



Council Report

Report Number: **WWW2024-006**

Meeting Date: September 24, 2024

Title: **Amendments to Source Protection Plan for King's Bay Drinking Water System**

Description: The City of Kawartha Lakes is revising the Wellhead Protection Area (WHPA) for the King's Bay Drinking Water System (DWS) due to the installation of a new well. These upgrades have resulted in the Proposed Amendments to the Trent Source Protection Plan (SPP) and Assessment Report (AR).

Author and Title: Amber Hayter, Manager, Water & Wastewater

Recommendation(s):

That Report WWW2024-006, **Amendments to Source Protection Plan for King's Bay Drinking Water System**, be received;

That the proposed amendments to the Trent Source Protection Plan and Assessment Report, as per Section 34 of the *Clean Water Act, 2006*, resulting from the proposed new municipal well for the King's Bay Drinking Water System, be endorsed; and

That the new Wellhead Protection Area (WHPA) for King's Bay Drinking Water System and associated mapping be incorporated into the City of Kawartha Lakes Official Plan following approval by the Minister of the Environment, Conservation and Parks, and be added to the Trent Source Protection Plan and Assessment Report;

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The *Clean Water Act* (Act) was enacted in 2006 to ensure the protection of Ontario's municipal drinking water sources. The Act ensures that municipal drinking water sources are protected through prevention by developing collaborative, watershed-based Source Protection Plans based on science. The plans delineate vulnerable areas around drinking water sources referred to as Wellhead Protection Areas (WHPA) for groundwater sources and Intake Protection Zones (IPZ) for surface water sources. The goal of the plan is to manage or remove activities that are, or could be, significant threats to a municipal drinking water source with the delineated areas. The plan includes various policies to achieve this.

In accordance with the *Clean Water Act, 2006* (the Act), before water can be provided to the public from any new well connected to the Drinking Water System (except in an emergency situation), technical work including the delineation of the new Wellhead Protection Area, aquifer vulnerability assessment, and enumeration of significant threats must be incorporated into the respective Source Protection Plans and the Assessment Reports within which the subject well is located. Section 34, of the Act specifically outlines the detailed process that must be followed in order to update the Plans and Reports. An important step in this process is the requirement for municipal endorsement of the changes through a Council resolution. This report addresses that requirement for changes being proposed to the King's Bay Drinking Water System resulting in changes to the Source Protection Plan.

The Source Protection Committee at each of the Source Protection Regions typically develop and update Source Protection Plans, including policies to protect existing and future municipal drinking water sources within their watersheds. Each Source Protection Committee also prepares the Assessment Report, which characterizes the entire watershed of the Source Protection Region. Source Protection Plans and Assessment Reports must be amended when approved by the Minister of the Environment, Conservation and Parks.

The King's Bay Drinking Water System is located in the southern region of the City of Kawartha Lakes, near Seagrave and is within the Trent Conservation Coalition Source Protection Region and the Kawartha-Haliburton Source Protection Area.

In order to accommodate future development (as approved by a recent Ontario Land Tribunal decision) in the King's Bay Subdivision a new production well has been installed to supply the King's Bay Drinking Water System, which has resulted in changes to the existing Wellhead Protection Area (WHPA), requiring updates to the current Trent Source Protection Plan (SPP) and Assessment Report (AR).

The King's Bay Drinking Water System consists of three existing wells, with the addition of one recently constructed well (TW21-3). This well is to be connected to the municipal drinking water system to provide additional capacity to the site based on the water

supply investigation completed by WSP Canada Inc. in 2021, for the proposed further development within the King's Bay Subdivision.

Under Section 34 of the *Clean Water Act, 2006*, the proposed amendments to the Trent Source Protection Plan and Assessment Report, attached as Appendix A to this report, are required as the result of the revised delineation of the new Wellhead Protection Area for the newly constructed well #4 (TW21-3) for the King's Bay Drinking Water System. The Assessment of Drinking Water Threats and Vulnerability Scores were also updated within the newly delineated Wellhead Protection Area for the new and existing wells.

