



Terms of Reference

for the Essex Region Source Protection Area

Essex Region Source Protection Committee

October 2008

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Map of Source Protection Area



Executive Summary

The *Clean Water Act* requires municipalities, conservation authorities and watershed residents to work together to protect sources of drinking water, primarily sources of municipal drinking water. This will be achieved through Source Protection Plans which will be written locally, approved by the Minister of the Environment and implemented by municipalities.

This document lays out how a Source Protection Plan will be developed for the Essex Region watershed. It is a two step process: (1) produce an **Assessment Report**, (2) develop a **Source Protection Plan**.

Assessment Report – a technical document identifying vulnerable areas and risks to drinking water.

- Nineteen(19) major tasks have been identified to complete the Assessment Report, including:
 - Overall coordination and support - including staffing and the Source Protection Committee (SPC)
 - Communications, Information Management and Public Consultation;
 - Watershed Characterization and Water Budget studies;
 - Surface Water and Groundwater Vulnerability studies; and
 - Threats, Issues and Water Quality Risk Assessment studies.
- Tasks will be coordinated/led by Conservation Authority staff on behalf of the SPC and municipalities
- Studies will focus on the **municipal** residential drinking water systems located in the Essex Region:
 - Windsor and Amherstburg Water Treatment Plants which obtain their source water from the Detroit River
 - Belle River and Stoney Point Water Treatment plants which obtain their source water from Lake St. Clair
 - Union and Colchester Water Treatment Plants which obtain their source water from Lake Erie
 - Pelee Island west shore system (Lake Erie source water)
 - Some work will also involve the Intake Protection Zone of the Wheatley Water Treatment Plant which extends into the Essex Region
- Estimated cost for the Assessment Report - \$5,030,000 including \$1,826,000 to date as of end March 2008
- Estimated completion date – March 31, 2010 (**estimated costs and timelines are subject to change – see note below**)

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Source Protection Plan – a policy document outlining land use policies and strategies to address risks to drinking water

- Nine(9) major tasks have been identified to complete the Source Protection Plan, including:
 - Overall Project Management - including staffing and the Source Protection Committee (SPC)
 - Communications, Information Management and Public Consultation;
 - Developing Policies to Address and Monitor Drinking Water Risks; and
 - Establishing Timelines, Costs, and Responsibilities for Implementing Policies.
- At this time the SPC and its working group(s), are identified as the lead for policy development related tasks, with support from Conservation Authority staff. After completion of the Assessment Report and further guidance from the Province, the scope of policy development tasks will be much clearer. At that time, municipalities may decide to lead some aspect(s) of the policy development related tasks. In any event, there will be extensive consultation with municipalities throughout the entire process.
- Plan policies will focus on addressing risks around the municipal drinking water systems, and may also include policies for vulnerable aquifer areas, and policies to assist in addressing Great Lakes water quality targets.
- Estimated cost for the Source Protection Plan - \$4,485,000 (based on very preliminary estimates- see note below)
- Estimated timeline - begin February 2010 (after completion of Assessment Report) - completion by Fall, 2012
(all estimated costs and timelines are subject to change – see note below)

Note – The Ministry of the Environment has not released regulations regarding details of requirements for either the Assessment Report or Source Protection Plan. Once these regulations are developed the Terms of Reference may require amendment. The Terms of Reference for the Source Protection Plan will also likely require amendment after completion of the Assessment Report (end 2010), as the results of technical studies will determine the scope of the policy development tasks.

The Source Protection Committee can amend Terms of Reference at any time by submitting a revised version to the Minister of the Environment for approval, following consultation with municipalities and others.

Introduction

The *Clean Water Act, 2006* is a new piece of Provincial legislation that came into effect in 2007. It requires communities to protect current and future sources of municipal drinking water (e.g. lakes, rivers and groundwater aquifers that supply drinking water systems) from overuse and contamination. There are many other pieces of legislation that protect drinking water through testing, treatment and distribution requirements, the *Clean Water Act* is intended to add another layer of protection by protecting the source of drinking water. The *Clean Water Act* is a science-based approach which is inherently precautionary.

Under the Act sources of drinking water will be protected by developing:

- **Technical Assessment Reports** which will identify vulnerable areas and risks to drinking water; and
- **Source Protection Plans** containing land use planning policies and risk reduction strategies.

This Terms of Reference document outlines how an Assessment Report and Source Protection Plan will be produced for the Essex Region Source Protection Area (the watershed area of the Essex Region Conservation Authority). A **Glossary** is provided at the end of the document.

The **Terms of Reference** is a **work plan and budget** identifying:

- The drinking water systems being included in the source protection planning process;
- A list of technical studies and tasks required to identify vulnerable areas and risks to drinking water in these areas (Assessment Report);
- A list of tasks required to develop land use planning policies, risk reduction strategies, and monitoring activities to address risks in vulnerable areas (Source Protection Plan);
- Consultation with municipalities, stakeholders and the public on the Assessment Report technical studies and Source Protection Plan policies;
- A list of matters involving neighbouring watersheds, that need to be worked on together (i.e.- in the Lower Thames Valley Conservation Authority - part of the 'Thames-Sydenham Source Protection Region')
- Who will coordinate/lead the technical and policy development tasks
- Cost estimates and a schedule for completing all required tasks.

Terms of Reference

These Terms of Reference were prepared in advance of Provincial regulations regarding details of requirements for Assessment Reports and Source Protection Plans. Once these regulations are finalized, the Terms of Reference may need to be amended. The Source Protection Committee can amend Terms of Reference at any time by submitting a revised version to the Minister of the Environment for approval, following consultation with municipalities and others.

Legislation & Timing

The *Clean Water Act, 2006* is part of the Provincial Government's response to the Walkerton tragedy of 2000. The Act will produce watershed-based source protection plans that rely on science to identify risks to drinking water. The scientific research underway to support these plans employs the precautionary principle.

- The *Clean Water Act* and its first 5 regulations came into effect July 2007
- The Source Protection Committee was appointed December 2007
- **Terms of Reference** must be submitted to the Province for approval by December, 2008
- **Assessment Reports** are to be submitted to the Province for approval within one year of Terms of Reference being approved by the Minister (approximately March 31, 2010)
- **Source Protection Plans** are to be submitted to the Province for approval by Fall, 2012

In 2005 the Ministry of the Environment began funding Conservation Authorities in advance of the *Clean Water Act* to:

- begin some of the necessary background technical reports that would be used in the Assessment Report; and
- begin communications activities to raise peoples awareness and knowledge about impending source protection legislation.

There are still additional regulations to be developed under the *Clean Water Act*, most notably regulations on Assessment Reports and Source Protection Plans. The Province posts all draft regulations on the Environmental Bill of Rights Registry for public consultation.

Watershed Scope

The *Clean Water Act* has organized the source protection program using watershed boundaries rather than municipal boundaries. This is appropriate when trying to protect drinking water sources because upstream threats can easily be located in other municipalities.

Using watershed boundaries the Act established 'Source Protection Regions or Areas throughout the Province, for purposes of source protection work. The local result of the Act was the creation of the **Essex Region Source Protection Area** based in the area of jurisdiction of the Essex Region Conservation Authority.

