans and assessment reports are posted on the CTC website at [www.ctcswp.ca](http://www.ctcswp.ca) and the Halton-Hamilton website at [www.protectingwater.ca](http://www.protectingwater.ca).

### **Policy Development Process**

The Source Protection Committees for the CTC and Halton-Hamilton each developed a set of evaluation criteria to guide their policy development processes and ensure the resulting policies would be effective, efficient, feasible and acceptable. The Committees held numerous consultations with potentially affected stakeholders, government ministries and the adjacent Source Protection Committees in an effort to harmonize the policies as much as possible. The Committees could select a policy tool ranging from education and outreach to prohibition. As directed by the *Clean Water Act*, the Committees gave full consideration to tools to manage existing threats and selected prohibition of existing threats only as a last resort.

### **Key Provisions of the CTC Source Protection Plan**

The CTC Source Protection Region contains 25 large and small watersheds and spans over 10,000 km<sup>2</sup>, stretching from the Oak Ridges Moraine in the north to Lake Ontario in the south. The region contains portions of the Niagara Escarpment, the Oak Ridges Moraine, the Greenbelt and Lake Ontario, and represents the most densely populated region of Canada. It includes: 25 local municipalities and seven regional or county municipalities; 66 municipal supply wells; and 16 municipal surface water intakes on Lake Ontario. The CTC Source Protection Plan includes groundwater quality policies, groundwater quantity policies and Lake Ontario policies.

The Halton-Hamilton SPP covers some 1,417 km<sup>2</sup> of land stretching around the western end of Lake Ontario, as well as 720 km<sup>2</sup> of the lake itself. The Halton Region SPA consists of three large watersheds and 19 small watersheds, while the Hamilton Region SPA consists of four relatively large and 15 small watersheds. Almost 97% of Hamilton's municipal water takings and 88% of Halton's are taken from Lake Ontario, with less than 1% and 6%, respectively, taken from groundwater. Private systems, including wells and cisterns, provide water to the remaining population.

CTC Source Protection Plan policies include:

- Policies requiring risk management plans for storage of certain hazardous or liquid industrial waste
- Specific action policies to manage existing and future septic systems
- Prohibitions on existing and future application of materials like manure and bio-solids, livestock grazing, commercial fertilizer in Well Head Protection Areas closest to municipal drinking water wells
- Policies for the management, handling and storage of fuel and dense non-aqueous phase liquids and organic solvents
- Policies directed at run off containing chemicals from de-icing of aircraft
- Policies directed at future technical work and wide scale spill response through the Lake Ontario Collaborative Group
- A suite of policy tools to address activities that take water from and activities that reduce recharge to vulnerable aquifers
- A comprehensive set of policies to address activities that contribute to elevated sodium chloride levels in the groundwater in Orangeville and Georgetown
- The policies apply in areas of drinking water threats as described in detailed maps which accompany the Source Protection Plan.

### **Context for Drinking Water Protection**

In the 15 years since contamination overwhelmed the municipal drinking water system in Walkerton, Ontario has come a long way in implementing the source protection recommendations of the Walkerton Inquiry. The provincial *Clean Water Act, 2006* and associated regulations seek to protect municipal drinking water sources – lakes, rivers, aquifers – from contamination. The Act requires local communities, through Source Protection Committees (SPCs), to assess threats to their drinking water and to establish SPPs to mitigate those threats. SPPs must be science-based, include public consultation and be approved by the Ontario Minister of the Environment and Climate Change.

Each SPP contains a series of policies that, when implemented, will protect local drinking water sources from “significant drinking water threats” that exist currently and in the future. (The CTC Source Protection Plan also contains policies to address “low” and “moderate” threats.) The table below summarizes the status of the SPPs that have been submitted for approval to the Ministry of the Environment and Climate Change.

