

AGENDA

Mississippi-Rideau Source Protection Committee

Date: June 7, 2012
Time: 1 pm
Location: Rideau Valley Conservation Authority – Monterey Boardroom
 3889 Rideau Valley Drive, Manotick

Welcome and Introductions			
1.0	a. Agenda Review b. Notice of Proxies c. Adoption of the Agenda (D) d. Declarations of Interest e. Approval of Minutes – March 22, 2012 (D) ▶ draft minutes attached as a separate document f. Status of Action Items – Staff Report Attached (D) g. Correspondence – none	Pg. 1	<i>Chair Stavinga</i>
Source Protection Plan			
2.0	Proposed Source Protection Plan & Explanatory Document – Staff Report attached (D)..... Members will review comments received on the draft Source Protection Plan and Explanatory Document. They will consider revisions to address these comments.	2	<i>Sommer Casgrain-Robertson</i>
3.0	Submission to Source Protection Authorities – Staff Report attached (D) Members will consider approving proposed versions of the Source Protection Plan and Explanatory Document to be submitted to the Source Protection Authorities for a public posting followed by submission to the Minister of the Environment.	29	<i>Sommer Casgrain-Robertson</i>
4.0	Accompanying Document – Staff Report attached (D) Members will consider approving a document to accompany the proposed Source Protection Plan and Explanatory Document when it is submitted to the Minister of the Environment (internal draft attached as a separate document for members).	30	<i>Sommer Casgrain-Robertson</i>
Other			
5.0	Community Outreach – Staff Report Attached (D) Members & staff report on past activities and upcoming events and opportunities	31	<i>Chair Stavinga</i>
6.0	Other Business		<i>Chair Stavinga</i>
7.0	Member Inquiries		<i>Chair Stavinga</i>
8.0	Next Meeting – Future meeting dates to be determined as needed.		<i>Chair Stavinga</i>
9.0	Adjournment		<i>Chair Stavinga</i>

(I) = Information (D) = Decision

Delegations: If you wish to speak to an item on the Agenda please contact Sommer Casgrain-Robertson before the meeting (sommer.robertson@mrsourcewater.ca or 613-692-3571 / 1-800-267-3504 x 1147)

1.0f STATUS OF ACTION ITEMS

Date: May 29, 2012
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive the Status of Action Items for information.

Staff & Chair Action Items:

Issue		Action	Lead	Status
1	Ottawa River Watershed Inter-Jurisdictional Committee	Encourage MOE to take the lead role in establishing an Ottawa River watershed inter-jurisdictional committee	Chair Stavinga & Brian Stratton	Ongoing The Canadian Water Network's Secure Source Waters Consortium proposal was accepted for funding. They will be organizing activities for the Ottawa region in June and July 2012.
2	Uranium	MVC and local Health Units work together to raise public awareness about naturally occurring uranium in drinking water	Sommer Casgrain-Robertson	In Progress Health Canada released a "Uranium and Drinking Water" fact sheet. It is available on their website at http://www.hc-sc.gc.ca/ewh-semt/pubs/water-eau/uranium-eng.php
3	Vacant City of Ottawa seat on SPC	Fill the vacancy on the MRSPC	City of Ottawa staff	In Progress Councillor Doug Thompson joined the Source Protection Committee and Tammy Rose has resigned. City of Ottawa staff will begin the process of filling Tammy's seat.

MRSPC Member Action Items:

Issue		Action	Lead	Status
1	Community Outreach opportunities	Members are encouraged to continue to notify Sommer about events and opportunities to engage the public about source protection and any issues that arise related to source protection.	All members	Ongoing

2.0 Proposed Source Protection Plan & Explanatory Document

Date: May 29, 2012
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee approves the recommended changes to the Source Protection Plan and Explanatory Document and directs staff to make any other necessary editorial corrections or revisions before finalizing the proposed versions of the Source Protection Plan and Explanatory Document.

Background

Draft versions of the Source Protection Plan and Explanatory Document were posted for a 37 day public consultation period:

- The draft Plan and Explanatory Document were posted on the Mississippi-Rideau Source Protection Region website on March 29, 2012
- Newspaper ads appeared in most local newspapers on March 29, 2012:
 - EMC Newspapers:
 - Kanata
 - Stittsville / Richmond
 - West Carleton
 - Almonte / Carleton Place
 - Perth
 - Smiths Falls
 - Kemptville
 - Other Newspapers:
 - Ottawa South
 - Ottawa West
 - Ottawa East
 - Nepean / Barrhaven
 - Manotick
 - Ottawa-Orléans
 - St. Lawrence
 - Frontenac News
 - Lanark Era
 - Westport Mirror
 - LeDroit
- Notices were sent to:
 - All municipalities on April 3, 2012
 - All other implementers and affiliated public bodies on April 3, 2012
 - Industry associations who expressed interest on April 3, 2012
 - Neighbouring Source Protection Committees on April 4, 2012
 - Source Protection Authorities on April 4, 2012
 - Properties with potential significant drinking water threats on April 4, 2012
- A press release was issued on April 4, 2012
- Four open houses were held in:
 - North Crosby on March 29, 2012
 - Manotick on April 19, 2012
 - Carleton Place on April 24, 2012
 - Smiths Falls on April 26, 2012
- Comments were accepted until May 4, 2012

Comments Received

All comments received on the draft Plan and Explanatory Document are summarized in the attached document. Staff has recommended how each comment could be addressed.

Attached:

- *A Summary of Comments Received on the Draft Source Protection Plan*

This document will be Appendix B of the Explanatory Document

**Summary of Comments Received on the Draft Source
Protection Plan and How They Were Addressed**

(March 2012 to May 2012)

DRAFT

OVERVIEW OF COMMENTS

As of May 29, 2012 the following stakeholders had commented on the draft Source Protection Plan and Explanatory Document:

Municipalities:

- Carleton Place
- Drummond/North Elmsley
- Elizabethtown-Kitley
- North Grenville
- Ottawa (staff)
- Rideau Lakes
- Smiths Falls
- Tay Valley
- Westport
- Lanark County
- Carleton Place Urban Forest / River Corridor Advisory Committee

Provincial / Federal Government:

- MMAH
- MOE
- MTO
- OMAFRA
- MCS and TSSA
- MNR
- Environment Canada
- Transport Canada

Property Owners / Public:

- 4 written submissions
- 62 open house participants

Scope of Review

- Most municipalities focused on reviewing policies that would apply in their municipality as well as the general sections of the Plan.
- Government agencies focused on reviewing policies that they would have to implement or that pertain to their mandate.
- Property owners reviewed policies that might affect activities on their property.
- The general public reviewed policies and the overall Plan.

Response

In general there was broad support for the draft Plan and an overall sense that the policies were reasonable and the Plan was easy to use. Many of the comments we received were suggestions to improve the readability of the Plan or the effectiveness of the policies. Some comments raised concerns about the impact of certain policies and the potential cost of implementation.

Revisions

Every comment was reviewed and consideration was given as to whether the Plan could be revised to address the comment. The following tables summarize all the comments that were received on the draft Plan and Explanatory Document and how they could be addressed. The comments are organized by the sections in the Plan.

In addition to the changes listed below, a number of other minor revisions were made to the Plan and Explanatory Document to correct editorial errors or improve readability.

OVERALL PLAN

#	Comment	Commenter	Addressed	Staff Recommendation
1	General Support For The Plan Comments included: <ul style="list-style-type: none"> Plan is well structured and policies are clear and concise Plan is representative of the high standards employed throughout the process Plan is well-organized, methodical and easy to read Plan is well written, well designed and readable One of the best and most comprehensive documents I have read in a long time A well written and organized comprehensive document which has incorporated previous concerns Many of the comments made during pre-consultation were taken into consideration 	Carleton Place Drummond/North Elmsley Lanark County North Grenville Smiths Falls Tay Valley Westport Carleton Place Urban Forest/River Corridor Advisory Committee MOE MTO OMAFRA MMAH	n/a	This feedback was appreciated.
2	Format Needs Improvement The Plan is overly complex and does not provide clear and concise direction on what implementing authorities need to do. The need to flip back and forth makes the Plan cumbersome. An overhaul of the format (in terms of how a user references it) should be completed before approval and submission.	Rideau Lakes	No	Staff explained to Rideau Lakes <ul style="list-style-type: none"> A lot of information had to be included in the Plan and we tried to organize it in the most concise user-friendly way. A series of one page fact sheets were prepared for the public which explain how policies could apply to each of their activities. Municipalities will be supported throughout implementation so they can fulfill their roles as efficiently as possible (e.g. templates). Since many of the policy tools are new, new procedures will need to be developed
3	References to The Act Referencing sections of the Clean Water Act does not make the document user friendly. If a risk management plan is required that language should be used, or at a minimum an index provided.	Rideau Lakes	Yes	Throughout most of the Plan references to the <i>Clean Water Act</i> are accompanied by an explanation of what that section of the legislation is. Staff will review the Plan and ensure that this has been done wherever possible.
4	Imposing Risk Management Plans Risk Management Plans can also be imposed if requirements cannot be worked out with the property owner. Explanations throughout the Plan should be edited to reflect this possibility.	MOE	Yes	Wording should be revised throughout the Plan to reflect this possibility.

