Grand River Source Protection Area

SOURCE PROTECTION PLAN VOLUME II

Chapter 13: City of Hamilton

Version 10.1

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13.0 CITY OF HAMILTON SOURCE PROTECTION PLAN POLICIES – LYDEN RURAL SETTLEMENT AREA

The following City of Hamilton Source Protection Plan policies apply to the Lynden Communal Well System, and to water systems originating from other jurisdictions, including Dunville (emergency intake), as presented in the schedules to this chapter. Policies which apply to the City of Hamilton outside of the Grand River Watershed can be found in the Halton -Hamilton and Niagara Peninsula Source Protection Plans.

When interpreting policies in this chapter, circumstances under the 2021 Technical Rules should be used for the City of Hamilton's Lynden Communal Well System and circumstances under the 2017 Technical Rules shall apply to the Dunnville (emergency intake) IPZ, where it extends into the City of Hamilton.

13.1 Definitions

General definitions are provided in Volume I of the Source Protection Plan or in the *Clean Water Act, 2006.* Defined terms are intended to capture both the singular and plural forms of these terms.

The following definitions apply specifically to the City of Hamilton (Lynden Rural Settlement Area) Source Protection Policies and are capitalized in the policy text.

Existing Threat – means an activity that commenced or has been engaged in at a location in a vulnerable area within ten (10) years prior to the Source Protection Plan taking effect where there would be a drinking water threat. It includes any expansion of the activity only on the same parcel of land.

Future Threat – means any activity in a vulnerable area where there could be a drinking water threat that is not defined as an existing threat within this Source Protection Plan.

13.2 General Policies

Policy Identifier	Implementation and Timing Policies
CH-CW-1.1.1 Implementation & Timing	This source protection plan came into effect on July 1, 2016, the effective date specified in the Notice of Approval posted on the Environmental Bill of Rights Registry. Amendments to the Source Protection Plan are permitted in accordance with the *Clean Water Act, 2006*, and the General Regulations. The effective date for amended policies, only including but not limited to the addition of new drinking water threats and regulated areas and activities, is the date of posting of the Notice of Approval of the amendment provisions on the Environmental Bill of Rights Registry.
CH-CW-1.1.2 Implementation & Timing	Except as set out below, the policies contained in this Source Protection Plan shall take effect on the date set out by the Minister. a. For Section 58 of the *Clean Water Act*, *2006,* if an activity was engaged in at a particular location before the relevant

Policy Identifier	Implementation and Timing Policies
	policies within this Source Protection Plan or amendment took effect and the Risk Management Official gives notice to a person who is engaged in the activity at that location that, in the opinion of the Risk Management Official, policies regarding regulated activities should apply to the person who engages in the activity at that location on and after a date specified in the notice that is at least 120 days after the date of the notice; b. For Section 59 of the *Clean Water Act*, *2006,* policies regarding restricted land uses shall take effect the same day the relevant policies within the Source Protection Plan takes effect; c. Where the Source Protection Policies require the City of Hamilton to develop and implement education and outreach programs as the primary tool for managing or eliminating a particular significant threat, such programs shall be developed and implemented within five (5) years from the date the relevant policies within the Source Protection Plan takes effect; d. For Sections 43 of the *Clean Water Act, 2006,* if an activity was engaged in at a particular location before the relevant policies within this Source Protection Plan took effect, amendments to Prescribed Instruments shall be completed within three (3) years from the date the Source Protection Plan or amendment takes effect; and, e. For Section 40(2) and 42 of the *Clean Water Act*, *2006,* the Official Plan and Zoning By-Laws must be amended to conform with the significant threat policies and adopted by municipal council by the next five (5) year Official Plan update as required under subsection 26(1) of the *Planning Act, 1990* or within five (5) years from the date the relevant policies within the Source Protection Plan takes effect.

Policy Identifier	Uses and Areas Designated as Restricted Land Uses Policies
CH-CW-1.2 Part IV-RLU	In accordance with Section 59 of the *Clean Water Act*, *2006,* all land uses, unless identified specifically within a policy, where significant drinking water threat activities have been designated for the purpose of Section 57 or 58 of the *Clean Water Act, 2006* are hereby designated as Restricted Land Uses and a written notice from the Risk Management Official shall be required prior to approval of any Building Permit, *Planning Act, 1990* or *Condominium Act, 1998* Application.

Policy Identifier	Official Plan and Zoning By Law Amendment(s) Policies
CH-MC-1.3 Future Land Use Planning	The City of Hamilton shall amend their Official Plan and/ or Zoning By-Laws to: a. Identify the vulnerable areas in which drinking water threats prescribed under the *Clean Water Act, 2006* would be significant; b. Indicate that within the areas identified, any use or activity that is, or would be, a significant drinking water threat is required to conform with all applicable Source Protection Plan policies and, as such, may be prohibited, restricted or otherwise regulated by those policies; c. Incorporate any other amendments required to conform to the threat specific land use policies identified in this Source Protection Plan.

Policy Identifier	Annual Reporting Policies
CH-CW-1.4 Monitoring	The City of Hamilton shall provide a report to the Source Protection Authority, by February 1 of each year, summarizing the actions taken to implement the Source Protection Plan policies.
CH-CW-1.5 Monitoring	Where the City of Hamilton is required to amend their Official Plan and/or Zoning By-law to bring their planning documents into conformity with the Source Protection Plan, the City of Hamilton shall provide proof of compliance to the Source Protection Authority and shall provide a copy of such compliance within 30 days of final adoption of the amendment(s).
CH-CW-1.6 Monitoring	The Risk Management Official shall provide a report to the Source Protection Authority, by February 1 of each year, summarizing the actions taken by the Risk Management Official to implement the Source Protection Policies, in accordance with the *Clean Water Act, 2006* and associated regulations.
CH-CW-1.7 Monitoring	Where the Source Protection Plan policies require a provincial ministry to amend a Prescribed Instrument or issue a new Prescribed Instrument, the applicable Ministry shall provide a summary of any actions taken and/or conditions imposed. The applicable ministry shall provide a written report summarizing this information to the Source Protection Authority by February 1 of each year.
CH-CW-1.8 Monitoring	Where the Source Protection Plan policies require a provincial ministry to deny a Prescribed Instrument, the applicable Ministry shall summarize the actions taken the previous year to implement the policies and provide a written report summarizing this

	information to the Source Protection Authority by February 1 of each year.