The *Clean Water Act* created two governance bodies for the purposes of source protection work:

1. **Source Protection Committee (SPC) for the Essex Region Source Protection Area.**

- This is a 16 member committee made up of a Chair (appointed by the Minister of the Environment) and 15 local members (appointed by the Essex Region Source Protection Authority)
- The Committee is made up of local stakeholders representing a wide range of watershed interests
- The Committee is responsible for overseeing the development of Assessment Reports and Source Protection Plans and ensuring effective municipal and public consultation throughout the process
- A liaison representative (non-voting) from the Source Protection Authority, the MOE, and the Health Unit, also participate in SPC meetings

• **Source Protection Authority (SPA) for the Essex Region Source Protection Area**

- The SPA is made up of the Essex Region Conservation Authority Board of Directors
- The Authority is responsible for forming a Source Protection Committee, overseeing the source protection program staff and budget, and ensuring that the SPC develops Assessment Reports and Source Protection Plans in accordance with all legislative requirements

Funding

The Provincial Government has committed to pay 100% of the costs to develop Assessment Reports and Source Protection Plans to protect sources of municipal drinking water. This covers both work plans presented in this Terms of Reference.

To-date the Province has not committed funding to pay for:

- The inclusion of "other" drinking water systems in the source protection planning process by municipal councils as further discussed below, or
- Implementing source protection plans, which could be a municipal, Conservation Authority and/or MOE responsibility (all can potentially be assigned some implementation tasks in Source Protection Plans, although the Clean Water Act specifies the municipalities will be responsible for matters such as resulting Official Plan policies, and 'Risk Management Plan' requirements for significant risks.)

Implementation costs cannot be estimated until it is determined how many local drinking water risks there are and what types of policies will be used to address them (policy development is not scheduled to begin until 2010). The Essex Region Source Protection Area, as with others through-out the Province, has advised MOE that municipalities are very concerned about potential implementation costs they may incur and will continue to raise this issue at the Provincial level.

Financial Assistance for Property Owners

While the *Clean Water Act* does not allow compensation to be paid to affected property owners, it has entrenched in law a financial assistance program called the *Ontario Drinking Water Stewardship Program*. This program currently has funding until 2011 to provide grants to assist private property owners in undertaking 'early actions' to address risks **in very close proximity to municipal drinking water intakes** in advance of approved source protection plans. Eligible projects include 'Pollution Prevention Reviews' (site evaluation by specialist Consultant), upgrade or repair of faulty septic systems, repair or decommissioning of wells, or buffers along waterways.

Protecting Non-Municipal Source Water

The priority of the Act is to protect water sources supplying **municipal** residential drinking water systems (the municipal systems that serve most parts of the Essex Region Source Protection Area). These systems must be studied in the Assessment Report and addressed in Source Protection Plans. The Act does allow other types of drinking water systems to be included in the source protection planning process, as further explained below.

(1) Other Systems Included by Municipal Councils

The *Clean Water Act* allows municipal councils to pass resolutions requiring "other" types of **drinking** water systems to be included in source protection planning. These other systems include: (a) clusters of six or more private wells and intakes, and (b) those systems that supply public and private facilities

such as schools, community centres and trailer parks. In the Essex Region Source Protection Area there are very few of these systems that are not already included with-in municipal drinking water systems. The only such facilities are on Pelee Island (Township of Pelee).

To-date the Township of Pelee has not considered whether to include any such systems in source protection planning.

The Ministry of the Environment is currently developing guidance for municipalities about what systems they could consider including and what the potential implications could be for municipalities (e.g. financial costs, legal liability). The Ministry has strongly advised municipalities to wait until they have received this guidance before making a decision. Terms of Reference can be amended at any time to include new systems subject to public consultation requirements.

In some other rural parts of the Essex Region, there are locations where private residences are not serviced by municipal systems. These residences rely on private systems such as private groundwater wells. The Clean Water Act as passed by the Province, does **not** allow such systems, serving a single private dwelling, to be included in the source protection planning process. However, the Source Protection Plan may include some general policies which may assist in reducing risks associated with such systems.

(2) Other Systems Included by the Minister of the Environment

The *Clean Water Act* also allows the Minister of the Environment to include "other" types of drinking water systems (as defined above in section 1) in the source protection planning process. To-date the Minister has not included any other systems in the Essex Region Source Protection Area.

(3) Other Systems Included by First Nations Band Councils

The *Clean Water Act* allows First Nations band councils to pass a resolution requiring non-municipal drinking water systems serving reserves to be included in the source protection planning process. There are currently no reserves, as defined under the Federal *Indian Act*, in the Essex Region Source Protection Area.

Considerations for the Great Lakes-St. Lawrence River Agreements

The watersheds of the Essex Region flow into the Great Lakes system, and the run-off waters from these watersheds may affect the water quality in the Great Lakes system. As a result, Provincial guidance requires that the parties completing the tasks for the Assessment Report and the Source Protection Plan must consider information found in various Great Lakes Agreements, such as the Great Lakes Water Quality Agreement (GLWQA) and the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem 2002 (including any subsequent amendments).

For example, water quality issues identified in the GLWQA will be considered when identifying and evaluating drinking water source protection issues. Also, the Lake Erie Lakewide Management Plan (LaMP), which also involves Lake St. Clair and Detroit River, is addressing near-shore issues that may be relevant to the various water intakes in the Essex Region Source Protection Area.

For the Drinking Water Systems with intakes in the Detroit River (Windsor and Amherstburg), information contained in the Detroit River Remedial Action Plan (RAP) will also be considered. This will include the identification of any linkages between the 'Beneficial Use Impairments' (BUIs) associated with the Detroit River RAP, and local drinking water source protection issues.

Bodies that have been established pursuant to the Great Lakes Quality Agreement and are involved in the development or implementation of the Detroit River Remedial Action Plan or the Lake Erie Lakewide Management Plan will be consulted during the preparation of the Assessment Report and the Source Protection Plan.

Municipal and Public Participation

Municipalities are key partners in source protection planning:

- They own and/or operate the municipal residential drinking water systems which are the focus of this Act;
- Their Councils (e.g. Township of Pelee) can include other drinking water systems in the source protection process
- They can chose to lead the technical studies or policy development in their municipality
- They could be responsible for implementing parts of source protection plans once they are approved; and
- Source Protection Plans could trigger changes to municipal Official Plans and/or Zoning By-laws in some cases.

To date local municipalities have been very involved in the source protection process. Most notably, many municipal staff and SPC representatives sit on the Municipal Working Group with conservation authority staff to provide input to the various technical studies currently underway, as well as providing input to this Terms of Reference and other input and guidance as the process moves forward.

Public participation is also very important throughout the process and will result in better Source Protection Plans. Interested individuals and groups are always strongly encouraged to get involved in the process.

- Beginning in 2005 Conservation Authority staff have undertaken various public awareness initiatives to educate people about the *Clean Water Act* and other aspects of source water protection. This involved public meetings, presentations to various groups, press releases, TV commercials, a

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Calendar, website updates and more recently a new website. These efforts continue today. In February and March Public Open Houses were held in each of the 'Intake Protection Zone' areas around each of the municipal Water treatment Plants.

- Both the Source Protection Committee and Conservation Authority staff are committed to timely and transparent sharing of information with interested individuals and the public.
- Source Protection Committee meetings are open to the public (agendas and minutes are posted on our website at www.essexregionsourcewater.org)
- Staff are also always available to answer questions or give presentations to interested groups.

Format of Terms of Reference Document

The main body of the Terms of Reference, following the introduction, is based on the template provided by the Ministry of the Environment (MOE).

