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Important Notice

This document contains two Explanatory Documents for the following Source Protection Areas:

- Raisin Region Source Protection Area; and,
- South Nation Source Protection Area.

Policies, intent, and rationale apply to both Source Protection Areas unless otherwise stated.

Avis important

Ce document contient deux documents explicatifs relatifs aux zones de protection des sources suivantes :

- Zone de protection des sources de la région Raisin et
- Zone de protection des sources de la Nation Sud.

Les politiques, intentions, et justifications s'appliquent aux deux zones de protection des sources à moins d'avis contraire.

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Version	Date	Description of Amendment
Version 1.4.0	September 1, 2016	Initial version
Version 2.0	July 6, 2023	Draft submitted to Ministry of Environment, Conservation, and Parks to support updates undertaken to the Source Protection Plan under Section 36 of the <i>Clean Water Act, 2006</i> for comprehensive updates.
Version 2.1	January 26, 2024	Revised draft following early engagement.
Version 2.2	November 20, 2024	Revised draft following pre-consultation.

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1 Introduction

The Raisin-South Nation Source Protection Committee (SPC) was required to develop a Source Protection Plan under the Clean Water Act of 2006. This plan includes rules to manage activities that could be serious threats to drinking water systems. These rules were made with input from the public, other protection regions, local governments, and experts.

The Explanatory Document is a summary that helps property owners understand the Source Protection policies. It explains why the policies were made and includes background information and feedback from consultations. The document reviews specific rules outlined in Ontario Regulation 287/07 and provides implementers, stakeholders, the general public, and interested parties with a summary of the intent and rationale for the Source Protection policies.

The Explanatory Document also outlines the background information that the SPC considered when developing policies and includes a summary of the comments that were received from implementing bodies during all consultation periods. The requirements for the Explanatory Document are listed in Ontario Regulation 287/07 (S. 40, ss. 1-5).

Please note that the summary document was not subject to Provincial and public comment. Its purpose is to help clarify the policies in the Plan and should be read along with the Source Protection Plan.

2 Policy Development Process

The Source Protection Policy Working Group was created by the SPC to draft policies. Each meeting focused on a specific sector and threat. The group worked with experts and local government staff to develop these policies. They also reviewed research and background information before making initial policy suggestions for the SPC. These draft policies were then presented at public SPC meetings for review and approval.

2.1 Guiding Principles

Before creating the Source Protection policies, the Source Protection Policy Working Group and SPC set their guiding principles.

The following criteria were considered when evaluating policy options:

- **Effectiveness:** would the policy protect drinking water sources?
- **Appropriateness:** would the policy be practical and not create unnecessary regulations?
- **Fiscal Responsibility:** would the policy be cost-effective and reasonable?

The Working Group discussed the practicality of different policy options based on these criteria. They also compared each policy option with possible alternatives and considered available regulatory and non-regulatory tools. The Committee always chose the most reasonable option that could manage or remove the significant threat to drinking water.

2.2 Financial Considerations

Cost was an important factor in choosing the right policy tools for the Source Protection Plan. This included looking at how much money the implementing body had, weighing the costs against the benefits, and considering future monitoring and reporting costs.

2.3 Climate Change Considerations

The SPC looked at the pros and cons of banning certain activities versus using Risk Management Plans. Risk Management Plans can handle both future and current threats well, but they take more time for the municipality to manage compared to a one-time ban. The SPC decided that banning certain future threats was the best way to protect drinking water sources.

The Assessment Report includes a summary of a study by Crabbé and Robin (2003) about the expected effects of climate change in the Raisin-South Nation area (Assessment Report, S. 3.1.15).

The study predicts higher average temperature, lower river water levels, more winter precipitation, and more frequent and intense summer droughts. However, climate change doesn't seem to affect groundwater quantity.

The Source Protection Plan was not affected by the climate change summary in the Assessment Report because water quantity was not considered a significant threat.

2.4 Plan Revisions

The *Clean Water Act, 2006* allows source protection plans and assessment reports to be revised in four ways:

1. a local amendment under section 34;
2. an amendment ordered by the Minister under section 35;
3. an update resulting from the review under section 36; or
4. a minor or administrative amendment under section 51 of O. Reg. 287/07.

On July 22, 2019, the Minister of the Environment, Conservation and Parks ordered a Section 36 update to the Raisin-South Nation Source Protection Plan. During this update, the 2021. During this update, the 2021 Technical Rules under Section 107 of the Act, which guide the assessment of risks to drinking water sources, were also updated. These rules were reviewed as part of the Section 36 update.

In 2023-2024, the Raisin-South Nation SPC amended the Source Protection Plan to incorporate the updates.

3 Summary of Comments

The following is a summary of the comments received during pre-consultation and public consultation. Pre-consultation involved the implementing bodies for each policy. Public consultation included implementers, landowners, and the public.

Comments were received by mail, email, and verbally during one-on-one meetings. The summary will note if a comment resulted in a policy change.

3.1 Provincial Implementers

Ministry of Transportation

Pre-consultation

On December 12, 2011, the Ministry of Transportation (MTO) provided comments. They mentioned they don't have any designated snow storage areas, so the snow and salt storage threat was removed from policy SALT-4.

The MTO said their Salt Management Plan is current and will be updated as needed to match the best practices from the Transportation Association of Canada. They also stated they don't support marking significant threat areas in their Salt Management Plan because they use the best winter maintenance practices everywhere for public safety.

A new monitoring policy (MONITORING-7) was created specifically for the MTO to go along with SALT-4.

Public Consultation

The MTO provided comments on April 12, 2012. The MTO said again that their Salt Management Plans will be kept up to date with all best management standards from Environment and Climate Change Canada and the Transport Association of Canada. They also talked about their current and future research projects and suggested including this in the policy. The suggested wording for Salt Management Plans was added to policy SALT-4.

The MTO provided wording for a provincial signage initiative on February 29, 2012. This was added to policy GENERAL-11.

Proposed Plan

On July 27, 2012, the MTO said they support the salt management and road signage policies and look forward to continuing to work with the Source Protection Authority during the implementation of the Plan.

Ministry of Public and Business Service Delivery

Pre-consultation

On December 20, 2011, the Ministry of Public and Business Service Delivery (MPBSD) sent comments stating that they did not have specific comments on the policies because they do not need to implement any policies.

The MPBSD said they support the general comments from the Technical Safety and Standards Authority (TSSA) and will help the TSSA with implementation and review.

Public Consultation

No comments. The TSSA/MPBSD does not implement any policies.

Proposed Plan

No comments. The TSSA/MPBSD does not implement any policies.

Ministry of Natural Resources and Forestry

Pre-consultation

On December 21, 2011, the Ministry of Natural Resources and Forestry (MNRF) provided general comments to all Ontario SPCs. The comments did not specifically reference the Raisin-South Nation Source Protection policies.

MNRF reviewed the applicable Prescribed Instruments for drinking water threats associated with mine tailings. The Ministry stated that some regions are not using the appropriate Prescribed Instruments; this comment did not apply to the Raisin-South Nation Source Protection Region. The MNRF included in the comments, that they will support the Ministry of Environment, Conservation and Parks (MECP) (formerly Ministry of the Environment and Climate Change) to address this threat through S. 53 of the *Ontario Water Resources Act, 1990*. They do not implement any policies.

Public Consultation

No comments. The MNRF does not implement any policies.

Proposed Plan

No comments. The MNRF does not implement any policies.

Ministry of the Environment, Conservation and Parks - Safe Drinking Water Branch

Pre-consultation

On December 23, 2011, the MECP Safe Drinking Water Branch sent comments. The comments supported the policy FUEL-3 about fuel storage at drinking water plants. The Ministry explained how they will carry out this policy, and said they will have conditions in Environmental Compliance Approvals.

Public Consultation

The comment from pre-consultation was intended to be suggested policy wording to replace the existing fuel storage wording. Unfortunately, this was not incorporated into the Draft Proposed Plan in time for public consultation. The suggested wording was reviewed by the Committee after public consultation and added to the Proposed Plan.

Proposed Plan

No comments.

Ministry of the Environment, Conservation and Parks – Source Protection Programs Branch

Pre-consultation

The MECP provided on-going, detailed edits and suggestions on the pre-consultation policies. These clarifications/comments were provided through emails, teleconference calls, and in-line editing of the document. The suggested edits were reviewed and incorporated where possible.

Public Consultation

The Ministry provided on-going, detailed edits and suggestions on the Draft Proposed Plan. These comments/clarifications were provided through emails, teleconference calls, and in-line editing of the document. These edits were reviewed and incorporated where possible.

The Ministry clarified the definition of ‘strategic action’ which was being used incorrectly across the Province. Ministry reviewers also pointed out missing policies for some existing threats. Although these threats are not known to exist in the Raisin-South Region, policies CHEM-1, CHEM-2 and WASTE-3 were changed to address the missing activities. The Ministry also suggested that context should be added as a preface to the policies to clarify the intent for each policy. This was added to the beginning of each threat policy section.

An informal comment was provided on May 3, 2012, regarding Prescribed Instrument conditions. As a result, a teleconference took place between Source Protection Program Branch staff and Raisin-South Nation Source Protection Region staff. During the teleconference, the Province-wide implementation of Prescribed Instrument policies was discussed. After discussion and review, wording in all Prescribed

Instrument policies was clarified to specify that the addition of new conditions to Prescribed Instruments are strongly recommended (not required). It will be up to the Ministry to review these recommendations across the Province and incorporate them into relevant business plans.

Formal comments were received from the Drinking Water Management Division on June 14, 2012.

Proposed Plan

The Ministry provided on-going, detailed edits and clarifications on the Proposed Plan. This also included province-wide teleconference calls with Source Protection staff and project managers. A Province-wide memo dated June 13, 2012, outlined recommendations for policies and a summary of pre-consultation review comments. This focused on the discrepancies between content for prescribed instruments, monitoring polices, polices directed at the Ministry, and non-legally binding policies.

