

6

Implementing the Plan

Achieving Source Protection



The policies in this Plan were created in a collaborative and consultative manner that involved substantial input and guidance from municipalities, implementers, sector experts and affected residents and businesses. The result is effective policies that are also practical and cost-efficient to implement. This same spirit of collaboration, cooperation and shared dedication to protecting local sources of drinking water will be required for successful implementation of the policies.

What You Will Find In this Section

Successful implementation will depend on several important factors which are outlined in this section:

- A clear understanding of responsibilities
- Partnerships and collaboration
- Adherence to timelines
- An annual review of progress
- Future improvements to the Plan
- Provincial funding for implementation

6.1 Responsibilities

Most of the legally binding policies in this Plan are implemented by provincial ministries and municipalities. A variety of other non-legally binding policies that would greatly contribute to the protection of drinking water are also directed at provincial ministries, municipalities and other agencies and bodies. Source Protection Authorities will continue to oversee the source protection process by communicating with and supporting implementers as required. They are also responsible for compiling feedback from the monitoring policies and using it to prepare an annual progress report for the MOECC. Finally, for implementation to be truly successful, residents and businesses must take advantage of education and incentive programs and work with implementing bodies to ensure compliance with policies.

Below are summaries of key responsibilities for each type of implementer. For a complete list of the policies each individual implementer is responsible for (e.g., specific municipalities, provincial ministries) refer to Appendix C2. This Appendix lists policy codes by their implementing body and compliance or target date. An explanation of the legal effect of the policies can be found in Section 2.5 and in Appendix A.

Certain **Municipalities** are responsible for:

- Using their municipal planning tools (such as zoning by-laws) to prohibit future drinking water threat activities.
- Appointing a Risk Management Official to review *Planning Act* and Building Code applications, negotiate Risk Management Plans for existing and future drinking water threat activities and prohibit other future drinking water threat activities.
- Updating their Official Plans and zoning by-laws to conform with certain policies in this Plan.
- Updating other municipal documents as appropriate.
- Implementing or updating initiatives related to municipal operations such as Road Salt Management Plans, Sanitary Sewer Maintenance Programs and Emergency Response Plans.
- Undertaking education and outreach initiatives.
- Reporting on implementation progress as required by the monitoring policies.
- Informing the Source Protection Authority of new technical information that could warrant an Assessment Report amendment (e.g., new municipal drinking water system, changes that could alter vulnerability scores).

Additional Recommendations for Municipalities

In addition to the policies in this Plan, municipalities are also strongly encouraged to:

- Acquire land around sources of municipal drinking water (primarily Wellhead Protection Areas A and Intake Protection Zones scored 10) and manage it in a way that protects source water. Under Section 58 of the *Planning Act* municipalities can develop a land acquisition strategy.
- Acquire the 5 percent parkland when considering development near sources of municipal drinking water (primarily Wellhead Protection Areas and Intake Protection Zones scored 8 or higher) rather than cash-in-lieu. Such direction can be included in Official Plans.

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- Ensure that the review process for new residential development and lot creation considers the protection of municipal drinking water sources (considerations should include lot size, configuration and characteristics).
- Maintain zoning that prohibits the establishment of drinking water threats.
- Maintain other municipal requirements that help achieve the objectives of this Plan.
- Promote low impact development such as permeable pavement and green roofs which help protect water quality and quantity.
- Consider the information in the technical Assessment Report as well as the policies in this Plan when selecting sites for new municipal wells.
- Provide low interest long-term loans to help property owners with the cost of connecting to municipal sewer services.
- Update/establish sewer use bylaw to limit the concentration of DNAPLs and organic solvents (see Appendix B) in sewage that is discharged to the municipal sewage/stormwater system.

Certain **Provincial ministries** are responsible for:

- Using their regulatory Prescribed Instruments (such as Certificates of Approval and Environmental Compliance Approvals) to manage existing drinking water threat activities and manage or prohibit future ones.
- Making changes to certain provincial programs and procedures to close regulatory gaps and improve compliance assurance.
- Reporting on implementation progress as required by the monitoring policies.

Source Protection Authorities are responsible for:

- Establishing a region wide education and outreach program and assisting municipalities with the implementation of more focused education initiatives.
- Working with municipalities, the Ministry of Natural Resources and Forestry and Parks Canada to identify appropriate locations for signs along municipal roads and recreational waterways and securing approvals for their installation.
- Assisting municipalities and other bodies with implementation upon request such as developing templates and standardized wording.
- Compiling the information received from the monitoring policies and preparing annual progress reports for the MOECC.

Other agencies and bodies are strongly encouraged to:

- Make changes to certain programs and procedures to close regulatory gaps and improve compliance assurance.
- Report on implementation progress as requested by the monitoring policies.

