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Peterborough, ON K9J 2R8

April 18, 2022

Hon. David Piccini
Minister of the Environment, Conservation and Parks (MECP) College
Park, 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3
Re: Comments on MECP Best Practices for Source Water Protection

Dear Minister Piccini,

FOCA appreciates the opportunity to comment on the Best Practices for Source Water Protection (Best Practices) , which were released by the MECP on February 10, 2022.

FOCA represents Ontario's 250,000 rural waterfront property owners, serving them through education and advocacy largely related to sustainability, individual stewardship and by supporting effective policy that protects the future health of our lands, lakes and rivers. FOCA has worked with Ontario's rural and northern communities and the broader NGO community on issues related to source water protection for 20 years and have been represented through the Source Water Protection Committee of the Trent Conservation Coalition for 15 years.

Though the MECP has asked for feedback on the Best Practices via an online survey of landowners, FOCA believes the protection of our drinking water deserves more robust input, and overall, the community is better served by a more open and transparent public review. The Best Practices should in fact be open to public input via posting to the Environmental Registry. Until such time as they are posted for public review and input, FOCA submits the following comments about the Best Practices document.

FOCA's Comments on the Best Practices for Source Water Protection

While FOCA believes the municipal aspects of the current Clean Water Act (CWA) does an admirable job of creating the multi-barrier approach envisioned by Justice O'Connor, it still leaves many (almost all rural, and northern) Ontarians without protection.

FOCA, and others, have long felt that the CWA needs to consider other, non-municipal systems, where people can be at significant risk from water-borne disease, chemicals or pathogens.

Though the CWA has provisions for extending source protection beyond the core municipal systems, the Province has not provided the incentive nor the encouragement for this to happen.

The result has been that no (0) non-municipal systems, no cluster of wells have been extended the protection afforded to municipal water users. This leaves many hamlets and other communities without the means to achieve a multi-barrier approach. Many underserved populations are thus subject to a higher risk, while potentially being among the most sensitive to potential problems.

We know that one of the barriers to implementing Source Water Protection beyond municipal systems is the lack of technical expertise and resources to characterize, evaluate and take action to protect drinking water.

The MECP's Best Practices guidance is a thoughtful collection of general information for homeowners and others and could be an important component in extending or encouraging individual stewardship or action to safeguard families. Unfortunately, though education and outreach is important, such voluntary advice is not an adequate replacement for a more formal and enforceable approach to Source Water Protection.

The CWA was enacted to protect public health by filling a void in other, existing Provincial laws to ensure the integrity of our drinking water. This void persists in Ontario's rural and northern communities. Some of these communities have their single source of water serving hundreds of households.

Using voluntary guidance and the goodwill of families and non-technical community leaders alone is an inadequate approach to the important goal of keeping our sources of drinking water safe. The Province should instead be providing technical expertise, appropriate tools and the financial resources to allow our rural communities to enjoy the same types of protection as municipal water users.

Thank you for the opportunity to provide these comments and we would be happy to discuss these potential improvements with your staff at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Rees". The signature is fluid and cursive, with the first name "Terry" and last name "Rees" clearly distinguishable.

Terry Rees, Executive Director

cc: Olga Yudina – Projects and Planning Advisor source.protection@ontario.ca