

June 23, 2010

Preparing Source Protection Plans

The province has amended Ontario Regulation 287/07 to include requirements for the preparation and implementation of source water protection plans under the Clean Water Act.

A key focus of the legislation is the preparation of locally-developed, collaborative, science-based assessment reports and source protection plans.

Source Protection Plans

The source protection committees, who represent a range of interests within their local watershed, must prepare source protection plans. These plans are designed to protect existing and future sources of drinking water by creating a set of policies that help ensure activities carried out near municipal wells and surface water intakes do not threaten the quality and quantity of the drinking water supply.

Together, the act and the regulation set out the requirements for preparing source water protection plans and enable new authorities to address threats to drinking water sources.

The regulation:

- sets out rules for the content of the plans, including requiring policies to reduce significant drinking water threats and allowing policies for spills prevention, and general education and outreach
- requires extensive consultations during the preparation of the plans
- includes record-keeping requirements along with the preparation of an explanatory document to accompany the plans
- contains minimum training and qualifications requirements for the designated officials overseeing the implementation of risk management plans
- identifies prescribed instruments (permits and other legal documents) that must conform to the approved plans
- requires regular reporting on the progress of implementing the plan.

Protecting our environment.



The regulation provides municipalities and source protection committees with important new authorities to protect local drinking water supplies, including:

- a municipality can address significant drinking water threats through an interim risk management plan in advance of source protection plan approval
- source protection committees can require municipally-developed risk management plans to address threats to drinking water
- a significant threat to drinking water can be prohibited – this may only be used in rare cases where management of the threat by other means is not an option
- a local risk management official, with specific training and qualifications, will have the authority to enforce aspects of the source protection plan.

Getting Involved in the Source Protection Planning Process

Source protection committees must consult municipalities, stakeholders and the public throughout the source protection planning process. This includes:

1. Notifying municipalities, stakeholders and the public when the source protection committee begins preparing the source protection plan.
2. Providing an opportunity for municipalities and all interested stakeholders to give feedback on policies before the draft plan is finalized.
3. Giving municipalities, all interested stakeholders and the public 35 days to comment on the draft plan. A minimum of one public meeting will be held to get feedback, and a copy of the draft plan made available for public review. All comments received must be considered during the preparation of the proposed plan.
4. Informing municipalities and the public that the proposed plan has been posted on the Internet for review and comment. There will be 30 days to provide feedback on the proposed plan before it is submitted to the Minister for approval.
5. Providing an explanatory document with the source protection plan, articulating the reasons for the plan policies and summarizing how municipal and stakeholder comments, climate change considerations, and costs affect the development of the policies in the plan.
6. Posting the approved plan on the Internet and in any other manner that the source protection committee considers appropriate.

Potentially affected municipalities, stakeholders and the public will be notified if the Minister requests a hearing on any matter related to a source protection plan.

The province will post notification of approved source protection plans on the Environmental Registry website, www.ontario.ca/environmentalregistry.

In the future, if plan amendments are proposed, source protection authorities must notify municipalities and stakeholders that may be affected. There will be 35 days to provide comments, before the proposed amendments are submitted to the Minister for approval.

Partnerships

Source protection planning builds on the work that many municipalities, conservation authorities and stakeholders are already doing to protect drinking water.

- Municipalities are already responsible for the delivery of municipal drinking water and land use planning. Municipal input on policy development and draft plan policies will be an essential part of the plan preparation process beginning in 2010 and continuing until plans are submitted to the Minister of the Environment for approval in 2012.
- Conservation authorities, with their watershed-based perspective, help source protection committees prepare source protection plans by gathering and sharing information, facilitating cooperation and coordination among communities and stakeholders, and providing technical support and advice to the committees.
- Property owners, industry, businesses, farmers, community groups and the public can get involved in local source protection planning to help find practical, workable solutions to meet the common goal of protecting drinking water sources. Anyone located in a designated vulnerable area who may be affected by the source protection plan is encouraged to become involved in the planning process as soon as possible by contacting their local conservation authority.

Broad public consultation across the watershed will occur during the preparation of the source protection plan to provide an opportunity for everyone to provide their input.

For more information please visit www.ontario.ca/cleanwater.