

The Corporation of the City of Kawartha Lakes

Council Report

Report Number WWW2019-002

Date: January 15, 2019
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 2

Title: Agreement for the Kinmount Water System

Description: Cross Boundary Agreement for Source Water Protection of the Kinmount Water Treatment System Intake Protection Zone

Author and Title: Kayla Strackholder, Contract Coordinator

Recommendation(s):

That Report WWW2019-002 Agreement for the Kinmount Water System be received;

THAT the agreement between the Corporation of the City of Kawartha Lakes, Trent Lakes and Minden Hills for Cross Boundary Agreement attached as Appendix A to Report WWW2019-002 be approved; and

THAT the Mayor and City Clerk be authorized to execute any documents and agreements required by the approval of this Agreement.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Kinmount Drinking Water System (Kinmount DWS) is designated as a small residential drinking water system pursuant to the *Clean Water Act, 2006*, (the “Act”) which is overseen by the Ministry of the Environment Conservation and Parks (MECP). The system is located within the northern region of the City of Kawartha Lakes (CKL), and services many residents and businesses in the village of Kinmount. The system obtains source water from an intake within the Burnt River.

The Source Protection Plan for the Trent Conservation Coalition Source Protection Region was approved by the MECP effective January 1, 2015. This plan encompasses the majority of Drinking Water Systems within the CKL, including the Kinmount DWS. The plan sets out policies to protect the water sources that supply municipal drinking water systems. These approaches include the development of risk management plans, education and outreach, land use planning and monitoring. This involves identifying the vulnerable area around source water intakes, described as Intake Protection zones (IPZ's). The IPZ for the Kinmount DWS extends into the Township of Minden Hills (Minden Hills) and the Municipality of Trent Lakes (Trent Lakes). A map showing this sensitive area or IPZ is included in Schedule A of the attached Agreement.

The creation of this Agreement was a collaborative effort between the City of Kawartha Lakes (the City), Kawartha Region Conservation Authority (KRCA), Otonabee Region Conservation Authority (ORCA), Trent Lakes and Minden Hills. Both ORCA and KRCA were involved as advisors since they provide source protection services to Trent Lakes and CKL respectively. The purpose of the Agreement is to clarify the roles and responsibilities of the three municipalities surrounding the Kinmount IPZ. The Agreement mitigates any potential risks to the drinking water source and complies with drinking water source protection policies. Under the Act, it is the responsibility of the drinking water provider (i.e. CKL) to implement the source protection program regardless of municipal boundaries. The proposed Agreement ensures the City is able to provide input to specific Part IV enforcement activities under the Act, such as developing and reviewing various existing and proposed land use activities for the portion of the IPZ outside CKL's municipal boundary.

Rationale:

Staff recommends that the Mayor and Clerk be authorized to execute the Agreement substantially in the form as attached as Appendix A “Cross Boundary Agreement” for the Kinmount Drinking Water System. The Agreement is necessary in order to implement Source Protection Plans within the Kinmount IPZ to help ensure residents utilizing the Kinmount Drinking Water System are receiving safe and reliable drinking water. Minden Hills and Trent Lakes have obtained authorization from their respective councils on December 13, 2018 and

January 8, 2019 to enter into an agreement with the City for delegation of Source Water Protection responsibilities. The proposed Agreement as attached has also been reviewed and deemed acceptable by CKL's Solicitor.

The IPZ from the Kinmount DWS has been identified to contain potential drinking water threats and there may be future proposed land activities that could create a significant or potential threat. This Agreement helps to manage the risk of contamination to the Kinmount DWS by clarifying responsibilities and ensuring clear communication between the municipalities. Having an agreement in place reflects that the City is being proactive by taking the necessary steps to comply with source water protection legislation to manage risks associated with land use activities. The City currently has a contract with Kawartha Conservation to perform the duties and responsibilities of the Risk Management Official (RMO) for all of the City's municipal drinking water systems. The neighboring municipalities will work with Kawartha Conservation to manage the potential drinking water threats to ensure the source water quality is clean and safe.

Other Alternatives Considered:

There are no other alternatives in order to maintain compliance with the Act.

Financial/Operation Impacts:

There are no additional financial impacts for the City resulting from execution of this agreement. Any associated costs for enforcement by the Risk Management Official are covered through the Agreement between KRCA and the City and are included in the User Rate Annual Operating Budget. The Agreement includes a section on financial requirements and is in accordance with the Act. The Agreement clarifies the obligations and responsibilities of each party in regards to indemnity and expenses.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This Agreement is consistent with Council's Adopted Strategic Plan in that it contributes to the following goals:

- Goal 2 – An Exceptional Quality of Life; Implementing Source Water Protection Plans helps to support the delivery of safe drinking water that is essential for the quality of life of residents and visitors.
- Goal 3 – A Healthy Environment; Source Protection and risk management are essential to providing a healthy and clean environment.

Consultations:

City Solicitor, Legal Services

Insurance & Risk Management Officer
Director, Public Works
Manager, Environmental Services
Supervisor, Water & Wastewater Operations
The Municipality of Trent Lakes
Township of Minden Hills
Kawartha Conservation
Otonabee Region Conservation Authority

Attachments:

Appendix A – Proposed Draft Cross Boundary Agreement for Source Water
Protection of the Kinmount Drinking Water System



Cross Boundary
Agreement for Source

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Department Head: Bryan Robinson