

December 4, 2025

Ministry of Environment, Conservation and Parks  
Conservation and Source Protection Branch  
300 Water Street, North Tower, 5th Floor  
Peterborough, ON K9J 3C7  
*Submitted online*

**Re: Frontenac Municipal Services (FMS) Submission to ERO Posting 025-1104: *Regulatory changes for accelerating and improving protections for Ontario's drinking water sources***

Frontenac Municipal Services (FMS) appreciates the opportunity to provide comments on the Ministry of the Environment, Conservation and Parks (MECP) proposed regulatory amendments intended to streamline and strengthen Ontario's Source Water Protection (SWP) framework.

FMS is a municipal service corporation established by the County of Frontenac and its four member municipalities to plan, build, own, and operate communal drinking water and wastewater systems.

Our service area spans four conservation authority jurisdictions, and we are currently supporting several rural growth initiatives, including the Verona Housing Project in South Frontenac, which was recently awarded \$3.2 million in provincial funding through the Housing-Enabling Water Systems Fund (HEWSF).

As a municipal utility responsible for small and moderate-scale drinking water systems, FMS routinely navigates the interaction between Environmental Assessment (EA) requirements, Source Water Protection amendments, and permitting under the Safe Drinking Water Act.

We commend the Ministry for taking steps to modernize the regulatory framework and offer the following observations and recommendations based on our operational experience.

**1. Need for Coordination Between EA and SWP Processes**

A fundamental challenge encountered by rural municipalities is the need to move through two parallel, non-coordinated provincial processes:

- the Municipal Class Environmental Assessment (EA), and
- Source Water Protection (SWP) amendments led through local Source Protection Authorities.

Both processes are administered by the same ministry, yet they operate independently with different timelines, consultation cycles, and decision points. This duplication results in significant delays, increased consultant costs, and the potential for contradictory outcomes.

FMS strongly encourages MECP to formally integrate SWP consultation within the Municipal Class EA process, similar to how EA processes integrate Planning Act approvals.

A harmonized approach would:

- eliminate duplicative technical and public consultation streams,
- ensure results are aligned and technically consistent,
- reduce project timelines and costs, and
- improve predictability for municipalities planning new water sources.

We believe meaningful streamlining cannot be achieved without addressing this foundational coordination issue.

## **2. Support for Streamlining SWP Amendments, With Clear Provincial Guidance**

FMS supports the proposed measures that would:

- enable Source Protection Authorities (SPAs) to approve routine and non-substantive amendments,
- streamline consultation into a single phase,
- expand the types of administrative amendments allowed without consultation, and
- clarify standardized submission requirements.

These changes recognize the maturity of Ontario's 38 Source Protection Plans and the need to modernize amendment processes.

However, shifting additional decision-making authority to SPAs **without clear, uniform provincial criteria** may lead to inconsistent or overly conservative decisions. Municipalities working across multiple conservation authorities may face delays if expectations vary between regions.

We therefore recommend that MECP develop **province-wide implementation guidance** that defines:

- the technical thresholds for SPA-approved versus Minister-approved amendments,
- streamlined expectations for mapping, modelling, and supporting documentation, and
- minimum decision timelines for both SPAs and the MECP Director.

Clear guidance will ensure that the benefits of streamlining are realized consistently across Ontario. FMS encourages the Ministry to provide more details on the circumstances where SPAs would be delegated the approval authority for a source protection amendment.

### **3. Flexibility to Bring New Drinking Water Sources Online is Essential for Rural Growth**

FMS supports the proposed amendment to O. Reg. 205/18 that enables the MECP Director to approve a new well or intake without automatically imposing a prohibition on supplying water until the SWP amendment is complete—where the Source Protection Authority indicates this is appropriate.

This is a practical and necessary improvement. For rural municipalities facing urgent housing needs, the ability to place a new source into service—when technical work is complete, risks are well understood, and protections are in place—will significantly reduce delays.

FMS recommends that:

- SPAs provide clear rationale when advising against the prohibition,
- timelines for completing the associated SWP amendment remain enforced, and
- the flexibility is applied consistently across all regions.

FMS also encourages the Ministry to specify the circumstances when a municipal drinking water license is granted before an amendment to a source protection plan is complete, and if or how it relates to the creation of new water sources (and not only modifications or replacements of existing systems).

### **4. Proposed Changes to Prescribed Instruments: Value in Standardization**

The proposed standard policy wording and documentation requirements for prescribed instruments will support improved transparency and consistency, province-wide. FMS supports these measures.

Given the realities of rural Ontario—where future development may rely on small communal systems or advanced decentralized technologies—it will be important that SWP policies continue to allow for Best Available Technology Economically Achievable (BATEA). The policies should not inadvertently limit the use of modern, low-impact treatment systems that can safely support rural housing and economic development.

### **5. Caution on Timelines and Capacity**

The proposal suggests that plan approvals could be reduced by up to 12 months. Based on recent experience with small-system SWP amendments, timelines of 12 to 21 months are common.

Additional resourcing and clear guidance will be necessary to ensure that SPAs and MECP can meet the proposed timelines. Without this, streamlined regulatory language alone may not

translate into faster approvals—and may unintentionally shift development pressure toward unregulated private servicing rather than municipally-owned systems, which would undermine long-term source protection.

## 6. Equity Between Municipal and Private Proponents

The current framework continues to place a greater regulatory burden on municipalities and municipal service corporations than on private developers. Private proponents may be exempt from certain requirements, despite municipalities being the long-term owners, operators, and stewards of drinking water infrastructure.

We encourage MECP to ensure:

- that municipal and MSC-led projects are not regulated more stringently than private developments, and
- that requirements related to consent, technical documentation, and SWP conformity apply equitably.

## Conclusion

Frontenac Municipal Services supports MECP's commitment to maintaining strong protections for drinking water sources while modernizing and streamlining regulatory processes. We view the proposed changes as constructive steps forward, particularly if accompanied by clear provincial guidance and coordinated EA–SWP procedures.

To maximize the benefits of this regulatory package, FMS recommends that MECP:

1. **Formally harmonize the EA and SWP processes** to eliminate duplication.
2. **Provide consistent provincial guidance** to ensure SPAs apply policies and timelines uniformly.
3. **Ensure flexibility for small and rural systems** when bringing new wells and intakes online.
4. **Support modern treatment technologies (BATEA)** to enable safe rural development.
5. **Ensure regulatory equity** between municipal and private proponents.

FMS remains committed to environmental protection, responsible water management, and supporting rural housing solutions. We would welcome the opportunity to participate in further discussions or pilot projects related to streamlined approvals and standardized technical submissions.

Respectfully submitted,

**Frontenac Municipal Services**