Consultation and Comments Received on the Terms of Reference

Consultation on the Terms of Reference included newspaper notices, website postings, a public meeting, and formal circulation to municipalities and others. The consultation process, and comments received, are documented in a separate document which will be submitted to the MOE with the Proposed Terms of Reference. The Source Protection Committee (SPC) determined that two (2) comments received are to be attached to the Terms of Reference, for future reference by the SPC:

- Comments submitted by Essex County Federation of Agriculture at the Public Meeting of June 18, 2008
- Letters from Canadian Environmental Law Association (CELA) and Citizens Environment Alliance (CEA) dated June 26, 2008 and June 30, 2008 respectively (same letter submitted by both)

List of Municipalities Located in the Essex Region Source Protection Area

Legal Name of Municipality
Windsor, City of
Amherstburg, Town of
Essex, Town of
Kingsville, Town of
Lakeshore, Town of
LaSalle, Town of
Leamington, Municipality of
Pelee, Township of
Tecumseh, Town of
Essex, County of
Chatham-Kent, Municipality of

List of Municipal Residential Drinking Water System(s)

Type of System (existing or planned)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Type of Source Water (surface, ground, both)
Existing	210000149	Amherstburg Water Supply System	Town of Amherstburg	Ontario Clean Water Agency	Surface Water
Existing	220003412	Belle River Water Supply System	Town of Lakeshore	Town of Lakeshore	Surface Water
Existing	210000130	Harrow-Colchester Water Supply System	Town of Essex	Ontario Clean Water Agency	Surface Water
Existing	220003396	Stoney Point Water Supply System	Town of Lakeshore	Town of Lakeshore	Surface Water
Existing	210000853	Union Water Supply System	UWSS Joint Management Board	Ontario Clean Water Agency	Surface Water
Existing	220003421	Windsor Water Supply System	City of Windsor	Windsor Utilities Commission	Surface Water
Existing	220008177	Pelee Island West Shore Water Supply System	Township of Pelee	Township of Pelee	Surface Water

**List of Drinking Water System(s) Included by Municipal Council Resolution
(Municipal Residential Drinking Water Systems)**

Type of System (existing or planned)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Type of Source Water (surface, ground, both)	Title of Council Resolution
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Not Applicable

**List of Drinking Water Systems Serving Reserve(s)
(Not Municipal Residential Drinking Water Systems)**

Type of System (existing or planned)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Type of Source Water (surface, ground, both)	Regulation Reference
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Not Applicable

List of Fully or Partially Exempted Municipal Residential Drinking Water System(s)

Type of System (existing or planned)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Type of Source Water (surface, ground, both)	Title of Council Resolution
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Not Applicable

**List of Drinking Water System(s) Included by Minister of the Environment
(Not Municipal Residential Drinking Water Systems)**

Type of System (existing or planned)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Type of Source Water (surface, ground, both)
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Not Applicable

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List of Matter(s) that Affect Other Source Protection Committees

Source Protection Committees Affected	Source Protection Area/Region	Description of Matter
Thames-Sydenham and Region Source Protection Committee	Thames-Sydenham and Region Source Protection Region	The Town of Lakeshore and the Municipality of Leamington, although primarily within the Essex Region Source Protection Area, have areas extending into the jurisdiction of the Thames-Sydenham and Region Source Protection Region. A coordinated approach to technical studies and source protection planning policies must be considered.
Thames-Sydenham and Region Source Protection Committee	Thames-Sydenham and Region Source Protection Region	The Wheatley Water Treatment Plant (WTP) is situated in the Lower Thames Valley SPA of the Thames-Sydenham and Region Source Protection Region. This WTP is owned by The Municipality of Chatham-Kent and the Public Utilities Commission. However, it supplies water to parts of the Municipality of Leamington that lie in the Essex Region Source Protection Area and the IPZ extends into the Essex Region Source Protection Area. Work related to the Assessment Report and Source Protection Plan in the Wheatley IPZ will be undertaken through a collaborative approach, involving both the TSR SPC and the ER SPC.
Thames-Sydenham and Region Source Protection Committee	Thames-Sydenham and Region Source Protection Region	The Stoney Point Water Treatment Plant is located in the Town of Lakeshore in the Essex Region SPA. It takes surface water from Lake St. Clair and serves the north-eastern portion of the Town of Lakeshore, including parts in the Lower Thames Valley SPA. Although the work in the Essex Region will be undertaken by the Essex Region SPA, consultation with the Thames-Sydenham and Region SPR and the supplied municipalities within the Thames-Sydenham and Region SPR needs to be undertaken in developing the Assessment Report and Source Protection Plan as they relate to this supply.

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<p>Thames-Sydenham and Region Source Protection Committee</p>	<p>Thames-Sydenham and Region Source Protection Region</p>	<p>The IPZ3s pertaining to Lake St. Clair intakes of Stoney Point, Belle River and possibly the Windsor Water treatment plant may extend to the Thames-Sydenham and Region. The work pertaining to these IPZ-3's should be undertaken through a collaborative approach between the TSR SPC and the ER SPC. It is understood that some aspects of the work within the TSR will be undertaken by the LTVCA, SCRCA and UTRCA who have the relevant data in the area.</p>
<p>Thames-Sydenham and Region Source Protection Committee</p>	<p>Thames-Sydenham and Region Source Protection Region</p>	<p>The Union Water Treatment Plant is located in the Town of Kingsville, west of Leamington in the Essex Region SPA. It takes surface water from Lake Erie and serves the Town of Leamington and parts of the Town of Lakeshore including parts in the Lower Thames Valley SPA. Although the work will be undertaken by the Essex Region SPA, consultation with the Thames-Sydenham and Region SPR and the supplied municipalities within the Thames-Sydenham and Region SPR needs to be undertaken in developing the Assessment Report and Source Protection Plan as they relate to this supply.</p>
<p>Thames-Sydenham and Region SPC, Lake Erie Region SPC, Niagara Peninsula SPC</p>	<p>Thames-Sydenham and Region, Lake Erie Region, and Niagara Peninsula</p>	<p>In addressing drinking water issues related to the Great Lakes (i.e Lake Erie, Lake St. Clair and Detroit River) there will be a need for consultation and collaboration with these other Source Protection Regions. The Minister may direct a Source Protection Authority to prepare and submit a report on any matter relating to the use of the Great Lakes as a source of drinking water or to assist another Source Protection Authority in preparing a report. In addition, the Minister may establish targets relating to the use of the Great Lakes as a source of drinking water for one or more source protection areas that contribute water to the Great Lakes.</p>
<p>Thames-Sydenham and Region Source Protection Committee</p>	<p>Thames-Sydenham and Region Source Protection Region</p>	<p>Water Budget work needs to consider groundwater flow into and out of each region. Consultation with the neighbouring region will be required to ensure that groundwater flow between regions is consistently represented in the water budget products of each region.</p>

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<p>Thames-Sydenham and Region Source Protection Committee</p>	<p>Thames-Sydenham and Region Source Protection Region</p>	<p>Edge matching of map products, of the Assessment Report and SP Plan, such as Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers need to be undertaken. Consultation on the methods employed and products produced will be necessary.</p>
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Tasks to Complete the Assessment Report

By Source Protection Area/ Drinking Water System Name	Task	Assigned Lead(s)	Estimated Completion Date	Estimated Cost
Essex Region Source Protection Area	Coordinating and supporting projects for the assessment report	Essex Region Conservation Authority	2010-Mar-31	\$ 2,060,000.00
Essex Region Source Protection Area	Undertaking communications initiatives for the assessment report	Essex Region Conservation Authority/Essex Region Source Protection Committee	2010-Mar-31	\$145,000.00
Essex Region Source Protection Area	Information management for the assessment report preparation	Essex Region Conservation Authority	2010-Mar-31	\$136,000.00
Essex Region Source Protection Area	Undertaking a watershed characterization	Essex Region Conservation Authority	2009-Mar-31	\$32,000.00
Essex Region Source Protection Area	Conducting a conceptual water budget	Essex Region Conservation Authority	2007-Aug-31	\$64,000.00
Essex Region Source Protection Area	Conducting a tier 1 water budget analysis and stress assessment	Essex Region Conservation Authority	2009-Jan-31	\$180,000.00
Essex Region Source Protection Area	Delineating and applying vulnerability scores to Highly Vulnerable Aqifers (HVAs)	Essex Region Conservation Authority	2009-Jul-31	\$40,000.00
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in HVAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Aug-31	\$68,000.00

