



**PUBLIC WORKS**

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November 7, 2022

Lake Erie Source Protection Region  
400 Clyde Road  
Cambridge, ON N1R 5W6

**Attention: Lake Erie Source Protection Region**

Dear Ilona Feldman:

**Re: Notice of Pre-Consultation – Draft Updated Catfish Creek Source Protection Plan**

Oxford County (the County) appreciates the opportunity to provide comments on the draft updated Catfish Creek Source Protection Plan (SPP).

Catfish Creek is one of four Source Protection Authorities (SPAs) located within the County of Oxford, of which, the Brownsville Water Supply is the only municipal drinking water system within the County governed by the policies stipulated within the Catfish Creek SPP.

The County is the implementing body that enforces policies within the Catfish Creek SPP and eliminates drinking water threats from the County's landscape. Through the County's Land Use Planning, Official Plan, by-laws and Part IV Tools the County ensures policies within the Catfish Creek are properly implemented.

This update to the Catfish Creek SPP is pursuant to Section 36 of the Clean Water Act, 2006 (Act) and an order from the Minister of the Environment, Conservation and Parks dated July 22, 2019. The order requires the Grand River Source Protection Authority, lead authority in the Lake Erie Source Protection Region, and the Lake Erie Region Source Protection Committee, to update the source protection plan to address items identified in the Catfish Creek section 36 work plan.

Upon review of the Draft Updated Catfish Creek Source Protection Plan, the County has proposed amendments with several policies stated below (additions to the policy are *italicized* and removal of wording are ~~strikethrough~~):

**OC-CW-12.1**

To ensure any Existing or New handling and storage of road salt exposed to precipitation or runoff on ~~properties zoned for commercial or industrial~~ *all property uses, other than a residential use*, ceases to be or never becomes a significant drinking water threat, where this activity is, or would be a significant drinking water threat, it shall be designated for the purpose of Section 57 of the Clean Water Act, 2006 and shall be prohibited.

**OC-CW-12.2**

To ensure any Existing or New handling and storage of road salt exposed to precipitation or runoff on properties zoned for residential use ~~a residential use ceases to be or never become a significant drinking water threat, where this activity is or would be a significant drinking water threat, the County shall develop and implement an education and outreach program directed at the owners and/or occupants of such properties.~~

**OC-CW -12.2 12.3**

To ensure any Existing or New handling and storage of road salt potentially exposed to precipitation or runoff on ~~properties zoned for commercial or industrial use~~ *all property uses, other than a residential use*, ceases to be or never becomes a significant drinking water threat, where this activity is or would be a significant drinking water threat, it shall be designated for the purpose of Section 58 of the Clean Water Act, 2006 and a Risk Management Plan.

**OC-CW-12.3 12.4**

To ensure any Existing or New handling and storage of road salt *exposed and* potentially exposed to precipitation or runoff on ~~properties zoned for residential use~~ *a residential use* never becomes a significant drinking water threat, where this activity is or would be a significant drinking water threat, the County shall develop and implement an education and outreach program directed at the owners and/or occupants of such properties

At this time, the County is in support of policy changes made within the updated Catfish Creek SPP with the exception of the proposed amendments stated above.

The County looks forward to working with the Lake Erie Source Protection Region to develop and implement policy for the Catfish Creek SPP to protect the supply of municipal drinking water for County residents and businesses.

Sincerely,

Don Ford, BA, CMM III, C.Tech.  
Manager of Water and Wastewater Services  
Oxford County Public Works  
21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3  
www.oxfordcounty.ca 519-539-9800 ext. 3191

Encl.

cc. David Simpson  
Matthew Jauernig

Attachment A – Notice of Pre-Consultation – Draft Updated Catfish Creek Source Protection Plan

October 3, 2022

## **Notice of Pre-Consultation – Draft Updated Catfish Creek Source Protection Plan**

You are being provided this notice and information because your municipality may be affected by the proposed amendments to the Catfish Creek Source Protection Plan and/or are responsible for the implementation of source protection plan policies.

This update is pursuant to section 36 of the Clean Water Act, 2006 (Act) and an order from the Minister of the Environment, Conservation and Parks dated July 22, 2019. The order requires the Grand River Source Protection Authority, lead authority in the Lake Erie Source Protection Region, and the Lake Erie Region Source Protection Committee, to update the source protection plan to address items identified in the Catfish Creek section 36 workplan.