#	Comment	Commenter	Addressed	Staff Recommendation
5	<p>Put Non-legally Binding Policies in an Appendix</p> <p>Including non-legally binding policies in the Plan as specific policies appears to elevate their status to policies which must be undertaken by municipalities. Non-legally binding policies should be included in a separate appendix to specifically identify them as being separate <i>recommended policy actions</i> only which municipalities are encouraged to undertake as time/finances permit. This will help narrow the focus to the main policies where action is required.</p>	Elizabethtown-Kitley	No	<p>In some cases policies are non-legally binding because the <i>Clean Water Act</i> doesn't allow them to be binding, not because they are a lower priority. Keeping them in the body of the Plan will help ensure they are not overlooked. Wording and policy codes throughout the Plan clearly indicate these policies are non-legally binding, however wording could be revised to indicate that implementation of non-legally binding policies is strongly encouraged as <u>resources and time permit</u>. The heading of Appendix C2 could also be revised to say "compliance date / <u>target date</u>" so as not to imply that non-binding policies have a firm compliance date.</p>

TITLE PAGES

#	Comment	Commenter	Addressed	Staff Recommendation
6	<p>The Document is Two Plans</p> <p>The <i>Clean Water Act</i> requires a Source Protection Plan for each source protection area. This requirement can be satisfied by a single document if the title page indicates the document represents the Source Protection Plans (plural) for both areas.</p>	MOE	Yes	<p>The title page should be revised to say "<i>This document <u>represents</u> the Source Protection Plans for both the:</i></p> <ul style="list-style-type: none"> • <i>Mississippi Valley Source Protection Area</i> • <i>Rideau Valley Source Protection Area</i>

SECTION 1 – BACKGROUND

#	Comment	Commenter	Addressed	Staff Recommendation
7	<p>Viewing Terms of Reference</p> <p>The box in section 1.6 that indicates where Assessment Reports can be viewed should also indicate where Terms of Reference can be viewed.</p>	SPC improvement	Yes	<p>Wording should be revised to indicate that both the Terms of Reference and the Assessment Reports can be viewed online and at the Conservation Authorities.</p>

#	Comment	Commenter	Addressed	Staff Recommendation
8	<p>Over Regulation</p> <p>I am already protected by the existing guidelines for safe water. Implementing further policies increases government spending in a time of economic strife. We are all sorry about the Walkerton crises but from the discussions I have had with friends and neighbours we are not prepared to suffer at the expense of one accident. What about all the 'safe drinking' days without incidence? The more regulated I am, the less freedom I feel, the more taxes I have to contribute to support policies I do not believe in, the greater my desire to take my hard earned money and move to another country.</p>	Public	No	<p>Section 1.1 explains that source protection is important for a number of reasons:</p> <ul style="list-style-type: none"> • Water treatment systems do not remove all contaminants from water, particularly chemicals such as fuels and solvents, so preventing contamination is sometimes the only approach. • It is much cheaper to keep water clean than it is to try and remove contaminants. One spill from a home heating oil tank in eastern Ontario cost \$1 million to clean up. The spill might have been avoided through a few preventative changes to the tank and supply lines. • Sometimes contamination cannot be cleaned up and a source of drinking water is lost forever. Manotick lost access to its groundwater in the 1990s when it was contaminated by chemicals from a dry cleaning business. Since then water has been piped into Manotick from urban Ottawa. • Clean and plentiful sources of drinking water also support tourism and recreation, business development, and fish and wildlife habitat. All of which are important to local economies.

SECTION 2 – POLICY DEVELOPMENT

#	Comment	Commenter	Addressed	Staff Recommendation
9	<p>Significant Groundwater Recharge Areas</p> <p>The paragraph in Section 2.1 titled "Threats Affecting Water Quantity" should also reference Significant Groundwater Recharge Areas.</p> <p>For completeness, and for municipalities who may want to have local policies regarding moderate and low threats, a small section should be added about Significant Groundwater Recharge Areas.</p>	<p>SPC improvement</p> <p>City of Ottawa SPC improvement</p>	Yes	<p>The following statement should be added to section 2.1: "<u><i>The Assessment Reports also identified Significant Groundwater Recharge Areas which show that groundwater recharge is occurring throughout much of the region. This should also be considered by decision makers</i></u>"</p> <p>A new paragraph about Significant Groundwater Recharge Areas should be added immediately following the paragraph about Highly Vulnerable Aquifers in section 2.2.</p>

#	Comment	Commenter	Addressed	Staff Recommendation
10	Improving Existing Programs The explanation in section 2.4 of improving existing programs to adequately protect source water in future should be reworded to soften the negative tone.	MOE	Yes	Wording should be revised as follows: <u>"Where there were opportunities to strengthen other regulatory programs so they could be used to adequately protect source water in the future, the Committee recommended such modifications. This could make additional source protection policies unnecessary in the future"</u> .
11	Binding Monitoring Policies In the "Legally Binding Policies" list in section 2.5, it should clarify that only monitoring policies pertaining to significant threat policies can be legally binding.	MOE	Yes	Wording should be revised as follows: <u>"Monitoring policies for significant drinking water threats that are directed at..."</u>
12	Terminology Both "Non-Legally Binding" bullets in section 2.5 require clarification as to their intent. What is meant by the terms "strategic action" and "public bodies"?	Carleton Place Urban Forest / River Corridor Advisory Committee	Yes	"Strategic actions" should be replaced with "recommended actions" and the term "public bodies" should be added to the glossary or explained in the text.

SECTION 3 – POLICIES TO ADDRESS SPECIFIC THREATS

#	Comment	Commenter	Addressed	Staff Recommendation
13	Existing / Future Definitions MOE recommends adding transition policies to address the intent of the existing and future definitions.	MOE	Yes	Staff should work with the MOE to develop transition policies that capture the intent of our existing and future definitions.
14	Where Policies Apply The "Where Policies Apply" explanation in Section 3.0 is very generic and non-specific.	Carleton Place Urban Forest / River Corridor Advisory Committee	Yes	Policy wording should be revised to add a reference to Section 2.2 for more details.
15	Assessment Report Findings The "Policy Intent" for some topics references the Assessment Reports while others do not. This needs to be consistent and we suggest referencing what was concluded in the Assessment Reports under all topics would be more informative.	Carleton Place Urban Forest / River Corridor Advisory Committee	Yes	Policy wording should be revised to include a reference to the Assessment Report findings in each section. For example <u>"The Assessment Reports identified some / very few [insert name of threat activity]..."</u>

