

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC Deputy City Manager,
Environment and Infrastructure

Subject: Overflow and Bypass Reporting Provincial Funding – Terms
and Conditions

Date: March 1, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022, to:

- (a) Accept the terms and conditions for receiving funding to support overflow and bypass monitoring and reporting from Her Majesty the Queen in right of Ontario as represented by the Minister of the Environment, Conservation and Parks;
- (b) authorize the Mayor and the City Clerk to bind the corporation to these terms and conditions;
- (c) delegate authority to the Deputy City Manager, Finance Supports or the Deputy City manager, Environment and Infrastructure to approve further Amending Agreements to the Agreement;
- (d) authorize the Mayor and the City Clerk to execute any amendments to the Agreement approved by the Deputy City Manager, Finance Supports or Deputy City Manager, Environment and Infrastructure; and,
- (e) authorize the Deputy City Manager, Finance Supports (or delegate) to execute any financial reports required under this Agreement.

Executive Summary

Purpose

This report seeks Council approval of the terms and conditions for the Improving Monitoring and Public Reporting of Sewage Overflows and Bypasses Program and introduces a by-law (Appendix A to this report) to authorize the Mayor and the City Clerk to execute that Agreement and any future amending agreements between Her Majesty the Queen in right of Ontario as represented by the Minister of the Environment, Conservation and Parks and The Corporation of the City of London with respect to funding to support overflow and bypass monitoring and reporting.

Context

On December 17, 2021, the City of London was contacted by the Ontario Ministry of the Environment, Conservation and Parks to indicate that the City was eligible to receive provincial funding in the amount of \$638,643.00 over the next two years for the purpose of improving the monitoring and public reporting of overflow and bypass activity in the City. This funding is one-time only and is intended to support City initiatives in this regard, rather than to support an individual project or initiative. Funding to improve monitoring and communication aligns well with Council priorities respecting overflows and bypasses.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of “Leading in Public Service”, under the outcome of ensuring that the City is trusted, open and accountable.

In this case the Strategic Plan is supported by enabling the City to increase opportunities for residents and neighbours to be informed, with improved accountability and transparency.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

1.2 Context

Overflows and bypasses, the release of partially or untreated wastewater to the environment, are an unfortunate reality in the operation of any wastewater collection and treatment system. The influence of unwanted water, be it rain, snow melt or groundwater creates flow conditions that can overwhelm wastewater systems.

While the City continues to implement strategies and system improvements to limit the occurrence of overflows and bypasses, measurement of those events and timely notification of the public provides beneficial outcomes in terms of public awareness, public health and safety, as well as informing municipal policy development and debate. This provincial funding is intended to support City efforts to improve measurement and reporting of overflow and bypass activity.

2.0 Discussion and Considerations

2.1 The Source and Impact of Overflows and Bypasses

The City of London owns and operates five wastewater treatment plants and 36 pumping stations in the City. Some areas in the City are sources of unwanted water, which is effectively any water not generated by wastewater service connections. This unwanted water contributes directly to overflow and bypass activity and the variability of this unwanted water across the City explains why certain City facilities are more prone to overflow and bypass activity than others

Through years of system design, renewal and operation, coupled with detailed studies like the Pollution Prevention and Control Plan, the City has developed an inventory of the locations at which overflows and bypasses occur in the sanitary system. However, direct measurement and monitoring is not always possible, and represents a significant undertaking in terms of staff resources, capital expenditures and operating costs. As a result, the current monitoring program prioritizes the highest activity sites, but does not capture all sources or impacts.

Overflows and bypasses contribute nutrient and contaminant loading to the Thames River, which has the potential to negatively impact public health and the health of the environment. Collecting information and effectively disseminating it reduces the risk of immediate health impacts and enables more informed decision making when it comes to improving the sanitary system and making policy decisions related to future budget expenditures and priorities for the City considering the long-term health of the Thames River.

2.2 Goal of the Funding

On January 25, 2022, the Ontario Government formally announced that “the government is investing \$10 million to help 20 municipalities upgrade sewage monitoring and public reporting capacity”. The formal announcement, titled Ontario Helping Municipalities Build Storm and Wastewater Infrastructure, can be found at this website: <https://news.ontario.ca/en/release/1001492/ontario-helping-municipalities->

[build-storm-and-wastewater-infrastructure](#). The program has been named the Improving Monitoring and Public Reporting of Sewage Overflows and Bypasses Program.

The total amount of funding that London is expected to receive is \$638,643.00 over the next two years. The Province, through staff at the Ministry of the Environment, Conservation and Parks, has indicated that the funding is not necessarily tied to a particular project, but rather is intended to provide support to City projects and programs that meet the goals of improved monitoring and public reporting of overflow and bypass activity in the City of London. This is welcome news: the City has already identified these goals as priorities for the Environment and Infrastructure group so additional funding will be able to be put to good use by accelerating or enabling initiatives that were otherwise delayed due to resource limitations.

3.0 Financial Impact/Considerations

The City is not required to make any matching contribution as part of this funding. Projects that will be advanced under this funding will align with current programs and priorities and will be selected to maximize the use of the funding dollars by providing the greatest functional benefit regarding overflow and bypass monitoring and reporting but that can also be implemented in a cost efficient and timely manner.

In order to receive the funding, the City is required to accept the terms and conditions imposed by the Province as part of the program. The draft Agreement provided by the Province, has been reviewed by City staff in Legal, Risk Management and Finance and found to be acceptable.

The proposed bylaw delegating the authority to accept the terms and conditions established by the Ministry to the Mayor and Clerk is attached as Appendix A, which contains the terms and conditions as Schedule A.

Conclusion

City of London administration was contacted by the Ontario Ministry of the Environment, Conservation and Parks to indicate that the City was eligible to receive provincial funding in the amount of \$638,643.00 over the next two years under the Improving Monitoring and Public Reporting of Sewage Overflows and Bypasses Program.

This report introduces a by-law to accept the terms and conditions established by the Ministry with respect to that funding and to authorize the Mayor and the City Clerk to execute the agreement and any future amending agreements.

Prepared by: Kirby Oudekerk, MPA, P.Eng., Division Manager,
Wastewater Treatment Operations

Reviewed by: Scott Mathers, MPA, P.Eng., Director, Water, Wastewater
and Stormwater

Recommended by: Kelly Scherr, P.Eng, MBA, FEC, Deputy City Manager,
Environment and Infrastructure

Appendix A – Draft bylaw and Terms and Conditions of Funding