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By Source Protection Area/ Drinking Water System Name	Task	Assigned Lead(s)	Estimated Completion Date	Estimated Cost
Essex Region Source Protection Area	Assessing risks in HVAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Oct-31	\$30,000.00
Essex Region Source Protection Area	Applying vulnerability scores to Significant Groundwater Recharge Areas (SGRAs)	Essex Region Conservation Authority	2009-Jul-31	\$0.00
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in SGRAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Aug-31	\$0.00
Essex Region Source Protection Area	Assessing risk in SGRAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Oct-31	\$0.00
Essex Region Source Protection Area	Delineating and applying vulnerability scores to Intake Protection Zones (IPZs)	Essex Region Conservation Authority	2009-Jun-30	\$1,205,000.00
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in IPZs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Aug-31	\$650,000.00
Essex Region Source Protection Area	Assess risk in IPZs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Dec-31	\$270,000.00
Essex Region Source Protection Area	Consultation on the overall proposed assessment report	Essex Region Source Protection Committee/Essex Region Conservation Authority	2010-Feb-28	\$0.00
Essex Region Source Protection Area	Other Assessment Report Preparation Task: Collaboration on Great Lakes and International Issues	Essex Region Source Protection Committee/Essex Region Conservation Authority	2009-Dec-31	\$150,000.00

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Drinking Water System	Task
Municipal Residential Drinking Water Systems	No tasks identified at this time as being unique/specific to a particular system.
Drinking Water Systems By Municipal Resolution	Not Applicable.
Drinking Water Systems By Band Resolution	Not Applicable.
Fully or Partially Exempt Drinking Water Systems	Not Applicable.
Drinking Water Systems Included By Minister	Not Applicable.

Tasks to Complete the Source Protection Plan

By Source Protection Area/ Drinking Water System Name	Task	Assigned Lead(s)	Estimated Completion Date	Estimated Cost
Essex Region Source Protection Area	Coordinating and supporting projects for the source protection plan (SPP)	Essex Region Conservation Authority	2013-Jan-31	\$1,520,000.00
Essex Region Source Protection Area	Undertaking communications initiatives for the source protection plan	Essex Region Conservation Authority/Essex Region Source Protection Committee	2013-Jan-31	\$160,000.00
Essex Region Source Protection Area	Information management for source protection plan preparation	Essex Region Conservation Authority	2013-Jan-31	\$80,000.00
Essex Region Source Protection Area	Policy development to address drinking water threats (where required and/or permissible in Act/Regs)	Essex Region Source Protection Committee (TBC)	2012-Jun-30	\$900,000.00
Essex Region Source Protection Area	Policy development for monitoring (where required, advisable and/or permissible in Act & Regs)	Essex Region Source Protection Committee (TBC)	2012-Jun-30	\$250,000.00
Essex Region Source Protection Area	Policy development for Great Lakes elements (where required/permissible in Act & Regs)	Essex Region Source Protection Committee (TBC)	2012-Jun-30	\$525,000.00
Essex Region Source Protection Area	Establishing timelines for policy implementation	Essex Region Source Protection Committee (TBC)	2012-Jun-30	\$100,000.00
Essex Region Source Protection Area	Consultation on the overall proposed source protection plan	Essex Region Source Protection Committee/Essex Region Conservation Authority (TBC)	2012-Jun-30	\$750,000.00

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By Source Protection Area/ Drinking Water System Name	Task	Assigned Lead(s)	Estimated Completion Date	Estimated Cost
Essex Region Source Protection Area	Other Source Protection Plan Preparation Task: Implementation costs/Funding responsibilities	Essex Region Source Protection Committee/Essex Region Conservation Authority (TBC)	2012-Jun-30	\$200,000.00

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Drinking Water System	Task
Municipal Residential Drinking Water Systems	No tasks identified at this time as being unique/specific to a particular system.
Drinking Water Systems By Municipal Resolution	Not Applicable.
Drinking Water Systems By Band Resolution	Not Applicable.
Fully or Partially Exempt Drinking Water Systems	Not Applicable.
Drinking Water Systems Included By Minister	Not Applicable.

The Date the Source Protection Plan is to be Submitted to the Minister for Approval by the Essex Region Conservation Authority:

2012-Aug-20

Council Resolution(s) to Include Drinking Water System(s)

Not applicable

Council Resolution(s) to Exempt Municipal Residential Drinking Water System(s)

Not Applicable

Detailed Information

Detailed Information on Municipal Residential Drinking Water System(s)

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	210000149	Amherstburg Water Supply System	Town of Amherstburg	Ontario Clean Water Agency	Surface Water	0
Number of Surface Water Intakes	Comments					
1	A conventional treatment plant which treats water from the Detroit River. This plant has a rated capacity of 9.0 x 1000 m ³ /day and serves a population of approximately 21,000.					

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	220003412	Belle River Water Supply System	Town of Lakeshore	Town of Lakeshore	Surface Water	0
Number of Surface Water Intakes	Comments					
1	A conventional treatment plant which treats water from Lake St. Clair. This plant has a design capacity of 18.0 x 1000 m ³ /day and serves a population of approximately 18,000. This will be replaced with a new conventional treatment plant later this year (to be renamed the Lakeshore WTP). The new plant will have a rated capacity of 36,400 m ³ /d.					

Terms of Reference

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	210000130	Harrow-Colchester Water Supply System	Town of Essex	Ontario Clean Water Agency	Surface Water	0
Number of Surface Water Intakes	Comments					
1	A conventional treatment plant which treats water from Lake Erie. This plant has a rated capacity of 10.2 x 1000 m ³ /day and serves a population of approximately 9,000.					

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	220008177	Pelee Island West Shore Water Supply System	Township of Pelee	Township of Pelee	Surface Water	0
Number of Surface Water Intakes	Comments					
1	This system currently meets the requirements of a Municipal Residential Drinking Water System. The system is currently undergoing a substantial upgrade.					

Terms of Reference

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	220003396	Stoney Point Water Supply System	Town of Lakeshore	Town of Lakeshore	Surface Water	0
Number of Surface Water Intakes	Comments					
1	A conventional treatment plant which treats water from Lake St. Clair. The plant has a rated capacity of 4.545x1000 m ³ /day and serves a population of approximately 3,500.					

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	210000853	Union Water Supply System	UWSS Joint Management Board	Ontario Clean Water Agency	Surface Water	0
Number of Surface Water Intakes	Comments					
2	A conventional treatment plant which treats water from Lake Erie. This plant has a rated capacity of 124,588 m ³ /day and serves a population of approximately 57,000.					

Terms of Reference

Drinking Water System Type (planned or existing)	Drinking Water System Number	Drinking Water System Name	Owner	Operating Authority	Source Water Type (surface, ground, both)	Number of Wells
Existing	220003421	Windsor Water Supply System	City of Windsor	Windsor Utilities Commission	Surface Water	0
Number of Surface Water Intakes	Comments					
2	A conventional treatment plant which treats water from the Detroit River. This plant has a rated capacity of 349 x 1000 m ³ /day and serves a population of approximately 267,000.					