The Ministry of the Environment, Conservation and Parks approved the Catfish Creek Source Protection Plan on September 19, 2014. Since then, new information has become available. This new information have been identified in the section 36 workplan and has resulted in the revision of current and the addition of new water quality policies (**Appendix A**). Policies with only minor amendments, e.g., administrative, are not included in Appendix A. The addition of text is highlighted in yellow and the removal of text with strikethrough.

The draft Updated Catfish Creek Source Protection Plan is available in its entirety on the Grand River Conservation Authority's file sharing site:

<https://apps.grandriver.ca/GetFile/File.aspx?id=2356&key=86f5655283364f79d5639a40f04f3f126cd44bb8>

Please review the source protection plan update as it relates to your requirements for implementation and provide any comments by **November 6, 2022** to:

Ilona Feldmann  
Source Protection Program Assistant  
Lake Erie Source Protection Region  
519 621 2763 ext. 2318  
ifeldmann@grandriver.ca

If you would like to discuss any of the material provided in this notice, please contact Ilona Feldmann at the phone number or email listed above.

## **Municipal Endorsement and Public Consultation**

A municipal council resolution from affected municipalities is not required under section 36 of the Act; however, would be considered by the Lake Erie Region Source Protection Committee and included in the final source protection plan submission package to the Ministry of the Environment, Conservation and Parks. Resolutions can be sent to Ilona Feldmann at the address above by **January 13, 2023**.

Public consultation on the draft Updated Catfish Creek Source Protection Plan will follow this pre-consultation period and is scheduled to start on Wednesday, January 25, 2023, and close on Tuesday, February 28, 2023.

Following the public consultation period, the Lake Erie Region Source Protection Committee will consider any comments received at their meeting on March 30, 2023 and direct staff to revise the draft Updated Catfish Creek Source Protection Plan, as necessary. The revised draft updated plan will then be released to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks for their review and approval.

Sincerely,



Source Protection Program Assistant  
Lake Erie Source Protection Region

**Appendix A:**  
**Catfish Creek Source Protection Plan draft updated policy amendments**

**County of Oxford policies that do not address specific prescribed drinking water threats**

Policy number	Implementation and Timing
<p>OC-CW-1.1</p> <p>Implement. &amp; Timing</p>	<p>Except as set out below or as otherwise prescribed by Section 57 or 58 of the Clean Water Act, 2006 the policies contained in this Source Protection Plan shall come into effect on the effective date set by the Minister.</p> <ul style="list-style-type: none"> <li>a) For Section 57 of the Clean Water Act, 2006 if an activity was engaged in a particular location before <b>the relevant policies within</b> this Source Protection Plan take effect, policies regarding prohibited activities do not apply to a person who engages in the activity at that location until 180 days from the date the Source Protection Plan takes effect;</li> <li>b) For Section 58 of the Clean Water Act, 2006 if an activity was engaged in at a particular location before <b>the relevant policies within</b> this Source Protection Plan takes 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 notice is given;</li> <li>c) For Section 59 of the Clean Water Act, 2006 restricted land use policies shall come into effect on the day <b>the relevant policies within</b> the Source Protection Plan takes effect;</li> <li>d) For Section 43 of the Clean Water Act, 2006 if an activity was engaged in a particular location before <b>the relevant policies within</b> this Source Protection Plan takes effect, amendments to prescribed instruments shall be completed within three (3) years from the date the Source Protection Plan takes effect;</li> <li>e) For Section 40 and 42 of the Clean Water Act, 2006 the amendments to the Official Plan required to conform with the significant threat policies shall be initiated by the County within five (5) years <b>of the effective date of the relevant policies within</b> the Source Protection Plan takes effect, or as part of the next Official Plan Review undertaken in accordance with Section 26 of the Planning Act. The amendments to the Zoning By-Laws</li> </ul>

Policy number	Implementation and Timing
	<p>required to conform with the relevant significant threat policies shall be initiated by the Area Municipalities within two (2) years of the adoption of the Official Plan conformity amendment; and</p> <p>f) Where the Source Protection Policies require the development of 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.</p>
<p>OC-CW-1.1.1                      Implement. &amp; Timing</p>	<p>This source protection plan came into effect on January 1, 2015, 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 Regulation. 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.</p>

