

Municipality of Lakeshore – Report to Council

Operations

Water Management



To: Mayor and Members of Council
From: Jason Barlow, Division Leader – Water Management
Date: October 30, 2024
Subject: Source Water Protection Plan Part IV Enforcement Transfer Agreement

Recommendation

Direct the Clerk to read By-law 119-2024, being a by-law to authorize the execution of a Source Water Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority (ERCA) during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.

Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

Background

The Clean Water Act (CWA) mandates that Municipalities develop a Source Protection Plan (SPP) to safeguard drinking water sources. The Essex Region's SPP was approved by the Minister of the Environment and Climate Change on April 15, 2015.

Municipalities identified with significant drinking water threats under this plan are required to have Risk Management Services (RMS), including a Risk Management Official (RMO) and a Risk Management Inspector (RMI), to enforce CWA policies. The Act allows Municipalities to delegate enforcement of RMS through a Source Protection Plan Part IV Enforcement Transfer Agreement to another municipality, board of health, planning board, or Source Protection Authority.

Lakeshore first entered into a Source Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority (ERCA) on September 8, 2015, for a three-year term ending on September 30, 2018.

Subsequent amendments extended this agreement including Amendment No. 1 in October 2018 and Amendment No. 2 in December 2021. Each of these agreements were for three years at an approximate annual cost of \$3,300, with the current term ending on December 31, 2024.

Comments

ERCA is proposing a new perpetual agreement that will not require renewal. This agreement will take effect on January 1, 2025, and will automatically renew annually. It will be reviewed to incorporate any required changes every four years.

Any Municipality may withdraw from the agreement, effective January 1 of any year, by providing notice within 120 days prior to December 31 of the preceding year.

Financial Impacts

The total cost to enter into the new perpetual agreement is estimated at \$3,260 per year, with an annual economic adjustment equal to the negotiated percentage wage increase for ERCA's unionized staff.

These annual costs will be included in the Municipality's Water Management operating budget annually.

Attachments

Attachment 1 – ERCA Risk Management Services Proposal 2024

Report Approval Details

Document Title:	Source Water Protection Plan - Part IV Enforcement Transfer Agreement.docx
Attachments:	- ERCA RMS Proposal_2024.pdf
Final Approval Date:	Nov 27, 2024

This report and all of its attachments were approved and signed as outlined below:

Prepared by Jason Barlow

Submitted by Krystal Kalbol

Approved by Corporate Leadership Team