

Fact Sheet

Drinking Water Source Protection Planning - Understanding the Process

Under the Ontario *Clean Water Act (2006)*, source protection plans are being developed for source protection areas (watersheds) across Ontario by local source protection committees. Source protection plans will be based on the science of recently completed assessment reports. Below are some common questions you may have on the source protection planning process:

What is the timeline for source protection plan development?

All source protection areas or regions must begin source protection plan development in 2011 and submit their plans to the Ontario Minister of the Environment by August 2012.

Who is in charge of source protection planning in my area?

Your local source protection committee is responsible for looking at threats to municipal drinking water sources in your community and devising strategies to manage those threats. To find out who is on your local source protection committee, contact your local Conservation Authority, or go to www.conservationontario.ca and find a link for your source protection area or region.

What does it mean if a 'threat' has been identified on my property?

It's important to understand that assessment reports identify 'possible' threats to the safety of municipal drinking water systems. A reference to a threat does not necessarily mean there is an immediate risk to drinking water on a landowner's property. A threat can be one of 21 identified activities which can, if not properly managed, pose a risk to municipal drinking water sources. In certain cases, locally identified threats may also be present. Prior to any policy development, source protection committees will consider how these activities are currently managed and whether or not additional measures are necessary to protect drinking water. To see a list of these 21 activities visit:

http://www.ene.gov.on.ca/environment/en/resources/STD01_078437.html

What tools will my source protection committee use to regulate a threat/activity?

Local source protection committees will choose the most appropriate tools, based on provincial direction, existing municipal approaches, as well as local knowledge and expertise. Each committee is made up of local community members and stakeholders who are knowledgeable about their regions. In many cases, the committee will choose soft tools that rely on non-legal mechanisms to manage an activity. However, in some cases the committee may decide that regulatory tools are necessary to adequately protect drinking water safety.

Examples of Soft Tools (non-legal mechanisms)	Examples of Regulatory Tools (legal mechanisms)
<ul style="list-style-type: none"> • Research programs • Pilot projects • Stewardship programs • Incentives • Education and Outreach • Best Management Practices 	<ul style="list-style-type: none"> • Land use planning/other municipal tools • Use of Prescribed Instruments (E.g. Certificates of Approvals, Permits, Nutrient Management Plans) • Risk Management Plans- to be negotiated with landowner • Prohibition

How likely is it that an activity will be prohibited?

The *Clean Water Act, (2006)* General Regulation (O. Reg.287/07 section 24) states that an existing activity should only be prohibited as a *last resort* and only where a source protection committee decides that the activity *must* be banned to ensure it is no longer a significant threat. All source protection committees are required to develop a document to accompany their source protection plan that includes reasons for plan policies and summarizes how stakeholder input, cost considerations, etc., affected the development of the plan.

Will incentives or funding be available to help support the cost of any associated changes?

The Ontario Drinking Water Stewardship Program (ODWSP), which is established under the *Clean Water Act*, has already provided incentives for local businesses and farmers, home owners, and other property owners for over 2000 actions that include septic system improvements and well decommissioning, to address drinking water threats through their *Early Actions* and *Early Response* programs. Conservation Authorities are involved in leading the delivery of this initiative. The Ontario Ministry of the Environment provided an initial four years of funding to support this program, and this funding is up for renewal in 2012. Please visit your local source protection area or region website to see if funding is available in your source protection area: www.conservationontario.ca.

Will source protection plans for all source protection areas or regions be the same?

No, but they should be similar. Since the needs and circumstances in one source protection area or region may differ from the next, the source protection program was designed to ensure a scientifically based process that is locally driven. When developing policies, source protection committees will take into account the need for local flexibility in order to capture existing characteristics and approaches in each watershed. Conservation Ontario has been facilitating and encouraging collaboration on policy development among the 19 source protection areas or regions. Source protection committees will take advantage of opportunities for consistency (where appropriate) by sharing ideas on policy development through exchange of information, regular teleconferences, and in-person meetings.

Will the public have a chance to influence the content of the source protection plans?

Yes! The public will have opportunities to comment on and ask questions about their local source protection plans throughout each step of the planning process. Each source protection committee will notify municipalities, stakeholders, and the public when they begin preparing the source protection plan; this is called a notice of commencement. The committees will then hold pre-consultation on draft policies with agencies/individuals responsible for implementing the policy, followed by two public consultation periods. The draft version of the plan will involve a 35-day comment period with a public input meeting, and the revised proposed final plan will involve a 30-day comment period. The best place to watch for the opportunity to comment is in your local newspaper or on your source protection region or area website.

Is there an appeal process for a source protection plan?

After the public and stakeholders have had a chance to provide feedback and the plan is submitted to the Minister of the Environment for the review and approval process, the plan cannot be appealed. The implementation of source protection plan policies through regulatory tools such as the Planning Act and prescribed instruments can be appealed through their respective appeal mechanisms. However, the decisions of the appeal bodies (OMB, ERT) must also agree with the source protection plan.

Where can I find more information?

Ontario Ministry of the Environment's website

http://www.ene.gov.on.ca/environment/en/legislation/clean_water_act/index.htm

Conservation Ontario's website

www.conservationontario.ca

Your local Conservation Authority

To find your local Conservation Authority of Source Protection Region or Area go to:

www.conservationontario.ca/source_protection/otherswpreionsindex.htm