

December 10, 2018

## Notice of Pre-Consultation – Draft Updated Grand River Source Protection Plan

You are being provided this notice and information because your ministry/municipality may be affected by recent updates to water quality Wellhead Protection Areas (WHPA) and/or are responsible for the implementation of one or more of the revised water quality source protection plan policies.

The Ministry of the Environment, Conservation and Parks (MECP) approved the Grand River Assessment Report and Source Protection Plan November 26, 2015. Since approval, an additional technical study has been completed in the City of Hamilton, Lynden Rural Settlement Area. The study includes WHPA updates for the Lynden Rural Settlement Area, Communal Well Supply.

The addition of a new well to the Lynden supply and development of a groundwater flow model prompted the development of updated WHPAs, vulnerability, threats and issues assessment. No new policies resulted from this study. A few amendments were made to existing policies (**Appendix A**):

- Revision to Implementation Timing and Transitional policy
- Revision to policy related to Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage
- Local threat: The Conveyance of Oil by way of Underground Pipelines changed to Prescribed Drinking Water Threat #22: The Establishment and Operation of a Liquid Hydrocarbon Pipeline.

Additional editorial changes were also made but have not been included in the pre-consultation notice.

The Grand River Source Protection Authority is the lead authority in the Lake Erie Source Protection Region and as such along with the Lake Erie Region Source Protection Committee initiated an update to the Grand River Source Protection Plan and Assessment Report under s.34 of the *Clean Water Act, 2006* to include the recently completed water quality technical study.

A draft updated policy applicability map for the City of Hamilton, Lynden Rural Settlement Area, Communal Well Supply is included in **Appendix B**.

Please review the assessment report and source protection plan updates as they relates to your requirements for implementation and provide any comments by **February 5, 2019** to:

Martin Keller  
Source Protection Program Manager  
Lake Erie Source Protection Region  
400 Clyde Rd., Box 729, Cambridge, ON N1R 5W6  
519-620-7595  
mkeller@grandriver.ca

If you would like to discuss any of the material provided in this notice, please contact Martin Keller, Source Protection Program Manager, at the phone number or email listed above.



## **Municipal Endorsement and Public Consultation**

As required by S.34(3) of the Clean Water Act, 2005, the Grand River Source Protection Authority must obtain a municipal council resolution from the City of Hamilton prior to formal public consultation.

The Grand River Source Protection Authority is requesting a resolution from the City of Hamilton Council by **February 11, 2019**. Resolutions can be sent to Martin Keller at the address above.

The public consultation period on the Draft Updated Grand River Source Protection Plan is scheduled to start on Tuesday, February 12, 2019 following the February 7, 2019 Lake Erie Region Source Protection Committee meeting, and closes on Monday, March 18, 2019.

Following the public consultation period, the Lake Erie Region Source Protection Committee will consider any comments received at their meeting on April 4, 2019 and direct staff to revise the Draft Updated Grand River Source Protection Plan, as necessary. The revised Draft Updated Plan will then be released to the Grand River Source Protection Authority for submission to the MECP.

Sincerely,

A handwritten signature in black ink, appearing to read "M Keller", is positioned below the "Sincerely," text.