Policy Number	Incentive Programs
<p>OC-NB-1.7                      Existing/Future                      Incentive</p>	<p>The Ministry of the Environment, Conservation and Parks and other provincial ministries should consider reinstating funding and support for incentive programs, such as the Ontario Drinking Water Stewardship Program, to assist in protecting existing and future drinking water sources and addressing significant drinking water threats.</p>

Policy Number	Annual Reporting
<p>OC-CW-1.8                      Monitoring</p>	<p>The County shall provide a report to the Source Protection Authority, by February 1<sup>st</sup> of each year, summarizing the actions taken by the County to implement the Source Protection Plan, in accordance with the Clean Water Act, 2006.</p> <p>Where the County is required to implement education and outreach programs as the primary means of managing the risk associated with</p>

Policy Number	Annual Reporting
	significant drinking water threats, the report will include a summary of the properties where these programs were implemented and additional details on how the significant drinking water threat was managed and/or ceased to be significant.
OC-CW-1.10 Monitoring	The Risk Management Official shall provide a report to the Source Protection Authority, by February 1 <sup>st</sup> of each year, summarizing the actions taken by the Risk Management Official to implement the Source Protection Plan, in accordance with the Clean Water Act, 2006.
OC-CW-1.11 Monitoring	Where the Source Protection Plan policies may result in amendments to a prescribed instrument or the issuance of a new 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 and the County by February 1 <sup>st</sup> of each year, in accordance with the Clean Water Act, 2006.
OC-CW-1.12 Monitoring	Where the Source Protection Plan policies prohibit an activity through the use of 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 and the County by February 1 <sup>st</sup> of each year, in accordance with the Clean Water Act, 2006.



**County of Oxford policies that address prescribed drinking water threats**

Policy Number	1. Establishment, Operation or Maintenance of a Waste Disposal Site, within the Meaning of Part V of the Environmental Protection Act
OC-CW-2.1  Existing  Prescribed Instr.  WHPA-A – v.10	To ensure any Existing establishment, operation, maintenance of a waste disposal site within the meaning of Part V of the Environment Protection Act, that is subject to an Environmental Compliance Approval, ceases to be a significant drinking water threat, where this activity is a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall review, and where necessary, amend Environmental Compliance Approvals to incorporate appropriate terms and conditions that, when implemented, ensure the activity ceases to be a significant drinking water threat.

Policy Number	2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:  Onsite Sewage Works
OC-CW-3.1  Existing/Future  Specify Action  WHPA-A – v.10	To ensure any <ul style="list-style-type: none"> <li>a) Existing onsite sewage works regulated under the Ontario Building Code Act, 1992, including expansions, modifications or replacements of such systems, or</li> <li>b) New onsite sewage works regulated under the Ontario Building Code Act, 1992, required for a municipal water supply well</li> </ul> cease to be or never become a significant drinking water threat, where this activity is or would be a significant drinking water threat, the County shall implement an on-site sewage system maintenance inspection program, as required by the Ontario Building Code Act, 1992.
OC-MC-3.2  Future  Land Use Planning  WHPA-A- v.10	To ensure any New onsite sewage works regulated under the Ontario Building Code Act, 1992, with the exception of a New onsite sewage works that is required for a municipal water supply well facility, never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the County shall amend their Official Plan and the Area Municipalities shall amend their respective Zoning By-laws to prohibit uses, buildings or structures requiring a New onsite sewage works in areas where such activities would be a significant drinking water threat. For the purposes of this policy,

