

## Appendix A - Legal Effect Provisions

Part III of the *Clean Water Act* gives Source Protection Plans their legal effect. This appendix contains the lists of policies identified for each legal effect provision of Part III. The purpose of each list is to ensure that the appropriate provisions of Part III of the *Clean Water Act* are applied to a policy, as set out in subsection 34(1) to (3) of Ontario Regulation 287/07.

### List A

Significant threat policies that affect decisions under the Planning Act and Condominium Act, 1998

Clause 39(1)(a), subsections 39(2),(4) and (6), and sections 40 and 42 of the *Clean Water Act*, 2006 apply to the following policies:

SEW-9-LB-PI/PA-MC	ADMIN-3-LB
SEW-15-LB-PI/PA-MC	ADMIN-4-LB
ADMIN-1-LB	ADMIN-5-LB
ADMIN-2-LB	

### List B

Moderate and low threat policies that affect decisions under the Planning Act and Condominium Act, 1998

Subsection 39(1)(b) of the *Clean Water Act*, 2006 applies to the following policies:

No Applicable Policies

### List C

Significant threat policies that affect Prescribed Instrument decisions

Subsection 39(6), clause 39(7)(a), section 43 and subsection 44(1) of the *Clean Water Act*, 2006 apply to the following policies:

WASTE-1-LB-PI-MC	FUEL-2-LB-PI-MC
WASTE-3-LB-PI-MC	FERT-1-LB-PI-MC
SEW-5-LB-PI-MC	PEST-3-LB-PI-MC
SEW-7-LB-PI-MC	LIVE-1-LB-PI-MC
SEW-8-LB-PI-MC	ASM-1-LB-PI-MC
SEW-9-LB-PI/PA-MC	NASM-1-LB-PI-MC
SEW-10-LB-PI-MC	NASM-2-LB-PI-MC
SEW-13-LB-PI-MC	ADMIN-4-LB
SEW-15-LB-PI/PA-MC	ADMIN-5-LB

See Table at the end of this appendix for specific Prescribed Instruments

### List D

Moderate and low threat policies that affect Prescribed Instrument decisions

Clause 39(7)(b) of the *Clean Water Act*, 2006 applies to the following policies:

WASTE-5-LB-PI-HR	AQUA-1-LB-PI-HR
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See Table at the end of this appendix for specific Prescribed Instruments

**List E**

Significant threat policies that impose obligations on municipalities, source protection authorities and local boards

Section 38 and subsection 39(6) of the *Clean Water Act*, 2006 applies to the following policies:

- |          |            |
|----------|------------|
| SEW-1-LB | SALT-3-LB  |
| SEW-2-LB | SALT-4-LB  |
| SEW-3-LB | EDU-1-LB   |
| SEW-4-LB | ADMIN-4-LB |
| SEW-6-LB | ADMIN-5-LB |

**List F**

Monitoring policies referred to in subsection 22(2) of the *Clean Water Act*, 2006

Section 45 of the *Clean Water Act*, 2006 applies to the following policies:

- |          |           |
|----------|-----------|
| MON-1-LB | MON-7-LB  |
| MON-2-LB | MON-12-LB |
| MON-4-LB | MON-13-LB |
| MON-5-LB | MON-14-LB |
| MON-6-LB |           |

**List G**

Policies related to section 57 of the *Clean Water Act*, 2006

The following policies related to section 57 (prohibition) of the *Clean Water Act*:

- |                |                |
|----------------|----------------|
| WASTE-4-LB-S57 | FERT-3-LB-S57  |
| SEW-12-LB-S57  | PEST-5-LB-S57  |
| SEW-16-LB-S57  | DEICE-1-LB-S57 |
| SALT-2-LB-S57  | ADMIN-4-LB     |
| DNAPL-2-LB-S57 | ADMIN-5-LB     |
| FUEL-5-LB-S57  |                |

**List H**

Policies related to section 58 of the *Clean Water Act*, 2006

The following policies relate to section 58 (risk management plans) of the *Clean Water Act*:

- |                |               |
|----------------|---------------|
| WASTE-2-LB-S58 | FUEL-6-LB-S58 |
| SEW-11-LB-S58  | FERT-2-LB-S58 |
| SEW-14-LB-S58  | PEST-4-LB-S58 |
| SALT-1-LB-S58  | LIVE-2-LB-S58 |
| DNAPL-1-LB-S58 | ASM-2-LB-S58  |
| FUEL-1-LB-S58  | NASM-3-LB-S58 |

**List I**Policies related to section 59 of the Clean Water Act, 2006

The following policies relate to section 59 (restricted land use) of the *Clean Water Act*:

ADMIN-1-LB

ADMIN-2-LB

**List J**Strategic Action Policies

For the purposes of section 33 of Ontario Regulation 287/07, the following policies are identified as strategic action policies:

WASTE-6-NLB

EDU-4-NLB

SALT-5-NLB

EDU-5-NLB

SALT-6-NLB

EDU-6-NLB

AQUA-2-NLB

MON-3-NLB

CORR-1-NLB

MON-8-NLB

CORR-2-NLB

MON-9-NLB

PATH-1-NLB

MON-10-NLB

PATH-2-NLB

MON-11-NLB

PATH-3-NLB

MON-13-LB

EDU-2-NLB

MON-15-NLB

EDU-3-NLB

**List K**Significant threat policies that represent a non-legally binding commitment

Section 34 of Ontario Regulation 287/07, applies to the following policies:

FUEL-3-NLB

PEST-1-NLB

FUEL-4-NLB

PEST-2-NLB

**Prescribed Instruments which apply to Source Protection Plan policies in Lists C and D (ss 34(4) of O.Reg. 287/07)**

Policy Code	Legal Effect (conform with, have regard to)	<i>Environmental Protection Act</i> – waste sites and systems	<i>Nutrient Management Act</i> - NASM plans	<i>Nutrient Management Act</i> - Nutrient Management Plans	<i>Nutrient Management Act</i> - Nutrient Management Strategies	<i>Ontario Water Resources Act</i> – permits to take water	<i>Ontario Water Resources Act</i> – sewage works	<i>Pesticides Act</i> - permits	<i>Safe Drinking Water Act</i> – permits, licences
WASTE-1-LB-PI-MC	CW	X					X		
WASTE-3-LB-PI-MC	CW	X					X		
WASTE-5-LB-PI-HR	HR	X					X		
SEW-5-LB-PI-MC	CW	X					X		
SEW-7-LB-PI-MC	CW	X					X		
SEW-8-LB-PI-MC	CW	X					X		
SEW-9-LB-PI/PA-MC	CW	X					X		
SEW-10-LB-PI-MC	CW	X					X		
SEW-13-LB-PI-MC	CW	X					X		
SEW-15-LB-PI/PA-MC	CW	X					X		
FUEL-2-LB-PI-MC	CW								X
FERT-1-LB-PI-MC	CW			X					
PEST-3-LB-PI-MC	CW							X	
LIVE-1-LB-PI-MC	CW				X				
ASM-1-LB-PI-MC	CW			X	X				
NASM-1-LB-PI-MC	CW		X						
NASM-2-LB-PI-MC	CW	X							
AQUA-1-LB-PI-HR	HR	X				X	X		

The Mississippi-Rideau Source Protection Plan does not have any policies in Lists C and D that apply to the following Prescribed Instruments:

*Aggregate Resources Act* - licenses, wayside permits

*Environmental Protection Act* - Renewable Energy Approvals