

December 3, 2025

Public Input Coordinator – Source Protection
Conservation and Source Protection Branch
Ontario Ministry of the Environment, Conservation and Parks
300 Water Street, North Tower, 5th Floor
Peterborough, ON
K9J 3C7

RE: ERO Posting 025-1104 – Regulatory changes for accelerating and improving protections for Ontario’s drinking water sources

Thank you for the opportunity to comment on the above referenced postings related to the Clean Water Act and implementation of the source protection program. Please find below staff comments from Wellington Source Water Protection. Wellington Source Water Protection is a municipal partnership of the seven local municipalities and the County within the County of Wellington and staff are municipal employees and the appointed Risk Management Official / Inspectors for the County municipalities. In preparing these comments, staff attended Ministry or Conservation Authority led presentations and discussions related to this posting and the related posting, ERO 025-1060 that is now closed.

Please find our comments below for your consideration:

Comments

1. Staff strongly support streamlining the Source Protection Plan amendment process as outlined in the posting related to expanded use of Section 51, proposed ability for Source Protection Authority Approval and clarified scope and 120 day timelines for Minister approval. All of these proposed changes will accelerate the Source Protection Plan amendment process and support growth.
2. In addition to the proposed examples to be added under Section 51 or under the Source Protection Authority Approval, the Ministry should consider also adding the following. We would be supportive of these scenarios being allowed to provide water to residents without a restriction on the Municipal Drinking Water Licence. Please note that our municipalities have specific examples for comments 2 a) through d) and would be pleased to share those for illustration purposes.
 - a. Added to Section 51, mapping updates related to impervious surface, managed lands and livestock density analysis. Certain chemical significant drinking water threats are tied to these maps and these maps

are based on GIS analysis that becomes stale dated quickly due to air photo updates and landscape changes. A quicker process would be beneficial to update this mapping to allow regulation of significant drinking water threats on the landscape. For example, impervious surface often changes quickly as buildings and roads are built, however, some approved Assessment Report impervious surface mapping is based on air photos from over ten years ago.

- b. Add to Section 51, replacement wells or intakes. We support the proposed changes, however, suggest that it be broadened to also include wells or intakes within source protection plans that do not reflect the most recent technical rules. Often our fastest growing municipalities are within Source Protection Regions that have the largest and most complex Source Protection Plans to update (ie CTC, Grand River). The current Section 36 process and future update process to reflect future technical rule changes take years. Water being distributed to residents should not be held up for a replacement well or intake that happens to be located in a more complex Source Protection Plan. The remaining of the municipal system is still being protected under the previous technical rules and a slight change in mapped vulnerable areas for a replacement well should not result in years of delay to bring that replacement well online.
- c. Add to Section 51, back-up wells or intakes. The proposed changes, including our recommendation above, should also apply to back-up wells or intakes that are being installed. Back-up wells or intakes are similar to replacement wells or intakes as they are often located in close proximity to the original wells or intakes and result in slight changes to the mapped vulnerable areas. It is our experience that, similar to replacement wells or intakes, back-up wells or intakes can be installed in locations that do not generate new significant drinking water threat activities and result in a slight change to the mapped vulnerable areas. We have experienced back-up wells delayed for years to come online as they are required to go through the same Source Protection Plan amendment process as a new well in a new location.
- d. Add to Source Protection Authority Approval, new or replacement Wells within existing wellfields. The Ministry should consider whether a new or replacement well that is being located within an existing wellfield and therefore within existing wellhead protection areas for other wells could be approved locally. Since these wells are being installed in already approved wellhead protection areas most of the significant drinking water threats have already been notified and may already be managed, whether through risk management plans or other policies. Often the changes resulting from these new wells is the addition of a WHPA-A and the moving of the boundary of the WHPA-B, C and D. In an urban environment, the significant drinking water threats in a WHPA-A are often

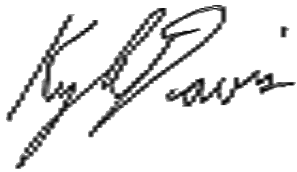
limited (ie winter maintenance related via risk management plan and liquid fuel or sewage covered by prescribed instruments). In an urban environment, significant drinking water threats in WHPA-B and C are DNAPL related and significant whether they are in a WHPA-B or C, therefore, a boundary change between these WHPAs does not affect the significant drinking water threat enumeration.

- e. Add to Section 51 and Source Protection Authority Approval, Director approval. The Ministry should consider providing the Director of the Conservation and Source Protection Branch to review and approve additions to the allowed scenarios under both Section 51 and Source Protection Authority Approval for scenarios not considered or thought of at this time. A process could be put in place to ensure proper review, however, it is likely there will be other scenarios that come up during implementation that are not thought of currently. This flexibility will help to future proof the program.
3. Clear guidance from the Ministry is needed on what scenarios and criteria are acceptable for local Source Protection Authority Approval to ensure the process is implemented consistently and efficiently across the Province.
 4. Based on discussion, it is our understanding that the proposed limitation on the use of Part IV policies only applies where prescribed instruments are used. Therefore, existing use of Part IV policies for prescribed instrument exempt sewage (storm water) and waste (waste generating facilities) will be allowed to continue. If that is the case, we support that approach. If the existing use of Part IV policies for these subthreats is being limited then there are concerns including that in force risk management plans will need to be modified or revoked.
 5. Clarification is needed on whether Part IV Prohibition policies are allowed to remain in Source Protection Plans when a similar prescribed instrument prohibition policy may be removed under this proposal. The example is for manure application under both Part IV and Nutrient Management Plans.
 6. The proposed change to clarify the review of Nutrient Management Plans is welcome and supported.
 7. With the proposed standardization of prescribed instrument policies, we encourage the Provincial Ministries to ensure there is a source protection requirements section and rationale in the prescribed instrument and a clear statement of conformity. The Consolidated Linear Infrastructure – Environmental Compliance Approvals and the Municipal Drinking Water Licences are good examples of this.

8. We note that the Section 61 exemption under the general regulation would benefit from the addition of a notice issued by the Risk Management Official acknowledging acceptance or receipt of the prescribed instrument exemption notice from the applicant. This regulation section is unique as it appears to be the only section that has a notice being issued by an applicant to the Risk Management Official and not vice versa. In our experience, this causes an administrative problem in completing the exemption process and serving the Risk Management Official's decision as it is not a notice under the Clean Water Act.
9. It is unclear from the proposal how the consolidation of conservation authority boards affects the Source Protection Authority Boards and Source Protection Committees as currently required under the Clean Water Act. It is also unclear how the consolidation will impact timelines for Section 34 and 36 amendments that are already in progress with the current Source Protection Authorities, their Boards and the Source Protection Committees and the transfer payment agreements required for the Source Protection Authority work to continue.
10. Although not directly consulted on in this posting, an update is needed to the electronic service methods in the Service Regulation as they are currently cumbersome and unusable in most situations as they require the recipient to confirm receipt.
11. Ontario Regulation 287/07 Section 62 should reference Condominium Act plans of condominium as this is a common development application that is reviewed and commented on during development reviews and the Section 59 process.

Thank you for this opportunity to comment on these ERO proposals. Please do not hesitate to contact the undersigned for further information.

Regards,

A handwritten signature in black ink, appearing to read "Kyle Davis". The signature is written in a cursive style with a prominent "K" and "D".

Kyle Davis
Risk Management Official
kdavis@centrewellington.ca
519-846-9691 ext 362