Rationale:

The amendments to the Trent Source Protection Plan and Assessment Report are based on upgrades to the King's Bay Municipal Drinking Water System and are limited to the addition of a new well located near the existing municipal wells and the use of new modeling which has resulted in changes to the delineation and vulnerability of the wellhead protection areas. No changes are proposed to the policies in the Trent Source Protection Plan at this time.

The City of Kawartha Lakes must complete source water protection requirements including delineation of new Wellhead Protection Areas and enumeration of potential Significant Threats within the new Wellhead Protection Areas for any new wells before water is provided to the public.

Amendments under Section 34 of the *Clean Water Act, 2006* for implementing source protection requirements are summarized below:

- a. Early Planning - municipal residential drinking water system owners and local Source Protection Authority (SPA) discuss owners' intention of establishing or altering a system;
- b. Notification from Owner - System owner conducts technical EA and source protection planning work (mapping, vulnerability) and provides confirmation to the local Source Protection Authority of their input in applying for a permit/licence from Ministry of the Environment, Conservation and Parks (the Ministry);
- c. Source Protection Work – System owner completes and submits Wellhead Protection Area mapping and vulnerability delineation to local Source Protection Authority and the leading Source Protection Area Program Manager;
- d. Notice from Source Protection Authority – Local Source Protection Authority reviews technical work to determine if work is sufficiently completed and issues a Notice to the

Owner stating that the works are complete. Owner then applies for Drinking Water Works Permit/Licence;

e. Source Protection Authority Update Early Engagement 1 - Local Source Protection Authority informs affected municipalities that a Council Resolution will be required and starts early engagement with the Ministry for feedback;

f. Plan Amendments(s) Developed – Source Protection Authority and Source Protection Committee agree on amendments required;

g. Early Engagement 2 – At the discretion of the local Source Protection Authority, copies of the proposed amendments can be provided to the Clerk of the affected municipalities and other persons;

h. Pre-consultation - Notice of Source Protection Plan revisions including draft policy text, summary of rationale for changes and a request for written comments sent to impacted bodies including municipalities and government bodies;

i. Municipal Endorsement - Municipalities affected by proposed amendments pass a Council Resolution endorsing the amendments if this has not already been accomplished in pre-consultation step h;

j. Public Consultation - Local Source Protection Authority publishes proposed amendments on website with hardcopies to be made available and notification in the newspaper and to affected parties. Public consultation to last minimum thirty-five (35) days from the date of notification;

k. Finalize Amendment Package – System owner obtains final endorsement from Source Protection Authority board(s) and prepares Ministry submission package;

l. Source Protection Authority Submission to Ministry – Including cover letter confirming Source Protection Authority board(s) support of amendments, proposed amendments, revised explanatory documents, summary of all consultation activities and example of notices;

m. Provision of Water – Chair of Source Protection Committee, Local and Lead Source Protection Areas receive notification from the Ministry that amendments to the Source Protection Plan have been approved. The new wells can now supply water to the public; and

n. Once the Wellhead Protection Area for King's Bay is approved by the Ministry and added to the Assessment Report, associated amendments can be made to the City's Official Plan.

The City has already completed steps a to h. Municipal endorsement (step i) is required in order to move to the next step in the process, which is to complete the public consultation process (step j), endorsement is being requested through this report.

Other Alternatives Considered:

No other alternatives are being considered.

Alignment to Strategic Priorities

This report aligns with the strategic goals and priorities in the Kawartha Lakes Strategic Plan in the following areas:

1. A Healthy Environment by protecting source water and ensuring quality of drinking water;
2. A Vibrant and Growing Economy by encouraging sustainable growth and development and improve and expand critical and transformational infrastructure;
3. Good Government by ensuring municipal assets are well maintained and well managed.

Financial/Operation Impacts:

The proposed endorsement does not require any financial commitment by the City, beyond the typical requirements related to the operations and maintenance of the drinking water system, which are recovered through the user rate.

Consultations:

Manager of Planning
Kawartha Conservation
Contract Coordinator
Director of Public Works
Director of Engineering and Corporate Assets
Manager, Development Engineering

Attachments:

Appendix A: King's Bay Summary of Proposed Amendments to Source Protection Plan and Assessment Report



Appendix A King's
Bay Summary of Proj

Department Head email: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson – Director of Public Works