Policy Identifier	Strategic Action Policies: Spill Prevention, Spill Contingency or Emergency Response Plans
CH-NB-1.10 Future Specify Action	To ensure the protection of drinking water sources with respect to spills that occur within a wellhead protection area along highways, railway lines, or shipping lanes, the City of Hamilton and the Ministry of the Environment, Conservation and Parks are encouraged to incorporate the Wellhead Protection Area mapping into their Emergency Response Plan and Spills Action Centre mapping, respectively.
CH-NB-1.11 Future Specify Action	The City of Hamilton is requested to implement an education and outreach program to encourage all transportation businesses that ship goods through wellhead protection areas to prepare spill prevention plans and spill contingency plans, to review these plans annually, and to update them, as required.

Policy Identifier	Strategic Action Policies: Transport Pathways
CH-NB-1.12 Existing/Future Specify Action	To achieve the intent of the *Clean Water Act*, *2006* that drinking water threats identified in the vicinity of a transport pathway cease to be or do not become a significant threat, and that a pathway ceases to endanger the source water of a municipal water supply, the following policies apply: a. The City of Hamilton is requested to use best management practices to protect the quantity and quality of groundwater sources during the installation of new municipal infrastructure in proximity to municipal water wells. b. The City of Hamilton is requested to incorporate conditions of approval for development applications to ensure private wells that are no longer in use are decommissioned in accordance with O. Reg. 903. c. The Ministry of the Environment, Conservation and Parks and the municipalities responsible for water services are requested to provide ongoing funding for incentive programs focused on the decommissioning of wells, and for education and outreach programs regarding the decommissioning of wells. d. If funding is provided by the Ministry of the Environment, Conservation and Parks through the Ontario Drinking Water Stewardship Program, the Conservation Authority shall

Policy Identifier	Strategic Action Policies: Transport Pathways
	implement an incentive program to decommission unused wells. e. The City of Hamilton is requested to develop a program to facilitate, where possible and appropriate, the connection to municipal water services of current private well users within the urban boundary. The users should be required to decommission the unused wells in accordance with O. Reg. 903. f. The City of Hamilton is requested to prohibit the construction of new wells and onsite sewage systems within the urban area where municipal water and wastewater services are available. g. The City of Hamilton is requested to prepare bylaws/procedures/ processes that ensure the construction of closed loop, earth energy systems will not result in the establishment of transport pathways.

Policy Identifier	Interpretation Policies
CH-CW-1.13 Interpretation of Source Protection Plan	The Source Protection Plan provides policies to meet the objectives of the *Clean Water Act, 2006*. The Source Protection Plan consists of the written policy text and Schedules. a. The Schedules in the Source Protection Plan identify the areas where the policies of the Source Protection Plan apply. The boundaries for the circumstances shown on the Plan Schedules are general. More detailed interpretation of the boundaries relies on the mapping in the approved Assessment Report and the Specific Circumstances found in the Tables of Drinking Water Threats, *Clean Water Act, 2006*. b. Where any Act or portion of an Act of the Ontario Government or Canadian Government is referenced in this Plan, such reference shall be interpreted to refer to any subsequent renaming of sections in the Act as well as any subsequent amendments to the Act, or successor thereof. This provision is also applicable to any policy statement, regulation or guideline issued by the Province or the municipality.

13.3 Policies Addressing Prescribed Drinking Water Threats

Threat 1.0 – The Establishment, Operation or Maintenance of a Waste Disposal Site within the meaning of Part V of the Environmental Protection Act

Policy Identifier	**1.1 Disposal of hauled sewage to land** **1.2 – Application of processed organic waste to land** **1.3 – Landfarming of petroleum refining waste** **1.4 – Landfilling (hazardous waste or liquid industrial waste)** **1.5 – Landfilling (municipal waste)** **1.7 – PCB waste storage** **1.8 – Storage of hauled sewage** **1.9 – Storage of processed organic waste or waste biomass** **1.10 – Transfer/processing sites approved to receive hazardous waste or liquid industrial waste** **1.11 – Transfer/processing sites approve to receive only municipal waste under Part V of the Environmental Protection Act** **1.12 – Storage of subject waste at a waste generation facility: site that requires generator registration under Section 3 of O.Reg. 347** **1.13 – Storage of waste at a waste generation facility: site that is exempt or excluded from generator registration requirements** **1.14 – Storage, treatment and discharge of tailings from mines**
CH-MC-2.1 Future Prescribed Instr. WHPA-A-v.10	To ensure that any Future waste disposal sites within the meaning of Part V of the *Environmental Protection Act, 1990* subject to an Environmental Compliance Approval never become significant drinking water threats, where these activities would be significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall prohibit these activities within the Environmental Compliance Approvals process.
CH-CW-2.2 Future Education and Outreach WHPA-A-v.10	To ensure the disposal of hazardous materials at waste disposal sites never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the City of Hamilton shall continue their established education and outreach programs on hazardous waste disposal and reduction of waste. The programs shall include messaging consistent with source water protection and the diligent use and disposal of substances.
CH-MC-2.3 Future	To ensure that any Future waste disposal sites within the meaning of Part V of the *Environmental Protection Act, 1990* never become significant drinking water threats, where these activities would be

Policy Identifier	**1.1 Disposal of hauled sewage to land** **1.2 – Application of processed organic waste to land** **1.3 – Landfarming of petroleum refining waste** **1.4 – Landfilling (hazardous waste or liquid industrial waste)** **1.5 – Landfilling (municipal waste)** **1.7 – PCB waste storage** **1.8 – Storage of hauled sewage** **1.9 – Storage of processed organic waste or waste biomass** **1.10 – Transfer/processing sites approved to receive hazardous waste or liquid industrial waste** **1.11 – Transfer/processing sites approve to receive only municipal waste under Part V of the Environmental Protection Act** **1.12 – Storage of subject waste at a waste generation facility: site that requires generator registration under Section 3 of O.Reg. 347** **1.13 – Storage of waste at a waste generation facility: site that is exempt or excluded from generator registration requirements** **1.14 – Storage, treatment and discharge of tailings from mines**
Land Use Planning WHPA-A-v.10	significant drinking water threats, the City of Hamilton shall prohibit the establishment of waste disposal sites and the specific land uses through amendments to *Planning Act, 1990* tools.