<b>Status of Source Protection Plans</b> (as of August 1, 2015)		
<b>Source Protection Area</b> (Note, a number of SPAs have submitted joint SPPs to the Ministry. These are referenced in the footnotes.)	<b>Status of SPP</b>	<b>Date SPP in Effect</b> (Date to be determined for those SPPs still under review.)
Ausable Bayfield Conservation Authority	Approved	April 1, 2015
Cataraqi Region Conservation Authority	Approved	April 1, 2015
Catfish Creek Conservation Authority	Approved	January 1, 2015
Central Lake Ontario Conservation Authority <sup>1</sup>	Approved	December 31, 2015
Conservation Halton <sup>2</sup>	Approved	December 31, 2015
Credit Valley Conservation <sup>1</sup>	Approved	December 31, 2015
Crowe Valley Conservation Authority <sup>3</sup>	Approved	January 1, 2015
Essex Region Conservation Authority	Approved	October 1, 2015
Ganaraska Region Conservation Authority	Approved	January 1, 2015
Grand River Conservation Authority	Proposed	t.b.d.
Grey Sauble Conservation Authority <sup>4</sup>	Proposed	t.b.d.
Hamilton Region Conservation Authority <sup>2</sup>	Approved	December 31, 2015
Kawartha Conservation <sup>3</sup>	Approved	January 1, 2015
Kettle Creek Conservation Authority	Approved	January 1, 2015
Lake Simcoe Region Conservation Authority <sup>5</sup>	Approved	July 1, 2015
Lakehead Region Conservation Authority	Approved	October 1, 2013
Long Point Region Conservation Authority	Proposed	t.b.d.

Lower Thames Valley Conservation Authority <sup>6</sup>	Proposed	t.b.d.
Lower Trent Conservation <sup>3</sup>	Approved	January 1, 2015
Maitland Valley Conservation Authority	Approved	April 1, 2015
Mattagami Region Conservation Authority	Approved	October 1, 2014
Mississippi Valley Conservation <sup>7</sup>	Approved	January 1, 2015
Niagara Peninsula Conservation Authority	Approved	October 1, 2014
Nickel District Conservation Authority (for the Greater Sudbury SPA)	Approved	April 1, 2015
North Bay-Mattawa Conservation	Approved	July 1, 2015
Northern Bruce Peninsula SPA <sup>4</sup>	Proposed	t.b.d.
Nottawasaga Valley Conservation <sup>5</sup>	Approved	July 1, 2015
Otonabee Conservation <sup>3</sup>	Approved	January 1, 2015
Quinte Conservation	Approved	January 1, 2015
Raisin Region Conservation Authority <sup>8</sup>	Approved	April 1, 2015
Rideau Valley Conservation Authority <sup>7</sup>	Approved	January 1, 2015
Saugeen Valley Conservation <sup>4</sup>	Proposed	t.b.d.
Sault Ste. Marie Region Conservation Authority	Approved	July 1, 2015
Severn Sound SPA <sup>5</sup>	Approved	July 1, 2015
South Nation Conservation Authority <sup>8</sup>	Approved	April 1, 2015
St. Clair Region Conservation Authority <sup>6</sup>	Proposed	t.b.d.
Toronto and Region Conservation <sup>1</sup>	Approved	December 31, 2015

Upper Thames River Conservation Authority <sup>6</sup>	Proposed	t.b.d.
1 – Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan 2 – the Halton Region SPP and Hamilton Region SPP were submitted jointly and share policies 3 – Trent Source Protection Plan 4 – Source Protection Plan: Saugeen Valley SPA, Grey Sauble SPA and Northern Bruce Peninsula SPA 5 – South Georgian Bay Lake Simcoe Source Protection Plan 6 – Thames-Sydenham and Region Source Protection Plan 7 – Mississippi-Rideau Source Protection Plan 8 – Raisin-South Nation Source Protection Plan		

For more information, including links to the approved and proposed SPPs, visit Conservation Ontario's website at [www.conservation-ontario.on.ca](http://www.conservation-ontario.on.ca).

### **Key Considerations for Municipalities and Companies**

Municipalities are the primary implementers and enforcers of SPPs. Those with SPP responsibilities have been preparing for this new role by employing and training risk management officers to oversee plan implementation. Alternatively, they may hire a body approved under the *Clean Water Act, 2006* to provide the necessary services.

Companies that operate in a region covered by an SPP will need to determine whether they are affected by SPP policies and, if so, how. For example, if a company is conducting activities that impact an SPP-identified vulnerable area, such as an intake protection zone or a wellhead protection area, it will need to find out whether those activities will be permitted to continue. If yes, it may need to negotiate a risk management plan with the responsible municipality within the stipulated time frame to avoid having one potentially imposed upon it.

Now that the CTC and Hamilton-Halton SPPs have been approved, both Toronto and Region Conservation Authority and the Halton Region source protection authority must prepare and submit workplans that recommend the scope and scale of the reviews for their respective SPPs. To be developed in consultation with the source protection committees, participating municipalities and the Ministry of the Environment and Climate Change, these workplans must be submitted to the ministry no later than November 30, 2018.

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