Source Protection Program Manager  
Lake Erie Source Protection Region

## **Appendix A: Draft Source Protection Plan amendments**

**Table 1: Grand River Source Protection Plan – City of Hamilton Draft Updated Water Quality Policies**

**Implementation Timing and Transitional Policies**

<p>CH-CW-1.1</p> <p><i>Implement. &amp; Timing</i></p>	<p>Except as set out below, the policies contained in this Source Protection Plan shall take effect on the date set out by the Minister.</p> <ol style="list-style-type: none"> <li>a. For Section 58 of the <i>Clean Water Act, 2006</i>, if an activity was engaged in at a particular location before this Source Protection Plan <b>or amendment</b> took effect and the Risk Management Official gives notice to a person who is engaged in the activity at that location that, in the opinion of the Risk Management Official, policies regarding regulated activities should apply to the person who engages in the activity at that location on and after a date specified in the notice that is at least 120 days after the date of the notice;</li> <li>b. For Section 59 of the <i>Clean Water Act, 2006</i>, policies regarding restricted land uses shall take effect the same day the Source Protection Plan takes effect;</li> <li>c. Where the Source Protection Policies require the City of Hamilton to develop and implement education and outreach programs as the primary tool for managing or eliminating a particular significant threat, such programs shall be developed and implemented within five (5) years from the date the Source Protection Plan takes effect;</li> <li>d. For Sections 43 of the <i>Clean Water Act, 2006</i>, if an activity was engaged in at a particular location before this Source Protection Plan <b>or amendment</b> took effect, amendments to Prescribed Instruments shall be completed within three (3) years from the date the Source Protection Plan takes effect; and,</li> <li>e. For Section 40(2) and 42 of the <i>Clean Water Act, 2006</i>, the Official Plan and Zoning By-Laws must be amended to conform with the significant threat policies and adopted by municipal council by the next five (5) year Official Plan update as required under subsection 26(1) of the <i>Planning Act</i> or within five (5) years from the date the Source Protection Plan takes effect.</li> </ol>
--	---

**2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage**

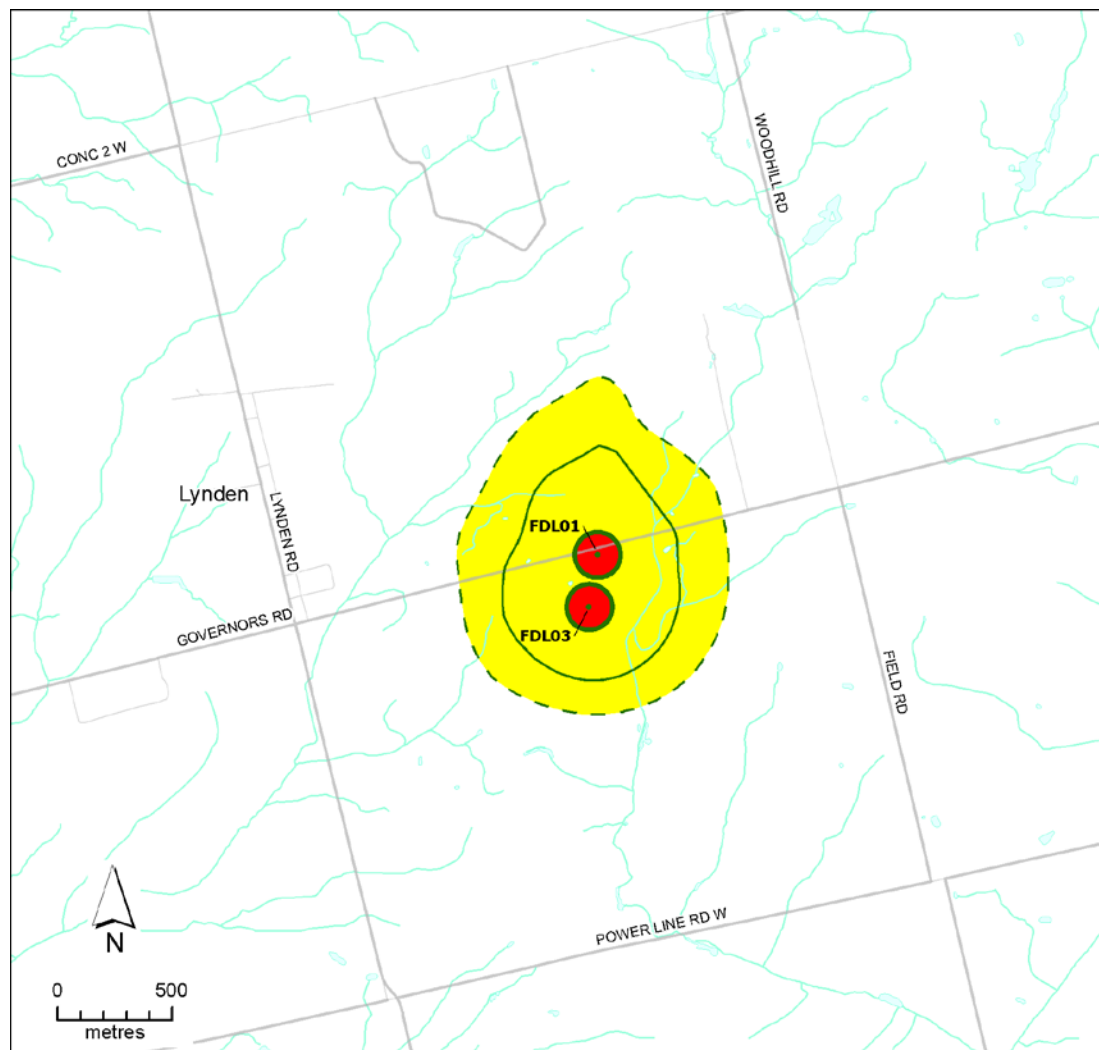
<p>CH-MC-3.1</p> <p><i>Existing/Future Prescribed Instr. WHPA-A-v.10</i></p>	<p>To ensure any existing or future onsite sewage systems and onsite sewage system holding tanks regulated under the <i>Ontario Water Resources Act</i> ceases to be or never becomes a significant drinking water threat, where such an activity would be a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall ensure that Environmental Compliance Approvals required for these onsite sewage systems are prepared to incorporate <b>terms and</b> conditions that, when implemented, will ensure that they do not become a risk to drinking water.</p>
--	---