Threat 2.0 – The Establishment, Operation or Maintenance of a System that Collects, Stores, Transmits, Treats, or Disposes of Sewage

Policy Identifier	**2.2 – Onsite Sewage Works**
CH-MC-3.1 Existing/Future Prescribed Instr. WHPA-A-v.10	To ensure that any Existing or Future onsite sewage works regulated under the *Ontario Water Resources Act, 1990* cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall prepare or review, and where necessary, amend Environmental Compliance Approvals to incorporate appropriate terms and conditions. The terms and conditions may include: i. mandatory monitoring of groundwater impacts; ii. contingencies in the event that the quality of sources of drinking water is adversely affected;

Policy Identifier	2.2 – Onsite Sewage Works
	iii. regular and ongoing compliance monitoring; iv. mandatory system inspections at least every five years; v. upgrading of these onsite sewage systems to current standards, if necessary; and vi. annual reporting to the Source Protection Authority of any monitoring and inspection programs required and their results.
CH-MC-3.2 Future Land Use Planning WHPA-A-v.10	To ensure that any Future onsite sewage works regulated under the *Ontario Water Resources Act, 1990* never become significant drinking water threats, where these activities would be significant drinking water threats, the City of Hamilton, in consideration of site plan approval for properties located partially within vulnerable areas, shall require the applicants to locate the onsite sewage systems outside of vulnerable areas.
CH-MC-3.3 Future Land Use Planning WHPA-A-v.10	To ensure that any Future onsite sewage works regulated under the Ontario *Building Code Act, 1992* never become significant drinking water threats, where these activities would be significant drinking water threats, the City of Hamilton shall require through amendments to *Planning Act, 1990* tools that future lot sizes be sufficient to accommodate the systems. Where possible, the municipal planning authority shall require the applicants to locate the onsite sewage systems outside of a vulnerable area.
CH-CW-3.4 Existing Education and Outreach WHPA-A-v.10	To ensure that any Existing onsite sewage works cease to be significant drinking water threats, where these activities are significant drinking water threats, the City of Hamilton, in collaboration with the Conservation Authority, is requested to continue and broaden education and outreach programs to increase awareness about best practices to protect drinking water sources. The programs should inform landowners about the proper disposal of toxic chemicals, the operation and maintenance of sewage systems, and the benefits of installing effluent filters, performing tank inspections, and having tanks regularly pumped out.
CH-CW-3.5 Existing/Future Specify Action WHPA-A-v.10	To ensure that any Existing or Future onsite sewage works cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, the City of Hamilton shall implement an onsite sewage system maintenance inspection program subject to the requirements of the *Ontario Building Code* within vulnerable areas.
CH-NB-3.6	To ensure that any Existing onsite sewage works cease to be significant drinking water threats, where these activities are

Policy Identifier	2.2 – Onsite Sewage Works
Existing Incentive Program WHPA-A-v.10	significant drinking water threats, the Ministry of the Environment, Conservation and Parks is requested to provide ongoing funding through the Ontario Drinking Water Stewardship Program or a similar program for onsite sewage system upgrades, replacements, decommissioning of unused systems, and for connection to municipal systems. If funding is provided, the Conservation Authority shall implement the incentive program.
CH-CW-3.7 Existing Incentive Program WHPA-A-v.10	To ensure that any Existing onsite sewage works cease to be significant drinking water threats, where these activities are significant drinking water threats, and to assist landowners with improvements required under the onsite sewage systems maintenance inspection program implemented in accordance with the Ontario *Building Code Act, 1992*, the City of Hamilton shall consider the creation of a financial assistance program designed in a manner that allows the work to be completed as required, and the landowner to repay the cost over time.

Policy Identifier	2.5 – Wastewater collection facilities and associated parts: sanitary sewers 2.7 – Wastewater collection facilities and associated parts: sewage pumping station or lift station wet well, a holding tank or a tunnel
CH-MC-3.8 Existing/Future Prescribed Instr. WHPA-A-v.10	To ensure that any Existing or Future: i. sanitary sewers; or ii. sewage pumping station or lift station wet well, a holding tank or a tunnel cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall prepare or review and, where necessary, amend Environmental Compliance Approvals to incorporate appropriate terms and conditions. The conditions may include requirements for the proponent/applicant to undertake regular maintenance and inspections.

Policy Identifier	2.8 – Wastewater treatment facilities and associated parts
CH-MC-3.9 Existing/Future	To ensure that any Existing or Future wastewater treatment facilities and associated parts cease to be, or never become significant drinking water threats, where these activities are, or

Policy Identifier	2.8 – Wastewater treatment facilities and associated parts
Prescribed Instr. WHPA-A-v.10	would be, significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall prepare or review and, where necessary, amend Environmental Compliance Approvals to incorporate appropriate terms and conditions. The conditions may include strict criteria for effluent quality, appropriate sizing to reduce bypasses, in addition to inspections and proactive maintenance of the works to prevent leaks.

