



May 7, 2009

Ian Smith,
Director, Source Protection Programs Branch
Ministry of the Environment
8th Floor, 2 St. Clair Ave. W.
Toronto ON M4V 1L5

Dear Mr. Smith:

Re: Conservation Ontario input to the Drinking Water Stewardship Program Consultations

On behalf of Conservation Ontario this letter provides an update to you on Conservation Authority activity and achievements with respect to the Ontario Drinking Water Stewardship Program (ODWSP) to date and provides some comments as part of the province-wide consultation undertaken by the Ministry of the Environment (MOE) over the winter for purposes of informing the future of the program to 2011. This letter was endorsed by Conservation Ontario Council at our April 27th, 2009 meeting.

First, we are aware that a number of Source Protection Chairs volunteered to coordinate local consultations which involved support from Source Protection Region (SPR)/CA staff and these comments have been provided to MOE directly. A number of individual Conservation Authorities may have also provided comments to MOE directly.

For purposes of providing Conservation Ontario input, a small working group was established including staff of Nottawasaga Valley Conservation Authority (Southern Georgian Bay-Lake Simcoe SPR) Toronto Region Conservation Authority (Credit – Toronto, Central Lake Ontario SPR), Otonabee Conservation (Trent Conservation Coalition SPR), Grand River Conservation Authority (Lake Erie SPR), Ausable – Maitland SPR, Mississippi – Rideau SPR and South Nation Conservation Authority (Raisin-South Nation SPR). Conservation Ontario also received written comments from Source Protection Regions and CAs.

We greatly appreciated the opportunity to meet with MOE Source Protection Implementation staff: Paul Heeney, Marie LeGrow and Clarke Kirkland, in Toronto on March 25th, 2009 to provide verbal input on the ODWSP. Conservation Ontario, Grand River Conservation Authority, Otonabee Conservation, Nottawasaga Conservation

Authority, and South Nation Conservation Authority staff were present to provide input on behalf of the CO Working Group.

We have summarized below some of the key accomplishments Conservation Authorities have made under the program to date. We have also highlighted important issues they have faced this past year, with a number of them mirroring the concerns we forwarded to you in June of 2008.

Updated materials for the Drinking Water Stewardship Program Outreach and Education Toolkit have been produced by CO (Tina Kilbourne) and copies of the materials have been circulated to the SPRs and MOE. These materials are also posted on the CO Website at: http://www.conservation-ontario.on.ca/source_protection/Source_Protection_Program_Outreach_Toolkit.htm

In addition to the many projects and outcomes completed through funding from 2007-08, CAs in partnership with municipalities and others have been submitting 2008-09 Special Projects; and Outreach and Education applications, with most having been recently approved. Some of these projects include:

- Funding received towards delivery, promotion and administration of the Early Actions
- Quinte Conservation coordinated a joint 2007-08 O&E project with Mississippi-Rideau and Cataraqui SPRs to reach landowners in WHPAs and IPZs to promote stewardship actions and provide information about the Clean Water Act (CWA) through open houses, public service announcements, watershed signs and publications like the “Septic Smart” booklet.
- Saugeen-Grey Sauble-Northern Bruce Peninsula SPR partnered with the Grey Bruce Health Unit on community events, displays and outreach activities focusing on agriculture, youth, industry and seasonal residents.
- Nickel District Conservation Authority in partnership with the Sudbury & District Health Unit, Ministry of the Environment Sudbury and District Office, City of Greater Sudbury and Laurentian University – Blue Green Algae Monitoring Program applied to special projects and received funding for a naturalized shoreline demonstration site on Ramsey Lake and fencing and security around the municipal wells.
- In Lake Erie SPR Kettle Creek CA was able to focus outreach on the Port Stanley Harbour and intake and Grand River CA (GRCA) received special projects grants for well decommissioning and septic system upgrades on GRCA property.
- In the Credit – Toronto - Central Lake Ontario SPR have partnered with Peel and York Regions to host two well and septic provider workshops on available Early Actions funding.

- Raisin – South Nation SPR received funding to continue a spill response project initiated in 2008. This round of funding will add a fourth spill response trailer to the Region, additional spill containment equipment/supplies and additional training for local fire departments.
- Raisin-South Nation SPR has collaborated with others to obtain funding to upgrade security at several municipal wellheads and wellhead buildings, including fencing, replacement of doors/locks, security bars and an alarm.
- Sault Ste. Marie SPR is undertaking soil sampling to determine whether there is contamination of the soils within 100 m WHPAs due to the close proximity of significant threats.