<p><b>Policy Number</b></p>	<p><b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b></p> <p>Onsite Sewage Works</p>
	<p>upgrading, alteration, expansion or replacement of an Existing onsite sewage works to an improved standard shall not be considered to be a New onsite sewage works.</p>
<p>OC-MC-3.3 Existing Prescribed Instr. WHPA-A- v.10</p>	<p>o ensure any Existing onsite sewage works subject to an Environmental Compliance Approval in accordance with the Ontario Water Resources Act, ceases to be a significant drinking water threat, where this activity is a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall review, and where necessary, amend Environmental Compliance Approvals, to incorporate terms and conditions that, when implemented, ensure this activity ceases to be a significant drinking water threat.</p> <p>The terms and conditions should include, but not necessarily be limited to, requirements for the proponent/applicant to undertake mandatory monitoring of groundwater impacts, contingencies in the event that drinking water quality is adversely affected, regular and ongoing compliance monitoring, mandatory system inspections at least every five (5) years, annual reporting to the Source Protection Authority and the County on any required inspection or monitoring programs and upgrading of these onsite sewage works to current standards, where necessary.</p>
<p>OC-MC-3.4 Future Prescribed Instr. WHPA-A- v.10</p>	<p>To ensure any New onsite sewage works requiring an Environmental Compliance Approval, in accordance with the Ontario Water Resources Act, never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall prohibit this activity through the Environmental Compliance Approvals process.</p>

<p><b>Policy Number</b></p>	<p><b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b></p> <p>Wastewater Treatment Facilities and Associated Parts Sewage System or Sewage Works- Sewage Treatment Plant Effluent Discharges</p>
<p>OC-MC-3.5</p>	<p>To ensure any Existing wastewater treatment facilities and associated parts ceases to be a significant drinking water threat, where this</p>

<p><b>Policy Number</b></p>	<p><b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b></p> <p>Wastewater Treatment Facilities and Associated Parts Sewage System or Sewage Works- Sewage Treatment Plant Effluent Discharges</p>
<p>Existing Prescribed Instr. WHPA-A- v.10</p>	<p>activity is a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall review, and where necessary, amend Environmental Compliance Approvals to incorporate terms and conditions that, when implemented, ensure this activity ceases to be a significant drinking water threat.</p>
<p>OC-MC-3.6 Future Prescribed Instr. WHPA-A- v.10</p>	<p>To ensure any New wastewater treatment facilities and associated parts never becomes a significant drinking water threat, where this activity would be a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall prohibit this activity through the Environmental Compliance Approvals process.</p>

<p><b>Policy Number</b></p>	<p><b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b></p> <p>Wastewater Collection Facilities and Associated Parts: Sanitary Sewers</p> <p>Wastewater Collection Facilities and Associated Parts: Outfall of a Combined Sewer Overflow (CSO), or a Sanitary Sewer Overflow (SSO) from a Manhole or Wet Well</p> <p>Wastewater Collection Facilities and Associated Parts: Sewage Pumping Station or Lift Station Wet Well, a Holding Tank or a Tunnel</p>
<p>OC-MC-3.7 Existing/Future Prescribed Instr. WHPA-A- v.10</p>	<p>To ensure any Existing or New wastewater collection facilities and associated parts 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 ensure that the Environmental Compliance Approval for these activities are prepared, or, where necessary, amended to incorporate terms and conditions that, when implemented ensure these activities cease to be or never become significant drinking water threats. The terms and conditions may include, but not necessarily be limited to, requirements for regular maintenance and inspections by</p>

<b>Policy Number</b>	<b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b>
	Wastewater Collection Facilities and Associated Parts: Sanitary Sewers
	Wastewater Collection Facilities and Associated Parts: Outfall of a Combined Sewer Overflow (CSO), or a Sanitary Sewer Overflow (SSO) from a Manhole or Wet Well
	Wastewater Collection Facilities and Associated Parts: Sewage Pumping Station or Lift Station Wet Well, a Holding Tank or a Tunnel
	the holder of the Environmental Compliance Approval.

<b>Policy Number</b>	<b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b>
	Storm Water Management Facilities and Drainage Systems: Outfall from a Storm Water Management Facility or Storm Water Drainage System
	Storm Water Management Facilities and Drainage Systems: Storm Water Infiltration Facility
OC-MC-3.8 Existing Prescribed Instr. WHPA-A- v.10	To ensure any Existing stormwater management facilities and drainage systems cease to be significant drinking water threats, where these activities are significant drinking water threats, the Ministry of the Environment, Conservation and Parks shall review and, if necessary, amend Environmental Compliance Approvals to incorporate terms and conditions that, when implemented, will ensure these activities cease to be significant drinking water threats.
OC-MC-3.9 Future Prescribed Instr. WHPA-A- v.10	To ensure any New stormwater management facilities and drainage systems 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 through the Environmental Compliance Approvals process.

