

Section I – Items for the Toronto and Region Source Protection Authority

TO: Chair and Members of the Toronto and Region Source Protection Authority
Friday, April 19, 2024 Meeting

FROM: Laurie Nelson, Director, Policy Planning

RE: **ANNUAL REPORT (2023) – DRINKING WATER SOURCE PROTECTION PROGRAM**

KEY ISSUE

Toronto and Region Source Protection Authority approval of the submission of the 2023 annual progress report on the implementation of the Credit Valley - Toronto and Region - Central Lake Ontario (CTC) Source Protection Plan to the Ministry of the Environment, Conservation and Parks (MECP). As the lead Source Protection Authority for the CTC Source Protection Region, Credit Valley Conservation (CVC) will be responsible for submission of this report to MECP by 2024-05-01.

RECOMMENDATION:

THAT this report entitled ANNUAL REPORT (2023) – DRINKING WATER SOURCE PROTECTION PROGRAM and attachments be approved;

AND FURTHER THAT Credit Valley-Toronto and Region-Central Lake Ontario (CTC) staff submit the CTC Annual Progress Report 2023 and accompanying endorsement documents to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2024;

AND FURTHER THAT staff report back to Toronto and Region Source Protection Authority on the new Transfer of Payment Agreement and proposed workplan, once approved by MECP.

BACKGROUND

The Credit Valley - Toronto and Region - Central Lake Ontario (CTC) Source Protection Plan (the Plan) came into effect on December 31, 2015, providing a framework of policies to protect the quality and quantity of the source waters for municipal drinking water systems located in the CTC Source Protection Region (CTC SPR). The objectives of the Plan are:

1. To protect existing and future drinking water sources in the CTC SPR; and
2. To ensure that existing activities cease to be, or do not become, significant drinking water threats and that new activities never become significant drinking water threats.

Source Protection Authorities (SPAs) are required to submit annual reports on Plan implementation progress to MECP under section 46 of the Clean Water Act (CWA). This

Item 8.1

annual report on implementation progress will be the seventh such report since the Plan came into effect.

Annual progress reports are prepared using data provided by municipalities and provincial ministries as required by the monitoring policies in the Plan and in accordance with section 81 of the CWA and section 65 of Ontario Regulation 287/07. Municipal and provincial reports are required to be submitted to the SPA by February 1 of each year and reflect implementation efforts from the previous calendar year ending 2023-12-31.

RATIONALE

The MECP's supplemental form to the annual report includes two questions that require Committee input. Staff from all three conservation authorities in the CTC reviewed the results of the supplemental form, prepared a CTC Source Protection Committee Report (included as Attachment 1) for endorsement by the CTC Committee, and recommended the following responses:

1. 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? (Question ID 350)

The MECP has clarified that notwithstanding the reference to "in this reporting period", the intent of this question is to reflect progress made in plan implementation since it came into effect (2015), and not just in the previous year. Three response options are provided by the MECP:

- Progressing well/on-target – The majority of the source protection plan policies have been implemented and/or are progressing.
- Satisfactory – Some of the source protection plan policies have been implemented and/or are progressing.
- Limited progress – A few source protection plan policies have been implemented and/or are progressing.

Staff recommend a response of "progressing well, short of target", consistent with the modified language used in the 2019 through 2022 annual reports. The rationale for this assessment is described further below.

2. Please provide comments to explain how the Source Protection Committee arrived at its opinion. Include a summary of any discussions that might have been had amongst the Source Protection Committee members, especially where no consensus was reached. (Question ID 351)

The plain-language annual progress report (Attachment 2) includes a summary of Plan implementation, highlighting municipal progress in aligning Official Plans with the source protection plan, septic system inspections, and risk management plans; provincial implementation progress; and water quality monitoring results. Staff recommend the response included in Section II of Attachment 2 and described more fully below.

Implementation remains ongoing, since most legally binding policies (89%) that address

Item 8.1

significant drinking water threats (SDWTs) are implemented and about 98% of existing SDWTs have been addressed through policy implementation or removed through threats verification. Therefore, staff suggest that implementation of the Plan is progressing well.