In 2008-09 the majority of Source Protection Regions continued to promote and deliver Early Actions, and Education and Outreach components under the ODWSP. Many of the Amendments to Agreements with Conservation Authorities to continue delivering Early Actions funding under the 2008-09 eligibility requirements were recently signed, as well as receiving approval of the Special Projects applications for funding towards development of business cases. To date, the Conservation Authorities have been able to report the following successes under the Program:

- 385 projects involving 232 landowners underway/completed under the Early Actions Program between September 2007 and March 2009 (note that project implementation is limited during the winter months). This included:
 - 204 septic system inspection/upgrading
 - 136 well decommissioning/upgrading
 - 25 runoff/erosion protection projects
 - 20 pollution prevention reviews
- It is estimated that over 75,000 landowners have been contacted through Outreach and Education initiatives including direct mail outs, newsletters, community open houses, seminars, coffee table discussions, and door-to-door visits.
- Outcome of Outreach and Education initiatives included:
 - Raising awareness on the Clean Water Act
 - Encouraging landowners to participate in current and future early actions projects and other watershed programs
 - Raising awareness on best management practices for protecting their drinking water supplies
 - Gaining insight and information which contributed to drinking water source protection work
 - Developing and strengthening partnerships with other watershed stakeholders

While the above successes have been documented, Conservation Authorities have also experienced various factors which constrained their ability to implement activities under the 2008-09 program. Conservation Ontario has discussed these concerns with Ministry

of the Environment staff at several meetings in the past and worked to recommend changes to the 2008-2011 Drinking Water Stewardship Program Regulation, through the 2008 EBR posting, in order to address these issues. The following are the key issues which Conservation Authorities have highlighted which continue to impact their ability to implement the Early Actions component of the fund:

- **Delays in approval of Agreements and Early Actions Guidance Materials**
Delays in approvals of funding to develop business cases and to deliver the program under the current eligibility requirements has presented challenges in being able to promote and deliver Early Actions. Runoff and Erosion Protection, Fuel Storage and Conservation Land Early Actions guidance has not been approved. Expectations are being raised by landowners and municipalities that there will be assistance to fund certain projects. The Conservation Land Early Action in particular has not been provided since 2007. Windows of opportunity for delivery of some projects under the Runoff and Erosion protection Early Actions module have been lost, particularly in terms of obtaining planting stock for 2009. The province is encouraged to finalize the outstanding 2008-09 Early Actions Guidance as soon as possible.

- **Available Funding for Staff Resources** –Staff resources are essential to the administration and successful delivery of the ODWSP program. The opportunity to apply to special projects for 20 percent of 2007-08 Early Actions allocations for staff resources was appreciated but in many cases insufficient in terms of supporting provision of technical advice, approving and processing applications, reporting and providing the accountability desired to ensure the projects are being completed according to the eligibility requirements. In addition, this funding needs to be continuous to maintain the momentum and retain well trained staff through the duration of the program. Opportunities, time and momentum are lost when funding for staffing, as well as projects is discontinued. The Province is encouraged to include resources (between 15-20%) for administration and staff resources within the Early Actions fund to ensure that appropriate resources are available to deliver the program on-the-ground.

- **Delays in Information required to deliver and Municipal approvals** - Early Actions are not being promoted in certain areas of the province due to lack of available information/mapping on the Wellhead Protection Area (WHPA) -2 Year Time of Travel (2 Yr ToT) and Intake Protection Zone 1 (IPZ1) and/or because municipal approval of the mapping has not been obtained. This should improve over time as information is finalized, but there may be areas of the province where municipalities wish to wait until the Source Protection Plans are finalized.

Comments on the future of the ODWSP

The following are comments expressed during the meeting with MOE Source Protection Implementation staff on March 25th m 2009 on behalf of Conservation Ontario supported by the input of Source Protection Regions and Conservation Authorities.

General Comments

1. CAs have a long history (50 - 60 years) in delivering targeted outcome based watershed stewardship programs often in partnership with the province. Based on that experience the key characteristics of a successful program are:
 - Local delivery and accountability, with local community support.
 - Communicating simple, clear and consistent messages about the program.
 - Availability of technical support and advice to landowners that includes, project planning, assistance in completing applications, providing resource information, lists of local contractors, followup to ensure projects have been implemented according to eligibility guidelines,.
 - Monitoring, evaluation and reporting.
 - Maintaining contact with landowners regarding opportunities to involve them in demonstration and promotion of successful projects to others in the watershed.

CO/CAs are supportive of and committed to delivering a Drinking Water Stewardship Program which has clear outcomes and is developed to overcome barriers and assist landowners to take action required to address municipal drinking water source protection.