Policy Identifier	2.3 – Storm water management facilities and drainage systems: outfall from a storm water management facility or storm water drainage system 2.4 – Storm water management facilities and drainage systems: storm water infiltration facility
CH-MC-3.10 Future Prescribed Instr. WHPA-A-v.10	To ensure that any Future: i. outfall from a storm water management facility or storm water drainage system; or ii. storm water infiltration facility never become significant drinking water threats, where these activities would be significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall prepare or review and, where necessary, amend Environmental Compliance Approvals to incorporate appropriate terms and conditions. The conditions may include the requirement for regular maintenance, periodic removal of accumulated sediment, lining of the pond where warranted, the use of an oil/water separator, and other requirements to address site conditions.
CH-MC-3.11 Future Land Use Planning WHPA-A-v.10	To ensure that any Future: i. outfall from a storm water management facility or storm water drainage system; or ii. storm water infiltration facility never become significant drinking water threats, where these activities would be significant drinking water threats, the City of Hamilton, in consideration of *Planning Act, 1990* applications for the development of stormwater management facilities, shall require the applicant to locate future stormwater management facilities outside of the vulnerable area, where possible.

Threat 3.0 – The Application of Agricultural Source Material (ASM) to Land

Threat 4.0 – The Storage of Agricultural Source Material (ASM)

Policy Identifier	3.1 – Application of agricultural source material (ASM) to land 4.1 – Storage of agricultural source material (ASM)
CH-CW-4.1 Existing/Future Part IV-RMP WHPA-A-v.10	To ensure that any Existing or Future application or storage of agriculture source material cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, these activities shall be designated for the purpose of Section 58 of the *Clean Water Act, 2006* and a Risk Management Plan shall be required. The content shall be based upon, but not limited to, the regulatory requirements of a nutrient management plan and strategy under the *Nutrient Management Act, 2002* and scoped to address these specific threats.

Threat 6.0 – The Application of Non-Agricultural Source Material (NASM) to Land

Threat 7.0 – The Handling and Storage of Non-Agricultural Source Material (NASM)

Policy Identifier	6.1 – Application of non-agricultural source material (NASM) to land 7.1 – The handling and storage of non-agricultural source material (NASM)
CH-MC-5.1 Future Prescribed Instr. WHPA-A-v.10 Policy only applies to the application of NASM containing materials from sewage works or meat plant	To ensure that any Future application or handling and storage of non-agricultural source material (NASM) never become significant drinking water threats, where these activities are, or would be, significant drinking water threats, the Ministry of Agriculture, Food and Agribusiness shall prohibit these activities through the NASM Plan process.

Threat 8.0 – The Application of Commercial Fertilizer to Land

Threat 9.0 – The Handling and Storage of Commercial Fertilizer

Policy Identifier	8.1 – Application of commercial fertilizer to land 9.1 – Handling and storage of commercial fertilizer
CH-CW-6.1 Existing/Future Part IV-RMP WHPA-A-v.10 Does currently not apply to the application of commercial fertilizer due to percent managed land and livestock density calculation	To ensure that any Existing or Future application or handling and storage of commercial fertilizer cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, these activities shall be designated for the purpose of Section 58 of the *Clean Water Act, 2006* and a Risk Management Plan shall be required.

Threat 10.0 – The Application of Pesticide to Land

Threat 11.0 – The Handling and Storage of Pesticide

Policy Identifier	10.1 – Application of pesticide to land 11.1 – Handling and storage of a pesticide
CH-CW-7.1 Existing/Future Part IV-RMP WHPA-A-v.10	To ensure that any Existing or Future application or handling and storage of pesticide cease to be, or never become, significant drinking water threats, where these activities are, or would be, significant drinking water threats, these activities are designated for the purposes of Section 58 of the *Clean Water Act, 2006* and a Risk Management Plan shall be required.
CH-CW-7.2 Future Education and Outreach WHPA-A-v.10	To ensure that any Future application or handling and storage of pesticide never become significant drinking water threats, where these activities would be significant drinking water threats, the City of Hamilton, in collaboration with the Conservation Authority is requested to undertake an education and outreach program on pesticide use and storage methods and their potential impacts on drinking water sources. The program should consider including wellhead protection area mapping and target pesticide applicators, exterminators and farmers.

Threat 13.0 – The Handling and Storage of Road Salt

Policy Identifier	13.1 – Handling and storage of road salt – exposed to precipitation or runoff 13.2 – Handling and storage of road salt – potentially exposed to precipitation or runoff
CH-MC-8.1 Future Land Use Planning WHPA-A-10	To ensure that any Future handling and storage of road salt never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the City of Hamilton shall prohibit through *Planning Act, 1990* tools salt storage and handling facilities.

Threat 14.0 – The Storage of Snow

Policy Identifier	14.1 – Storage of snow on a site
CH-MC-9.1 Future Land Use Planning WHPA-A-v.10	To ensure that any Future storage of snow never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the City of Hamilton shall prohibit this land use through *Planning Act, 1990* tools.

Threat 15.0 – The Handling and Storage of Fuel

Policy Identifier	15.1 – Handling and storage of fuel
CH-CW-10.1 Existing/Future Part IV-RMP WHPA-A-v.10	To ensure that any Existing or Future handling and storage of fuel ceases to be, or never becomes, a significant drinking water threat, where this activity is, or would be, a significant drinking water threat, this activity shall be designated for the purpose of Section 58 of the *Clean Water Act*, 2006 and a Risk Management Plan shall be required. The Risk Management Plan shall include, as a minimum, the requirements for all storage tanks to comply with the requirements of the *Technical Standards and Safety Act, 2000* and its regulations, for all owners/operators to have an emergency response plan with emergency contact information of the municipality responsible for water services and the Spills Action Centre.
CH-MC-10.2 Future	To ensure that any Future handling and storage of fuel never becomes a significant drinking water threat, where this activity

Policy Identifier	15.1 – Handling and storage of fuel
Land Use Planning WHPA-A-v.10	would be a significant drinking water threat, the City of Hamilton shall prohibit gas stations through *Planning Act, 1990* tools.
CH-CW-10.3 Existing/Future Education and Outreach WHPA-A-v.10	To ensure that any Existing or Future handling and storage of fuel ceases to be, or never becomes, a significant drinking water threat, where this activity is, or would be, a significant drinking water threat, the City of Hamilton shall develop and implement an education and outreach program for homeowners with home fuel oil tanks, regarding spill response and the method and timing for contacting the Spills Action Centre

Threat 16.0 – The Handling and Storage of a Dense Non-Aqueous Phase Liquid (DNAPL)

Policy Identifier	16.1 – Handling and storage of a dense non-aqueous phase liquid (DNAPL)
CH-CW-11.1 Existing/Future Part IV-RMP WHPA-A/B/C	To ensure that any Existing or Future handling and storage of dense non-aqueous phase liquids ceases to be, or never becomes, a significant drinking water threat, where this activity is, or would be, a significant drinking water threat, this activity shall be designated for the purpose of Section 58 of the *Clean Water Act*, 2006 and a Risk Management Plan shall be required.

