February 11, 2019

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, additional revisions have been made to existing policies (Appendix A):

- Revision to Implementation Timing
- Removal of commercial fertilizer policy and revision to existing policies
- Addition of new road salt policy and revision to existing policy
- Addition of new fuel policy

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.

Please review the source protection plan updates as they relate to your requirements for implementation and provide any comments by March 25, 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, 2006, the Grand River Source Protection Authority must obtain a municipal council resolution from the City of Brantford prior to formal public consultation.

The Grand River Source Protection Authority is requesting a resolution from the City of Brantford Council by April 3, 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 Monday, April 8, 2019 following the April 4, 2019 Lake Erie Region Source Protection Committee meeting, and closes on Tuesday, May 21, 2019.

Following the public consultation period, the Lake Erie Region Source Protection Committee will consider any comments received at their meeting on June 20, 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 the MECP.

Sincerely,

[Signature]

Source Protection Program Manager
Lake Erie Source Protection Region
Appendix A:
Draft Source Protection Plan amendments
Policy Number | Source Protection Plan Policies within the City of Brantford
---|---
CB-CW.1.1 | Except as set out below, the policies contained in this Source Protection Plan shall come into effect on the date set out by the Minister.

a. For Section 57 of the *Clean Water Act*, 2006 if an activity was engaged in at a particular location before this Source Protection Plan took effect, policies regarding prohibited activities do not apply to a person who engages in the activity at that location until 180 days from the date the Source Protection Plan takes effect;

b. For Section 58 of the *Clean Water Act*, 2006 if an activity was engaged in at a particular location before this Source Protection Plan or amendment 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 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 the notice is given;

c. For Section 59 of the *Clean Water Act*, 2006 policies regarding restricted land uses shall take effect the same day the Source Protection Plan takes effect;

d. Where the Source Protection Policies require the City and/or the Source Protection Authority 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;

e. For Sections 43 of the *Clean Water Act*, 2006 if an activity was engaged in at a particular location before this Source Protection Plan or amendment took effect, amendments to Prescribed Instruments shall be completed within three (3) years from the date the Source Protection Plan takes effect;

f. For Section 40 and 42 of the *Clean Water Act*, 2006 the Official Plan must be amended and adopted by council to conform with the significant threat policies within five (5) years from the date the Source Protection Plan takes effect or the next Official Plan review required under Section 26 of the *Planning Act* and the Zoning By-law within two (2) years from the adoption of the Official Plan.

Policy Number | Policies Addressing Prescribed Drinking Water Threats within the City of Brantford
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8. The Application of Commercial Fertilizer to Land
9. The Handling and Storage of Commercial Fertilizer
CB-CW-7.1 | To ensure any existing or future application, or handling and storage of commercial fertilizer within Intake Protection Zone 2, where such activities are or would be significant drinking water threats, cease to be and/or never become a significant drinking water threat, these activities are designated for the purposes of Section 58 of the *Clean Water Act*, 2006 and a Risk Management Plan shall be required.
### Policy Number | Policies Addressing Prescribed Drinking Water Threats within the City of Brantford
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**CB-MC-7.2**<br>**Future**<br>**Part IV - Prohibit**<br>**IPZ-1-v.10**<br>Does currently not apply to the application of commercial fertilizer due to percent managed land and livestock density calculation | To ensure any future application or handling and storage of commercial fertilizer never becomes a significant drinking water threat, within Intake Protection Zone 1, where such an activity is or would be a significant drinking water threat, these activities shall be designated for the purpose of Section 57 of the *Clean Water Act, 2006* and are therefore prohibited.

**CB-CW-7.3**<br>**Existing**<br>**Part IV-RMP**<br>**IPZ-1-v.10**<br>Does currently not apply to the application of commercial fertilizer due to percent managed land and livestock density calculation | To ensure the existing application or handling and storage of commercial fertilizer never becomes a significant drinking water threat, within Intake Protection Zone 1, where such an activity is or would be a significant drinking water threat, these activities are designated for the purposes of Section 58 of the *Clean Water Act, 2006* and a Risk Management Plan shall be required.

### 12. The Application of Road Salt

### 13. The Handling and Storage of Road Salt
**CB-CW-10.1**<br>**Existing/Future**<br>**Education&Outreach**<br>**IPZ-1-v.10; IPZ-2-v.9** | To ensure any existing or future handling and storage of road salt ceases to be and/or never becomes a significant drinking water threat where such activities are, or would be, significant drinking water threats, the City shall develop and implement education and outreach programs for the private and public sector, as well as the general public, about the impacts of road salt on drinking water sources and the use of best management practices. It is recommended that the key messages be to promote the efficient use of road salts and the use of alternatives to ensure this activity ceases to be and/or never becomes a significant drinking water threat.

**CB-CW-10.5**<br>**Existing/Future**<br>**Education&Outreach**<br>**IPZ-1-v.10** | To ensure any existing or future application of road salt where such activities are, or would be, significant drinking water threats, the City shall develop and implement education and outreach programs for the private and public sector, as well as the general public, about the impacts of road salt on drinking water sources and the use of best management practices. It is recommended that the key messages be the efficient use of road salts and the use of alternatives to ensure this activity ceases to be and/or never becomes a significant drinking water threat.

### 15. The Handling and Storage of Fuel
**CB-CW-12.1.1**<br>**Future**<br>**Part IV-RMP**<br>**IPZ-2 v.9** | To ensure the future handling and storage of fuel greater than 2,500 Litres never becomes a significant drinking water threat, where such an activity would be a significant drinking water threat; related land uses shall be designated for the purposes of Section 58 of the *Clean Water Act, 2006* and a Risk Management Plan shall be required.