<b>Policy Number</b>	<b>2. Establishment, Operation or Maintenance of a System That Collects, Stores, Transmits, Treats or Disposes of Sewage:</b>  Industrial Effluent Discharges
OC-MC-3.10  Future  Prescribed Instr.  WHPA-A- v.10	To ensure any New industrial effluent discharges never become a significant drinking water threat, where this activity would be a significant drinking water threat, the Ministry of the Environment, Conservation and Parks shall prohibit this activity through the Environmental Compliance Approvals process.

<b>Policy Number</b>	<b>12. The handling and storage of road salt</b>  Exposed to Precipitation or Runoff
OC-CW-12.1  Existing/Future  Part IV- Prohibit  WHPA-A- v.10	To ensure any Existing or New handling and storage of road salt exposed to precipitation or runoff on properties zoned for commercial or industrial use ceases to be or never becomes a significant drinking water threat, where this activity is, or would be a significant drinking water threat, it shall be designated for the purpose of Section 57 of the Clean Water Act, 2006 and shall be prohibited.
OC-CW-12.2  Existing/Future  Education & Outreach  WHPA-A-v. 10	To ensure any Existing or New handling and storage of road salt exposed to precipitation or runoff on properties zoned for residential use ceases to be or never become a significant drinking water threat, where this activity is or would be a significant drinking water threat, the County shall develop and implement an education and outreach program directed at the owners and/or occupants of such properties.

<b>Policy Number</b>	<b>12. The handling and storage of road salt</b>  Potentially exposed to Precipitation or Runoff
OC-CW-12.3  Existing/Future  Part IV – RMP	To ensure any Existing or New handling and storage of road salt potentially exposed to precipitation or runoff on properties zoned for commercial or industrial use ceases to be or never becomes a significant drinking water threat, where this activity is or would be a significant drinking water threat, it shall be designated for the purpose of Section 58 of the Clean Water Act, 2006 and a Risk Management

<b>Policy Number</b>	<b>12. The handling and storage of road salt</b> Potentially exposed to Precipitation or Runoff
WHPA-A- v.10	Plan shall be required.
OC-CW-12.4 Existing/Future Education & Outreach WHPA-A. v.10	To ensure any Existing or New handling and storage of road salt potentially exposed to precipitation or runoff on properties zoned for residential use never becomes a significant drinking water threat, where this activity is or would be a significant drinking water threat, the County shall develop and implement an education and outreach program directed at the owners and/or occupants of such properties

<b>Policy Number</b>	<b>14. The storage of snow</b>
OC-CW-13.1 Existing/ Future Part IV-RMP WHPA-A- v.10	To ensure any Existing or New storage of snow ceases to be or never becomes a significant drinking water threat, where this activity is or would be a significant drinking water threat, it shall be designated for the purpose of Section 58 of the Clean Water Act, 2006 and a Risk Management Plan shall be required.

<b>Policy Number</b>	<b>22. The establishment and operation of a liquid hydrocarbon pipeline</b>
OC-NB-19.1 Future Specify Action Significant WHPA-A-v.10 Moderate/Low WHPA-B/C/D- v.6	To ensure 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 never becomes a significant, moderate or low drinking water threat, where the 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.

Policy Number	22. The establishment and operation of a liquid hydrocarbon pipeline
<p>OC-NB-19.2</p> <p>Future</p> <p>Specify Action</p> <p>Significant WHPA-A -v.10</p> <p>Moderate/Low WHPA-B/C/D- v.6</p>	<p>To ensure 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 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).</p>
<p>OC-NB-19.3</p> <p>Future</p> <p>Specify Action</p> <p>Significant WHPA-A-v.10</p> <p>Moderate/Low WHPA-B/C/D v.6</p>	<p>To ensure 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 never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator or the Ontario Energy Board, should ensure that the Source Protection Authority and the County are provided the location of any new proposed pipeline.</p>
<p>OC-NB-19.4</p> <p>Future</p> <p>Specify Action</p> <p>Significant WHPA-A-v.10</p> <p>Moderate/Low WHPA-B/C/D- v.6</p>	<p>To ensure 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 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, upon request by the County, reimburse costs borne by the County where work in relation to this activity is required by a regulator with regards to protecting drinking water sources for example, events based modelling or other technical work required to support current vulnerability scoring, 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.</p>