



The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Denis Berthiaume, Manager Water & Wastewater Services

Date to Council: September 25, 2018

Report Number: PWES-2018-29

Subject: Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment

Recommendations

It is recommended:

That the Public Works & Environmental Services Report PWES-2018-29, titled “Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment”, **be received**.

And that the Mayor and Clerk **be authorized** to execute the Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment satisfactory to the Town of Tecumseh (Town) and Essex Region Conservation Authority (ERCA), to extend the agreement to December 31, 2021.

And further that the Town’s estimated cost share of \$10,025 **be funded** from the Source Protection Municipal Implementation Fund (SPMIF) grant.

Background

At the July 28, 2015 Regular Meeting of Council, Council approved the recommendations (Motion: RCM-253/15) of Public Works & Environmental Services Report No. 44/15 titled “Source Water Protection Transfer Agreement” which authorized the Town to enter into a three year agreement with the Essex Region Conservation Authority (ERCA) for the purpose of developing and implementing a joint program for the enforcement and jurisdictional rights under Part IV of the *Clean Water Act* 2006. The three year agreement expires on October 1, 2018.

Essex Region Source Protection Plan

The *Clean Water Act* 2006 enables communities to protect their drinking water sources through the preparation of collaborative, locally developed, science-based Source Protection Plans. The Source Protection Plan (SPP) for the Essex Region Source Protection Area was developed by the Essex Region Source Protection Committee which comprised of representatives from local municipalities, businesses, industries, landowners and interested stakeholders. The SPP was approved by the Ministry of Environment and Climate Change, and since October 1, 2015, this plan has set out policies that protect the water sources that supply our municipal drinking water systems.

Policies in the Source Protection Plans include a variety of approaches to manage and prevent risks to municipal drinking water. These approaches include education and outreach, the development of risk management plans, land use planning, and monitoring. These policies have helped to keep contaminants out of our rivers and lakes that are sources of municipal drinking water.

The source protection planning process is directed and funded by the Ministry of Environment and Climate Change in conjunction with municipalities. Local Conservation Authorities provide additional technical, communications and administrative support for the source protection planning process.

Essex Region Conservation Authority – Risk Management Services

The Essex Region SPP identified a number of Significant Drinking Water Threats (SDWT) including the storage of fuel. Municipalities with SDWTs needed to have Risk Management Officials (RMO) and Risk Management Inspectors (RMI) to implement the *Clean Water Act* 2006 Part IV policy tools identified in the Essex Region SPP.

ERCA has been providing Risk Management Services to all of the municipalities within its jurisdiction, as allowed for by the *Clean Water Act* 2006, since October 1, 2015. These services include program development, *Clean Water Act* 2006 Part IV tasks (risk management plans, prohibition and restricted land use), compliance monitoring and enforcement, site-specific risk assessment review, land use planning support, and monitoring and reporting.

Comments

Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment

Each municipality is required to provide Risk Management Services as part of the Essex Region Source Protection Plan. ERCA has offered to continue to provide this service to the region's municipalities at a proportional cost recovery basis. Administration is of the opinion that this is the most cost effective way of providing the Risk Management Services component of the Essex Region Source Protection Plan.

The total cost for the Source Protection Risk Management Services provided from the Conservation Authority is detailed in Table 1 below. Table 1 presents totals for the three year proposed period of the Risk Management Amendment from October 1, 2018 until December 31, 2021.

Table 1: Cost Estimates and Accounting

| Municipality | Shared Costs | Direct Costs | Total Costs |
|-----------------|-------------------|------------------|-------------------|
| Amherstburg | \$ 7,789 | \$ 1,879 | \$ 9,668 |
| Town of Essex | \$ 9,110 | \$ 4,367 | \$ 13,477 |
| Kingsville | \$ 16,505 | \$ 18,293 | \$ 34,798 |
| Lakeshore | \$ 9,817 | \$ 5,699 | \$ 15,516 |
| LaSalle | \$ 7,504 | \$ 1,343 | \$ 8,847 |
| Leamington | \$ 29,687 | \$ 43,112 | \$ 72,799 |
| Pelee | \$ 6,996 | \$ 386 | \$ 7,382 |
| Tecumseh | \$ 7,912 | \$ 2,112 | \$ 10,024 |
| Windsor | \$ 9,429 | \$ 4,969 | \$ 14,398 |
| Chatham-Kent | \$ 8,427 | \$ 3,082 | \$ 11,509 |
| TOTAL | \$ 113,176 | \$ 85,242 | \$ 198,418 |

The estimated total costs to the Town of Tecumseh for Risk Management Services, outreach/education and stewardship are approximately \$10,024 for the term of the amended agreement.

Accordingly, Administration recommends:

That the Public Works & Environmental Services Report PWES-2018-29, titled “Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment”, **be received**.

And that the Mayor and Clerk **be authorized** to execute the Source Protection Plan, Part IV Enforcement Transfer Agreement Amendment satisfactory to the Town of Tecumseh (Town) and Essex Region Conservation Authority (ERCA), to extend the agreement to December 31, 2021.

Consultations

Financial Services
 Essex Region Conservation Authority

Financial Implications

As part of the Ministry of Environment and Climate Change’s 2013 ‘Source Protection Municipal Implementation Fund’, a total of \$250,346 in grant funding was received by municipalities within the Essex Region Source Protection Area, and have been summarized in Table 2 below:

Table 2: Source Protection Municipal Implementation Fund – Essex Region Distribution

| No. | Municipality | Funding | Source Protection Authority |
|----------|-----------------|-----------------|---|
| 1 | Amherstburg | \$69,803 | Essex Region |
| 2 | Chatham-Kent | \$75,000 | Essex Region, Lower Thames Valley, St. Clair Region |
| 3 | County of Essex | \$42,742 | Essex Region, Lower Thames Valley |
| 4 | Lakeshore | \$32,801 | Essex Region, Lower Thames Valley |
| 5 | Tecumseh | \$30,000 | Essex Region |

All five municipalities also received an additional one-time collaboration incentive funding of \$15,000.

Costs incurred to date total \$15,691 leaving a balance available of \$29,309 of the Town’s original allocation of \$45,000.

Administration recommends that the Town’s estimated cost share of \$10,025 **be funded** from the Source Protection Municipal Implementation Fund (SPMIF) grant.

Link to Strategic Priorities

| | |
|-------------------|-------------------------------------|
| Applicable | 2017-18 Strategic Priorities |
|-------------------|-------------------------------------|

- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that the Town of Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of the Town of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Denis Berthiaume, ORO
Manager Water & Wastewater Services

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Luc Gagnon, CPA, CA, BMath
Director Financial Services & Treasurer

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

| Attachment Number | Attachment Name |
|--------------------------|--|
| 1 | Source Protection Plan Part IV Enforcement Transfer Agreement Amendment 2018 |
| 2 | Source Protection Plan Part IV Enforcement Transfer Agreement 2015 |
| 3 | Essex Region Conservation Authority Risk Management Services Proposal 2015 |