#	Comment	Commenter	Addressed	Staff Recommendation
16	Policy Requirements Unclear For some proposed policies it is unclear as to the direction/action required. The link between a policy and what is to be done or implemented is not intuitive (e.g. what actions are to be taken in ADMIN-1 and ADMIN-2).	Rideau Lakes	Yes	Staff spoke to Rideau Lakes and explained that in some cases (e.g. ADMIN policies) we are obligated to write a policy a certain way. The “policy intent” narrative that precedes each policy is intended to explain what the policy will achieve. How it can be achieved (e.g. what the administrative procedures could be to implement policies) will be developed in partnership with municipalities as we move into implementation. The Source Protection Authorities want to facilitate discussions among municipalities and provide support so implementation is as efficient as possible.
17	Time Needed to Appoint Risk Management Official It may take some time to appoint a Risk Management Official after the plan is approved so implementation timelines should reflect this.	Rideau Lakes	Yes	In June source protection staff is meeting with municipal staff to give them the information councils need to appoint Risk Management Officials. The three year compliance date provides time to get new roles and procedures in place.
18	Clarify Risk Management Plans for Existing and Future Where applicable, risk management plan policies need to be reworded so it more clearly explains that while the compliance date of three years applies to existing activities, the policy applies to both existing and future activities (e.g. policy FUEL-1-LB-S58).	City of Ottawa	Yes	The statement “Risk Management Plans for existing activities shall be established within 3 years...” should be moved to the very end of the policy to remove any uncertainty that the policy and its minimum content apply to existing and future activities.
19	Compliance Date for all Non-Legally Binding Policies Implementing bodies may need time after the Source Protection Plan takes effect to initiate action related to non-legally binding policies (currently these policies take effective immediately upon the Plan being approved because no compliance date was specified).	SPC Improvement	Yes	Policies should be revised to add the following statement: <u>“Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.”</u>

#	Comment	Commenter	Addressed	Staff Recommendation
20	Compliance Date for Existing Prescribed Instrument Policies To address existing threat activities the MOE must review existing instruments to determine whether any additional terms and conditions are warranted. In order for the MOE to establish an effective implementation framework, they recommend the compliance date be "three years or such other date as the Director determines based on a prioritized review of prescribed instruments that govern significant drinking water threat activities".	MOE	No	This revision would make the policy inconsistent with the 3 year compliance date that municipalities have to establish Risk Management Plans for existing activities. In addition, our Assessment Reports only identified one existing prescribed instrument that the MOE would have to review.
21	Policies Containing Prescribed Instrument Content Specific content in prescribed instrument policies should be presented as "as the Director determines necessary". This recognizes the site specific nature of prescribed instruments and will prevent the MOE from having to develop multiple site specific business processes which is an inefficient use of limited resources. All instrument recommendations will be reviewed and incorporated where appropriate as part of the program review.	MOE	Yes	Policy wording should be revised so mandatory content becomes recommendations to be implemented as the Director determines necessary (see attachment 1). This would make prescribed instrument policies similar to most Risk Management Plan policies which leave site specific measures to the discretion of the Risk Management Official.
22	Address the Activity It is recommended that policies address the activity as opposed to the actions of the MOE Director (e.g., "Waste Disposal Sites shall be managed in a manner that ensures they cease to be a significant threat" rather than "MOE shall manage waste disposal sites in a manner that ...")	MOE	No	This revision would make the policies inconsistent with our other policies (we say "municipalities shall..."). It would also make the policy more difficult to read as you would have to turn to the legal effects list in Appendix A to see which body is the implementer.
23	Policies Affecting MOE Business Practices We recommend policies that impact MOE business practices (e.g. pesticide safety course) be revised to make them more consistent, implementable, and to give MOE flexibility in when and how policies are implemented. We recommend that policies be written to undertake a program analysis and report on actions taken by the Ministry as a result of that program analysis rather than define program outcomes/actions through the policy.	MOE	Yes	Policy wording should be revised to integrate MOE's proposed wording (see attachment 2). Policy CORR-2-NLB should also be revised to better reflect permissible policy content outlined in Section 26 (6) of <i>Clean Water Act</i> Regulation 287/07 (see attachment 2)

#	Comment	Commenter	Addressed	Staff Recommendation
24	Abandoned Landfills What about abandoned non-operational landfill sites? What about contaminated sites? Should there not at least be monitoring policies aimed at these sites?	Carleton Place Urban Forest / River Corridor Advisory Committee	Yes	Policies for existing waste disposal sites also apply to abandoned non-operational landfills. This could be clarified in the policy intent section. Assessment Reports were also required to identify contaminated sites that have the potential to impact municipal drinking water sources. No such sites were identified in the Mississippi-Rideau.
25	Environment Canada – PCBs Environment Canada clarified their legislative role and responsibilities	Environment Canada	n/a	This information confirmed the draft policies are appropriate.
26	Sewage in Ottawa River The Ottawa River is probably the most polluted waterway in Ontario yet the Plan does not deal with sewage runoff.	Public	No	The Plan does contain policies to address sewage discharges but the City of Ottawa's sewage treatment plant outfalls are not subject to them because the outfalls are downstream of their municipal drinking water system intakes. It is the MOE's <i>Ontario Water Resources Act</i> that regulates sewage works throughout Ontario and this Act prohibits the discharge of polluting materials that may impair water quality. The City of Ottawa is also developing an Ottawa River Action Plan to address this issue. This concern has been raised before by many stakeholders and it has been captured in our Accompanying Document to be forwarded to the MOE for their consideration.
27	Geodetic Benchmark It may not be feasible to always obtain a geodetic benchmark. Perhaps policies should require that grades be referenced to a geodetic or approved benchmark.	City of Ottawa	Yes	Policy wording should be revised to say "a <u>permanent</u> benchmark" rather than a geodetic benchmark.
28	Inspection Program Terminology Policy refers to a "Phase II Inspection" while the glossary refers to a "Phase II Maintenance Inspection." The policy should match the term in the glossary.	City of Ottawa	Yes	Policy wording should be revised to say "Phase II Maintenance Inspection"
29	Unnecessary Backstop Policy Cases where a sewage threat would not require an Environmental Compliance Approval should be very rare. Consideration should be given to having only one "backstop" policy for sewage.	MOE	No	It seems prudent to have a back-stop policy for all situations that may need one, regardless of how unlikely the situation.

#	Comment	Commenter	Addressed	Staff Recommendation
30	Legislation Clarification Due to recent legislative changes, Environmental Compliance Approvals for sewage works are required under the <i>Ontario Water Resources Act</i> but actually issued under the <i>Environmental Protection Act</i> .	MOE	Yes	Minor wording changes should be made throughout the Source Protection Plan and Explanatory Document to reflect this change.
31	Salt Management Plans Policies should be revised to clearly state that in some municipalities there will be areas where Road Salt Management Plans are required (legally binding policy) and other areas where they can only be recommended (non-legally binding policies).	SPC Improvement	Yes	Policies should be revised to provide greater clarity that both policies will apply in some municipalities. Appendix C also needs to be corrected to show that in some municipalities both legally binding and non-legally binding policies apply albeit in different areas.
32	Environment Canada – DNAPLs Environment Canada clarified their legislative role and responsibilities and provided links to the work they have completed in this area.	Environment Canada	Yes	The information that was provided shows Environment Canada usually develops standardized risk mitigation measures for whole sectors. Since Risk Management Plans allow risk measures to be tailored to the unique characteristics of each user, the policy directed at Environment Canada should be deleted.
33	Fuel Tank Replacement Age Raisin-South Nation is requiring the replacement of single-walled bottom feed tanks within 5 years and Mississippi-Rideau requires this within 15 years. These policies should be consistent.	City of Ottawa	Yes	Raisin-South Nation revised their policy to require these types of tanks to be replaced within 15 years.
34	Pollution Liability Insurance Has consideration been given to property owners that are unable (financially or otherwise) to obtain pollution liability insurance?	City of Ottawa	Yes	The policy should be revised to say property owners are “ <u>advised to hold</u> ” rather than “must hold” since pollution liability insurance is not a measure that protects source water, rather it is intended to ensure cleanup costs will be covered in the event of a spill.
35	TSSA’s Limited Role We see TSSA’s role as being critical and we are concerned they do not see themselves as an important component of a multi-barrier approach.	City of Ottawa	No	TSSA’s comments on our draft Plan reemphasized that their current mandate is fuel safety not environmental protection and they have offered to play a supporting role (see comments below).