An estimated 241 existing significant threats remain at the end of 2023, down from 301 at the end of 2022. Outstanding threats are predominantly associated with application and storage of road salt, snow storage, application and storage of agricultural source materials and pesticides, and handling and storage of dense non-aqueous phase liquids. The number of Risk Management Plans (RMPs) still required to address existing SDWTs is as follows:

- Town of Orangeville – 22
- Town of Erin – 7
- Region of Halton – 72
- Region of York – 3

York Region identified three RMPs that are required to address existing SDWTs due to property ownership changes. These properties had previously had RMPs in place. The remaining municipalities within the CTC region have no outstanding SDWTs.

Most of the outstanding significant threats will be addressed through RMPs negotiated with property owners and businesses by municipal Risk Management Officials. There are 182 RMPs currently in place across CTC. An estimated 104 RMPs remain to be negotiated for existing significant threats. Figure 1 illustrates the number of RMPs currently in place, finalized or in-progress in 2023, and still required at the end of 2023. As no significant threats requiring RMPs were originally identified for the City of Toronto, the city does not appear in the figure.

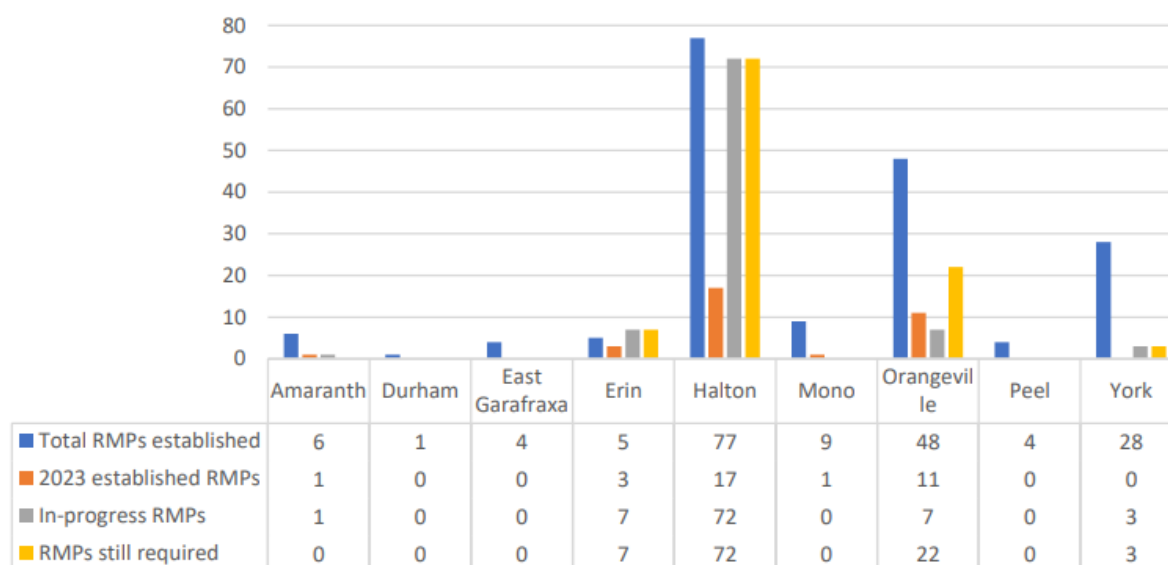


Figure 1: Number of risk management plans in place, newly created in 2023, in-progress in 2023, and still required to address significant drinking water threats as of December 31, 2023.

Item 8.1

Water quality trends at all municipal production wells across CTC have been analyzed and the results can be found through a new publicly accessible automated water quality reporting tool, developed in partnership with the Oak Ridges Moraine Groundwater Program (ORMGP), which can be accessed here:

<https://owrc.github.io/snapshots/ctc/MunicipalWellWaterQualityStatus.html>

TRCA Staff Plan Review

Municipalities in TRCA's jurisdiction routinely engage TRCA planning staff on their comprehensive official plan and zoning bylaw reviews. Staff provided comments and recommendations on proposed municipal policies and by-laws for consistency with the Plan policies and mapping. Where municipal planning document reviews were for shared municipalities, TRCA planning staff collaborated with Credit Valley Conservation (CVC) and Central Lake Ontario Conservation Authority (CLOCA) planning staff. For example, CTC staff coordinated comments and recommendations from CVC, TRCA and Peel Region on the Town of Caledon's Official Plan conformity exercise, which were all implemented by the Town. Staff will continue to engage with municipalities to ensure that the Plan is implemented through the planning process where applicable.