Certain **residents and businesses** are responsible for:

- Participating in education initiatives to become aware of where drinking water comes from, the importance of protecting it and how easily they can modify their own actions to help protect it.
- Taking advantage of incentive programs to implement good stewardship practices.
- Working with implementing bodies (ministries, municipalities, source protection authorities) to ensure they are in compliance with mandatory policies.

6.2 Partnerships and Collaboration

While each policy has an implementer who is responsible for ensuring that the intent of the policy is accomplished, implementing bodies are encouraged to forge partnerships and build on existing programs to find efficiencies. There are many agencies and groups who have existing resources such as expert staff, information and materials, and established networks that will be valuable during implementation. Leveraging these existing resources would not only save money and reduce duplication but would better serve people who are subject to policies. An example are staff at OMAFRA and MOECC who administer the *Nutrient Management Act*. These staff are knowledgeable about agricultural operations and best management practices and they have established relationships with the local agricultural community. It seems appropriate that there would be a role for these experts in establishing Risk Management Plans for agricultural operations in the Mississippi-Rideau region. Education initiatives are another area where municipalities and Source Protection Authorities can work closely with existing programs and groups to efficiently reach residents, farmers and businesses.

6.3 Timelines

Every legally binding policy in this Plan has a date by which it must be implemented and every non-legally binding policy has a target date. These dates were established in consultation with implementing bodies to ensure that they are reasonable and achievable. Compliance and target dates in this Plan range from immediately upon the Source Protection Plan taking effect to within five years of the Plan taking effect. While the dates are usually indicated in the policy wording, where no date is indicated, the policy is in effect immediately when the plan takes effect. The effective date of this Plan can be found on the inside front cover and a summary of compliance timelines and target dates can be found in Appendix C2. Compliance and target dates for monitoring policies are either indicated in the wording of the monitoring policy or in the wording of the policy it corresponds to. Implementation timelines, as outlined in appendix C2, apply for a plan amendment and commence as of the plan amendment's effective date.

6.4 Annual Progress Report

By May 1 of each year, the Source Protection Authority must submit a progress report to the Director of the Source Protection Programs Branch of the MOECC. Subsection 46(1) of Ontario Regulation 287/07 sets out the following mandatory content for this annual progress report:

- Describe the measures that have been taken to implement the Source Protection Plan including measures taken to ensure that activities cease to be significant drinking water threats and measures taken to ensure that activities do not become significant drinking water threats.
- Describe the results of any monitoring program (mandatory monitoring policies).
- Describe the extent to which the objectives set out in the Source Protection Plan are being achieved.
- Include other information such as descriptions of any failure to comply and a summary of the Risk Management Official's reports.

Most of the information needed to complete these progress reports will be generated by the monitoring policies outlined in Section 5. These policies require or request implementing bodies to provide feedback to the Source Protection Authority about their implementation progress. Additional information may also be considered by the Source Protection Authority when

completing their progress report, information such as raw water intake data collected by municipalities under the *Safe Drinking Water Act*. In addition, Section 87 of the *Clean Water Act* includes provisions that allow the Source Protection Authority to request additional information (such as technical studies and records) related to a drinking water threat from certain public bodies if required.

6.5 Updating The Plan

Source Protection Plans are meant to be living documents that are reviewed and improved periodically. These reviews will be based on feedback received during implementation from implementing bodies, affected individuals and businesses, interested stakeholders and the public. Much of this feedback will be captured in the annual progress report which will begin to highlight policies that may need to be reviewed or amended. Any future revisions to policies or the Plan will be subject to consultation requirements and will follow the same transparent and participatory process that was used to develop this Plan. As outlined in the Explanatory Document, all available information, including input from experts, stakeholders and the public was used to create policies so they are effective, practical, cost conscious and widely accepted.

6.6 Provincial Funding for Implementation

While the MOECC funded the development of Assessment Reports and Source Protection Plans, the need for continued provincial funding is just as great as policy implementation begins. Municipalities have the responsibility of implementing most of the legally binding policies in this Plan and they have limited resources. While the Committee was diligent in creating cost-effective policies that are reasonable to implement, financial support is needed to help municipalities and Source Protection Authorities successfully fulfill their implementation responsibilities. The most critical need is short-term provincial funding to establish Risk Management Plans for existing activities within the first three years of the Plan taking effect.

Under the *Clean Water Act* the MOECC also created and funded the Ontario Drinking Water Stewardship Program. Since 2008, this program has provided millions of dollars to residents, businesses and farmers to undertake good stewardship practices near sources of municipal drinking water. Renewed funding for this program beyond 2012 is essential to help people implement new policy requirements and ensure that financial responsibility is shared among everyone who benefits from safer sources of drinking water. Most important is funding for people who must adhere to new standards for an existing activity. Provincial and federal funding of other education and incentive programs that promote stewardship, such as the Environmental Farm Plan and Well Aware, is also encouraged.