Email comments were received from the Ministry's Source Protection Programs Branch on July 26, 2012. The comments were provided with the expectation that incorporating the comments would improve the Source Protection Plan by improving readability, reducing misinterpretation, and promoting easier implementation. These comments were reviewed and assessed to determine if there would be an impact to stakeholders as a result of potential changes. Most of these comments were incorporated into the Plan and Explanatory Document.

Preliminary comments were received from the Ministry on April 2, 2013. These comments clarified minor errors and inconsistencies throughout the document. A few policies were edited to remove actions that would take place after a threat was already removed (e.g., lawn grading after septic tank decommissioning).

Complete Ministry comments were received on December 12, 2013. The MECP requested that conditions in the Provincial reporting policy MONITORING-3 be changed from 'required' to 'recommended'. This was changed to allow for consistent reports across the Province.

The MECP relayed a comment from the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) regarding the AG-2 policy. They requested that the conditions be required 'where appropriate'. This wording was changed as requested. OMAFRA also requested that the inspection guidelines be removed from AG-2. This guideline was originally included to protect landowner rights, but OMAFRA felt that it could be misunderstood as requiring an enhanced inspection.

Section 36 Amendments – Approved in xx

Following the implementation of the Source Protection Plan approved in 2014, OMAFRA identified challenges with reporting under policy MONITORING-3. Not all Prescribed Instruments under the *Nutrient Management Act, 2002*, are required to be reviewed and approved by OMAFRA.

A single agriculture policy (AG-1) was proposed and shared with the MECP source protection liaison. The new policy would manage potential agricultural threats risk management plans. Prescribed Instruments would continue to form the basis for all risk management measures. The former agriculture policy, AG-2, no longer exists.

Comments were received November 2, 2021, clarifying where a Prescribed Instrument manages a threat the individual may apply for an exemption from a Risk Management Plan. The draft policy was revised to identify the option of requesting an exemption more clearly, to remove requirements for Prescribed Instruments to also manage the threat activity and to clarify who prepares the Risk Management Plan.

Comments were received from MECP (Conservation and Source Protection Branch) through Early Engagement on November 22, 2023. The plan was revised in response to these comments, which focused on the requirements of the Section 36 Amendment process and conformity with the Director's Technical Rules (2021) under the Clean Water Act. New policies were added concerning snow storage and significant changes were made to the policies concerning storage of road salt in order to better reflect the threat circumstances as outlined in the Technical Rules.

This section will be updated to reflect the comments received throughout the section 36 amendment process.

Ministry of the Environment, Conservation and Parks – Southwestern Region (Program Services)

Pre-consultation

MECP, Southwestern Region (Program Services) submitted comments on January 20, 2012, which suggested that terms and conditions relating to Prescribed Instrument inspection frequency should not be included in the policies. This is because inspections are not a part of a Certificate of Approval (they are generally complaint-driven). The inspection condition was removed from the Prescribed Instrument policies and moved to the monitoring policies (as was suggested by the Ministry of Agriculture, Food and Rural Affairs).

Additionally, it was suggested that land-use planning prohibition be used in conjunction with Prescribed Instrument prohibition as an initial warning for applicants. The Committee agreed with this suggestion and the complimentary land-use planning policies were added.

MECP recommended that tertiary septic systems not be required for new septic systems to allow more flexibility for landowners. Reference to tertiary systems was subsequently removed from policy SEWG-5.

MECP also suggested that the timelines for Prescribed Instrument review and revision be set to a three-year timeframe or to the Minister's discretion. This comment also

was also stated in the email comments received from the Ministry's Source Protection Programs Branch on July 26, 2012. The Committee discussed this comment at length and decided that a timeline of three years was sufficient for the Prescribed Instrument review process and did not change the policy.

Public Consultation

No comments.

Proposed Plan

No comments.

Ministry of Municipal Affairs and Housing

Pre-consultation

Comments were received from the Ministry of Municipal Affairs and Housing (MMAH) on January 6, 2012. The MMAH had a number of suggestions including:

- Encourage municipalities to add reference to the *Clean Water Act*, 2006 tools (prohibition and Risk Management Plans) in their Official Plan;
- Ensure that there is adequate municipal consultation on the sewer inspection program;
- Specify that prohibition of future sewage treatment applies only to new development and not expansion/upgrades;
- Consider the staff labour required for site plan control applications in the vulnerable areas;
- Determine if hydrogeological assessment be required for septic systems on individual developments. Describe how these would be caught in the application process; and
- Add a policy to consider the acquisition of 5% parkland in WHPAs and IPZs as opposed to cash-in-lieu.

The MMAH supported the septic system policies but noted that the MMAH inspection guideline is not part of the existing regulation and should be specifically required in the policy. Policy SEWG-4 was changed to specify that the On-Site Sewage System Maintenance Inspections Program shall be used for existing and future inspections of septic systems to ensure consistency within the Region.

Policy SEWG-3 was re-worded to allow for expansions of existing sewage treatment to facilitate full-servicing of developments or to allow for upgrades to an older plant.

Public Consultation

Comments were received from the MMAH on April 13, 2012. The comments suggested that Official Plans should be amended to require a Risk Management Plan as part of a

complete application in the areas where this type of policy could apply. Similarly, all prohibited activities and vulnerable areas should be included in the Official Plan. It was further noted that requiring hydrogeological review for single lot developments, or creation of a Mandatory Connection By-law would likely require an Official Plan amendment.

An additional letter was received on April 26, 2012 from the MMAH – Building Code Branch. The letter included a specific comment regarding Policy SEWG-4. The MMAH asked the Committee to verify that the *Clean Water Act*, 2006 provided the authority to require mandatory connection. This was discussed MECPs Source Protection liaisons and the policy was not changed.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

This section will be updated to reflect the comments received throughout the section 36 amendment process.

Ministry of Agriculture, Food and Rural Affairs

Pre-consultation

Comments were received from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) on January 17, 2012. OMAFRA generally supported the use of Prescribed Instruments and Risk Management Plans (RMP) for agricultural source material, non-agricultural source material, livestock, and fuel threats; although they noted that there is no Prescribed Instrument for the use of land for livestock grazing and pasturing (LIVE-1 in the pre-consultation document). Grazing and pasturing was removed from the Prescribed Instrument policy but was left in the Risk Management Plan policy (initially policy AG-2, now captured under AG-1). OMAFRA recommended that the Risk Management Plans for pesticides be based on agri-environmental practices and the Pesticide Grower Safety course. This reference was added to policy PEST-2.

OMAFRA did not support the prohibition of fuel or commercial pesticide storage outside of the WHPA-A and IPZ-1 zones as they felt that it was impractical and costly for small farmers. This comment regarding prohibition outside of the WHPA A and IPZ 1 was given to all SPCs across the Province. The fuel prohibition policy was removed from the Plan.

Public Consultation

On April 4, 2012, OMAFRA reiterated that the *Nutrient Management Act* does not cover the storage of commercial fertilizer or farms with 5 or fewer nutrient units. The OMAFRA liaison also assisted with the development of the Risk Management conditions listed in policy AG-2, now captured under amended AG-1.

A general letter was sent from OMAFRA to all Committees on June 12, 2012. This letter included a technical guidance document to clarify the Ministry's broad approach to Source Protection in agricultural areas.

Formal comments were received from the OMAFRA - Environmental Management Branch on June 14, 2012. Although these comments were received after the May 24th SPC meeting (where the proposed policies were approved), the Proposed Source Protection policies were consistent with OMAFRA's comments.

Proposed Plan

Comments were received from OMAFRA on July 23, 2012, re-stating their comments on a Provincial perspective for local consideration. OMAFRA also specified that where Committees have proposed policies that do not align with OMAFRA's legislation and policies a strong rationale should be provided to justify local, site-specific conditions.

Overall, OMAFRA recommended various changes and edits for clarification purposes, which were all incorporated into the Plan and Explanatory Document. This included removing references to non-agricultural source material in the original Risk Management policy AG-2 (as it did not apply).

Other recommendations included clarifications of certain terms such as "certified crop specialist" in policy AG-2 and "livestock grazing and pasturing" in policy AG-1 as it is not covered in the *Nutrient Management Act, 2002*.

OMAFRA also stated that they support policies concerning education and outreach programs and suggested that their staff may be able to assist in identifying resources for implementation of these policies.

Section 36 Amendments – approved in xx

Following implementation of the Source Protection Plan in 2014, OMAFRA identified challenges implementing policy MONITORING-3 given that not all Prescribed Instruments under the Nutrient Management Act, 2002, are required to be reviewed and approved by OMAFRA.

A new draft agricultural policy was proposed and shared with OMAFRA that would manage potential agricultural threats through use of risk management plans, with the option of applying for an exemption where the activity was already managed through a Prescribed Instrument.

Comments were received from OMAFRA November 19, 2021, asking for confirmation that the conditions for risk management plans were only applicable where the threat warrants these conditions (i.e., soil samples would not be required for the storage of agriculture source material) and requesting clarification of listed Risk Management Plan conditions.

This section will be updated to reflect the comments received throughout the section 36 amendment process.

3.2 Municipal Implementers

United Counties of Prescott and Russell

Pre-consultation

Comments were received from the United Counties of Prescott and Russell on December 15, 2011. The comments requested that a template be developed for municipal reporting. It was further commented that municipal reporting for land-use planning should occur on an as-needed basis as opposed to annually to avoid overloading municipal staff. As a result, the policy MONITORING-2 was changed to make it more efficient.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Village of Casselman

Pre-consultation

A meeting was held in Casselman on January 20, 2012, with the Source Protection staff, SPC Chair, Chief Administrative Officer (CAO), Mayor, water treatment plant operator, and the municipal planner. During the meeting, the CAO commented that Source Protection policies were seen as very beneficial for the Village of Casselman. In the past, they had limited control of activities up-stream from their intake.

The planner mentioned they have a new pumping station planned in the Intake Protection Zone 1 to service an area with failing septic systems and a new proposed subdivision. They were concerned that the current policies would prohibit this type of beneficial expansion. This echoed comments received from the Ministry of Municipal Affairs and Housing; as a result, policy SEWG-3 was amended to allow for these types of beneficial upgrades and expansions.