TRCA planning and technical staff also coordinate reviews on individual Planning Act applications, and infrastructure works under an environmental assessment process, for the Plan's groundwater recharge policies where applicable. Much of this work takes place for specific lower tier municipalities in York Region, where application reviews for the Plan's recharge policies have been deferred to TRCA. Staff may also provide advisory comments on other applicable Plan policies.

CTC Planning Information and Training Session

On March 28, 2024, CTC staff hosted an online information and training session for municipal planners and technical staff from across the CTC, with over 90 people in attendance. The session included presentations and a question-and-answer segment led by Conservation Authority staff and Risk Management staff from various municipalities across the CTC SPR. The session provided a refresher on the source protection legislative framework, assessment (technical) reports, policy implementation at the municipal level, and roles of upper and lower tier planning staff. The session was well received, and future sessions will be planned on a regular basis to ensure awareness of program requirements and improved implementation.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillars and Outcomes set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 1 Environmental Protection and Hazard Management:

- 1.4 Balance development and growth to protect the natural environment ensuring safe sustainable development

Pillar 2 Knowledge Economy:

- 2.4 Integrate environmental considerations and science into decision making

FINANCIAL DETAILS

Funding has been provided to TRCA through CVC, as the lead SPA for the CTC SPR, through a Transfer Payment Agreement (TPA) with MECP for the 2022-04-01 to 2024-03-31 agreement period. The financial resources to support TRCA staff time to advance and maintain the Drinking Water Source Protection Program are provided via these agreements through account 121-91.

The application for the upcoming three-year TPA (April 1, 2024 - March 31, 2027) was submitted on January 19, 2024. This is the first time MECP has considered a three-year agreement. MECP has since reviewed the application and informed staff that the program is oversubscribed and requested substantial reductions to maintain future annual costs closer to those in the current TPA. The increased costs in the latest application reflect increased workload from mandatory activities such as amendments to the Plan and Assessment Reports because of changes to drinking water systems (required under section 34 of the CWA) to meet growth targets, and comprehensive update of the Plan (required by existing Minister's orders issued under section 36 of the CWA).

A revised TPA application was submitted on March 22, 2024, with reductions in almost all areas, but short of MECP expectations. We understand that MECP may decide to further reduce the scope and budget for the proposed workplan. In the latest submission, MECP was advised that staff reductions would lead to delays in the comprehensive update and any further cost reduction should be directed to non-mandatory activities (called Essential Program Support). These include two technical projects on drinking water issues in Halton and Orangeville, and water budget analysis in Caledon, as well as outreach to communities and landowners not covered by the Plan on how to protect their drinking water sources from contamination.

Although this has no impact on the 2023 annual report, staff are providing this additional information to keep the TRSPA informed of potential upcoming challenges affecting next year's annual report. Staff are also requesting support from TRSPA in engaging MECP for continued sustainable funding.

DETAILS OF WORK TO BE DONE

Following approval of this report, CTC staff will submit the CTC Source Protection Plan Annual Report 2023 and accompanying endorsement documents to MECP by 2024-05-01. Additionally, CTC staff will post the CTC Source Protection Plan Annual Report 2023 (Attachment 2) and Supplemental Form (Attachment 3) on the CTC website (www.ctcswp.ca).

Report prepared by: Kristina Anderson, Senior Hydrogeologist, Mary-Ann Burns, Senior Manager, Planning Policy and Regulation, and Don Ford, Senior Manager, Hydrogeology

Emails: kristina.anderson@trca.ca, maryann.burns@trca.ca, don.ford@trca.ca

For Information contact: Don Ford, Senior Manager, Hydrogeology

Emails: don.ford@trca.ca

Item 8.1

Date: April 5, 2024

Attachments: 3

Attachment 1 CTC Source Protection Committee Report

Attachment 2 CTC Source Protection Plan Annual Report 2023

Attachment 3 Source Water Protection Annual Report 2023 – Supplemental Form