**Detailed Information on Drinking Water System(s) Included by Municipal Council Resolution
(Municipal Residential Drinking Water Systems)**

Not Applicable

**Detailed Information on Drinking Water System(s) Included by Bands Serving Reserve(s)
(Not Municipal Residential Drinking Water Systems)**

Not Applicable

Detailed Information on Fully or Partially Exempted Municipal Residential Drinking Water System(s)

Not Applicable

**Detailed Information on Drinking Water System(s) Included by the Minister of the Environment
(Not Municipal Residential Drinking Water Systems)**

Not Applicable

Supplemental Work Plan Information - Assessment Report

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Coordinating and supporting projects for the assessment report	Essex Region Conservation Authority	2005-Jun-01	2010-Mar-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Undertaking administrative support, staffing, management support, and training necessary to provide project coordination for the assessment report components and direct support to the source protection committee.</p>				\$2,060,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Undertaking communications initiatives for the assessment report	Essex Region Conservation Authority/Essex Region Source Protection Committee	2006-Jan-01	2010-Mar-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Local area engagement, outreach and creation of communications products that support the assessment report process.</p> <p><u>Comments:</u> These costs also include associated costs for "Consultation on the overall proposed assessment report"</p>				\$145,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Information management for the assessment report preparation	Essex Region Conservation Authority	2005-Jun-01	2010-Mar-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Conducting overall data management, data sharing agreements, standards, mapping, software and maintenance.</p>				\$136,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Undertaking a watershed characterization	Essex Region Conservation Authority	2006-Jan-01	2009-Mar-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Identifying and describing watersheds in the source protection area. May include water quality analysis and peer review for water quality analysis. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Costs for 2008/2009 are included in "Coordinating and supporting projects for the assessment report"</p>				\$32,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Conducting a conceptual water budget	Essex Region Conservation Authority	2005-Oct-01	2007-Aug-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Describing the overall flow system dynamics for each watershed in the source protection area taking into consideration surface water and groundwater features, land cover (e.g. proportion of urban vs. rural uses), human-made structures (e.g. dams, channel diversions, water crossings), and water takings. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Work completed by Dr. Tirupati Bolisetti of University of Windsor.</p>				\$64,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Conducting a tier 1 water budget analysis and stress assessment	Essex Region Conservation Authority	2007-Nov-01	2009-Jan-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Conducting a tier 1 water budget analysis, stress assessment, and delineation of significant groundwater recharge areas. May also include the identification of water quantity concerns and an analysis of uncertainty. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Work being conducted by Dr. Tirupati Boliseti of the University of Windsor.</p>				\$180,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Delineating and applying vulnerability scores to Highly Vulnerable Aquifers (HVAs)	Essex Region Conservation Authority	2007-Jun-01	2009-Jul-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Delineating the location and extent of highly vulnerable aquifers in the source protection area and applying vulnerability scores. An uncertainty analysis may be included in this task. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> 2007/2008 costs were included in "Coordinating and supporting projects for the assessment report."</p>		Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$40,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in HVAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2007-May-01	2009-Aug-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Listing and describing drinking water quality issues, inventorying threats and assessing hazards (including uncertainty analysis) in the highly vulnerable aquifers. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p>		Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$68,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Assessing risks in HVAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Jun-01	2009-Oct-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Identifying any significant, moderate, low, and negligible drinking water threats, undertaking an issues evaluation, and analysing uncertainty in highly vulnerable aquifers. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p>		Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$30,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Applying vulnerability scores to Significant Groundwater Recharge Areas (SGRAs)	Essex Region Conservation Authority	2009-Feb-01	2009-Jul-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Applying vulnerability scores to significant groundwater recharge areas in the source protection area (delineated in the water budget process). Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Costs have been included in "Delineating and applying vulnerability scores to HVAs" for both 2008/2009 and 2009/2010 fiscal years.</p>		Significant Groundwater Recharge Areas/Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$0.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in SGRAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Apr-01	2009-Aug-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Listing and describing drinking water quality issues, inventorying threats and assessing hazards (including uncertainty analysis) in the significant groundwater recharge areas. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Costs have been included in "Identifying issues, inventorying threats and assessing hazards in HVAs" for both 2008/2009 and 2009/2010 fiscal years.</p>		Significant Groundwater Recharge Areas/Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$0.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Assessing risk in SGRAs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Jun-01	2009-Oct-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Identifying any significant, moderate, low, and negligible drinking water threats, undertaking an issues evaluation, and analysing uncertainty in significant groundwater recharge areas. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Costs have been included in "Assessing risks in HVAs" for 2009/2010 fiscal year.</p>		Significant Groundwater Recharge Areas/Highly Vulnerable Aquifers in Essex Region Source Protection Area.		\$0.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Delineating and applying vulnerability scores to Intake Protection Zones (IPZs)	Essex Region Conservation Authority	2007-Jan-01	2009-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Delineating the location and extent of the vulnerable area around a drinking water system (intake protection zones for drinking water systems withdrawing from surface water) in the source protection area and applying a vulnerability score. Uncertainty analysis and peer review may be required. In addition, consultation with property owners/residents/stakeholders affected by the delineation and scoring for these two vulnerable areas may be required. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed. <u>Comments:</u> Module 4 (Surface Water Vulnerability Analysis) work being done by Stantec Consulting and includes in house water quality studies by ERCA will include some work for the Wheatley WTP located in the Thames-Sydenham and Region SP Region where the IPZ extends into Essex Region.</p>		Intake Protection Zones in Essex Region Source Protection Area.		\$1,205,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Identifying issues, inventorying threats and assessing hazards in IPZs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2007-Nov-01	2009-Aug-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Listing and describing drinking water quality issues, inventorying threats and assessing hazards (including uncertainty analysis) in intake protection zones. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed. Great Lakes Agreements also to be considered per Provincial guidance – see <i>Introduction</i>, Page 11</p> <p><u>Comments:</u> Module 5 (Issues Evaluation and Threats Inventory) work being done by Stantec Consulting and includes in house water quality studies by ERCA will include some work for the Wheatley WTP located in the Thames-Sydenham and Region SP Region where the IPZ extends into Essex Region.</p>		Intake Protection Zones in Essex Region Source Protection Area.		\$650,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Assess risk in IPZs	Essex Region Conservation Authority/Essex Region Source Protection Committee	2009-Jan-01	2009-Dec-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Identifying any significant, moderate, low, and negligible drinking water threats, undertaking an issues evaluation, and analysing uncertainty in intake protection zones. Consultation may be required with stakeholders impacted by significant drinking water threats scoring. Consultation with adjacent source protection areas or regions may also be required for shared Great Lakes drinking water issues. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed. Great Lakes Agreements also to be considered per Provincial guidance – see <i>Introduction</i>, Page 11</p> <p><u>Comments:</u> Module 6 (Water Quality Risk Assessment) work being done by Stantec Consulting and includes in house water quality studies by ERCA will include some work for the Wheatley WTP located in the Thames-Sydenham and Region SP Region where the IPZ extends into Essex Region.</p>		Intake Protection Zones in Essex Region Source Protection Area.		\$270,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Consultation on the overall proposed assessment report	Essex Region Source Protection Committee/Essex Region Conservation Authority	2008-Feb-01	2010-Feb-28
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Meeting the legislative and regulatory requirements on the consultation and submission process of the proposed assessment report. Details on how to complete this task will be available in the Assessment Report regulation, Director's rules, and guidance when they are developed.</p> <p><u>Comments:</u> Costs included in "Undertaking communications initiatives for the assessment report" task.</p>				\$0.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Other Assessment Report Preparation Task: Collaboration on Great Lakes Issues and International Issues	Essex Region Source Protection Committee/Essex Region Conservation Authority	2008-Oct-01	2009-Dec-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Comments:</u> Very preliminary estimate for collaboration on Great Lakes Issues and International Issues, as well as Issues affecting other Source Protection Region. Great Lakes Agreements also to be considered per Provincial guidance – see <i>Introduction</i>, Page 11</p>				\$150,000.00