During the meeting, the CAO expressed concern over the jurisdictional issues relating to managing threats located in other municipalities. It was discussed that the Risk Management Official could be shared between municipalities or delegated to a Board of Health or local Conservation Authority to avoid potential political conflicts.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Town of Hawkesbury

Pre-consultation

Comments were received from the Town of Hawkesbury on January 12, 2012. The comments referred to the jurisdictional issues relating to managing threats occurring in the neighbouring municipality of Champlain. Source Protection staff met with Hawkesbury council on February 13, 2012 to present the preliminary Source Protection policies. The presentation to Council addressed the questions from the Director of Planning relating to enforcement of Risk Management Plans in the adjacent Municipality.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Nation Municipality

Pre-consultation

A meeting was held in at the Township offices on January 23, 2012, with the Source Protection staff, SPC Chair, Chief Administrative Officer/Clerk, Mayor, Council, and municipal planners. During the meeting, the Mayor expressed concern over managing threats in other municipality's jurisdiction. Staff discussed that the Risk Management Official could be shared between the Municipalities or delegated to a Board of Health or local Conservation Authority to avoid political conflicts. Other comments focused on the specific requirements of Risk Management Plans for agricultural activities.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of Russell

Pre-consultation

No comments.

Public Consultation

Source Protection staff met with Russell council on May 29, 2012 to present the proposed Source Protection policies. The presentation to Council focused on questions relating to jurisdictional issues, enforcement of Risk Management Plans in the adjacent Municipality, and the overall implementation of the Source Protection policies.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

United Counties of Leeds and Grenville

Pre-consultation

On September 22, 2011, a motion was passed by Joint Council of Leeds and Grenville stating Source Protection policies should be supported with funding from the Province. This sentiment was repeated by Sandy Hay (Leeds and Grenville County Planner) to Raisin-South Nation staff at a Municipal Forum on September 29, 2011.

Staff also attended joint council on January 18, 2012 as part of a delegation involving Source Protection staff from Mississippi-Rideau and Cataraqui Source Protection Regions.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of Edwardsburgh/Cardinal

Pre-consultation

Comments were received from the Township of Edwardsburgh/Cardinal on January 25, 2012. It was noted that Spencerville is now partially serviced by sanitary sewers. As a result, existing septic system threats were removed for the Bennett Street drinking water system.

The Township of Edwardsburgh/Cardinal also felt that the 20-year window for inspections of new sewage infrastructure was too long to remain reliable. It was suggested a five-year timeframe would be more appropriate. Policy SEWG-1 was changed to require future inspections of new pipes every 10 years. The Township also requested guidance on the Risk Management Office process including possible templates for Risk Management Plans.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

United Counties of Stormont, Dundas, and Glengarry

Pre-consultation

Comments were received on December 14, 2011, from The United Counties of Stormont, Dundas, and Glengarry (SDG). SDG commented that the *Planning Act, 1990* is limited in what it can address (it cannot address activities or existing land-uses). SDG also questioned how the new Risk Management Official office would fit into the normal municipal approval system.

Source Protection staff attended a meeting on January 12, 2012, with the individual Township Planners and the SDG County Planner to discuss these questions and concerns.

Public Consultation

Source Protection staff presented to the SDG Joint Council on March 19, 2012. On April 10, 2012, Council passed a resolution to petition the Provincial Government to fund the implementation of a Risk Management Office.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

City of Cornwall

Pre-consultation

No comments.

Public Consultation

On March 15, 2012, the City of Cornwall sent an email advising staff that the Source Protection Plan had been reviewed by both City planning and engineering staff. It was pointed out that the policies were not expected to have much impact on Cornwall (the protection area is small and the City is on full municipal services). The City expressed their desire to be consulted and remain a part of the process as the Plan developed.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of North Dundas

Pre-consultation

Questions were received via e-mail from the Director of Planning, Building and Enforcement, on February 15, 2012. The questions were sent in anticipation of the February 21, 2012 meeting with the North Dundas Council. The questions were specific to existing properties and proposed developments within the vulnerable areas.

Generally, the questions related to development requirements and Risk Management Plans, including the qualifications required for a Risk Management Official, anticipated changes for the agricultural community, interim planning, sewer system inspections,

and the potential for future policy application in the wellhead protection areas C and D.

Public Consultation

Comments were received on April 4, 2012, from the Director of Planning, Building and Enforcement. Major comments included the following:

- The wording for sewer inspection should specify that it does not include laterals;
- Would like the sewer inspection for new pipes to occur once every 20 years;
- Would like more time to implement the sewer inspection program;
- Requested a change in wording to clarify the intent of Policy SEWG-3;
- Suggested that one year (in the definition of existing use, GENERAL-2) may not be enough time for an activity to resume after a natural disaster. Suggested that the definition of existing be changed to 'within two years';
- Requested one year timeframe for replacement of side-feed fuel tanks;
- Would like 'site plan control' removed from Policy SEWG-5;
- Feel that hydrological review should only take place for new developments with three or more lots; and
- Would like the education and outreach component to be optional and left to the municipalities' discretion.

Proposed Plan

Comments were received from the Director of Planning, Building and Enforcement, on June 22, 2012, on the proposed Source Protection Plan and Explanatory Document. Comments were received related to the fuel policies requirements for inspections and replacements of single-walled side-feed tanks. North Dundas also commented on the sewage pipe inspection policy, the requirements for development on new lots, and conditions for new septic systems.

Other comments included recommendations for clarity and consistency within both documents, and issues around timeframes for implementation. The comments were incorporated into the Plan and Explanatory Document where they did not change the intent of the policy.

Section 36 Amendments – approved in xx

Staff met with Township North Dundas staff on July 5, 2018. Concerns were raised regarding the potential of residual fluid leaks from vehicles stored for auction, located within the Winchester WHPA.

Research verified the definition of an End-of-Life Vehicle (ELV) yard based on the time of storage. The site in question did not meet the definition of an ELV yard. As such, the activities are not subject to source protection policies.

Since the activity is not captured by the policies, no action was required from the SPC. It was identified that the concerns would be more appropriately managed via by-laws or the MECP.

This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of South Dundas

Pre-consultation

One comment was received from the Mayor of South Dundas, confirming the receipt of the Source Protection Policies for Pre-Consultation. It was indicated that there were no major concerns with the policies given that there were no threats associated with the Municipal drinking water system in their Township.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of South Glengarry

Pre-consultation

One comment was received, on January 24, 2012, from the General Manager of Community Services informing the SPC (SPC) that the South Glengarry Council did not support the prohibition of future residential fuel storage. This policy option was eliminated and replaced with a Risk Management Plan policy for residential fuel storage (FUEL-1).

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of North Stormont

Pre-consultation

One comment was received from North Stormont Council, on January 26, 2012, which requested that the SPC use Risk Management Plans (RMP) for future residential fuel storage. The RMP policy FUEL-1 was subsequently chosen by the Committee for residential fuel storage.

A meeting was held with Source Protection staff, North Stormont Council, municipal planners, Ontario Clean Water Agency staff, and public works staff on February 7, 2012. During the meeting, the requirements for future development applications were discussed in addition to questions relating to residential fuel storage and septic systems.

Official comments were received on February 23, 2012, with North Stormont Council approval. The comments were generally related to implications for farmers, feasibility of Risk Management Plans for small farms, costs related to mandatory septic system inspections (mandated through the Ontario Building Code), and general questions related to policy implementation.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Township of South Stormont

Pre-consultation

Source Protection staff met with South Stormont staff on February 14, 2012. During the presentation comments and questions were received from the Manager of Building and Development, Fire Chief, Deputy Chief Building Official, Drainage Superintendent, and Public Works Manager. Comments generally related to implementation of Risk Management Plans and requirements for existing and future

septic systems. South Stormont staff asked about existing properties within the Newington vulnerable area and potential emergency response considerations for these properties. The policy GENERAL-10 was already in development to address concerns relating to emergency response and is now a part of the Source Protection Plan.

Public Consultation

No comments.

Proposed Plan

No comments.

Section 36 Amendments – approved in xx

No comments received to date. This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

City of Ottawa

Pre-consultation

A letter was received on December 6, 2011, from the Mayor of the City of Ottawa. The letter acknowledged receipt of the pre-consultation policies. The City of Ottawa provided detailed comments on February 21, 2012. The comments included a comparison of the Raisin-South Nation and Mississippi-Rideau Source Protection policies. Ottawa staff requested to meet with staff from both Source Protection Regions to discuss harmonization of policies where possible.

The comments from the City of Ottawa generally addressed threats that required a Risk Management Plan, requirements for septic system inspections, and Prescribed Instrument revisions. The City of Ottawa also commented that the original policy FUEL-4 was confusing as it combined policies for fuels that are regulated differently. As a result, this policy was discussed with the SPC. One fuel policy was determined to be redundant and subsequently removed. Similarly, based on comments from the City relating to small diameter pipes in Greely, the policy SEWG-1 was revised to allow for an alternate method of testing for sewage pipe inspections. City of Ottawa staff also stated that they did not support the installation of signage relating to Source Protection in the intake protection zones.

Public Consultation

City of Ottawa staff met with Source Protection staff from Raisin-South Nation and Mississippi-Rideau Source Protection Regions on several occasions. The City of Ottawa requested that policies be harmonized where possible to allow for consistent implementation across the city. This included requirements for fuel oil storage, pollution liability insurance, and future fertilizer storage. The City requested that the

definition for an existing activity be included in the Plan, including any transition provisions. This was included in policy GENERAL-2.

The SPC considered the changes to FUEL-1 and FUEL-2 based on Ottawa's comments. The Committee did not agree completely with harmonizing policies between neighbouring regions just for status quo and felt the existing requirements for fuel tank replacement was justifiable. The fuel policies were separated into two Risk Management policies, one for each fuel type (FUEL-1 – *fuel oil* and FUEL-2 – *liquid fuels*).