Threat 17.0 – The Handling and Storage of an Organic Solvent

Policy Identifier	17.1 – Handling and storage of an organic solvent
CH-CW-12.1 Existing/Future Part IV-RMP WHPA-A-v.10	To ensure that any Existing or Future handling and storage of an organic solvent ceases to be, or never becomes, a significant drinking water threat, where this activity is, or would be, a significant drinking water threat, this activity shall be designated for the purpose of Section 58 of the *Clean Water Act*, 2006 and a Risk Management Plan shall be required.

Threat 18.0 – The Management of Runoff that Contains Chemicals Used in the De-icing of Aircraft

Policy Identifier	18.1 – The management of runoff that contains chemicals used in the de-icing of aircraft
CH-NB-13.1 Future	To ensure the management of runoff containing chemicals used in the de-icing of aircraft never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the relevant airport authorities and operators, in their

Policy Identifier	18.1 – The management of runoff that contains chemicals used in the de-icing of aircraft
Specify Action WHPA-A-v.10 Monitoring	consideration of any future airport facilities are requested to include appropriate design standards and management practices to prevent the runoff from airport de-icing facilities from becoming a significant drinking water threat. The City of Hamilton shall report to the Source Protection Authority if an application has been made for a new airport facility within the vulnerable areas by February 1 of each year.

Threat 21.0 – The Use of Land as Livestock Grazing or Pasturing Land, an Outdoor Confinement Area or Farm-Animal Yard

Policy Identifier	21.1 – Agricultural source material (ASM) generation – livestock grazing or pasturing 21.2 – Agricultural source material (ASM) generation – outdoor confinement area (OCA) or farm animal yard
CH-CW-14.1 Existing/Future Part IV-RMP WHPA-A-v.10	To ensure that any Existing or Future use of land as an outdoor confinement area or farm-animal yard on farms not phased-in under the *Nutrient Management Act, 2002*, or from the use of land for livestock grazing or pasturing on all farms, ceases to be, or never becomes, significant drinking water threats, where these activities are, or would be, significant drinking water threats, these activities shall be designated for the purpose of Section 58 of the *Clean Water Act*, *2006* and a Risk Management Plan shall be required. The Risk Management Plan shall be based upon the regulatory requirements of a nutrient management strategy under the *Nutrient Management Act, 2002* and incorporate the best management practices for livestock grazing and pasturing land.
CH-MC-14.2 Existing/Future Prescribed Instr. WHPA-A-v.10	To ensure that any Existing or Future use of land as an outdoor confinement area or farm-animal yard subject to a Nutrient Management Strategy under the *Nutrient Management Act, 2002* ceases to be, or never becomes, a significant drinking water threat, where this activity is, or would be, a significant drinking water threat, the Ministry of Agriculture, Food and Agribusiness shall prepare or review and, where necessary, amend Nutrient Management Strategies to incorporate appropriate terms and conditions.

Threat 22.0 – The Establishment and Operation of a Liquid Hydrocarbon Pipeline

Policy Identifier	22.1 – Conveyance of a liquid hydrocarbon by a pipeline
CH-NB-15.1 Future Specify Action Significant: WHPA-A-v.10 Moderate/Low: WHPA-B-v.6 IPZ-3-v.6 & 5	To ensure that the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the *Technical Safety and Standards Act, 2000* or that is subject to the *Canadian Energy Regulator Act, 2019* never becomes a significant, moderate or low drinking water threat, where this activity would be a significant, moderate or low drinking water threat, the pipeline proponent, the Canada Energy Regulator or the Ontario Energy Board should ensure that the Source Protection Authority and the City are provided the location of any new proposed pipeline.
CH-NB-15.2 Future Specify Action Significant: WHPA-A-v.10 Moderate/Low: WHPA-B-v.6 IPZ-3-v.6 & 5	To ensure that the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O.Reg 210/01 under the Technical Safety and Standards Act or that is subject to the *Canadian Energy Regulator Act*, *2019* never becomes a significant, moderate or low drinking water threat, where this activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator, Ontario Energy Board, Technical Standards and Safety Authority (TSSA), and Impact Assessment Agency should ensure that drinking water source protection is considered as a risk factor in their decision making framework.
CH-NB-15.3 Future Specify Action Significant: WHPA-A-v.10 Moderate/Low: WHPA-B-v.6 IPZ-3-v.6 & 5	To ensure that the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the *Canadian Energy Regulator Act, 2019* never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should ensure that best available source protection information is used such as up to date vulnerable areas in assessment reports when developing, operating and maintaining liquid hydrocarbon pipelines, including developing and updating emergency planning zones (EPZs).
CH-NB-15.4 Future	To ensure that the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the *Technical Safety and Standards Act* or that is subject to the *Canadian Energy Regulator Act, 2019* never becomes a significant

Policy Identifier	22.1 – Conveyance of a liquid hydrocarbon by a pipeline
Specify Action Significant WHPA-A-v.10 Moderate/Low: WHPA-B-v.6 IPZ-3-v.6 & 5	, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should, upon request by the City, reimburse costs borne by the City where work in relation to this activity is required by a regulator with regards to protecting drinking water sources or where the work identified by the drinking water system owner is supported based on due diligence and best practices as it relates to source protection and the protection of public health. Examples may include but are not limited to spill clean-up and rehabilitation activities, events-based modelling or other technical work required to support current vulnerability scoring.