Supplemental Work Plan Information - Source Protection Plan

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Coordinating and supporting projects for the source protection plan (SPP)	Essex Region Conservation Authority	2010-Feb-01	2013-Jan-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Undertaking administrative support, staffing, management support, and training necessary to provide project coordination for the source protection plan components and direct support to the source protection committee.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary.</p>				\$1,520,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Undertaking communications initiatives for the source protection plan	Essex Region Conservation Authority/Essex Region Source Protection Committee	2010-Feb-01	2013-Jan-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Local area engagement, outreach and creation of communications products that support the source protection plan process.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary.</p>				\$160,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Information management for source protection plan preparation	Essex Region Conservation Authority	2010-Feb-01	2013-Jan-31
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Conducting overall data management, data sharing agreements, standards, mapping, software and maintenance.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary.</p>				\$80,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Policy development to address drinking water threats (where required and/or permissible in Act/Regs)	Essex Region Source Protection Committee (TBC)	2010-Feb-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Policy development to address drinking water threats (where required and/or permissible in the Act and source protection plan regulation). Detailed requirements and guidance will be provided in the Source Protection Plan regulation and guidance document when they are developed. Great Lakes Agreements also to be considered per Provincial guidance – see <i>Introduction</i>, Page 11</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities.</p>				\$900,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Policy development for monitoring (where required, advisable and/or permissible in Act & Regs)	Essex Region Source Protection Committee (TBC)	2011-Jun-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Policy development for monitoring activities (where required, advisable and/or permissible in the Act and source protection plan regulation), including determining who is responsible for implementing these policies. Detailed requirements and guidance will be provided in the Source Protection Plan regulation and guidance document when they are developed.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities.</p>				\$250,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Policy development for Great Lakes elements (where required/permmissible in Act & Regs)	Essex Region Source Protection Committee (TBC)	2010-Sep-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Policy development for Great Lakes associated elements (where directed by the Minister and required or permmissible in the Act and source protection plan regulation), including monitoring policies to assist in implementing and determining the effectiveness of achieving Great Lake target(s) policies, determining who is responsible for implementing those policies, and determining the need to identify any of these policies as "designated Great Lakes policies". Detailed requirements and guidance will be provided in the Source Protection Plan regulation and guidance document when they are developed. Great Lakes Agreements also to be considered per Provincial guidance – see <i>Introduction, Page 11</i></p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities and will involve collaboration with neighbouring SPRs and possibly internationally.</p>				\$525,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Establishing timelines for policy implementation	Essex Region Source Protection Committee (TBC)	2011-Jun-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Establishing timelines for policy implementation after all policies for the SPP are developed, giving consideration to the policies developed, key players affected, capacity for implementation, the assessed risks, and natural, social, and economic considerations, including local community interests/needs. Detailed requirements and guidance will be provided in the Source Protection Plan regulation and guidance document when they are developed.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities.</p>				\$100,000.00

Terms of Reference

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Consultation on the overall proposed source protection plan	Essex Region Source Protection Committee/Essex Region Conservation Authority (TBC)	2010-Apr-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Consultation and submission process of the overall proposed source protection plan. Details on how to conduct the consultations on the overall proposed source protection plan will be provided in the Source Protection Plan regulation and guidance document when they are developed.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities.</p>				\$750,000.00

By Source Protection Area	Task	Assigned Lead(s)	Estimated Start Date	Estimated Completion Date
Essex Region Source Protection Area	Other Source Protection Plan Preparation Task: Implementation costs/Funding responsibilities	Essex Region Source Protection Committee/Essex Region Conservation Authority (TBC)	2011-Jun-01	2012-Jun-30
Task Description/Comments		Defined Geographic Area		Estimated Cost
<p><u>Description:</u> Determine implementation costs and proposed funding responsibilities for implementation, including operations, monitoring, and remedial actions, if applicable. This task is proposed to be added by the Essex Region Source Protection Committee.</p> <p><u>Comments:</u> All cost estimates and timelines are very preliminary. Propose Source Protection Committee/Working Group(s) as lead at this time (TBC after Assessment Report) - scope and costs will be clearer at that time. Will involve substantial consultation with municipalities.</p>				\$200,000.00

Summary of Overall Costs

	Tasks Done by Source Protection Area or Drinking Water System	Estimated Costs for Tasks Under the Assessment Report	Estimated Costs for Tasks Under the Source Protection Plan	Subtotal
	Essex Region Source Protection Area	\$5,030,000.00	\$4,485,000.00	\$9,415,000.00
Municipal Residential Drinking Water Systems	Amherstburg Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Belle River Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Harrow-Colchester Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Stoney Point Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Union Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Windsor Water Supply System	Included in above costs	Included in above costs	Included in above costs
	Pelee Island West Shore Water Supply System	Included in above costs	Included in above costs	Included in above costs
Drinking Water Systems By Municipal Resolution	N/A	N/A	N/A	N/A
Drinking Water Systems By Band Resolutions		N/A	N/A	N/A
Drinking Water Systems Included By Minister		N/A	N/A	N/A
Total Estimated Costs		\$5,030,000.00	\$4,485,000.00	\$9,515,000.00

Terms of Reference

Estimated Costs for Tasks by Fiscal Year

Fiscal Year defined as April 1 to March 31

Tasks	Fiscal Year 05/06	Fiscal Year 06/07	Fiscal Year 07/08	Fiscal Year 08/09	Fiscal Year 09/10	Fiscal Year 10/11	Fiscal Year 11/12	Fiscal Year 12/13
Coordinating and supporting projects for the assessment report	\$324,000.00	\$455,000.00	\$375,000.00	\$446,000.00	\$460,000.00	\$0.00	\$0.00	\$0.00
Undertaking communications initiatives for the assessment report	\$500.00	\$20,000.00	\$35,500.00	\$39,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00
Information management for the assessment report preparation	\$28,000.00	\$59,000.00	\$15,000.00	\$14,000.00	\$20,000.00	\$0.00	\$0.00	\$0.00
Undertaking a watershed characterization	\$0.00	\$16,000.00	\$16,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conducting a conceptual water budget	\$4,000.00	\$43,000.00	\$17,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conducting a tier 1 water budget analysis and stress assessment	\$0.00	\$0.00	\$30,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Delineating and applying vulnerability scores to Highly Vulnerable Aquifers (HVAs)	\$0.00	\$0.00	\$0.00	\$10,000.00	\$30,000.00	\$0.00	\$0.00	\$0.00
Identifying issues, inventorying threats and assessing hazards in HVAs	\$0.00	\$0.00	\$8,000.00	\$10,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00
Assessing risks in HVAs	\$0.00	\$0.00	\$0.00	\$0.00	\$30,000.00	\$0.00	\$0.00	\$0.00
Applying vulnerability scores to Significant Groundwater Recharge Areas (SGRAs)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Terms of Reference