The City suggested that 'site plan control' be removed from Policy SEWG-5 text to allow more freedom to implement the policy through other planning tools where appropriate. The wording was removed. Other minor edits were suggested and considered by the Committee.

Proposed Plan

A letter was received, on July 31, 2012, from the City of Ottawa based on the review of the proposed Plan.

The City of Ottawa outlined the policy conflicts between the Raisin-South Nation and Mississippi-Rideau Source Protection Regions with regards to FUEL-1 and FUEL-2. This echoed the issues which were raised during public consultation about the replacement date for single-walled tanks with side feed. The City of Ottawa also did not agree with the requirement for the drinking water plant owner/operator to have pollution liability insurance in policy FUEL-2.

In keeping with the intent of the SPC, changes were not made to the Source Protection Plan. The recommended changes would have changed the intent of the policies which was not appropriate at that stage.

Section 36 Amendments – approved in xx

Prior to initiating the Section 36 updates staff met with City of Ottawa staff on July 25, 2018. Concerns were raised regarding the need to research alternative methods of inspection and consider if the SEWG-1 policy had to be amended to accommodate their use. Engineering staff proposed a modified methodology of exfiltration testing via flow monitoring during wet and dry weather events, which meets the existing SEWG-1 policy.

Since alternative inspection methods remain consistent with the SWEG-1 policy, no action was required from the SPC.

This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

Other Municipalities

The following additional municipalities were consulted during all stages of Plan development and all stages of the Section 36 amendments approved in xx:

- Township of Alfred-Plantagenet
- Township of Augusta
- The City of Clarence-Rockland
- Township of East Hawkesbury
- Township of Champlain
- Township of Elizabethtown-Kitley
- The Town of Prescott
- Township of North Glengarry

This section will be updated to reflect the comments received throughout the section 36 amendment process. Pre-consultation with municipalities is scheduled for spring 2024.

3.3 Other Comments

Four public open houses were held, and landowners were invited to submit written comments. Many comments were also received from business owners, farmers, landowners in vulnerable areas, and the general public during the consultation on the Proposed Source Protection Plan.

Most comments were about:

- Activities not seen as significant threats (like windmills, pits and quarries, natural gas pipelines, abandoned dumps, etc.)
- Requirements for agricultural Risk Management Plans
- Clear guidelines for property entry (with five-day advance notice)
- Upcoming review of Prescribed Instruments and possible new conditions
- Negative impacts on property values, insurance costs, mortgage rates, etc.
- Costs for implementing septic system replacements, Risk Management Plans, etc.
- Future changes to policies and vulnerable area boundaries
- Accuracy of geological assessments in some areas

The Technical Standards and Safety Authority, the Salt Institute, and the Canadian Oil Heat Association provided comments as part of the public consultation.

South Nation Conservation staff provided comments on the Source Protection Plan during the Pre-Consultation and Proposed Consultation stages.

For Section 36 Amendments, no comments have been received yet. This section will be updated with comments from the Section 36 amendment process. Public consultation is scheduled for fall 2023.

4 Policy Rationale

When the Source Protection Plan was written, the SPC carefully looked at different policy options. The Committee considered how well the policy would work, if it was cost-effective, and how hard it would be for landowners to go through the approval process. The policy rationale explains why each policy was chosen for each threat. This section also includes a description of how and why decisions were made. Clear reasons are given each time a specific activity is prohibited under Section 57 of the *Clean Water Act, 2006*.

The 22 prescribed drinking water threats identified by the Province were grouped together to make planning easier (agricultural activities, waste sites, sewage works, etc.). The explanation of the policies is given in the same order as the policies in the Source Protection Plan.

4.1 Agriculture

The *Clean Water Act, 2006* regulations list these activities as threats to drinking water:

- The application of agricultural source material to land;
- The storage of agricultural source material;
- The management of agricultural source material (generally, aquaculture);
- The application of non-agricultural source material to land;
- The handling and storage of non-agricultural source material;
- Application and storage of processed organic waste;
- The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard;
- The application of commercial fertilizer to land; and
- The handling and storage of commercial fertilizer.

Policy Considerations

When developing policies, the Source Protection Committee (SPC) used all available technical information and guidance from the Province. Here's a summary of their discussion on this threat category:

- The Nutrient Management Act, 2002 and related plans set standards for safely applying and storing agricultural materials.
- Nutrients can't be applied within 100 meters of a municipal well.
- Larger farms need permits to build structures for animals or manure storage, but smaller farms don't.
- Plans are required for storing and applying certain non-agricultural materials, but not all plans are approved by the Province.

- Some materials don't need a plan but must follow application rate rules.
- Existing plans are effective, and the SPC wants to avoid unnecessary regulations and costs.
- There are challenges in managing threats with some instruments not reviewed by OMAFRA.
- If a person has a regulated instrument that meets threat policies, they can apply for an exemption from additional plans.
- Regulations set criteria for managing runoff from farms.
- Small farms are considered low threat.
- Commercial fertilizer application is regulated, but storage is usually minimal and often delivered as needed.
- Golf courses and farmers can hire companies to apply fertilizer, avoiding on-site storage.
- Best practices for fertilizer use are encouraged.
- The SPC did not consider prohibiting commercial fertilizer storage.
- Managing agricultural materials is not seen as a significant threat, so no additional policies are needed for this activity, which mainly relates to fish farming.

Intent and Rationale

Policy AG-1

Existing and future agricultural activities subject to a Risk Management Plan

Intent

To manage the threat to drinking water from storing and using agricultural materials, grazing livestock, handling non-agricultural materials like processed waste, and applying commercial fertilizer.

Rationale

- Some agricultural activities that could threaten drinking water might not be covered by existing regulations.
- There were challenges with the 2015 Source Protection Plan policies, so staff met with MECP and OMAFRA in 2021 to discuss updates.
- A new policy (AG-1) was proposed to require a Risk Management Plan (RMP) for all agricultural activities that could be a threat. This plan would be similar to existing Nutrient Management Plans and include all threat activities on a property.
- To avoid duplication, if an activity is already regulated under the Nutrient Management Act and meets threat policies, the person can apply for an exemption from the RMP requirement.

- OMAFRA suggested clarifying that RMPs should follow Nutrient Management Plan requirements and use listed components as examples, not minimum requirements.

4.2 Chemicals

The *Clean Water Act*, 2006 regulations list these activities related to chemical storage and handling as threats to drinking water:

- The handling and storage of a dense non-aqueous phase liquid;
- The handling and storage of an organic solvent; and
- The management of runoff that contains chemicals used in the de-icing of aircraft.

Policy Considerations

The SPC considered all available technical information and guidance from the Province to come up with the policies of the Source Protection Plan. Here is a summary of their discussion:

- DNAPLs (Dense Non-Aqueous Phase Liquids) are harmful chemicals that stay in the environment for a long time and can spread far from their source.
- Even a small amount of DNAPLs is considered a serious threat.
- DNAPLs are hard to find and remove from underground, making complete clean-up nearly impossible. They sink to the bottom of water sources, which makes locating them challenging.
- These chemicals are widely used in many industries and produced in large quantities.
- There is a risk of future contamination from spills and leaks during storage.
- Chlorinated solvents are the most common type of DNAPLs, heavily used from the 1960s to the 1990s.
- Organic solvents are toxic to humans and are used in many manufacturing processes, potentially releasing harmful substances into the air and water.
- Ethylene/propylene glycol, used in aircraft de-icing fluids, can harm water quality and aquatic life if it runs off into surface water bodies.
- There are no aircraft de-icing operations in our region now, but the SPC considered the possibility of future operations and created policies accordingly.
- There are no other existing regulatory tools available for these chemical threats, so the SPC used tools from the Clean Water Act to address them.

Policy CHEM-1

Risk Management Plans for existing chemical threats

Intent

To manage the threat associated with existing handling and storage of Dense Non-Aqueous Phase Liquids (DNAPLs), organic solvents, and aircraft de-icing using where they would be a significant drinking water threat.

Rationale

The Committee noted that DNAPLs and organic solvents are used in many industries, but that they are being phased out because they are dangerous. The Committee decided that a Risk Management Plan would be able to manage existing significant chemical threats. Prohibiting existing activities would significantly affect property owners and the Committee decided that an established operation should not be shut down.

Although DNAPLs are a significant threat at any volume, the policy in the 2014 Source Protection Plan clarified that it did not intend to regulate residential use of small amounts of products containing DNAPLs (like nail polish).

In 2021, during Section 36 amendment discussions, the Committee considered defining what “incidental volumes” meant and where they occur. It amended the policy to clarify that the incidental volumes provision applied to all uses. The Risk Management Official would decide what volume is considered incidental. Incidental volumes will not require a Risk Management Plan. The policy focuses on chemicals when stored or handled in their raw form (including chemicals that can degrade into DNAPLs).

Policy CHEM-2

Prohibition of future chemical threats

Intent

To prohibit future handling and storage of Dense Non-Aqueous Phase Liquids (DNAPLs), aircraft de-icing fluids, and organic solvents where the activity could be a significant threat.

Rationale

The Committee decided to prohibit future instances of DNAPLs, aircraft de-icing, and organic solvents in vulnerable drinking water areas.

In 2021, the Committee discussed what “incidental volumes” means and where they occur. It updated the policy to clarify that the rule for incidental volumes applies to all uses. The Risk Management Official will decide what is an incidental volume.

Prohibition was chosen because these chemicals can have very serious, irreversible impacts on drinking water systems. The prohibition is not intended to apply to small amounts, like nail polish remover, or household cleaners.

Sometimes, these harmful chemicals can be replaced with safer alternatives. Businesses that need to use these chemicals will have to operate outside vulnerable areas to protect drinking water. This requirement will be identified early in the planning process to avoid causing undue hardship.

4.3 Fuel

Activities related to Fuel

The handling and storage of fuel are considered drinking water threats under the *Clean Water Act*.

Contaminants of Concern

Handling and storage of fuel are a drinking water threat when the following contaminants are present:

- Benzene;
- Toluene;
- Ethylbenzene;
- Xylene; and
- Petroleum Hydrocarbons (F1, F2, F3, F4).