13.4 List of Policies as per Section 34 of Regulation 287/07

LIST A

Title: Significant threat policies that affect decisions under the *Planning Act, 1990* and *Condominium Act*, *1998*

Opening Statement: “Clause 39 (1)(a), subsections 39 (2), (4) and (6), and sections 40 and 42 of the *Clean Water Act*, 2006 apply to the following policies:”

Content: CH-CW-1.1.1, CH-CW-1.1.2, CH-CW-1.2, CH-CW-1.3, CH-MC-2.3, CH-MC-3.2, CH-MC-3.3, CH-MC-3.11, CH-MC-8.1, CH-MC-9.1, CH-MC-10.2

LIST B

Title: Moderate and low threat policies that affect decisions under the *Planning Act, 1990* and *Condominium Act*, *1998*

Opening Statement: “Subsection 39 (1) (b) of the *Clean Water Act*, *2006* applies to the following policies:”

Content: No Applicable Policies

LIST C

Title: Significant threat policies that affect Prescribed Instrument decisions

Opening Statement: “Subsection 39 (6), clause 39 (7) (a), section 43 and subsection 44 (1) of the *Clean Water Act*, *2006* apply to the following policies:”

Content: CH-CW-1.1.1, CH-CW-1.1.2 , CH-MC-2.1, CH-MC-3.1, CH-MC-3.8, CH-MC-3.9, CH-MC-3.10, CH-MC-5.1, CH-MC-14.2

LIST D

Title: Moderate and low threat policies that affect Prescribed Instrument decisions

Opening Statement: “Clause 39 (7) (b) of the *Clean Water Act*, 2006 applies to the following policies:”

Content: No Applicable Policies

LIST E

Title: Significant threat policies that impose obligations on municipalities, source protection authorities and local boards

Opening Statement: “Section 38 and subsection 39 (6) of the *Clean Water Act*, *2006* applies to the following policies:”

Content: CH-CW-1.1.1, CH-CW-1.1.2, CH-CW-1.13, CH-CW-2.2, CH-CW-3.4, CH-CW-3.5, CH-CW-3.7, CH-CW-7.2, CH-CW-10.3

LIST F

Title: Monitoring policies referred to in subsection 22 (2) of the *Clean Water Act*, *2006*

Opening Statement: "Section 45 of the Clean Water Act, 2006 applies to the following policies:"

Content: CH-CW-1.4, CH-CW-1.5, CH-CW-1.6, CH-CW-1.7, CH-CW-1.8, CH-NB-15.1, CH-NB-13.1

LIST G

Title: Policies related to section 57 of the *Clean Water Act*, *2006*

Opening Statement: "The following policies relate to section 57 (prohibition) of the Clean Water Act, 2006."

Content: No Applicable Policies

LIST H

Title: Policies related to section 58 of the *Clean Water Act*, *2006*

Opening Statement: "The following policies relate to section 58 (Risk Management Plans) of the Clean Water Act, 2006."

Content: CH-CW-1.1.1, CH-CW-1.1.2, CH-CW-4.1, CH-CW-6.1, CH-CW-7.1, CH-CW-10.1, CH-CW-11.1, CH-CW-12.1, CH-CW-14.1

LIST I

Title: Policies related to section 59 of the *Clean Water Act*, *2006*

Opening Statement: "The following policies relate to section 59 (restricted land uses) of the *Clean Water Act, 2006*."

Content: CH-CW-1.1.1, CH-CW-1.1.2**,** CH-CW-1.2

LIST J

Title: Strategic Action policies

Opening Statement: For the purposes of section 33 of O. Reg. 287/07, the following policies are identified as strategic action policies:

Content: CH-NB-1.10, CH-NB-1.11, CH-NB-1.12

LIST K

Title: Significant threat policies targeted to bodies other than municipalities, local board or source protection authorities for implementation

Opening Statement: The following policies are identified as non-legally binding policies:

Content: CH-NB-3.6, CH-NB-13.1, CH-NB-15.1, CH-NB-15.2, CH-NB-15.3, CH-NB-15.4

13.5 Policy Summary Tables

Table 13-1 Prescribed instruments which apply to source protection plan policies in Lists C and D above (S.34(4) of O. Reg. 287/07)

Policy Identifier	Legal Effect	Environmental Protection Act	Nutrient Management Act	Ontario Water Resources Act
CH-CW-1.1.1	Comply with	Yes	Yes	Yes
CH-CW-1.1.2	Comply with	Yes	Yes	Yes
CH-MC-2.1	Must conform	Yes	No	Yes
CH-MC-3.1	Must conform	Yes	No	Yes
CH-MC-3.8	Must conform	Yes	No	Yes
CH-MC-3.9	Must conform	Yes	No	Yes
CH-MC-3.10	Must conform	Yes	No	Yes
CH-MC-5.1	Must conform	Yes	Yes	No
CH-MC-14.2	Must conform	No	Yes	No