2. There is general support for extending the ODWSP beyond 2011.
3. Increase local flexibility and decision making regarding the program.
4. The ODWSP did not enjoy a high rate of success during the 2007/08 fiscal year and progress has been slow in 2008/09. We suggest that this experience is due to a combination of factors:
 - A lack of familiarity in the community with a new program;
 - Delays in the release of ODWSP materials; and
 - Eligible areas – technical information and municipal approvals,
 - Unrealistic expectations on the part of the province about the speed at which stewardship programs can be implemented, as well as
 - Insufficient resources allocated to ongoing delivery required to deliver successful program outcomes.

Eligible Projects and Areas

1. Continue Funding Voluntary Projects and Prioritize Risks to Source Water

- When approving projects, prioritization should be given to projects that will eliminate or mitigate a risk to source water, rather than if the project is voluntary or prescribed.
2. ODWSP should be the base program that others match – eg. Municipal and OSCIA/EFP.
 3. Eligible projects for ODWSP should align with existing Municipal Clean Water Programs delivered through CAs
 4. 80 % should be the grant rate provided through this program by MOE at which other programs match, including Municipal – if available, OSCIA/EFP and others.
 5. Increase Eligible Area to Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs) – Prioritize for Municipal Source Water protection
 - Consider Intake Protection Zone IIs, HVAs, and SGRAs.
 - When approving projects, prioritization should be given to projects that will protect municipal source water
 - Some CAs are seeing evidence that landowners may wish to wait until they know what they need to do – reasons include financial and wanting to do the right thing as identified in plan.
 - Ensure that funding is available for these people who want to address the issues. Remove the barriers to adoption.
 6. Specify Eligible Projects – Maintain Special Category for Innovative Projects
 - Eligible projects for ODWSP should align with existing Municipal Clean Water Programs delivered through CAs
 - However, an unspecified category should accommodate unique and innovative projects.

Program Administration and Delivery

1. The MOE should continue to administer the ODWSP and deliver ‘Special Projects’ and ‘Outreach and Education’ funding.
2. Conservation Authorities should continue to deliver Early Actions funding because:
 - They have a long history of delivering successful stewardship programs;
 - They have strong connections and outreach capacity within the local community (property owners and municipalities); and
 - They are delivering the broader Source Protection program so messaging would be consistent and accurate.

3. Source Protection Committees should be allowed to set local priorities.

Source Protection Committees should not be involved in the day-to-day review of project applications. However, at the start of each project year the Committees should meet with all of the delivery agents in their Area/Region to establish general priorities for locations and projects.

4. Coordination of Outreach and Education Projects:

- Conservation Authorities should be able to apply directly to the MOE for Outreach and Education funds.
- All funded Outreach and Education activities in a given Region should be completed in coordination with the local Source Protection Authority(ies) and local Source Protection Committee.

5. Delivery Dollars are Essential

Sufficient funding is required to effectively implement, promote and deliver a successful Early Actions program. These delivery dollars are required to enable staff to conduct site visits, provide technical advice and assist applicants with paperwork and approve applications.

6. Multi-year Funding Agreements are Required

It is essential that multi-year funding agreements be used. They allow Early Actions delivery agents to build momentum in the local community and promote long-term program uptake.

7. Short & Simple Paperwork

The application process must be short and simple to encourage people to participate. Time consuming paperwork and/or a complicated process will limit program uptake. It is also important that reporting requirements be simplified

8. Municipal Contributions

- There is general support that Municipalities should not be asked to provide matching funds, especially prior to Source Protection Plans being approved.
- Municipalities should be eligible to receive funding under all aspects of the ODWSP.
- If funding from municipalities is available through existing municipal programs this should be used as matching funds (See comments on Base funding under Eligible Projects and Areas)

Thank you very much for the opportunity to provide input. We trust that this information will be helpful in developing and refining the program as it moves forward. If you have

any questions or comments please do not hesitate to contact myself (Ext. 231) or Jo-Anne Rzadki, Watershed Stewardship Coordinator (ext. 224 ; e-mail: jrzadki@conservationontario.ca) Conservation Ontario would be pleased to discuss the above issues with you further, including opportunities to arrange site visits with MOE and CA staff to see first hand how the program is being implemented.

Yours truly,

A handwritten signature in black ink, appearing to read 'Don Pearson', written over a light grey rectangular background.

Don Pearson, General Manager

cc: Paul Heeney, Manager, Source Protection Implementation MOE
Conservation Ontario Council
CA SWP Project Managers
CA Watershed Stewardship and Communications staff