Policy Considerations

There are separate policies for fuel oil and liquid fuel.

Residential fuel use includes fuel oil storage for furnaces, boilers, water heaters and standby generators but excludes vehicles, lawnmowers, and portable storage like jerry cans.

Liquid fuel facilities include licensed permanent or mobile retail outlets, bulk plants, marinas, card lock/key locks, private outlets, and farms where gasoline or an associated product is handled other than in portable containers.

The Committee debated the options for handling and storage of fuel at several planning policy meetings. The Committee was split on whether to ban future fuel oil storage or manage it with a Risk Management Plan. Municipalities did not support a prohibition of fuel oil storage.

The Committee decided to manage both existing and future fuel oil storage threats with a Risk Management Plan. The goal was to avoid undue difficulty for homes and businesses, especially in rural areas where fuel oil might be the only option. The same approach was chosen for managing liquid fuel at private outlets and farms.

The Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category:

- **Failures:** The most common problems are tank corrosion, oil line issues, and overfills/spills.
- **High-Risk Tanks:** Outdoor single-walled tanks (~900 litres) are most likely to fail but aren't considered a major drinking water threat by law.
- **Water Contamination:** Fuel leaks can severely damage drinking water sources, making cleanup nearly impossible.
- **Costly Consequences:** Cleanup costs can reach millions, and insurance often doesn't cover preventable spills.
- **Insurance Requirements:** Vary by company; some require photos and annual inspections, others don't. Not all homeowners have insurance.
- **Tank Issues:** Side-feed tanks can accumulate water and corrode. Only bottom-feed tanks have been installed since 2003. Some suppliers won't deliver to side-feed tanks.
- **Regulated Facilities:** Bulk plants, marinas, and cardlocks are monitored and inspected by the Technical Safety and Standards Authority.
- **Prohibition Impact:** Banning fuel tanks would heavily restrict areas without other affordable fuel options.

The 2021 rules now consider above-ground fuel storage of 250 liters or more as a risk. Before, only tanks over 2,500 liters were seen as a significant threat. The Raisin-South Nation policies don't specify tank size, so no changes were needed for the new rules.

Section 36 Amendments – approved in xx

The SPC determined that no amendments to the fuel policies were required due to the 2021 Director Technical Rules.

Intent and Rationale

Policy FUEL-1

Existing and future fuel oil storage (O. Reg. 213/01) subject to a Risk Management Plan

Intent

To manage the existing and future threats from the storage and handling of fuel oil where they would be a significant threat.

Rationale

The Committee discussed whether to prohibit or manage fuel oil storage. It was worried about the costs and resources needed to manage the risks. Prohibition was seen as effective, but it would limit development. After consulting local councils, it chose to use Risk Management Plans for current and future storage.

The policy includes several conditions for fuel oil storage. The Committee wanted high standards to manage the threat. The City of Ottawa and Township of North Dundas suggested changing the requirement for replacing single-walled tanks to side-feed within 1 year instead of immediately, as most tanks are already 8-9 years old. The Committee kept the requirement, believing it was necessary due to the risks.

Policy FUEL-2

Risk Management Plan for liquid fuels (O. Reg. 217/01)

Intent

To manage the threats of liquid fuel storage and handling where they would be a significant threat.

Rationale

Liquid fuels have a separate Risk Management policy than fuel oil due to different laws and conditions.

The Committee debated prohibiting versus managing future fuel storage. There was clear feedback that prohibiting the activity would limit development and harm agricultural businesses.

The Committee decided that future and existing fuel storage on private properties and farms regulated under Ontario Regulation 217/01 can be managed with a Risk Management Plan, but new facilities are prohibited. The Risk Management Plan must follow the Liquid Fuels Handling Code.

Policy FUEL-3

Future and existing fuel oil storage at a drinking water facility subject to a Prescribed Instrument

Intent

To manage the threats from fuel oil storage and handling at a drinking water plant where they would be a significant drinking water threat.

Rationale

Fuel oil storage at drinking water plants is regulated by the Safe Drinking Water Act, 2002, through a permit/license. Fuel must be available for backup generators. The plant owner must check if the current permit/license addresses any significant drinking water threats. If not, they must add conditions to eliminate the threat.

Policy FUEL-4

Prohibition of future liquid fuel facilities (O. Reg. 217/01)

Intent

To prohibit the future storage of liquid fuels at licensed facilities where this activity would be a significant threat.

Rationale

The Committee decided to prohibit certain facilities in vulnerable areas because handling and storing large amounts of liquid fuels poses a serious contamination risk. They used Section 57 of the Clean Water Act, 2006, since these facilities lack specific regulations. This ban is supported by the Clean Water Act, 2006, and is enforced through policy GENERAL-6, which restricts land use and notifies applicants. This ensures no new facilities are built in areas where they could threaten drinking water.

The prohibition only applies to the most vulnerable areas, which are usually small zones around the water source. Businesses will need to move outside these areas to reduce the risk.

4.4 Pesticides

Activities related to Pesticides

The application of pesticide to land and the handling and storage of pesticide are threats to drinking water under the Clean Water Act, 2006.

Policy Considerations

The Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category.

- Pesticides are already well regulated by the Federal and Provincial governments, and people who store or apply pesticides receive appropriate training.
- When industrial uses are permitted, the commercial use, storage, and handling of pesticides are generally allowed. .
- Storing pesticides for retail sale or extermination could occur on many properties. This activity can occur with agricultural, recreational, institutional, commercial, and industrial land uses, and public works, use alongside roads and utility corridors.
- There are already regulations and guidelines for pesticide manufacturing and use. These include:
 - Storage and use of agricultural products.
 - Use by golf courses and public works.
 - Pesticide storage and sales.

Section 36 Amendments – approved in xx

The definition of pesticide can rely on Ontario Regulation 63/09 of the *Pesticide Act, 1990*. Many people in Ontario use low-risk pesticides from a list of permitted products, such as castor oil, vinegar, soap, borax. To be considered a significant threat, the Committee felt that a pesticide's active ingredient should reflect Ontario Regulation 63/09, but allowed the Risk Management Officials to make the final decision.

In 2018, the Ontario government implemented a way of reviewing new applications to identify potential significant drinking water threats. If an activity is found to be a significant drinking water threat, the regulation is amended. The MECP will look at all Pesticide Permits again to be sure that all pesticides are considered in the permit. The MECP will also need to adjust their review to capture future threats.

The Committee determined that only small changes to the wording of the existing pesticide policies needed to be made as a result of changes to the technical rules.

Policy PEST-1

The existing and future application of pesticide to agricultural or commercial land subject to a Prescribed Instrument

Intent

To manage the application of pesticide to land where it would be a significant threat using existing regulations.

Rationale

The Committee determined that Ontario's current rules and guidelines can manage pesticide application for both existing and future uses. This approach is similar to how other farming-related threats are managed.

Policy PEST-2

The existing and future application, storage, and handling of pesticide subject to a Risk Management Plan

Intent

To manage the application, handling, and storage of pesticides on land where they are not currently regulated through a Prescribed Instrument and would be a significant threat.

Rationale

The Committee decided to use a Risk Management Plan for pesticide use, storage, and handling when they are not prohibited or regulated. This lets a Risk Management Official evaluate the situation and to create a specific plan with the landowner. The plan will include steps to take if there is a spill and will provide a contact for the local drinking water plant operator.

This policy does not cover small amounts of non-toxic products. Risk Management Officials will use their judgment and consult the Ontario list of Approved Cosmetic Ingredients to decide if a pesticide is a significant threat and if specific regulations apply.

Policy PEST-3

Prohibition of future commercial storage and handling of pesticide

Intent

To prohibit the future commercial application, storage, and handling of pesticides where they would be a significant threat.

Rationale

Large buildings that store large amounts of pesticides in vulnerable areas are a greater risk to drinking water, and the Committee decided that they should be put in safer locations instead.

Since there was no specific regulation for this threat, the activity was prohibited under Section 57 of the Clean Water Act, 2006.

4.5 Salt

Prescribed Activities

The application of road salt and handling and storage of road salt are drinking water threats through the *Clean Water Act, 2006*.

Policy Considerations

The Source Protection Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category:

- The use of road salt application is increasing across Ontario because of more roads and changes to the climate.
- Many regions already have Salt Management Plans and education programs. These programs focus on environmental harm to surface and ground water.
- Salt Management Plans and Smart About Salt Program use proven methods to reduce salt use during winter without affecting safety. They cover all winter maintenance activities, including salt delivery, storage, equipment handling, washing, training, and communication.
- Municipalities that use a lot of salt, especially in sensitive areas, are encouraged to follow Environment Canada's guidelines for managing road salt.
- The Ministry is looking into ways to reduce the amount of sodium and chloride released into the environment.

Section 36 Amendments – approved in xx

The Committee found that the 2021 Technical Rule update changed how much impervious surface, salt, and snow storage are considered a threat. The previous policies are outdated as a result. The policies now focus on all types of salt storage (except in roofed buildings with impermeable floors) and small snow piles, not just large municipal storage facilities.

The new policies include rules to manage and prohibit partially and fully exposed salt storage. The Committee set a 500kg limit for these rules, based on common salt storage bin sizes in the area. Large amounts of road salt will be controlled with these rules, while smaller amounts will be managed through education and outreach.

The Committee felt that it was appropriate to shift from prohibition to managing the threat through education, and outreach.

The Ministry of Environment, Conservation and Parks asked that these policies be put in a new section of the Source Protection Plan.

Policy SALT-1

Municipal Salt Management Plans for future and existing application of road salt

Intent

To manage road salt application where it would be a significant threat.

Rationale

The Committee understood that most municipalities already have Salt Management Plans. If a municipality has a plan, it must be reviewed to meet the Clean Water Act, 2006. If salt use is a threat and there is no plan, municipalities are required to create one in areas where the activity would be a significant threat.

The Committee also acknowledged that there will be initial costs to develop a plan and possibly investing in new technologies. There are resources to help municipalities, including training programs like Smart About Salt.