Identifying issues, inventorying threats and assessing hazards in SGRAs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Assessing risk in SGRAs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Delineating and applying vulnerability scores to IPZs	\$0.00	\$0.00	\$370,000.00	\$690,000.00	\$145,000.00	\$0.00	\$0.00	\$0.00
Identifying issues, inventorying threats and assessing hazards in IPZs	\$0.00	\$0.00	\$10,000.00	\$250,000.00	\$390,000.00	\$0.00	\$0.00	\$0.00
Assess risk in IPZs	\$0.00	\$0.00	\$0.00	\$50,000.00	\$220,000.00	\$0.00	\$0.00	\$0.00
Consultation on the overall proposed assessment report	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Assessment Report Preparation Task:	\$0.00	\$0.00	\$0.00	\$20,000.00	\$130,000.00	\$0.00	\$0.00	\$0.00
Coordinating and supporting projects for the source protection plan (SPP)	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$500,000.00	\$500,000.00	\$500,000.00
Undertaking communications initiatives for the source protection plan	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Information management for source protection plan preparation	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$20,000.00	\$25,000.00	\$30,000.00
Policy development to address drinking water threats (where required and/or permissible in Act/Regs)	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$480,000.00	\$300,000.00	\$100,000.00
Policy development for monitoring (where required, advisable and/or permissible in Act & Regs)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150,000.00	\$100,000.00
Policy development for Great Lakes elements (where required/permissible in Act & Regs)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$175,000.00	\$200,000.00	\$150,000.00

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Establishing timelines for policy implementation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,000.00	\$50,000.00
Consultation on the overall proposed source protection plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300,000.00	\$250,000.00	\$200,000.00
Other Source Protection Plan Preparation Task: Implementation costs/Funding responsibilities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100,000.00	\$100,000.00
Fiscal Year Total	\$356,500.00	\$593,000.00	\$876,500.00	\$1,679,000.00	\$1,580,000.00	\$1,525,000.00	\$1,625,000.00	\$1,280,000.00

Glossary

[Note: the abridged definitions in this glossary have been prepared to assist readers of this Terms of Reference document. For additional definitions, please refer to provincial legislation, regulations, and technical standards].

Assessment report means a technical document that is prepared by a source protection committee under Section 15 of the Clean Water Act, 2006 (and a forthcoming regulation) to record its knowledge of a source protection area, and to rank *risks* to *drinking water* within that area. Each report is approved by the Ontario Ministry of the Environment.

Aquifer means a water bearing formation that is capable of transmitting water in sufficient quantities to serve as a source of water supply.

Conceptual water budget study means a written description of the overall flow system dynamics for each *watershed* in the *source protection area* taking into consideration surface water and groundwater features, land cover (e.g. proportion of urban vs rural uses), human-made structures (e.g. dams, channel diversions, water crossings), and water takings.

Drinking water means (a) water intended for human consumption or (b) water that is required by an Act, regulation, order, municipal by-law or other document issued under the authority of an Act, (i) to be potable, or (ii) to meet or exceed the requirements of the prescribed drinking water quality standards.

Drinking water issue is a substantiated (through scientific means) condition relating to the quality of water that interferes or is anticipated to soon interfere with the use of a drinking water source.

Drinking water system means a system of works, excluding plumbing, that is established for the purpose of providing users of the system with *drinking water* and that includes, (a) any thing used for the collection, production, treatment, storage, supply or distribution of water, (b) any thing related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system, and (c) a well or intake that serves as the source or entry point of raw water supply for the system.

Drinking water threat means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of *drinking water*.

Groundwater means subsurface water that occurs beneath the water table in soils and geological formations that are fully saturated.

Groundwater Vulnerability Study is a study to define the *wellhead protection area* surrounding one or more water *wells*.

Highly vulnerable aquifer means an area where (a) water is conveyed through the ground and (b) pollutants on the surface could readily enter the groundwater and contaminate it.

Intake protection zone means the area of land and water that contributes *source water* to a *drinking water system* intake within a specified period of time (for example, two hours) and that is a priority for protection from contamination.

Risk means the likelihood of a drinking water threat (a) rendering a drinking water source impaired, unusable or unsustainable, or (b) compromising the effectiveness of a drinking water treatment process, resulting in the potential for adverse human health effects.

Significant groundwater recharge area means an area in which (a) there is a high volume of water moving from the surface into the ground and (b) groundwater serves either as *source water* or the water that supplies a coldwater ecosystem such as a brook trout stream.

Source protection means a program of education, stewardship, planning, infrastructure, and regulation activities that together serve to help prevent the contamination or overuse of *source water*.

Source protection area means those lands and waters that have been defined under Ontario Regulation 284/07 as the “study area” for an *assessment report* and a *source protection plan* under the Clean Water Act, 2006.

Source protection authority means a conservation authority or other person or body that is required to exercise powers and duties under the Clean Water Act, 2006.

Source protection committee means a group of individuals who have been appointed under the Clean Water Act, 2006 by a *source protection authority* to coordinate *source protection* activities for a *source protection area*.

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Source protection plan means a document that is prepared by a *source protection committee* under Section 22 of the Clean Water Act, 2006 (and a forthcoming regulation) to direct *source protection* activities in a *source protection area*. Each plan is approved by the Ontario Ministry of the Environment.

Source protection region means two or more *source protection areas* that have been grouped together under Ontario Regulation 284/07.

Source water means untreated water that is found in groundwater aquifers and surface water lakes and rivers that is used to supply a *drinking water system*.

Surface water means water that is present on the earth's surface and may occur as rivers, lakes, wetlands, ponds, etc.

Surface water vulnerability study is a study to define the *intake protection zone* surrounding one or more intakes.

Threats Inventory, Issues Evaluation and Tier 1 Water Quality Risk Assessment study is a preliminary examination of *drinking water threats, issues and risks*.

Tier 1, 2 and 3 water budget and stress assessment study means numerical analysis at the *watershed/subwatershed* level (for Tier 1 and 2) or local areas level (for Tier 3) considering existing and anticipated amounts of water use within the *watershed*, as well as quantitative flow between the groundwater and surface water systems.

Tier 2 Water Quality Risk Assessment study is an advanced examination of a *drinking water threat* through more detailed information, interviews and perhaps when warranted, additional monitoring, modeling or studies.

Vulnerable area means (a) a *significant groundwater recharge area*, (b) a *highly vulnerable aquifer*, (c) a *surface water intake protection zone*, or (d) a *wellhead protection area*.

Watershed means the area of land that contributes water to a lake, river or stream.

Watershed characterization study is a general description of the *watersheds*, communities, *source water, drinking water systems*, patterns of water use, and *drinking water problems* within a given *source protection area*.

Well means a hole made in the ground to locate or to obtain *groundwater* from an *aquifer*.

Wellhead protection area means the surface and subsurface area surrounding a *well* that supplies a *drinking water system*, through which contaminants are reasonably likely to move so as to eventually reach the well.

Appendix begins on next page

Appendix

Consultation Submissions

Proposed Terms of Reference

Bernard Nelson, President
Essex County Federation of Agriculture
Comments Presented to the SPC at the Public Meeting, June 18, 2008

Source Water Protection

Thank you for allowing the Essex County Federation of Agriculture the opportunity to discuss some concerns with the Terms of Reference Draft and the Source water legislation.

