



Ontario Federation of Agriculture

Ontario AgriCentre

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November 5, 2016

Ms. Wendy Lavender
Source Protection Programs Branch
40 St. Clair Avenue West, Floor 14
Toronto ON
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Wendy.Lavender@ontario.ca

Dear Ms. Lavender,

The OFA is pleased to have this opportunity to respond **EBR # 012-8507: Proposed Amendment to the Director's Technical Rules made under Section 107 of the Clean Water Act.**

The OFA is Canada's largest voluntary general farm organization, representing over 36,000 farm families across the province. These farm businesses form the backbone of a robust food system; helping to drive the Ontario economy forward.

It is unclear as to how these changes, if approved, will impact existing approved Source Protection Plans. How will these changes be implemented?

The proposed change to the Director's Technical Rules that has the potential to impact the greatest number of people is to the handling and storage of fuel. Does the Ministry know how many more people will be impacted by this change, and can they provide a rationale for changing the impact modifier in this circumstance?

It is unclear as to the full impact of the proposed change to Rule 45. What is the impact of adding the exception clause to this rule and how many new properties may be considered as part of a significant groundwater recharge area? A groundwater recharge area must have a hydrological connection to a surface water body or aquifer that is a municipal drinking water source. We do not support this proposed change.

The proposed amendment to Rule 95 changes the rankings of a Source Vulnerability Factor for surface water intakes. However there remains the concern over the subjectivity of this change, along with the potential confusion with Table 3. The three factors to be considered when increasing the Source Vulnerability Factor (intake in shallow waters; close proximity to the shoreline, or a history of water quality concerns) have already been taken into account when the vulnerability factors were originally established.

Rule 126 addresses drinking water threats resulting from past activities. The proposed amendments include the use of the Soil, Ground Water and Sediment Standards. The most important component of section 5 is the second clause “and the presence of the contaminant in sediment could result in the deterioration of the surface water for use as a source of drinking water.” Before designating a substance as a drinking water threat, the source protection committee must be certain that the substances listed in the Standards are harmful to drinking water when attached to sediments. Determining drinking water threats must be scientifically based.

Section 6 of Rule 126 addresses groundwater discharging into an intake protection zone. Again, the source protection committee must be sure that the substances actually cause a threat to the drinking water. Additionally, in this circumstance, it must be assured that the substances are not treatable through the required water treatment process for surface water. The difference between potable groundwater and untreated surface water must be recognized.

Implementation of changes such as these to an existing system can prove to be challenging. These proposed changes have the potential to impact people that were not initially identified, or create additional requirements for people who thought they had already met their requirements. Recognition of these challenges to the people impacted must be acknowledged and handled accordingly.

Ontario's farmers are committed to feeding their neighbours, ensuring Ontarians have access to safe, nutritious, high quality food. This can only be achieved through the responsible use of resources and appropriate support of the government. The need to balance the requirement of feeding our population with the sustainability of our environment is one that Ontario's farmers are very aware of and strive to ensure a healthy balance of these two important elements.

I trust our opinions and recommendations will be given due consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don McCabe", is positioned above the printed name.

Don McCabe
OFA President