



November 24, 2020

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*Re: ERO 019-2219 - Proposed amendments to the Director's Technical Rules made under section 107 of the Clean Water Act, 2006*

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Beef Farmers of Ontario (BFO) appreciates the opportunity to comment on the ERO 019-2219 - Proposed amendments to the Director's Technical Rules made under section 107 of the *Clean Water Act, 2006*. BFO represents 19,000 beef farmers in Ontario by advocating in the areas of sustainability, animal health and care, environment, food safety, and domestic and export market development.

BFO's submission will focus on the aspects of the posting that could impact beef farmers and livestock production, and BFO would also like to express support for the comments provided and concerns raised in the Ontario Federation of Agriculture (OFA) submission as they relate to livestock production. The first concern BFO would like to highlight is that this consultation did not include a regulatory impact assessment. Providing a regulatory impact assessment would have been beneficial for those reviewing this posting and would have provided more of an understanding of the potential impacts of the proposed changes.

Of the proposed amendments, Section 15.1 (4) and 55.1 are of concern to BFO. Section 15.1 (4) proposes that the Source Protection Committee (SPC) has the authority to provide the Director with a notice to use an alternate method or approach and that it identifies the rule being departed from and a brief summary of the rationale, and Section 55.1 notes that SPC's are provided the authority to reclassify an intake or planned intake. BFO believes that before these changes are made, the SPC should consult with affected stakeholders and summarize the change of the alternative approach. Furthermore, as noted in the OFA submission, if the intent of using an alternative approach requires Director approval, it must be stated in the document as the posting does not make this clear.

Another area of concern is Section 62.1, which indicates that setbacks may be extended to other areas within the delineated area that may contribute water to the intake. BFO's concern lies in the lack of clarity in terms of the extent of this section. Furthermore, the delineation of IPZ-1 in the existing rules were developed through consultation with experts and practitioners and, therefore, if they do not accurately reflect the time of travel conditions already established, then another hydrological study based on the existed criteria should be commissioned.



Of the proposed amendments to the “Tables of Drinking Water Threats”, Section 12 “Handling and Storage of Commercial Fertilizer” has raised concern for BFO as well. As stated, is it unclear if this section remains limited to storage for retail purposes or for storage on any site. More clarity on the intent of this section is needed.

Lastly, the posting does not mention the potential unexpected restrictions and costs some farmers might experience. Recognition of the costs to farmers and other landowners were recognized in Section 97 of the *Clean Water Act* which provides for the Ontario Drinking Water Stewardship Program. The purpose of this program is to provide financial assistance to “persons whose activities or properties are affected by this Act...”. The proposed amendments should not be enacted without financial support for both capital and ongoing operating costs that farmers or others may face.

On behalf of BFO, thank you for the opportunity to provide feedback on the proposed amendments to the Director’s Technical Rules made under section 107 of the *Clean Water Act*, 2006.

Sincerely,



Rob Lipsett  
President

