

Addendum to Report PDR-PCD-05-14

To: Chair Wright and Members of the Planning and Community Development Committee
From: Scott Taylor, Senior Planner
Meeting Date: June 17, 2014
Subject: **Joint Source Water Protection Implementation Funding Proposal**
Status: Recommendation adopted by Committee as presented per Resolution PCD76-14; Endorsed by County Council July 8, 2014 per Resolution CC90-14;

Recommendation(s)

WHEREAS the Province of Ontario has set up a Source Protection Municipal Implementation Fund to provide one-time grant funding to offset a portion of the costs for small, rural municipalities in preparing to implement drinking water source protection plans;

AND WHEREAS the County of Grey has received grant funding in the amount of \$58,729 for eligible activities undertaken by the County, with the possibility of up to an additional \$15,000 for collaborating with other municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Addendum to Report PDR-PCD-05-14 be received;

AND THAT Council hereby directs staff to circulate the ‘Risk Management Official / Risk Management Inspector In-A-Box’ memo to member municipalities who received Source Protection Municipal Implementation Funds as a collaborative approach towards utilizing the Source Protection Municipal Implementation Fund.

Background

At the December 17, 2013 Planning and Community Development Committee meeting the Committee adopted the below recommendation, which was later endorsed by County Council at the January 9, 2014 Council meeting.

“WHEREAS the Province of Ontario has set up a Source Protection Municipal Implementation Fund to provide one-time grant funding to offset a portion of the costs for small, rural municipalities in preparing to implement drinking water source protection plans;

AND WHEREAS the County of Grey is eligible to receive grant funding in the amount of \$58,729 for eligible activities undertaken by the County, with the possibility of up to an additional \$15,000 for collaborating with other municipalities, by signing and submitting a Grant Funding Agreement to the Province prior to December 13, 2013;

AND WHEREAS the Delegation of Duties By-law 4814-13 requires a recommendation to accept funding up to a value of \$200,000 to be approved by Council;

AND WHEREAS due to the time constraints, the Grant Funding Agreement has been reviewed and initially signed pending the approval of Council to accept the grant funding;

NOW THEREFORE BE IT RESOLVED THAT Report PDR-PCD-05-14 be received;

AND THAT Council hereby accepts the grant funding allocated to the County by the Province under the Source Protection Municipal Implementation Fund.”

A link to the original report PDR-PCD-05-14 has been provided in the Attachments section to this report.

County staff have recently attended some Municipal Implementation Workshops hosted by the Drinking Water Source Protection (DWSP) group for the Saugeen Valley / Grey Sauble Conservation Authorities and the Municipality of Northern Bruce Peninsula plan area. In addition County staff have met with Bruce County staff and David Ellingwood from DWSP, to discuss DWSP implementation and how to utilize the funding dollars. Based on some of the restrictions attached to the funding, and in an attempt to maximize the additional collaborative funding, staff have jointly put together a ‘Risk Management Official (RMO) / Risk Management Inspector (RMI) In-A-Box’ proposal. Further information on the responsibilities of a RMO/RMI have been provided later in the report. A link to the RMO/RMI proposal has been provided in the Attachments section to this report.

The intent of the proposal is to pool implementation funding money to contract out the development of a product which provides municipalities with;

- *“Generic information handouts on selected threats*

- *Clean Water Act flowcharts*
- *Template letters and forms*
- *Municipal reporting templates*
- *Generic 'Risk Management Plans' for a number of regionally common threats i.e., agriculture*
- *Legal review of selected documents*
- *Municipal branding/logo on all template letters, forms, etc.*
- *Municipal Source Water Property Tracking System (PTS)*

The 'Property Tracking System' would be one of the prime products of this work. The PTS would be based on a common software platform (we are looking at using ESRI based Geographic Information Systems (GIS) product) that could be supported by both Counties GIS/IT Departments."

DWSP have provided various training implementation modules. Module one provides detailed information on establishing a Risk Management Office, in addition to descriptions of the RMO/RMI positions, which have been cited below.

"The Risk Management Officials' responsibilities and authorities are set out under the Clean Water Act and include:

- *negotiating risk management plans under Section 58,*
- *issuing notices and orders for the establishment of risk management plans,*
- *issuing Section 59 notices for Restricted Land Use,*
- *accepting risk assessments – if the assessment concludes that the activity if engaged in at a location is not a significant drinking water threat, and the Risk Management Official determines that the risk assessment complies with the rules and regulations,*
- *issuing orders under Section 61 to provide the Risk Management Official with a report that describes how an activity is being engaged in and managed,*
- *issuing orders to require a person to grant access to their property,*
- *attending Environmental Review Tribunal hearings,*
- *making records available to the public, and*
- *preparing an annual report to the source protection authority.*

The Risk Management Inspectors are responsible for compliance and enforcement duties, and have the following responsibilities and authorities under the Clean Water Act, such as:

- *conducting inspections and monitoring to ensure Part IV compliance with risk management plans and prohibition policies,*
- *using powers of entry on properties where reasonable,*

- *issuing enforcement orders under Section 63,*
- *prosecuting persons if they commit an offence under Part IV,*
- *obtaining inspection warrants from a court if necessary,*
- *preparing an annual report to the Risk Management Official, and*
- *attending Environmental Review Tribunal hearings.”*

(Source: DWSP Module 1: Establishing a Risk Management Office 05/05/2014)

Essentially the aim of the product would be to allow future RMO/RMI's to 'hit the ground running' once they are hired/appointed, with templates and a PTS already provided for them. Although Grey County would not be hiring a RMO/RMI, there are benefits to all in having such officials acclimated to their working duties as quickly as possible. Grey County, in addition to many of our member municipalities, will be relying on comments from the RMO/RMI in processing planning applications within wellhead protection areas. Based on the proposed timing of the Ministry of the Environment's approval of the DWSP Plan, which is estimated to be early 2015, it is unlikely that municipalities will be filling the RMO/RMI positions immediately. However in having a PTS, applicable forms, templates etc. it will make for a better transition once such officials are hired/appointed.

At this stage the proposal for a 'RMO– RMI In-A-Box' was presented at one of the DWSP Implementation Sessions, and municipalities within Grey and Bruce have been asked to consider this approach. The two counties have asked for an initial expression of interest back from the municipalities by July 11 2014. Should municipalities need further time to consider this proposal, then this date could be extended. The Township of Chatsworth has already sent in their initial expression of interest resolution. Depending on the level of interest, this proposal could advance further at that stage.

Financial / Staffing / Legal / Information Technology

Considerations

At this stage there are no financial, staffing, legal or IT considerations associated with this report, as it is generally for information purposes. If the project were to ultimately move forward, then the County may be able to access up to \$15,000.00 in collaborative funding. At this stage it is proposed that the 'RMO– RMI In-A-Box' would be contracted out; however if it was desirable to develop elements such as the PTS in-house, then these options could be further explored between the counties and the municipalities and their respective IT / GIS staff.

Link to Strategic Goals / Priorities

A collaborative project of this nature has the ability to touch on a number of goals from the County's Corporate Strategic Plan, including goals 2, 4, 5, and 6. At this stage it is too early to predict whether or not there will be adequate interest in such a program to proceed. County staff will report back to the Planning and Community Development Committee following the initial expression of interest phase.

Attachments

[PDR-PCD-05-14 Source Protection Implementation Funding Agreement](#)

[RMO RMI In A Box Municipal Proposal - Implementation Fund Monies May 2014](#)

Respectfully submitted by,

Scott Taylor, MCIP, RPP
Senior Planner

Director Sign Off: *Randy Scherzer*