Policy SALT-2

Risk Management Plans for existing storage of road salt

Intent

To manage the existing partially exposed storage of more than 500 kg of road salt, where they are a significant drinking water threat.

Rationale

There are no current threats in this category. This policy is included to capture any missed or proposed threats before the Source Protection Plan is approved. The Risk Management Plan will use best practices to manage these threats.

The policy was updated for new volumes of salt due to the 2021 changes to the Technical Rules. The policy will be refined based on input from stakeholders.

Policy SALT-3

Prohibition of future storage and handling of road salt

Intent

To prohibit the future partially exposed storage of more than 500 kg of road salt and existing and future exposed storage of more than 20kg of road salt, where they would be a significant threat.

Rationale

The Committee decided to prohibit certain salt storage facilities in vulnerable areas due to the high risk and the ease of modifying the storage facility. Municipalities must either place salt storage outside vulnerable areas or build facilities that protect the salt from precipitation and runoff to protect drinking water.

The policy was updated for the new volumes and will be refined with input from stakeholders.

Policy SALT-4

Ministry of Transportation Salt Management Plans for the application of road salt

Intent

To manage road salt application, storage of road salt, and storage of snow where they would be a significant threat.

Rationale

There is small portions of Highway 417 and Highway 401 that pass through vulnerable drinking water areas. The application of road salt should be managed in these area by the Ministry of Transportation (MTO) to remove the threat to drinking water.

The Ministry of Transportation (MTO) indicated that it has a plan for managing salt on all provincial highways. The MTO is exploring alternative de-icing methods and ways to reduce salt use. It updates its plans regularly and promotes best practices.

This policy aligns with the MTO's goals and encourages investment in new programs and technologies to reduce salt use. It also help to communicate the locations and best practices within source water protection areas.

Policy SALT-5

Education and outreach for private facilities

Intent

To manage the application of road salt on commercial/industrial properties, and the handling and storage of road salt at volumes between 100 kg and 500 kg, where they would be a significant threat.

Rationale

The Committee felt that salt should be used with care in vulnerable areas. Private facilities cannot be captured by the Municipality's Salt Management Plans.

This policy was The 2021 change to the Director Technical Rules made the source protection authorities and municipalities responsible for this policy. The policy will be refined based on input from stakeholders.

4.6 Snow

Prescribed Activities

The following activities are drinking water threats related to snow storage *under the Clean Water Act, 2006* Regulations:

- The infiltration or discharge of melting snow from snow stored on a site where the main land use is commercial or industrial use, except where there is a storm water drainage system outfall; and
- A stormwater drainage system outfall that serves a Snow Disposal Facility.

Policy Considerations

This section of the Plan was added during the Section 36 Amendment process and the Ministry of Environment, Conservation and Parks asked that it be placed in a new section of the Source Protection Plan.

The Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category

- There are few ways to fully manage the risks with storing snow on industrial and commercial properties, but removing the snow would be costly for businesses.
- Snow Disposal Facilities are already regulated by the MECP.

Policy SNOW-1

Education and Outreach for snow storage on industrial and commercial sites

Intent

To manage snow storage on properties with mainly industrial or commercial land uses, where it would be a significant threat.

Rationale

The Committee believed that education and outreach are necessary to inform landowners and businesses about best practices for snow storage.

The policy will be further defined through consultation with implementing bodies and key stakeholders.

Policy SNOW-2

Prohibition of Snow Dumps

Intent

To prohibit existing and future snow dumps where snow originates from or is stored on a site with mainly industrial or commercial land uses, where it would be a significant threat.

Rationale

Snow dumps can release contaminants from roads and parking lots. Section 57 of the Clean Water Act, 2006, prohibits these facilities in vulnerable areas because there is no prescribed instrument required for them.

This prohibition would apply to vulnerable areas not everywhere. .

The Committee felt that allowing snow from industrial and commercial sites to be placed in vulnerable areas increased risks to drinking water. Instead, snow dumps can be placed outside vulnerable areas without causing significant issues for future development.

The policy will be further refined based on input from stakeholders.

Policy SNOW-3

Prescribed Instrument for Existing Stormwater Drainage System Outfall that Serves a Snow Disposal Facility or Area

Intent

To manage existing stormwater drainage system outfalls that serve a Snow Disposal Facility where they would be a significant threat through a Prescribed Instrument.

Rationale

The Assessment Report did not find any current threats in this risk category. The policy was included to cover any missed or proposed threats before the Source Protection Plan is approved.

The Committee felt that the existing threats can be managed through existing regulations and tools under the *Ontario Water Resources Act, 1990*.

The Committee recommended that the Ministry of Environment, Conservation and Parks review its existing approvals to ensure they continue to protect drinking water.

The policy will be further refined based on input from stakeholders.

Policy SNOW-4

Prohibition for Future Stormwater Drainage System Outfall that Serves a Snow Disposal Facility or Area

Intent

To manage future stormwater drainage system outfalls that serve a Snow Disposal Facility where they would be a significant threat through a Prescribed Instrument.

Rationale

The Committee decided to prohibit the outfall of a new stormwater drainage system for Snow Disposal Facilities because can be located elsewhere.

This policy requires the Ministry to prohibit these activities in the future.

This policy will be further refined following consultations with the Ministry of Environment, Conservation and Parks and with municipalities as part of the Section 36 amendment process.

4.7 Wastewater Collection and Treatment Systems and Sewage Works

Prescribed Activities

The Clean Water Act, 2006 regulations identify the following threats from sewage works as risks to drinking water:

- Building, operating or maintaining a sewage system that collects, stores, transmits, treats, or disposes of
 - Wastewater:
 - Industrial Effluent Discharges
 - Onsite Sewage Works
 - 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
 - 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
 - Wastewater Treatment Facilities and Associated Parts

Policy Considerations

- The Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category. The Ontario Water Resources Act requires approval for large sewage systems (over 10,000 litres/day). The Ministry of the Environment, Conservation and Parks provides enforcement of the legislation.
- The Ministry provides a guide and the information required for getting an environmental approval.
- Provincial Planning Statement (PPS) recommends that settlement areas use full municipal sewer and water services.
- Ontario Building Code Amendments (2011) requires septic system inspections every five years in vulnerable areas and failed systems may need maintenance.

- Municipal sanitary sewers are preferred over private septic systems as they transport sewage away from vulnerable areas. Municipalities can require connections to sewer services if septic systems fail.

Section 36 Amendments – approved in xx

The Committee updated terms in the policies to be consistent with the new technical rules and suggested changes to make it clear that certain approvals from the Ministry can be delegated to municipalities.

Intent and Rationale

Policy SEWG-1A

Wastewater collection facilities maintenance program

Intent

To manage the threats associated with wastewater collection facilities in areas where they would be a significant drinking water threat.

Rationale

Wastewater collection systems are essential but must also be maintained to avoid contaminating drinking water in high-risk areas. The Committee recommended an inspection program to regularly check and prioritize maintenance for these systems.

For new sewer pipes, the Committee decided to use higher-quality materials to provide extra protection, similar to those used for drinking water pipes. This change allows for a longer inspection interval of ten years for these new pipes.

Policy SEWG-1B

Wastewater collection facilities subject to Prescribed Instrument

Intent

To manage the threats associated with wastewater collection facilities in areas where they would be a significant drinking water threat.

Rationale

New wastewater collection facilities require approval through the Environmental Compliance Approval process. New and existing approvals should include consideration for the potential drinking water threat. Municipalities may benefit from consultation with the Source Protection Authority when approving new wastewater infrastructure projects.

Policy SEWG-2

Existing wastewater treatment facilities, sewer overflow, and industrial effluent discharges

Intent

To manage the threat associated with existing Wastewater Treatment Facilities and Associated Parts, Outfall of a Combined Sewer Overflow (CSO), or a Sanitary Sewer Overflow (SSO) from a Manhole or Wet Well, and Industrial Effluent Discharges, where these activities would be a significant threat.

Rationale

The current wastewater threats are well-managed under the Ontario Water Resources Act, 1990, as they already need an approval from the Ministry of the Environment, Conservation and Parks (MECP).

The Committee recommended that the Ministry and municipalities review the existing approvals to ensure they will protect drinking water in high-risk areas. This policy will be refined after further consultations with the Ministry and municipalities.

Policy SEWG-3

Prohibition of future wastewater treatment facilities, sewer overflow, and industrial effluent discharges

Intent

To prohibit future Wastewater Treatment Facilities and Associated Parts, Outfall of a Combined Sewer Overflow (CSO), or a Sanitary Sewer Overflow (SSO) from a Manhole or Wet Well, and Industrial Effluent Discharges where there would be a significant drinking water threat. An exception was added for cases where an expansion or upgrade to a facility would reduce the risks from sanitary sewage.

Rationale

The Committee decided to prohibit new wastewater facilities in high-risk areas. None currently exist in these areas, and the Committee felt they should be placed elsewhere in the future to protect drinking water.

The Committee allowed exceptions for expanding or upgrading existing sewage systems to support new developments or to fix failing septic systems. This aligns with the Provincial Policy Statement and helps prevent sewage contamination of drinking water. This decision was influenced by feedback from various local authorities and a similar policy in the Lake Simcoe Protection Plan.

The policy requires the Ministry and municipalities to enforce this prohibition. This will ensure that applicants know about a prohibition early in the application process.

Further refinements will be made to the policies after consultations with the Ministry and municipalities.

Policy SEWG-4

Existing and future on-site sewage works (septic systems and holding tanks)

Intent

To manage existing and future on-site septic systems and holding tanks where they would be a significant threat.

Rationale

The Committee supported the mandatory sewage maintenance inspection program from the recent Ontario Building Code amendment, believing it can effectively manage threats. The Committee directed the inspection program to follow the 2011 Ministry of Municipal Affairs and Housing Guidelines for consistency.

The policy requires septic systems to be properly decommissioned if inspectors find they need replacement or when connecting to municipal services. Additional recommendations were included based on advice from the septic approval authority.