In early spring, the town of Lakeshore experienced a Boil Water Advisory for some of its residence. It became a big issue, with a local radio station discussing the effects on a early morning call in show. One caller believed that his major inconvenience was because of Agriculture. More precisely, that cattle manure was running off the fields, into the ditches and contaminating the intake water. I personally, did not hear the radio program, but I received a phone call shortly after this comment was made. The ECFA member was upset that when ever there is a drinking water issue, Agriculture is seen as the culprit. I encouraged the individual to call the radio station to stand up for Agriculture, and ask the early morning host what scientific evidence existed that the boiled water advisory was an intake problem. Your Terms of Reference states "The Clean Water Act is a science-based approach which is inherently precautionary". I believe that science will vindicate Agriculture, and you as a committee should be applauded for ensuring that the final Source Water Protection Plan is based on sound scientific principal. To this point, First. have you as a committee seen scientific evidence of the current level of contamination at the various water intakes and will these be the bench marks to measure the success of your plan. Second, The current contamination levels do they exceed MOE acceptability standards, do the contamination levels justify the need for an Source Water Protection Plan, taking into consideration that Justice O'Connor's Report recommended a multi barrier approach to protecting municipal drinking water.

The ECFA is concerned of where the scope of the Clean Water Act is heading. It is my understanding that today it is 1 km radius assessment area from the intake. What parameters will try to be addressed in 5years, 10 years or even 25years. The budget in the Terms of Reference is to 2012, does the whole process start over with a larger assessment area then. Does the future spending justify the risk on a multiple barrier approach.

The term "Expropriation without taking" is not found in you terms of reference. You make mention to the fact that close consultations with the municipalities is essential for multiple tasks, including land use policies. If the Source Protection Plans calls for land restrictions, that may affect land use activities, business operations, impose additional business cost or reduce the value of assets, this action is " expropriation without taking ". Since the general

Proposed Terms of Reference

public is the beneficiary of this action, compensation is required to the affected party, be it agricultural or not. It is my understanding that the Stewardship Fund and Environmental Farm Plan have provisions to compensate individuals for a portion of the cost incurred in reducing environmental risk within the assessment zone, but it must be proactive and volunteer in nature and expires before the Source Protection Plans are Official. What financial instruments will be available once the plan is actually implemented to compensate those directly impacted. And what level of government will these funds be expected from Municipal or Provincial. The answer to this question will not only add validity but accountability to your plan.

Finally, You as a committee have a task that I am not envious of. The Clean Water Act, mandates you to develop Source Protection Plans after accessing the levels of risks. Agriculture will have an important component of this final plan. One final thought, I believe that end result of affordable, clean, safe drinking water, the purpose of this committee, may be jeopardized. The parameters that you been given to work within, excludes two major sources of intake water contamination. It is my understanding, and if I am wrong please correct me, but sewage treatment affluent from both Michigan and Ontario and the natural wildlife along our shores and wetlands are not considered to be a major risk to our water intakes and are excluded from the Clean Water Act Legislation. The terms of Reference Budgets 9.4 million dollars for you to access and make water protection plans within the parameters of the Clean Water Act. Will this money be Publicly Accountable if you do not cover the total scope of the existing problem.

Thank you for giving the Essex County Federation of Agriculture an opportunity to address some concerns.

Proposed Terms of Reference



ENVIRONMENTAL | DEFENCE

CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'Association canadienne du droit de l'environnement

June 26, 2008

Essex Region Source Protection Committee c/o Essex Region Conservation Authority
Essex County Civic & Education Centre, Room C
360 Fairview Avenue West
Essex, ON N8M 1Y3
Fax: 519-776-8688
Email: chair@essexregionsourcewater.org

Dear Essex Region Source Protection Committee,

**RE: Elements to be considered for inclusion in the Essex Region
Source Protection Area Terms of Reference**

Ontario Regulation 287/07 sets out the content requirements for the Terms of Reference ('TOR') which you and all other Source Protection Committees across the province are developing.

However, an important element of the *Clean Water Act, 2006* ('CWA') is the ability of a Source Protection Committee to address both mandatory and discretionary issues through its TOR. Certain potential threats to sources of drinking water may be unique to a particular Source Protection Area or Region, or may pose localized transboundary impacts within adjoining Areas Or Regions. Other threats to source water could emerge in the future, and existing water quality/quantity problems could worsen; both of these possibilities warrant prudent and forward-looking decision-making under the CWA - decision-making that is based on a precautionary approach. In addition, the strength of the TOR, and ultimately that of the Assessment Reports and Source Protection Plans which will follow, would be increased by incorporating various forms of community-based information and local (i.e. non-scientific) knowledge into the source protection planning process.

The Canadian Environmental Law Association and Environmental Defence would like to suggest a number of discretionary issues for you to consider for inclusion in your TOR.

- Provisions should be made for incorporating local knowledge and aboriginal traditional knowledge into the source protection process. People who have lived in an area for a long time may have knowledge of obscure but potential threats to source water, such as abandoned wells or old or unlicensed private waste disposal sites. Anglers and hunters may have come across potential threats to drinking water in the seldom-frequented areas where they enjoy their pastimes. Whenever possible, such knowledge should be sought out and used to complement the scientific work on source protection. We also encourage you to promote and facilitate community-member contributions of local knowledge and aboriginal traditional knowledge

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- Potential threats to source water can be addressed through guiding principles) the most notable of which is the precautionary principle. In the introduction to your proposed TOR it is stated that '[t]he [CWA] is a science-based approach which is inherently precautionary', and on page 8 you state that '[t]he scientific research underway to support [Source Protection Plans] employs the precautionary principle.' It is commendable to see the precautionary principle mentioned specifically in your proposed TOR. This principle should be considered an important element of the source protection process. A lack of scientific certainty should not be permitted to delay or preclude policies intended to address potentially significant threats to drinking water.
- Known or suspected threats to sources of drinking water, including threats with direct, indirect and cumulative impacts from point and non-point sources, should be identified and evaluated during the development of the Assessment Report. Such threats can then be mitigated through the application of your Source Protection Plan .
- All cross-regional issues should be discussed. The listing of transboundary issues that necessitate consultation with other specified Source Protection Committees, is a required element of the TOR. In your proposed TOR all known transboundary issues are listed. More however could be included. The relevant planning area should be defined, evaluation guidelines should be drawn up, and the parties that will be undertaking an evaluation need to be identified. Examples of cross-regional issues include the Great Lakes, where more than one Area's or Region's systems draw their water from lake surface water and there is a potential of overlap of Total Water Contributing Areas; inter-watershed transfers; headwaters; non-point-source contamination such as that which results from the application of road salts and pesticides; and climate change .
- The Ministry of the Environment or Conservation Authorities could be asked to provide lists of all drinking-water systems in your Area, under the *Safe Drinking Water Act, 2002*. These could include both municipal and non-municipal systems (such as those serving schools and community and daycare centres).

An explicit part of the public discussion on the TOR should centre on which non-municipal systems under the *Safe Drinking Water Act, 2002*, should be considered priorities for elevation. Examples of priority non-municipal systems are systems of six or more households on one well, and systems serving children.

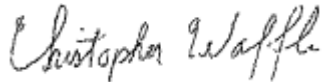
- Pending further direction from the MOE, priorities should be made for designating clusters for inclusion in the Source Protection Plan. A cluster is a community on six or more private wells where water is drawn from the same aquifer or surface-water source.
- An executive summary of the TOR should be prepared with a public audience in mind. Items that would benefit from public participation, such as prioritizing systems for elevation, and those which are dependent on public participation, such as the volunteering of local knowledge or aboriginal traditional knowledge, should be mentioned in the executive summary.

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- A mission statement outlining the goals which you intend to achieve through the source protection process, should be included in your TOR.

We would like to thank you for this opportunity to participate in the development of your TOR.

Yours sincerely,



Christopher Waffle
Source Protection Campaigner
Canadian Environmental Law Association



Mike Layton
Program Coordinator
Environmental Defence

Note: Citizens Environment Alliance (CEA) sent a letter dated June 30, 2008, identical to this letter from Canadian Environmental Law Association (CELA)