#	Comment	Commenter	Addressed	Staff Recommendation
36	<p>TSSA Code Revisions</p> <p>There is currently no evidence that the provincial regulatory framework governing fuel is not effectively managing the risk to source water. On this basis the government has no plans to review the regulatory framework. Under the <i>Clean Water Act</i>, recommendations for provincial action to protect source water are the responsibility of the MOE.</p>	MCS and TSSA	Pending	<p>Many provincial ministries are playing an active role in helping protect source water. Since MCS and TSSA are the public bodies in Ontario responsible for fuel it is reasonable for them to take a proactive role to try and integrate source water concerns into their fuel mandate, much like OMAFRA has in the way they manage nutrients in Ontario. Policies could remain unchanged (these are non-legally binding policies) or portions of policies FUEL-3-NLB and FUEL-7-NLB that recommend regulatory or process changes could be redirected at the Source Protection Authority to make these code recommendations to the TSSA during stakeholder engagement opportunities (see attachment 3)</p>
37	<p>TSSA Supporting Role</p> <p>MCS and TSSA can support Committee's in the following ways:</p> <ul style="list-style-type: none"> • Municipalities can request data about licensed fuel storage/handling facilities • Include Risk Management Officials on their mailing list • Work with MOE to provide source water protection awareness information to be integrated into training programs. • Provide training/info sessions on fuel oil tanks to qualified individuals for a fee • Work with MOE to include source water safety info into current public education vehicles (website, brochure) • Work with MOE and fuel supply industry associations to distribute education materials to fuel suppliers. 	MCS and TSSA	Pending	<p>It makes sense for TSSA to take a proactive role to try and integrate source water information into their roles regarding fuel. Policies could remain unchanged or portions of policies FUEL-3-NLB and FUEL-7-NLB that involve education should be redirected at the MOE. The MOE would be encouraged to provide the TSSA with source water protection information to include in its existing public education vehicles as suggested by them (see attachment 3)</p> <p>Policy FUEL-4-NLB that simply asks the TSSA to continue to regulate fuel handling and storage at existing licensed facilities should remain.</p>

#	Comment	Commenter	Addressed	Staff Recommendation
38	<p>Fuel at Drinking Water Systems MOE proposed that works / operating procedures could ensure fuel oil at drinking water systems ceases to or never becomes a significant threat by specifying the following measures:</p> <ul style="list-style-type: none"> • Secondary containment • Spill/leak detection and spill response procedures as per Condition 16 of the license • Collision protection • Protection of oil lines from physical damage <p>Raisin-South Nation is using the policy wording proposed by the MOE. Will the same conditions apply in Mississippi-Rideau?</p>	<p>MOE</p> <p>City of Ottawa</p>	No	Our draft policies intend to apply the same requirements to all fuel oil storage that is considered a significant threat (fuel oil at a municipal drinking water system and other fuel oil such as residential). The requirements are listed in policy FUEL-1-LB-S58 and they are the requirements that should be listed in the works / operating procedures for municipal drinking water systems.
39	<p>Prohibiting Storage of Retail Fertilizer Raisin-South Nation requires a Risk Management Plan for the future handling and storage of commercial fertilizer for retail sale and Mississippi-Rideau prohibits it. These policies should be consistent.</p>	City of Ottawa	No	The Mississippi-Rideau Source Protection Committee felt it was unnecessary to allow new retail storages exceeding 2,500 tonnes of commercial fertilizer to be established in IPZs or WHPAs scored 10.
40	<p>Pesticide Inspections Policies requiring MOE to increase or prioritize inspections in vulnerable areas does not provide enough flexibility for MOE to consider all of its other inspection priorities. MOE will include source protection information as a criterion when setting inspection targets so if Committee's believe this type of policy is necessary, it is recommended that the policy simply state that MOE shall consider source protection information as a criterion when setting inspection targets.</p>	MOE	Yes	The policy should be revised to integrate the MOE's suggested wording (see attachment 2).
41	<p>Nutrient Management Act Activities Policies that exempt activities already governed by <i>Nutrient Management Act</i> instruments leave these significant threat activities without a policy in the Plan. This is non-compliant.</p>	MOE	Yes	New policies should be added that direct the OMAFRA to continue to regulate these activities under the <i>Nutrient Management Act</i> Regulation 267/03 (see attachment 4).
42	<p>Livestock Exemptions The Township supports the exemption of rural livestock as outlined in policies related to a small number of animals or where an existing Nutrient Management Plan is in place.</p>	Rideau Lakes	n/a	The feedback is appreciated.

#	Comment	Commenter	Addressed	Staff Recommendation
43	Geese The Plan does not address the <i>E.coli</i> threat posed by the large numbers of geese in eastern Ontario. They probably produce more manure than the farms in eastern Ontario.	Public	No	Under the <i>Clean Water Act</i> , only human activities can be addressed by policies in the Plan (e.g. agricultural activities not wildlife). Concerns about geese have been raised by numerous stakeholders throughout this process and this concern has been captured in our Accompanying Document to be forwarded to the MOE for their consideration.
44	NASM Legislation Some types of NASM will continue to be regulated as a waste under the <i>Environmental Protection Act</i> if the NASM has certain properties (high <i>E.coli</i> , high metals, high odour). Therefore, this policy needs to address future approvals as well as existing approvals.	SPC improvement	Yes	The preamble, policy wording and Explanatory Document should be revised so the policy applies to existing and future activities.
45	Aquaculture MNR does not consider drinking water sources when licensing landbased aquaculture facilities because MOE must consider it in the issuance of Permits to Take Water and Certificate of Approvals (landbased hatcheries require both). MNR is currently drafting cage aquaculture policy which does recommend consideration of drinking water intakes when siting a facility. The policy in the draft Plan is therefore unnecessary given this fact and the public consultation that would be required for a new cage aquaculture site. The Mississippi-Rideau is also not well suited to cage aquaculture so an application is unlikely.	MNR	No	Staff recommends keeping the aquaculture policy because it would complement MNR's future cage policy by encouraging cage aquaculture to take place outside of Intake Protection Zones scored 9 and 10. We are also seeking clarification about what aspects of landbased aquaculture the Certificate of Approval takes into consideration and manages.
46	Transport Canada Role – Deicing Transport Canada clarified their legislative role and responsibilities.	Transport Canada	n/a	The information was helpful and very informative.
47	Pits and Quarries Policy MNR comments pending	MNR		
48	Pits and Quarries It is recommended that the MNR and municipalities be given the ability to decline new pits and quarry licenses in and around Wellhead Protection Areas. Also municipalities may consider additional protections through future planning processes.	City of Ottawa	Yes	Source protection policies cannot prohibit pits and quarries but municipalities and the MNR can do so through their existing regulatory tools (e.g. municipalities could do so in their Official Plans and zoning by-laws).

#	Comment	Commenter	Addressed	Staff Recommendation
49	Rural Development The current planning rules for rural development (one hectare/one house/one well/one septic) are wasteful, expensive and do not yield the desired environmental results. Each drilled well and traditional septic system represents a threat to the underlying aquifer. With the increasing number of rural subdivisions, the situation will become more critical. Although rural source water protection is out of the scope of this exercise, there should be some policy direction that would encourage more modern and innovative “shared” source and waste water systems. It would appear that there are technologies in current use (and approved for Ontario) that can mitigate the impact of development on aquifers.	Public	No	This concern has been raised before by other stakeholders and it is one of the issues documented in our Accompanying Document to be forwarded to the MOE for their consideration with other ministries.
50	Admin Policy Correction Pesticides storage is not listed here even though there are section 57 and 58 policies for pesticides. Please revise accordingly.	MOE	Yes	Pesticide was inadvertently omitted. It should be added.

SECTION 4 – POLICIES FOR EDUCATION AND OUTREACH

#	Comment	Commenter	Addressed	Staff Recommendation
51	Legal Effect of Education Policies Why are policies in section 4.2 non-legally binding while policy EDU-1-LB is legal binding?	Carleton Place Urban Forest / River Corridor Advisory Committee	Yes	Policy EDU-1-LB can be legally binding because it is addressing <u>significant</u> drinking water threats. Road signs cannot be legally binding because they are not addressing a significant threat.
52	MTO Wording for Road Signs Please note that for Wellhead Protection Areas, MTO's suggested wording is road signs be installed where vulnerability scores are 10 or higher.	MOE	No	We adhered to MTO's criteria or road signs on provincial highways but we dropped it to a vulnerability score of 8 for primary municipal roads because that is more appropriate for our Wellhead Protection Areas. We received comments from the MTO but they did not say to change our policy.
53	Road Sign Content The City should have the ability to provide additional information on the sign such as a contact number in case of spills (pg. 60)	City of Ottawa	No	The MTO is developing a standardized sign in partnership with municipalities, conservation authorities and the MOE. It is unclear if there will be a space for a local phone number. This is currently under discussion by the provincial road sign working group.