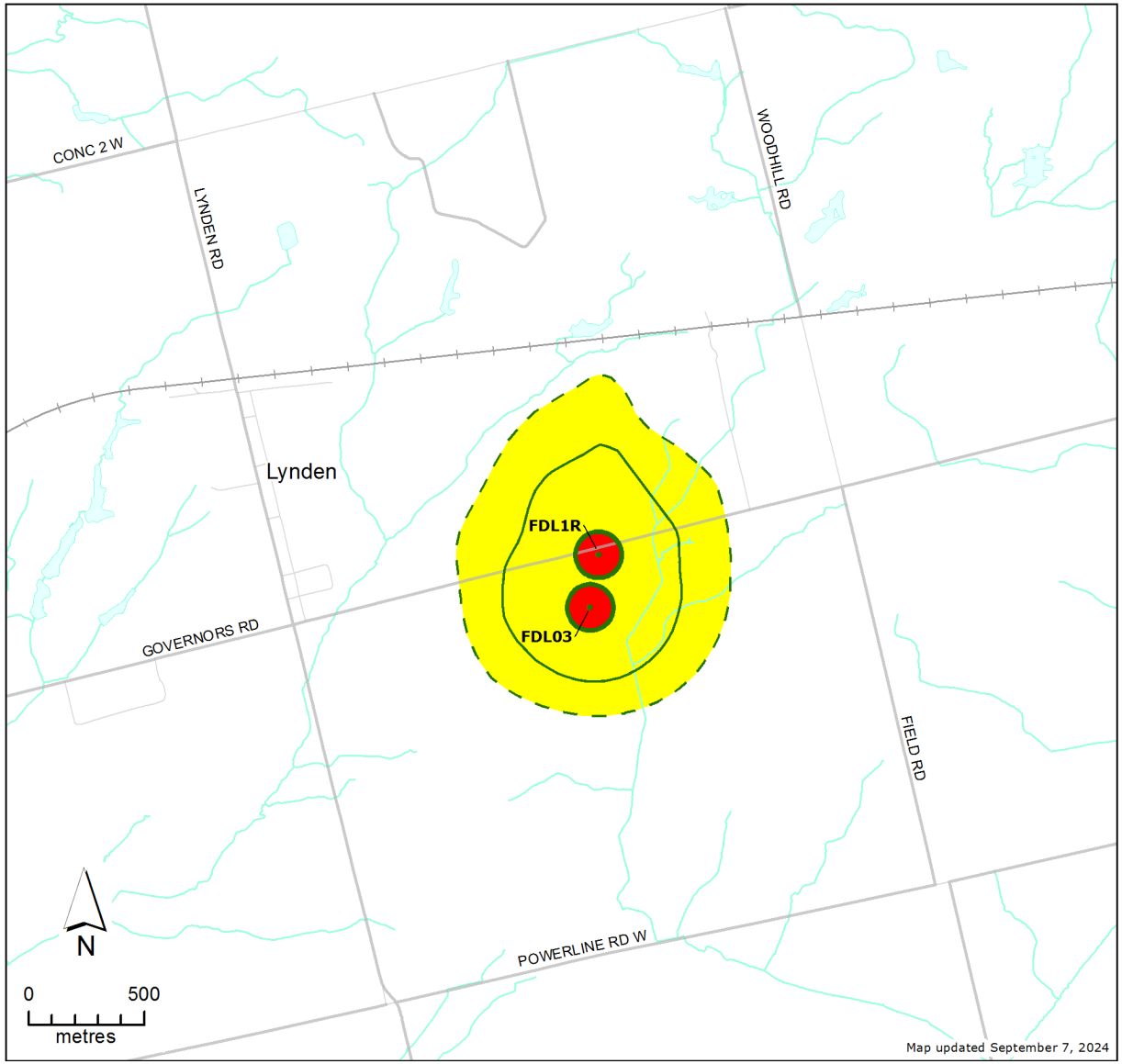
Table 13-2 City of Hamilton Policy Summary Matrix

Policy Identifier	Legal Effect	Lists A and B	Lists C and D	List E	List F	Lists G, H, and I	List J	List K
CH-CW-1.1.1	Comply with	Yes	Yes	Yes	No	Yes	No	No
CH-CW-1.1.2	Comply with	Yes	Yes	Yes	No	Yes	No	No
CH-CW-1.2	Comply with	Yes	No	No	No	Yes	No	No
CH-CW-1.3	Comply with	Yes	No	No	No	No	No	No
CH-CW-1.4	Comply with	No	No	No	Yes	No	No	No
CH-CW-1.5	Comply with	No	No	No	Yes	No	No	No
CH-CW-1.6	Comply with	No	No	No	Yes	No	No	No
CH-CW-1.7	Comply with	No	No	No	Yes	No	No	No
CH-CW-1.8	Comply with	No	No	No	Yes	No	No	No
CH-NB-1.10	Non-binding	No	No	No	No	No	Yes	No
CH-NB-1.11	Non-binding	No	No	No	No	No	Yes	No
CH-NB-1.12	Non-binding	No	No	No	No	No	Yes	No
CH-CW-1.13	Comply with	No	No	Yes	No	No	No	No
CH-MC-2.1	Must conform	No	Yes	No	No	No	No	No
CH-CW-2.2	Comply with	No	No	Yes	No	No	No	No
CH-MC-2.3	Must conform	Yes	No	No	No	No	No	No
CH-MC-3.1	Must conform	No	Yes	No	No	No	No	No
CH-MC-3.2	Must conform	Yes	No	No	No	No	No	No
CH-MC-3.3	Must conform	Yes	No	No	No	No	No	No
CH-CW-3.4	Comply with	No	No	Yes	No	No	No	No

Policy Identifier	Legal Effect	Lists A and B	Lists C and D	List E	List F	Lists G, H, and I	List J	List K
CH-CW-3.5	Comply with	No	No	Yes	No	No	No	No
CH-NB-3.6	Non-binding	No	No	No	No	No	No	Yes
CH-CW-3.7	Comply with	No	No	Yes	No	No	No	No
CH-MC-3.8	Must conform	No	Yes	No	No	No	No	No
CH-MC-3.9	Must conform	No	Yes	No	No	No	No	No
CH-MC-3.10	Must conform	No	Yes	No	No	No	No	No
CH-MC-3.11	Must conform	Yes	No	No	No	No	No	No
CH-CW-4.1	Comply with	No	No	No	No	Yes	No	No
CH-MC-5.1	Must conform	No	Yes	No	No	No	No	No
CH-CW-6.1	Comply with	No	No	No	No	Yes	No	No
CH-CW-7.1	Comply with	No	No	No	No	Yes	No	No
CH-CW-7.2	Comply with	No	No	Yes	No	No	No	No
CH-MC-8.1	Must conform	No	No	No	No	No	No	No
CH-MC-9.1	Must conform	Yes	No	No	No	No	No	No
CH-CW-10.1	Comply with	No	No	No	No	Yes	No	No
CH-MC-10.2	Must conform	Yes	No	No	No	No	No	No
CH-CW-10.3	Comply with	No	No	Yes	No	No	No	No
CH-CW-11.1	Comply with	No	No	No	No	Yes	No	No
CH-CW-12.1	Comply with	No	No	No	No	Yes	No	No
CH-NB-13.1	Non-binding	No	No	No	Yes	No	No	Yes
CH-CW-14.1	Comply with	No	No	No	No	Yes	No	No