Property owners must connect to municipal services if available at the property line as municipal servicing is preferred for sewage. This applies to new developments and existing systems that fail or need to be replaced. The policy also applies to large on-site septic systems.

For the Shadow Ridge municipal system in Greely, which currently draws water from a shallow aquifer, the City of Ottawa will deepen the well to the deep aquifer to reduce drinking water threats. The new well is expected to be ready in 2024.

Policy SEWG-5

Planning requirements for future and proposed on-site sewage

Intent

To manage the threat associated with on-site sewage works where they would be a significant threat. This applies to proposed lots and any future development on properties with septic systems and/or septic system holding tanks.

Rationale

The Committee decided that prohibiting future on-site sewage systems would limit development in some areas. It considered requiring advanced treatment for new systems but was not sure they would work well for contaminants like pathogens and nitrates.

Developers must prove that the lots are large enough and suitable for the proposed sewage system for any property where the system could pose a significant drinking water threat.

Policy SEWG-6

Large (>10,000L/day) on-site sewage works

Intent

To manage the threat associated with on-site sewage works where it would be a significant threat.

Rationale

Large septic systems (over 10,000 liters per day) and septic holding tanks in Ontario need special approval under the Ontario Water Resources Act, 1990. The Committee decided that this approval process is adequate to handle risks in vulnerable areas. It recommended that previous approvals be reviewed to ensure they protect drinking water.

Policy SEWG-7

Existing and future discharge from storm water management facilities

Intent

To manage the threats related to Storm Water Management Facilities and Drainage Systems, including an outfall from a Storm Water Management Facility or a Storm Water Infiltration Facility, where they would be a significant drinking water threat.

Rationale

Stormwater management facilities are regulated through the Environmental Compliance Approval process by the Ministry of Environment, Conservation and Parks (MECP). The Committee agreed that these regulations are sufficient but recommended extra conditions for facilities in vulnerable areas. They noted that prohibiting all stormwater infrastructure in these areas is not practical and would hinder development.

The Committee recommended new conditions for current and future stormwater facilities. These included:

- Facilities should have higher protection levels.
- Regular maintenance and upgrades should be prioritized.
- Facilities should report sediment levels every year.

For outflow monitoring, the Committee noted:

- There's a lack of information on contaminant levels in the discharge.
- Discharge quality varies between facilities.
- Baseline water quality data should be gathered to identify main contaminants.
- Data could help create educational programs about contaminants in the stormwater system.

While regular monitoring, maintenance, and upgrades are commonly done, the Committee noted that municipalities will likely bear the costs of the stormwater facilities maintenance program.

This policy will be refined after discussions with the Ministry of Environment, Conservation and Parks and municipalities.

4.8 Waste Disposal Sites

Prescribed Activities

The following activities are drinking water threats for waste disposal sites under the *Clean Water Act, 2006* Establishing, operating or maintaining a waste disposal site under Part V of the *Environmental Protection Act, 1990*

- Disposal of Hauled Sewage to Land
- Application of Processed Organic Waste to Land
- Landfarming of Petroleum Refining Waste
- Landfilling (Hazardous Waste or Liquid Industrial Waste)
- Landfilling (Municipal Waste)
- Liquid Industrial Waste Injection into a well
- PCB Waste Storage
- Storage of Hauled Sewage
- Storage of Processed Organic Waste or Waste Biomass
- Transfer/Processing Sites approved to receive Hazardous Waste or Liquid Industrial Waste
- Transfer/Processing Site approved to receive only Municipal Waste under Part V of the Environmental Protection Act
- Storage of Subject Waste at a Waste Generation Facility: site requires generator registration under Section 3 of O. Reg. 347
- Storage of Waste at a Waste Generation Facility: site that is exempt or excluded from generator registration requirements
- Storage, Treatment and Discharge of Tailings from Mines

Policy Considerations

The Committee reviewed all technical information and Provincial guidance. The following points summarize the discussion relating to this threat category.

- The Ministry of the Environment, Conservation and Parks must approve waste disposal sites before they can be started, expanded, or operated.
- Existing waste disposal activities that are drinking water threats but have a permit from the Ministry cannot be prohibited under the Clean Water Act, 2006.
- PCB waste sites are regulated by a separate Ontario regulation.
- Before 2011, the application of hauled sewage to land was regulated, but no new approvals for this are being issued now. Existing approvals are still valid until they expire. Treated septage is regulated differently.

Intent and Rationale

Policy WASTE-1

Existing Environmental Compliance Approvals for waste sites

Intent

To manage the existing threats associated with waste disposal sites where they would be a significant drinking water threat using existing Prescribed Instruments.

Rationale

The Committee relied on Provincial approvals to manage threats from waste disposal sites. These approvals require detailed assessments of environmental risks, especially near drinking water sources.

The Committee recommended that the Ministry of the Environment, Conservation and Parks review these approvals to ensure they are adequate in vulnerable areas.

The policy also applies to the maintenance of mine tailings ponds, regulated by Provincial legislation.

Policy WASTE-2

Prohibition of future waste sites

Intent

To prohibit waste disposal sites where they would be a significant drinking water threat.

Rationale

The Committee decided to prohibit new waste disposal sites in areas where they could impact drinking water and to direct them to less sensitive areas.

Provincial approvals and municipal land-use planning will be used to prohibit waste sites in vulnerable areas. They will also alert applicants early in the planning process of the prohibition.

Policy WASTE-3

Risk Management Plans for existing waste sites without a Prescribed Instrument

Intent

To manage existing waste site threats that do not have a Prescribed Instrument where they would be a significant drinking water threat.

This policy would not apply to waste sites that are registered with the Ministry of the Environment, Conservation and Parks waste generation reporting system, waste that is approved to be transported off-site using the Ministry's manifest process, or waste that is subject to Director's Instructions.

Rationale

Some waste disposal sites do not need provincial approval. Although no current threats were found, one could be missed or proposed before the Source Protection Plan is approved.

In these cases, a Risk Management Plan will be used to manage significant drinking water threats not covered by other regulations.

This policy does not include wastes registered with the Ministry of the Environment, Conservation and Parks (MECP) or those approved for off-site transport. It also does not cover incidental household/commercial waste, which will be managed through education and outreach.

Policy WASTE-4

Prohibition of future waste sites without a Prescribed Instrument

Intent

To prohibit future waste sites that do not have a Prescribed Instrument where they would be a significant drinking water threat.

This policy would not apply to waste sites that are registered with the Ministry of the Environment, Conservation and Parks waste generation reporting system, waste that is approved to be transported off-site using the Ministry's manifest process, or waste that is subject to Director's Instructions.

Rationale

The Committee decided that waste sites that do not require provincial approval should be located outside vulnerable areas. Although Section 57 of the Clean Water Act, 2006 (Prohibition) is not generally used for waste threats, it can be applied in this case as no specific regulations cover these threats.

This policy does not include wastes registered with the Ministry of the Environment, Conservation and Parks or those approved for off-site transport. It also does not cover incidental household/commercial waste, which will be managed through education and outreach.

4.9 Liquid Hydrocarbon Pipelines

Prescribed Activity

Establishing and operating a liquid hydrocarbon pipeline is a drinking water threat under the *Clean Water Act, 2006*.

On July 1, 2018, changes to the Clean Water Act regulations added liquid hydrocarbon pipelines to the list of activities that can threaten drinking water. Although there are liquid hydrocarbon pipelines in the Raisin-South Nation Source Protection Region, none are currently in vulnerable areas. Existing pipelines could be converted to carry liquid hydrocarbons, however, and new vulnerable areas could be established.

Policy Considerations

The Source Protection Committee consulted with other regions and the Ministry of the Environment, Conservation and Parks. It found that policies focus on pipeline owners and regulators and are not legally binding.

The policies direct the Canada Energy Regulator and the Ontario Energy Board to consider the Source Protection Plan when reviewing new pipeline proposals. These agencies are to determine whether the design, monitoring, and maintenance of pipelines protect municipal drinking water sources.

Policy PIPE-1

Emergency response planning for liquid hydrocarbon pipelines where they would be a significant drinking water threat

Intent

To manage the threat associated with liquid hydrocarbon pipelines by working with pipeline owners and regulators to develop and recommend spill prevention, spill management, risk reduction, and Contingency Plans.

Rationale

Currently, the Raisin-South Nation Source Protection Plan does not have liquid hydrocarbon pipelines intersecting vulnerable areas for municipal drinking water supplies. Pipeline owners and regulators are not legally bound by the *Clean Water Act, 2006*, and the Raisin-South Nation Source Protection Plan cannot impose policies on them.

This policy directs the pipeline owners and regulators to have regard for the Source Protection Plan, and to work with the Raisin-South Nation Source Protection Authority to ensure the pipeline does not become a significant drinking water threat.

Policy PIPE-2

Notice and planning for future liquid hydrocarbon pipelines where they would be a significant drinking water threat

Intent

To manage the threat associated with future liquid hydrocarbon pipelines by working with pipeline owners and regulators to include design standards, monitoring, and maintenance practices to prevent a pipeline from becoming a significant drinking water threat.

Rationale

The Committee was concerned that future pipelines or the conversion of a gas pipeline to liquid hydrocarbon may intersect vulnerable areas.

Pipeline owners and regulators cannot be legally bound by the *Clean Water Act* or the Source Protection Plan.

The Committee recommended that pipeline owners and regulators consult with the Raisin-South Nation Source Protection Authority before establishing or operating a liquid hydrocarbon pipeline.

4.10 General Policies

Policy GENERAL-1

Source Protection – Education and Outreach

Intent

To establish an effective education/outreach campaign that raises public awareness of Source Protection and the prescribed threat activities.

Rationale

Education and outreach are necessary to inform people about Source Protection areas and how their actions can impact drinking water sources. The Committee believes that a strong education and outreach campaign is necessary for almost every threat to drinking water identified under the Clean Water Act, 2006.

Municipalities are responsible for implementing this policy, but they can delegate the responsibility to another agency or combine it with existing programs for efficiency.