#	Comment	Commenter	Addressed	Staff Recommendation
54	Consistent Road Signs A standardized sign should be installed across the entire region to facilitate an efficient review and approvals process for installations along provincial waterways.	MNR	Yes	An MTO led working group is producing a standardized sign for use across the entire province.

SECTION 5 – POLICIES THAT MONITOR IMPLEMENTATION

#	Comment	Commenter	Addressed	Staff Recommendation
55	Consolidate MOE Monitoring To allow the province to establish an effective implementation framework, the preferred wording from the ministry on monitoring policies is: "The ministry shall prepare an annual summary of the actions it has taken to achieve the outcomes of the source protection policy and make that report available to the SPC." Monitoring policies should not specify or direct MOE monitoring activities. This is to ensure that significant variation in potential monitoring policies across the Province does not prevent the Ministry from being able to implement a single new business process for complying with monitoring policy requirements.	MOE	Yes	MOE monitoring policies should be consolidated into two monitoring policies; one corresponding to significant threat policies and one corresponding to non-legally binding policies (see attachment 5).
56	Too Onerous for Municipalities The monitoring policies are onerous and beyond the abilities of a small municipality to be tracking and reporting on a yearly basis. Critical aspects of monitoring (tracking/reporting) should be provided through an easy to use and standard form supplied by the Source Protection Authority.	Rideau Lakes	Yes	Annual reporting is required by the <i>Clean Water Act</i> but the Source Protection Authority is committed to making it as easy as possible for municipalities. While section 5 explains that the Authority will work to develop reporting templates, the 15 municipal monitoring policies should be consolidated into 3 to simplify those templates (see attachment 6).
57	Consistent Monitoring It should be recognized that streamlined reporting is not just to limit costs but also to ensure that appropriate monitoring and reporting is prepared from year to year so that progress can be tracked and trends evaluated.	City of Ottawa	Yes	Monitoring policies for municipal should be consolidated into three policies to simplify the development of reporting templates which will help standardize the information being reported.

#	Comment	Commenter	Addressed	Staff Recommendation
58	Monitor Salt Education Program The reliance on salt programs such as Smart About Salt suggests that the Committee should be monitoring over time whether the programs are effective in educating the public and private operators.	City of Ottawa	No	The accurate way to monitor if an education campaign changes people's behavior is to conduct a proper poll. This is costly and the Source Protection Authority does not currently have the resources. If resources become available or alternative monitoring methods are determined they could be implemented.
59	Low and Moderate Threats Explain the decision to develop and monitor policies aimed at "moderate" and "low" threats. Not clear why, and if needed, why not the Source Protection Authority?	Carleton Place Urban Forest/River Corridor Advisory Committee	Yes	The Committee chose to develop a few policies to address moderate and low threats in the Highly Vulnerable Aquifer. The Committee then chose to develop complimentary monitoring policies for all policies in the Plan so that the effectiveness of each policy could be evaluated when the Plan is revised in the future. Most monitoring policies are aimed at the original policy implementer.

SECTION 6 – IMPLEMENTING THE PLAN

#	Comment	Commenter	Addressed	Staff Recommendation
60	Committee Role Is the Source Protection Committee going to provide oversight to the Source Protection Authority? What is the intended long-term role and relationship?	Carleton Place Urban Forest/River Corridor Advisory Committee	Yes	Under the <i>Clean Water Act</i> , both the Source Protection Authority and Source Protection Committee have long-term roles and responsibilities. However, long-term provincial funding has not been determined yet so that will determine what resources are available to operate the Committee.
61	Templates The implementation process for municipalities would be better facilitated if template documents were created for: <ul style="list-style-type: none"> • Generic planning process amendments. • Mandated emergency plan revisions. • Common cooperative education and outreach initiatives. 	Westport	Yes	Statements are made sporadically throughout the Plan to indicate that the Source Protection Authorities will assist implementers by developing templates and other shared resources. A new brown box could be added to Section 6.1 to identify " <u>Additional Recommendations for Source Protection Authorities</u> ". This box could list templates among other implementation suggestions.
62	Implementation Costs Costs associated with the implementation of this Plan should not be borne by the municipality from existing revenues. Those municipalities with a drinking water system should pay a larger proportion.	Rideau Lakes	Yes	Section 6.6 of the Plan calls on the province to provide funding for implementation. Should provincial funding not be available, the Source Protection Authority will facilitate a conversation among local municipalities to determine how best to fund implementation.

#	Comment	Commenter	Addressed	Staff Recommendation
63	<p>Provincial Funding We urge the MOE to create a funding program to help municipalities with the implementation of the policies listed in the Source Protection Plan.</p> <p>Lobby the province to fund the cost of developing the initial Risk Management Plans.</p>	<p>Smiths Falls</p> <p>Carleton Place</p>	Yes	Section 6.6 of the Plan calls on the province to provide funding for implementation. Should provincial funding not be available, the Source Protection Authority will facilitate a conversation among local municipalities to determine how best to fund implementation.
64	<p>Risk Management Plan Process There is some concern that the cost of risk management plans will become an additional cost borne by municipalities. While the Act does allow for cost recovery through permit fees there is recognition that many rural landowners already feel over-regulated. Care will need to be taken in establishing a risk management planning process that is simple, responsive to legally existing land uses and sensitive to the important public interest in clean drinking water. Guidance such as a case study would be helpful.</p>	City of Ottawa	Yes	In June source protection staff is meeting with municipal staff to give them the information councils need to appoint Risk Management Officials. This meeting will include discussion about funding and cost recovery options. Source Protection Authorities are committed to working with municipalities to help establish a process that is effective, efficient and reasonable.
65	<p>Support for Stewardship Funding Property owners were very excited about the generous grants currently offered through the Ontario Drinking Water Stewardship Program. Farmers, people on septic and fuel oil, and businesses want to see this program continue beyond 2012.</p> <p>Economic Impact – Farms Additional rules and regulations for farmers could cause economic hardship and drive some out of business.</p> <p>Economic Impact – Fuel Oil Having insurance companies and oil delivery companies force residents to upgrade oil tanks or convert without access to funding assistance is a bad policy and does not treat taxpayers fairly. In some cases this will force older people on fixed or limited incomes out of their homes. If municipalities value their source water, then they should pay to protect it, not hide behind insurance/oil companies.</p>	Public	Yes	<p>Mandatory policies in the Plan only apply in less than 1.5 per cent of the Mississippi-Rideau region. Farms, homes and businesses that fall inside this small area are being strongly encouraged to take advantage of the stewardship program that is funded until December 2012 (grant rates of up to 80% are available to implement risk management measures). Section 6.6 of the Plan lobbies the province to extend this stewardship program beyond 2012.</p> <p>Municipally appointed Risk Management Officials will require people in some circumstances to upgrade their oil tank. The policies do not require conversion nor do they involve insurance companies or fuel distributors in policy implementation.</p>

#	Comment	Commenter	Addressed	Staff Recommendation
66	<p>Over Regulation</p> <p>I am already protected by the existing guidelines for safe water. Implementing further policies increases government spending in a time of economic strife. We are all sorry about the Walkerton crises but from the discussions I have had with friends and neighbours we are not prepared to suffer at the expense of one accident. What about all the 'safe drinking' days without incidence? The more regulated I am, the less freedom I feel, the more taxes I have to contribute to support policies I do not believe in, the greater my desire to take my hard earned money and move to another country.</p>	Public	No	<p>Section 1.1 explains that source protection is important for a number of reasons:</p> <ul style="list-style-type: none"> • Water treatment systems do not remove all contaminants from water, particularly chemicals such as fuels and solvents. The safest approach is to prevent contamination. • It is much cheaper to keep water clean than it is to try and remove contaminants. One spill from a home heating oil tank in eastern Ontario cost \$1 million to clean up. The spill might have been avoided through a few changes to the tank and supply lines. • Sometimes contamination cannot be cleaned up and a water supply must be shut down. Manotick lost access to its groundwater in the 1990s when it was contaminated by chemicals from a dry cleaning business. Since then water has been piped into Manotick from urban Ottawa. • Clean and plentiful sources of drinking water also support tourism and recreation, business development, and fish and wildlife habitat. All of which are important to local economies.
67	<p>Water System Operators</p> <p>The Plan will have no effect on the watershed if the people managing the water system are irresponsible alcoholics.</p>	Public	Yes	<p>One of the first steps the provincial government took following the Walkerton Inquiry was to strengthen the rules regarding water treatment plant operators (training, qualifications, reporting, inspections). These new rules are captured in the <i>Safe Drinking Water Act</i> which was enacted in 2002. Source Protection Plans are an additional layer of protection meant to complement much more critical protection measures such as proper water testing, treatment and distribution and operator qualifications and training.</p>
68	<p>Future Scope of Plan Policies</p> <p>There are concerns that future versions of the Plan could have bigger implications (e.g., policies will apply in larger areas or recommendations will become mandatory policies).</p>	Rideau Lakes Public	Yes	<p>Full public consultation would be required if any policies in the Plan changed (including their legal effect) or if the MOE changed when or where an activity is subject to a policy (e.g. larger area).</p>

