

CITY OF HAMILTON

NOTICE OF MOTION

Board of Health: July 7, 2025

MOVED BY COUNCILLOR M. TADESON.....

Beach Water Quality Testing and Advisory Protocols at Binbrook Conservation Area

WHEREAS the Niagara Peninsula Conservation Authority (NPCA) oversees beaches within the jurisdiction of two municipal public health units: Niagara Region and the City of Hamilton. The NPCA conducts beach monitoring and assessment of its beaches within Niagara Region, as agreed upon with the Niagara Region Public Health Unit, and communicates results, water quality and risks to NPCA conservation area visitors. The City of Hamilton currently reports the beach water testing results, including Binbrook Conservation Area, to beachgoers. This current practice results in conflicting beach testing, water quality and risk messaging being communicated to park visitors and beachgoers between NPCA's Niagara and Hamilton beaches;

WHEREAS Binbrook Conservation Area Beach is located on land owned and operated by the NPCA, and does not fall within the legal definition of a "public beach" under the Ontario Public Health Standards, Recreational Water Protocol, 2019. A "public beach" is defined as a public bathing area owned and operated by a municipality to which the general public has access;

WHEREAS In 2019, the NPCA updated its beach management program within Niagara Region by shifting away from public health unit-led lab testing and toward an environmental risk-based approach in accordance with the Ontario Operational Approaches for Recreational Water Guideline;

WHEREAS NPCA currently manages water quality testing programs for NPCA-owned beaches throughout its watershed, and has established protocols that include daily on-site monitoring of environmental and physical water conditions, weekly beach water sampling and laboratory testing, and responsive public notification protocols based on real-time observations that include posting results on the NPCA webpage;

WHEREAS Hamilton Public Health Services (HPS) conducts weekly beach water sampling, but results typically take 24–48 hours, which can lead to delayed or outdated public notifications;

WHEREAS NPCA staff are willing to take forward recommendations to their Board of Directors to seek resolution for the beach water quality testing of the Binbrook Conservation Area Beach, including considerations for releasing the City of Hamilton from legal liabilities related to health issues that may be a result of beach water quality,

and the assumption of costs that would allow HPS to reallocate resources to other beaches within its jurisdiction.

THEREFORE BE IT RESOLVED:

- (a) That Public Health Services be directed to engage in formal discussions with the NPCA to explore the feasibility, legal authority, and operational requirements for transitioning beach water quality testing and public swimming advisories at Binbrook Conservation Area Beach from HPS to NPCA staff;
- (b) That staff report back to the Board of Health and/or another appropriate Standing Committee with findings and recommendations no later than Q3 2025;
- (c) That the report consider relevant legal opinions, service delivery models, operational impacts, communication strategies, public safety considerations, and opportunities for inter-agency collaboration;
- (d) That the City Clerk forward a copy of this resolution to the NPCA Board of Directors for information.