	<p>The <b>terms and</b> conditions may include, as appropriate:</p> <ul style="list-style-type: none"> <li>i. mandatory monitoring of groundwater impacts;</li> <li>ii. contingencies in the event that the quality of sources of drinking water is adversely affected;</li> <li>iii. regular and ongoing compliance monitoring;</li> <li>iv. mandatory system inspections at least every five years;</li> <li>v. upgrading of these onsite sewage systems to current standards, if necessary; and</li> <li>vi. annual reporting to the Source Protection Authority of any monitoring and inspection programs required and their results.</li> </ul>
<b>22. The Establishment and Operation of a Liquid Hydrocarbon Pipeline</b>	
<p><b>CH-NB-15.1</b></p> <p><i>Future Specify Action WHPA-A-v.10</i></p> <p><i>Monitoring</i></p>	<p>To reduce the risk due to the conveyance of oil by way of underground pipes within the meaning of O. Reg. 210/01 under the <i>Technical Safety and Standards Act</i> or that is subject to the <i>National Energy Board Act</i>, where this activity would be a significant drinking water threat, the pipeline proponent, the National Energy Board and the Ontario Energy Board are encouraged to provide the Source Protection Authority and the City the location of any new proposed pipeline within the City and/or Source Protection Area.</p> <p>The Source Protection Authority shall document in the annual report the number of new pipelines proposed within vulnerable areas</p>

**Appendix B:**  
**Draft updated policy applicability map for the City of Hamilton, Lynden  
Rural Settlement Area, Communal Well Supply**



## DRAFT UPDATED City of Hamilton: Lynden Rural Settlement Area, Communal Well Supply



### Significant Drinking Water Threat Policy Applicability

Significant Drinking Water Threat Policy Categories	Vulnerability Scores on Map		
1. Waste Disposal	10	8	2,4,5
2. Sewage Systems			
3, 4. Agricultural Source Material			
6, 7. Non-Agricultural Source Material*			
8, 9. Commercial Fertilizer*			
10, 11. Pesticide			
12, 13. Road Salt*			
14. Storage of Snow			
15. Fuel			
16. DNAPLs			
17. Organic Solvents			
18. Aircraft De-icing			
21. Livestock Area			
Local Threat Oil Pipelines			

**Note:** This table provides a summary of the activities listed in the Clean Water Act (2006) that apply as Prescribed Drinking Water Threats (PDWT) within the Non-GUDI Wellhead Protection Zones shown on this map. For details refer to the text of the Source Protection Plan and the Ministry of the Environment Drinking Water Threats Tables.

\*Application of Commercial Fertilizer, Non-Agricultural Source Material, and Road Salt may not be a significant drinking water threat in some areas due to the % managed land, livestock density, and/or % impervious surface calculations for these areas. See the text of the plan for further details.

• Well	<b>Wellhead Protection Zones:</b>
— Road	○ WHPA-A
~ Minor River	○ WHPA-B
Lake / Main River	○ WHPA-C



1. Updated July 20, 2018
2. Larger scale mapping of some map layers, including roads and vulnerability scores, is available at [www.sourcewater.ca](http://www.sourcewater.ca).
3. This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.