GLOSSARY OF TERMS

#	Comment	Commenter	Addressed	Staff Recommendation
69	Additional Terms Consider adding “Prescribed Instrument”, “Restricted Land Use” and “Prohibition”.	Carleton Place Urban Forest/River Corridor Advisory Committee	Yes	These terms should be added to the glossary.
70	Highlight Glossary Terms It would be helpful in reading the document to bold, italicize or other, the defined terms within the document.	City of Ottawa	No	Staff could not come up with a suitable way to identify defined terms that would not conflict with the current formatting of the Plan (i.e. bold and italics are used for specific purposes in the Plan).

SCHEDULES

#	Comment	Commenter	Addressed	Staff Recommendation
71	Schedule H Schedule H and Appendix D3 appear to be the same. The intended difference should be clarified.	Carleton Place Urban Forest/River Corridor Advisory Committee	Yes	There is a schedule for each vulnerable area (H shows the Carleton Place Intake Protection Zone) and there is an Appendix D map for each municipality where significant threat policies apply (D3 shows Carleton Place). While these two maps look similar they are different scales and they emphasize different features. The intention of each map is explained in the User’s Guide but it will be added to the cover pages for the Schedules and Appendix D.

APPENDICES

#	Comment	Commenter	Addressed	Staff Recommendation
72	Appendix A – List I You should only list ADMIN-1-LB and ADMIN-2-LB in addition to keeping them on List A. The individual policies on List I do not specifically note s.59 in their policy text.	MOE	Yes	The list should be corrected.
73	Appendix A – List J The corresponding monitoring policy for any optional and non-legally binding policy or any moderate or low policy in areas the threat cannot become significant should be listed on List J.	MOE	Yes	All monitoring policies should be added to their correct legal effect list.
74	Due to recent changes, all sewage approvals required under the <i>Ontario Water Resources Act</i> are actually issued under the <i>Environmental Protection Act</i> . Therefore an “X” should also be under the <i>Environmental Protection Act</i> for sewage policies.	MOE	Yes	The table should be corrected.

#	Comment	Commenter	Addressed	Staff Recommendation
75	Appendix A – Prescribed Instrument Chart NASM prescribed instruments can be issued under the <i>Environmental Protection Act</i> as well (not just the <i>Nutrient Management Act</i>) so an “X” should be added.	MOE	Yes	The table should be corrected

DRAFT EXPLANATORY DOCUMENT

#	Comment	Commenter	Addressed	Staff Recommendation
76	Useful Document This is a very useful document that is very helpful in explaining the Plan, the rationale used in its production and how it is intended to be implemented.	City of Ottawa	n/a	The feedback was appreciated
77	Explanatory Document Does the Explanatory Document get approved by the Ministry with the Source Protection Plan? If so, does it need a formal approval for amendments to it?	City of Ottawa	Yes	The Explanatory Document is submitted to the MOE along with the proposed Plan but it is not approved by the Minister. It is intended to provide the Minister with the rationale for each policy.
78	Terminology Land uses are legally allowed to continue, suggest replacing the word ‘punitive’ with ‘restrictive’ (pg. 7).	City of Ottawa	Yes	Wording should be revised.
79	Scope of Education Program The use of the term ‘household’ should be reconsidered as this education program will apply to other users. (pg. 9)	City of Ottawa	Yes	Wording should be revised.
80	Climate Change The precautionary principle means that in erring on the side of caution with unknown impact to drinking water a proposal should not proceed, How does this translate into making decisions based on climate change? (pg. 10)	City of Ottawa	Yes	MOE outlined three ways that Source Protection Plans could consider climate change when creating policies. This Plan used the precautionary approach as explained in Section 3.4. This approach should make policies in the Plan more resilient to changes in climate.
81	Water Quantity Stresses It would be appropriate to identify the stressed watersheds by name (pg. 11)	City of Ottawa	Yes	The names of the stressed subwatersheds should be added.
82	Cost of Sewage Policies Unclear if on-site sewage systems and connecting to municipal services necessarily have the same expense (pg. 18)	City of Ottawa	Yes	Policy wording should be revised to say that both are a substantial expense.
83	Farm Definitions Clarification is needed on what constitutes a non-intensive farm versus an intensive farm operation (pg. 42)	City of Ottawa	Yes	Wording was revised to provide cross-references to the policies which define each term.

2.0 Summary of Comments Received on Draft Plan: Attachments

Attachment 1	Policies Containing Prescribed Instrument Content
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Proposed Change: Change mandatory language to recommendations to allow prescribed instrument content to be “as the Director determines necessary” on a site-by-site basis.

Policies Affected: This change would apply to the following policies which specified risk reduction measures (mandatory content should remain in policy FUEL-2-LB-PI-MC):

- WASTE-1-LB-PI-MC SEW-7-LB-PI-MC SEW-10-LB-PI-MC

Current Wording in Draft Plan (one sample)	Recommended Revisions for Proposed Plan (one sample)
<p><u>SEW-7-LB-PI-MC</u> Advanced Sewer Design Standards The MOE shall ensure that Environmental Compliance Approvals issued for new or replacement sanitary sewers and related pipes located in areas where they would be a significant drinking water threat as described in Appendix B are constructed of watermain quality pipe and pressure tested in place at a pressure of 350 kPa (50psi) using the testing methodology in Ontario Provincial Standard Specification 412 (OPSS 412).</p>	<p><u>SEW-7-LB-PI-MC:</u> Future Sanitary Sewers and Related Pipes – Prescribed Instrument Where new or replacement sanitary sewers and related pipes would be a significant drinking water threat as described in Appendix B, the MOE shall ensure that the Prescribed Instrument (Certificate of Approval or Environmental Compliance Approval under the <i>Ontario Water Resources Act</i>) includes appropriate terms and conditions to manage the threat so that it does not become significant. Where the Director considers it appropriate, terms and conditions would include requiring that new or replacement sanitary sewers and related pipes be constructed of watermain quality pipe and pressure tested in place at a pressure of 350 kPa (50 psi) using the testing methodology in Ontario Provincial Standard Specification 412 (OPSS 412).</p>

Attachment 2	Policies Impacting MOE Business Practices
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Proposed Change: Change wording so policies will be more consistent and implementable for the MOE.