Policy Identifier	Legal Effect	Lists A and B	Lists C and D	List E	List F	Lists G, H, and I	List J	List K
CH-MC-14.2	Must conform	No	Yes	No	No	No	No	No
CH-NB-15.1	Non-binding	No	No	No	No	No	No	Yes
CH-NB-15.2	Non-binding	No	No	No	No	No	No	Yes
CH-NB-15.3	Non-binding	No	No	No	No	No	No	Yes
CH-NB-15.4	Non-binding	No	No	No	No	No	No	Yes

Schedule CH-A: Areas where significant threats are possible in Lynden WHPA-A, -B, -C



DRINKING WATER SOURCE PROTECTION
ACT FOR CLEAN WATER

Hamilton:

Lynden
WHPA-A, -B, -C

- Well
- Road
- Railway
- Minor River
- Lake / Main River

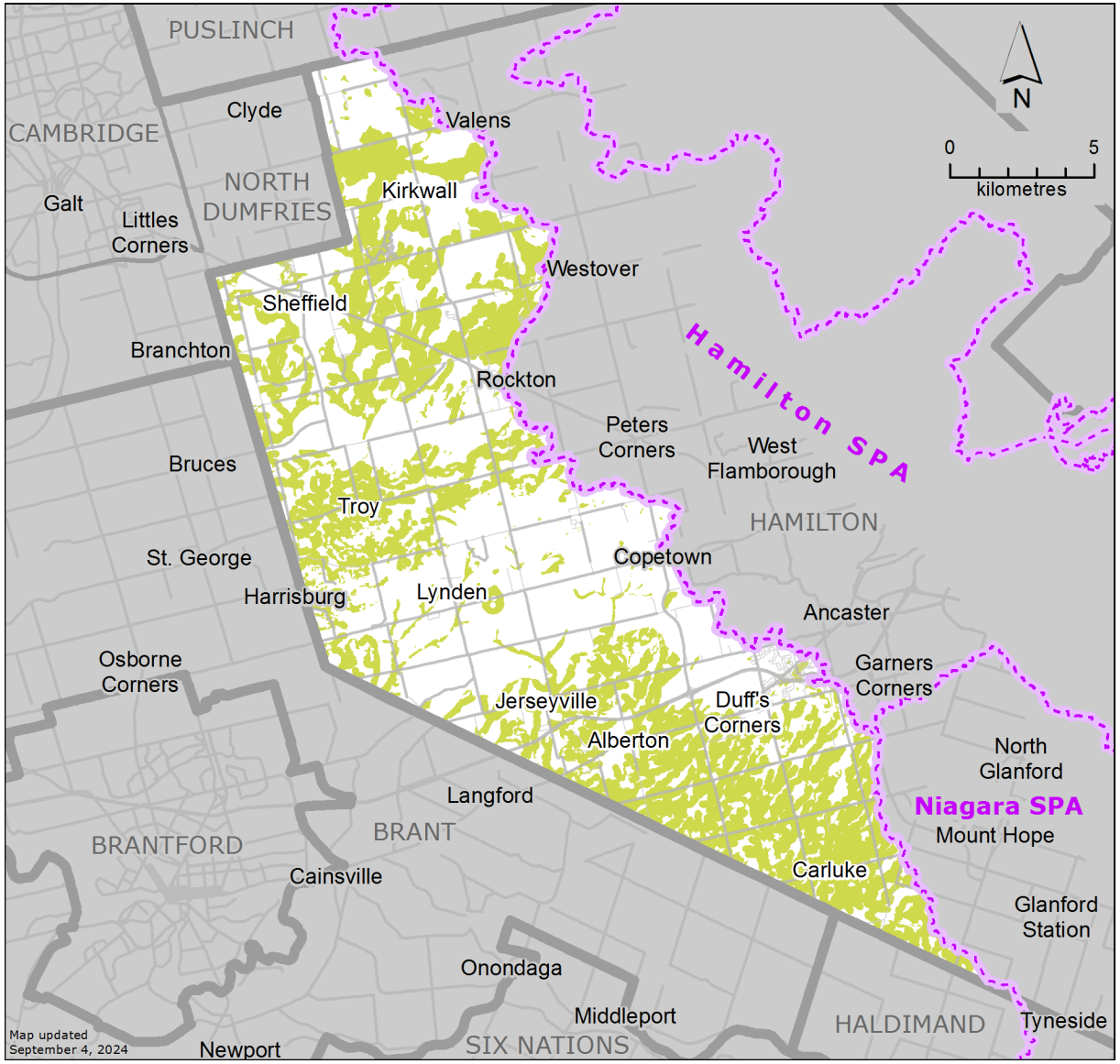
Areas where significant threats are possible:

Wellhead Protection
- WHPA-A
- WHPA-B
- WHPA-C

Vulnerability Score:
- 10
- 8
- 2, 4, 6

Grand River Conservation Authority

Schedule CH-B: Areas where low/moderate threats are possible (liquid hydrocarbon pipelines)



DRINKING WATER SOURCE PROTECTION
ACT FOR CLEAN WATER

City of Hamilton:

Liquid Hydrocarbon Pipelines

- Road
- Lower Tier Municipal Boundary
- Upper / Single Tier Municipal Boundary
- Source Protection Area Boundary
- **Areas Where Low / Moderate Threats Are Possible**

Grand River Conservation Authority