

MEMORANDUM

TO: Environmental Services Committee

FROM: Erin Mahoney, Commissioner, Environmental Services

DATE: June 20, 2012

RE: **Minister of the Environment grants timeline extension to Source Protection Committees for submission of Source Protection Plans**

This memo provides an update to members of Environmental Services Committee on the recent Provincial decision to extend the deadline for submission of Source Protection Plans for the two Source Protection Committees located within The Regional Municipality of York.

Source Protection Plans now due October 22, 2012

Source Protection Plans have been drafted and are in various stages of public consultation across the Province. The process for Plan development prescribed by the *Clean Water Act* requires three versions of the Plans to be developed and consulted on. The two Source Protection Committees within York Region have released the second versions of their Source Protection Plans and are currently preparing the third set of policies for the final consultation period. Staff commented on each iteration of the Plans released and the most recent commentary was reviewed and endorsed by Council in May 2012.

Originally, the final consultation was to take place through the summer to meet the Ministry of the Environment deadline of August 22 which, due to the summer recess, would have precluded input from Council. To allow municipalities to formally comment on the final policies and give Source Protection Committees a reasonable amount of time to digest and react to stakeholder feedback, the two Source Protection Committees within York Region requested extensions. The Minister of the Environment recently granted those extensions, requiring the Source Protection Plans to be submitted to the Minister on October 22, 2012, as noted in Figure 1. As a result, the final policies will be released in September for public consultation, which now provides an opportunity for Council to formally comment.

Staff will bring a report forward detailing our comments for consideration by Environmental Services Committee on October 10, 2012. This will facilitate Council endorsement (October 18) just prior to the new submission deadline of October 22.

Figure 1: Revised Timeline for submission of Source Protection Plans



Challenges to be addressed using additional time provided

Substantial improvements were noted between the first and second versions of the policies. However, there remain some concerns raised during consultation on the second version of the policies.

- Some policies are complex and some language vague, which cloud the intent of the policy and pose challenges for implementation.
- There remain some inconsistencies between the two plans within York Region. Although the approach taken by the two committees generally align, the specifics of some policies addressing the same threat are different from one plan to the next, which could complicate implementation.
- Transition approaches for applications underway when the Plan is approved are absent or unclear. Staff envisioned a transition regulation, which would provide consistent rules across the province, but it appears transition will remain an item for each Source Protection Committee to address.

The new submission deadline provides staff with some additional time to address these remaining concerns. Source Protection Committees have committed to working with one another on remaining inconsistencies and transition rules. Support staff will be refining the documents to clarify policy intent, simplify the policy text and address editorial issues within the documents.

York Region staff will continue to engage local municipal staff and will be available to help address inquiries

Regional staff continue to meet with local municipal planning staff to discuss the draft policies and their implications. The roles and responsibilities of the Region versus local municipality are being clarified in those meetings and the processes to fulfill municipal responsibilities stemming from the Source Protection Plans are being drafted.

Erin Mahoney
Commissioner, Environmental Services

DG/WK

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