Policies Affected: These changes would apply to the following policies:

- PEST-1-NLB PEST-2-NLB PATH-2-NLB CORR-2-NLB

Current Wording in Draft Plan	Recommended Revisions for Proposed Plan
<p><u>PEST-1-NLB</u> Pesticide Inspections The MOE is strongly encouraged to prioritize inspections related to pesticide use in areas where pesticide application, handling and storage is or would be a significant drinking water threat as described in Appendix B</p>	<p><u>PEST-1-NLB</u> Pesticide Inspections The MOE is strongly encouraged to integrate source water protection information such as the location of vulnerable drinking water areas, into the criteria used by program managers and inspectors to determine inspection priorities related to pesticide use in areas where the application, handling and storage of pesticide is or would be a significant drinking water threat as described in Appendix B. Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p>

<p><u>PEST-2-NLB</u> Pesticide Education Programs The MOE is strongly encouraged to ensure that the Ontario Pesticide Education Program for growers, assistants and vendors and the Ontario Pesticide Training and Certification for exterminators, operators and technicians are required for the application, handling and storage of all pesticides that are or would be a significant drinking water threat as described in Appendix B.</p>	<p><u>PEST-2-NLB</u> Pesticide Education Programs The MOE is strongly encouraged to undertake a program analysis of the Ontario Pesticide Education Program and the Ontario Pesticide Training and Certification Program. The analysis should consider the need for training/certification to be required for all pesticide application, handling and storage that is or would be a significant drinking water threat as described in Appendix B. Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p>
<p><u>PATH-2-NLB</u> Inspections of Wells in Wellhead Protection Areas Immediately upon the Source Protection Plan taking effect, the MOE is strongly encouraged to conduct prioritized inspections of all new wells and the abandonment of wells within Wellhead Protection Areas to ensure compliance with Ontario Regulation 903 so that wells do not endanger the raw water supply of a municipal drinking water system.</p>	<p><u>PATH-2-NLB</u> Well Regulations The MOE is strongly encouraged to undertake a program analysis of the compliance program associated with Ontario Regulation 903. The compliance program should ensure that wells in Wellhead Protection Areas are in compliance with the regulation so that the raw water supply of a municipal drinking water system is not endangered. Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p>
<p><u>CORR-2-NLB</u> Ministry of the Environment Spill Response Procedure Updates Within six months of the Source Protection Plan taking effect, the MOE is strongly encouraged to implement procedures that ensure spills reported within the Wellhead Protection Areas and Intake Protection Zones (all scores) are responded to appropriately given the potential risks to drinking water sources.</p>	<p><u>CORR-2-NLB</u> Ministry of the Environment Spill Response Procedures The MOE is strongly encouraged to update spill response procedures for the purpose of protecting drinking water sources with respect to spills that occur within a Wellhead Protection Area or Intake Protection Zone along highways and railway lines. Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p>

Attachment 3 Policies Directed at the TSSA	
<u>Possible Changes:</u>	The Source Protection Authority could become the implementer of policies that propose regulatory changes (they could use stakeholder consultation opportunities to recommend proposed regulatory changes). The MOE could become responsible for providing standardized source water protection information to provincial fuel regulators to distribute through their existing education avenues.
<u>Policies Affected:</u>	<p>These changes would apply to the following policies which are directed at TSSA:</p> <ul style="list-style-type: none"> • FUEL-3-NLB FUEL-4-NLB FUEL-7-NLB <p>New monitoring policies would be required to correspond to any new policies.</p>

Current Wording in Draft Plan	Recommended Revisions for Proposed Plan
<p><u>FUEL-3-NLB</u> Fuel (Heating) Oil – TSSA Procedures Where the handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 is or would be a significant drinking water threat as described in Appendix B, the TSSA is strongly encouraged to consider the following code changes during their next scheduled code review:</p> <ul style="list-style-type: none"> • Require inspections conducted by fuel suppliers to be more frequent than every ten years • Require immediate replacement of single-walled steel tanks with side feed <p>The TSSA is also strongly encouraged to request fuel suppliers to:</p> <ul style="list-style-type: none"> • Promote to their customers the phasing out of indoor and outdoor single-walled steel tanks and replacement with more leak resistant technology <p>Promote to their customers the importance of regular maintenance as described in Section 13 of the Ontario Installation Code for Oil-burning Equipment to increase awareness of and compliance with this requirement. This could be accomplished by printing a reminder on the fuel bill.</p>	<p><u>FUEL-#-NLB</u> Fuel (Heating) Oil – Source Water Protection Information for the Fuel Sector To address the handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 where it is or would be a significant drinking water threat as described in Appendix B, the MOE is strongly encouraged to provide source water protection information to:</p> <ul style="list-style-type: none"> • The TSSA to include in their current public education vehicles, such as the TSSA's website and seasonal brochures • The Ministry of Consumer Services and fuel industry associations to distribute to fuel suppliers <p>Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p> <p><u>FUEL-#-LB</u> Fuel (Heating) Oil – TSSA Stakeholder Engagement Opportunities To address the handling and storage of fuel at a facility as defined in Section 1 of Ontario Regulation 213/01 where it is or would be a significant drinking water threat as described in Appendix B, the Source Protection Authority shall participate in TSSA stakeholder engagement opportunities to encourage the TSSA to consider the following regulatory and compliance assurance changes:</p> <ul style="list-style-type: none"> • Require inspections conducted by fuel suppliers to be more frequent than every ten years • Require immediate replacement of single-walled steel tanks with side feed • Phase out single-walled steel tanks and replace with more leak resistant technology • Promote awareness of regular maintenance required under Section 13 of the Ontario Installation Code for Oil-burning Equipment

<p><u>FUEL-4-NLB</u> Liquid Fuel at Existing Licensed Facilities – TSSA Procedures The TSSA ensures licensed facilities are in compliance with Ontario Regulation 217/01 and the Liquid Fuels Handling Code through its system of licensing and inspections that are conducted on a three year cycle. The TSSA is strongly encouraged to consider a code change during their next scheduled code review that would increase the frequency of inspections to annually at existing licensed facilities where fuel handling and storage is a significant drinking water threat as described in Appendix B</p> <p><u>FUEL-7-NLB</u> Liquid Fuel at Private Outlets – TSSA Procedures The TSSA conducts inspections of private outlets pursuant to Ontario Regulation 217/01 and the Liquid Fuels Handling Code on an ad hoc basis. The TSSA is strongly encouraged to communicate to their inspectors the importance of prioritizing inspections of private outlets in the areas where fuel handling and storage is or would be a significant drinking water threat as described in Appendix B.</p>	<p><u>FUEL-#-NLB</u> Liquid Fuel at Existing Facilities – TSSA’s Existing Procedures The TSSA is strongly encouraged to continue to administer Ontario Regulation 217/01 and ensure compliance with the Liquid Fuels Handling Code where they apply to the handling and storage of fuel at an existing bulk plant, cardlock/keylock or retail outlet, including a marina (licensed facilities) as defined in Section 1 of Ontario Regulation 217/01 where the threat is significant as described in Appendix B. These existing regulatory requirements and the corresponding compliance program safely manage this activity so that it is not a significant threat to drinking water.</p> <p><u>FUEL-#-NLB</u> Liquid Fuel – Source Water Protection Information for the Fuel Sector To address the handling and storage of fuel at a private outlet as defined in Section 1 of Ontario Regulation 217/01 where it is or would be a significant drinking water threat as described in Appendix B, the MOE is strongly encouraged to provide source water protection information to:</p> <ul style="list-style-type: none"> • The TSSA to include in their current public education vehicles, such as the TSSA’s website and seasonal brochures • The Ministry of Consumer Services and fuel industry associations to distribute to fuel suppliers <p>Action to implement this policy should be initiated within one year from the date the Source Protection Plan takes effect.</p> <p><u>FUEL-#-NLB</u> Liquid Fuel – TSSA Stakeholder Engagement Opportunities To address the handling and storage of fuel at a private outlet as defined in Section 1 of Ontario Regulation 217/01 where it is or would be a significant drinking water threat as described in Appendix B, the Source Protection Authority shall participate in TSSA stakeholder engagement opportunities to encourage the TSSA to consider the following regulatory / compliance assurance change:</p> <ul style="list-style-type: none"> • Integrate source water protection information, such as the location of vulnerable drinking water areas, into the criteria used by inspectors to determine inspection priorities for private outlets
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Attachment 4	Policies That Exempt Nutrient Management Act Instruments
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Proposed Change: Add a policy directed at OMAFRA to stipulate that significant threat activities exempt from requiring a Risk Management Plan are being managed under *Nutrient Management Act* requirements.

Policies Affected: This change would add a companion policy to each of the following policies which exempt activities regulated under the *Nutrient Management Act* from requiring a Risk Management Plan:

- FERT-1-LB-S58 LIVE-1-LB-S58 ASM-1-LB-S58 NASM-2-LB-S58

New monitoring policies will be required to correspond to these new policies.