This policy is legally binding in areas with significant drinking water threats. It should promote existing incentive programs in vulnerable areas to reduce financial burdens on landowners.

The Ministry of Agriculture, Food and Rural Affairs supports agricultural education and outreach programs. The Ministry indicated that it can help identify resources for implementation, including information on standards, management practices, educational materials, and technical guidance.

Policy GENERAL-2

Defining existing activities

Intent

To identify when an activity is considered “existing” to guide transition provisions (grandfathering).

Rationale

The Ministry of the Environment, Conservation and Parks provided guidance to the Source Protection Committee on the following policies.

- Where a plan prohibits future threats and manages existing threats, a transition provision could allow applications in process, and land use planning approvals granted, to be considered as “existing”, even though the activity has not yet occurred. This allows the application to proceed and the threat to be managed.
- Transition provisions allow applications caught within the approvals process to proceed even if the Source Protection Plan comes into effect during that process. This is designed to protect applicants who have started the approvals process unaware of the proposed Source Protection policies. This provision is relevant when an activity is managed in the present and prohibited in the future.

Some policies address existing threats differently than future threats. It is necessary in these situations to clarify when an activity is considered existing.

In general, an activity would be considered existing if it has occurred on a property 12 months prior to the Plan taking effect. This allows activities that may have been temporarily suspended to proceed. This can occur, for example, from a change of ownership, natural disaster or fire. This may also apply to activities that are seasonal.

Policy GENERAL-3

Timeline for Official Plan and by-law conformity

Intent

To clarify the mandatory dates for municipal documents to conform when the timeline is not provided in the *Clean Water Act, 2006*.

Rationale

The Committee confirmed that changes to municipal planning documents can be made during the usual five-year. Planning decisions must still follow Source Protection policies, however, when the Plan is approved.

Policy GENERAL-4

Timeline for existing Prescribed Instrument conformity

Intent

To clarify the mandatory dates for Provincial Instrument to conform when the timeline is not provided in the *Clean Water Act, 2006*.

Prescribed Instruments that exist on the day the Plan takes effect must be reviewed and, if necessary, amended within three years from the date the Plan takes effect.

Rationale

During public consultation, the Ministry of the Environment, Conservation and Parks confirmed that the preferred timeline for conformity is three years from when the Plan is approved, or another date set by the Director based on the priority of the existing approvals.

The Committee did not support leaving the timeline open-ended and adopted the recommended timeline of three years.

Policy GENERAL-5

Provisions for Risk Management Plans (S. 58, *Clean Water Act, 2006*)

Intent

To specify certain conditions for all Risk Management Plans.

Rationale

This policy outlines what a Risk Management Plan should include to make sure the process is fair, consistent, and efficient.

The Committee decided that the Risk Management Official should set the timeline for implementing the plan. This allows landowners to delay actions if they expect to receive funding soon.

Policy GENERAL-6

Restricted land uses

Intent

To require applications for development in vulnerable areas to be reviewed by the Risk Management Official.

Rationale

The Clean Water Act, 2006, requires municipalities to screen applications to determine if a review is required by the Risk Management Official. Section 59 of the Act provides a tool for protecting drinking water because it connects the Source Protection Plan policies to the planning-approvals process and enables prohibitions and Risk Management Plans.

This tool applies to all land uses to ensure that all potential drinking water threats are considered. The specific policy codes are listed to clarify which policies would apply.

Policy GENERAL-7

Earth (Geothermal) energy systems

Intent

To ensure that transport pathways such as geothermal (earth energy) systems are constructed and maintained to protect source water. The policy requires municipalities to monitor the creation of transport pathways in vulnerable areas.

Rationale

Ontario Regulation 287/07 allows policies related to transport pathways to be included in the Source Protection Plan. The regulation describes a transport pathway as a condition of land, resulting from human activity that increases the vulnerability of a municipal drinking water system's raw water supply. This includes deteriorating water wells, pits and excavations, and geothermal earth energy systems. When these pathways are not created or maintained properly, they can allow surface contaminants to pass quickly into an aquifer, leading to contamination of a drinking water supply. Although the pathways themselves are not a significant drinking water threat, they can increase the risk related to other threat activities within a vulnerable area.

The Committee recommended that geothermal (earth energy) systems not be built within the Wellhead Protection Area A zones. These systems have raised concerns due to non-licensed drilling and potential cross-contamination between aquifers. For vertical geothermal systems, deep holes might cross multiple aquifers, risking contamination of drinking water. The policy advises municipalities to review geothermal system designs and installations by qualified professionals.

Under the regulation, municipalities must notify the Source Protection Authority of any new or modified transport pathways in vulnerable areas. New provincial guidance and legislation also require specific reviews and permits for new geothermal systems across the province

Policy GENERAL-8

Municipal sewer-use by-law

Intent

To recommend that municipalities create or strengthen sewer-use by-laws.

Rationale

Sewer-use by-laws allow municipalities to control the amounts of chemicals being discharged into sewers. The Committee felt that drafting or updating these by-laws would increase drinking water protection.

The policy targets existing commercial/industrial/retail uses of dense non-aqueous phase liquids and organic solvents being discharged into municipal sewers. The City of Toronto sewer-use bylaw was found to be a good example.

Policy GENERAL-9

Update of municipal emergency response plans

Intent

To update Emergency Response Plans in areas that include a Wellhead Protection Area or Intake Protection Zone along a transportation corridor (including railways, highways, as defined in Subsection 1(1) of the *Highway Traffic Act, 1990*, St. Lawrence Seaway, and the Ottawa River).

Rationale

Municipalities expressed concern about responding to emergencies in vulnerable drinking water areas. While human safety remains the top priority, other factors must also be considered when working in these areas.

This policy recommends that municipalities update their Emergency Response Plans with the locations of the vulnerable areas and contact information for local drinking water plant operators.

Ontario Regulation 287/07, s. 26 (6) allows policies to be written for updating spill prevention and spill contingency plans or emergency response plans in vulnerable areas.

The policy also helps to raise awareness with Municipal Emergency Responders of the importance of emergency response in vulnerable sources of drinking water.

Policy GENERAL-10

Spills Action Centre - identification of vulnerable areas

Intent

To ensure that the vulnerable areas are identified and incorporated into the Spills Action Centre procedure cards for transportation corridors.

Rationale

There are major roads, railways and waterways within the Raisin-South Nation Source Protection Region, such as highways 401, 416, and 417, the Ottawa River, and the St. Lawrence Seaway. While these corridors can carry contaminants, they were not considered significant threats. Ontario Regulation 287/07, however, allows committees to create policies for updating contingency or emergency response plans.

The committee realized that contaminants moving along transportation corridors could impact Intake Protection Zones near the St. Lawrence and Ottawa River, as well as Wellhead Protection Areas around roads and railways. It was concerned that

existing procedures might not notify local water treatment plant operators in case of spills from large vessels or small pleasure-craft. The committee plans to review and update their procedures.

Policy GENERAL-11

Support for Ministry of Transportation signage initiative

Intent

To support the Ministry of Transportation's (MTO) Provincial signage initiative.

Rationale

The MTO is responsible for Provincial signs. It will design road signs that identify the locations of Wellhead Protection Areas and Intake Protection Zones on Provincial roadways. These signs will need to be installed by local municipalities.

If municipalities wish to use signs as part of an education/outreach program, the Committee recommended that the design be consistent. The policy specifies where these signs are to be placed.

Policy GENERAL-12

Updates to the Ontario Pesticide Education Program (Ministry of the Environment, Conservation and Parks)

Intent

To recommend that the Ministry of the Environment, Conservation, and Parks (MECP) add information on Source Protection to the Pesticide Education Program.

Rationale

The Committee felt that the MECP Pesticide Education Program should be revised during the next program review to include information on Source Protection and vulnerable areas.

Policy GENERAL-13

Incentive programs

Intent

That Ministry of the Environment, Conservation and Parks (MECP) continue to support and lead incentive programs that protect drinking water sources, such as the Ontario Drinking Water Stewardship Program (ODWSP). This program helps landowners manage and eliminate significant drinking water threats.

To encourage MECP to promote and encourage other Provincial incentive programs that promote best management practices for activities that are significant drinking water threats.

Rationale

In the past, stewardship programs have provided funds to landowners to help them protect drinking water on their properties. When the new Source Protect Plan is approved, many landowners will need funding to implement its policies.

The Committee strongly recommended that MECP continue to fund the Ontario Drinking Water Stewardship Program. This would allow policies to be implemented quickly and reduce the cost for landowners.

The Committee also recommended that the MECP encourage other provincial ministries to promote best management practices and incentive programs that help to protect drinking water.

4.11 Monitoring Policies

Policies

MONITORING-1: Part IV Clean Water Act Tools (restricted land uses, Risk Management Plans, prohibition)

MONITORING-2: *Planning Act, 1990* policies

MONITORING-3: Prescribed Instruments

MONITORING-4: Education and Outreach

MONITORING-5: Specify Action

MONITORING-6: Salt Management Plans and chloride monitoring

MONITORING-7: Salt Management Plans for the Ministry of Transportation

Intent

For each significant threat policy, the *Clean Water Act, 2006* (CWA) requires Source Protection Plans to include monitoring policies (as per ss. 22(2)). Monitoring policies help the Source Protection Authority report annually on how the policies are implemented and their effectiveness. Monitoring of changing conditions can also help prevent an activity from becoming a significant drinking water threat.

The CWA includes specific legal requirements for monitoring policies that are directed at public bodies while regulations specify the information that must be included in the annual reports.

Rationale

A single monitoring policy was established for each policy tool where possible in the Source Protection Plan to make annual reporting efficient. For example, all Risk Management Plan policies have the same monitoring policy.

The annual reports summarize administrative, compliance, and enforcement outcomes to help the Source Protection Authority assess the implementation of a policy, with a timeline for compliance provided in the monitoring policy or the corresponding significant threat policy.

Some monitoring policies are not legally binding, but agencies are encouraged to communicate the results to the Source Protection Authority to ensure the successful implementation of the Source Protection Plan.