Recommended Addition for Proposed Plan (one example)
<p><u>FERT-X-LB-PI-MC (new policy)</u></p> <p>Commercial Fertilizer – Prescribed Instrument (<i>Nutrient Management Act</i> Instruments)</p> <p>Where the application of commercial fertilizer that is or would be a significant drinking water threat as described in Appendix B is governed by a Prescribed Instrument (Nutrient Management Plan developed under General Regulation 267/03 of the <i>Nutrient Management Act</i>), this activity shall continue to be managed through these existing requirements. The existing regulatory requirements administered by the Ontario Ministry of Agriculture, Food and Rural Affairs and the corresponding compliance program enforced by the MOE already safely manage this activity so that it is not a significant threat to drinking water.</p>
<p><u>MON-X-LB (new policy)</u></p> <p><i>Nutrient Management Act</i> Legislation and Program Updates</p> <p>The Ontario Ministry of Agriculture, Food and Rural Affairs shall keep the Source Protection Authority informed of changes to <i>Nutrient Management Act</i> legislation or programs.</p>

Attachment 5	Consolidation of MOE Monitoring Policies
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Proposed Change: Consolidate the 8 monitoring policies directed at the MOE into two monitoring policies.

Policies Affected: Policies MON-18-LB to MON-19-LB are consolidated into one policy (MON-#-LB). Policies MON-20-NLB to MON-25-NLB are consolidated into one (MON-#-NLB).

New Wording of Consolidated MOE Monitoring Policies
<p>MON-#-LB</p> <p>Annual Report from the MOE – Legally Binding Policies</p> <p>By February 1st of each year, the MOE shall provide the Source Protection Authority with a summary of implementation activities for the previous calendar year related to significant threat policies where the MOE is the implementer</p>
<p>MON-#-NLB</p> <p>Annual Report from the MOE – Non-Legally Binding Policies</p> <p>By February 1st of each year, the MOE is requested to provide the Source Protection Authority with a summary of implementation activities for the previous calendar year related to moderate and low threat policies and other permissible policies where the MOE is the implementer.</p>

Attachment 6	Consolidation of Municipal Monitoring Policies
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Proposed Change: Consolidate the 15 monitoring policies directed at the municipalities into three monitoring policies.

Policies Affected: Policy MON-1-LB “Risk Management Official Annual Report” remains the same.
Policies MON-2-LB to MON-9-LB are consolidated into one policy (MON-2-LB).
Policies MON-10-NLB to MON-15-NLB are consolidated into one (MON-3-NLB).

New Wording of Consolidated Municipal Monitoring Policies
<p>MON-1-LB Annual Report from the Risk Management Official By February 1st of each year, the Risk Management Official shall provide a report to the Source Protection Authority with the information required in Section 65 of Ontario Regulation 287/07 related to the previous calendar year. This will provide administrative, enforcement and compliance results for the Section 58 Risk Management Plan and Section 57 Prohibition policies.</p>
<p>MON-2-LB Annual Report from the Municipality – Legally Binding Policies By February 1st of each year, the municipality shall provide the Source Protection Authority with a summary of implementation activities for the previous calendar year related to legally binding policies where the municipality is the implementer. The summary shall include:</p> <ul style="list-style-type: none"> • One-time confirmation that new requirements have been implemented regarding lot grade and drainage plans, mandatory connection to municipal sewer services and sewer use • One time confirmation that required Official Plan and zoning by-law amendments have been completed • Documentation related to the Sanitary Sewer Maintenance Program such as method, schedule, remedial work planned / carried out • Documentation related to the Road Salt Management Plan such as a copy of the completed plan and subsequent revisions and a summary of action taken to reduce road salt use (or a copy of the yearly review report if one is prepared under Environment Canada's <i>Code of Practice for the Environmental Management of Road Salts</i>) • Feedback related to the promotion of smart salt practices such as a description of the initiatives that were undertaken and an indication of the level of participation (e.g. numbers of contractors certified and sites certified) • A copy of the results of the annual raw water testing for chloride (municipalities with groundwater systems only) • Feedback related to the implementation, participation and suggestions to improve the effectiveness of the “Living and Working in the Drinking Water Zone” education program • Other information required by the Source Protection Authority to track policy implementation and determine policy effectiveness
<p>MON-3-NLB Annual Report from the Municipality – Non Legally Binding Policies By February 1st of each year, the municipality is requested to provide the Source Protection Authority with a summary of implementation activities for the previous calendar year related to non legally binding policies where the municipality is the implementer. The summary should include:</p> <ul style="list-style-type: none"> • Documentation related to the Road Salt Management Plan such as a copy of the completed plan and subsequent revisions and a summary of action taken to reduce road salt use (or a copy of the yearly review report if one is prepared under Environment Canada's <i>Code of Practice for the Environmental Management of Road Salts</i>) • Feedback related to the promotion of smart salt practices such as a description of the initiatives that were undertaken and an indication of the level of participation (e.g. numbers of contractors certified and sites certified) • An indication of decisions or action taken related to updating Emergency Response Plans and implementing new requirements for earth (geothermal) energy systems • One-time confirmation that signs to identify the Wellhead Protection Areas and Intake Protection Zones have been installed • Feedback related to the implementation, participation and suggestions to improve the effectiveness of the “Transporting Contaminants through the Drinking Water Zone” education program • Other information requested by the Source Protection Authority to track policy implementation and determine policy effectiveness

3.0 Submission to Source Protection Authorities

Date: May 29, 2012
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee approves the submission of the proposed Source Protection Plan and Explanatory Document to the Mississippi Valley Source Protection Authority and Rideau Valley Source Protection Authority.

Background

The Source Protection Committee must submit their proposed Source Protection Plan and Explanatory Document to the Source Protection Authorities. They must include:

- A summary of any unresolved municipal concerns.

Source Protection Authorities are then responsible for:

- Posting the proposed Plan and Explanatory Document on the website for a 30 day public consultation period (likely June 22 to July 23, 2012).
 - Notices must be sent to all municipalities and each person who submitted written comments on the draft Plan.
- Submitting the proposed Plan and Explanatory Document to the Minister of the Environment (likely following their July 26 meeting)
 - They must include a summary of any unresolved municipal concerns.

4.0 Source Protection Plan Accompanying Document

Date: May 30, 2012
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee approve the attached document titled *A Summary of Concerns Outside the Scope of the Source Protection Plan* and direct staff to submit it to the Source Protection Authorities for submission to the Ontario Ministry of the Environment with the proposed Source Protection Plan.

Background

Throughout the development of the Assessment Reports and Source Protection Plan, the Mississippi-Rideau Source Protection Committee has been made aware of a number of drinking water related concerns that cannot be captured in the Source Protection Plan.

Accompanying Document

To ensure these concerns do not get overlooked, an Accompanying Document to the Plan has been created to consolidate and highlighted these concerns for further consideration by an appropriate group, agency or government ministry. This document will be submitted to the MOE along with the Mississippi-Rideau's proposed Source Protection Plan.

An internal preliminary draft of the accompany document has been provided to members for review. Once approved, the document will be posted on our website.

5.0 Community Outreach

Date: May 29, 2012
To: Mississippi-Rideau Source Protection Committee
From: Sommer Casgrain-Robertson, Co-Project Manager
Mississippi – Rideau Source Protection Region

Recommendation:

That the Mississippi-Rideau Source Protection Committee receive the Community Outreach staff report for information

Background

Staff and MRSPC members participate in many different community outreach activities to raise awareness and understanding of the source protection planning process. These activities include information booths at events, presentations at meetings and articles in newsletters and local papers. It is important that staff and members keep each other informed about the activities they are involved in so that we can coordinate our participation and prepare appropriate materials in advance. This includes coordinating with our neighbouring regions for outreach covering Eastern Ontario.

Past Activities

Members & staff are asked to give a verbal update on any other activities that took place in the past month related to source protection.

1. *MOE Webex Information Session: Risk Management Official*
 - April 2, Manotick (Sommer, Allison and municipal staff participated)
2. *Chairs Meeting*
 - April 16, Toronto (Chair Stavinga and Sommer attended)
3. *Draft Source Protection Plan Open Houses* (members and staff participated)
 - March 29, North Crosby
 - April 19, Manotick
 - April 24, Carleton Place
 - April 26, Smiths Falls
4. *Chair / CO / MOE / SPPAC Teleconferences*
 - Throughout April and May (staff participated)

Upcoming Activities

Members & staff are asked to give a verbal update about any other activities they know about in the coming months related to source protection.

1. *Mississippi Valley Source Protection Authority Meeting*
 - June 20, Almonte (Sommer presenting)
2. *Rideau Valley Source Protection Authority Meeting*
 - June 21, Manotick (Sommer presenting)
3. *Municipal Working Group Meeting: Risk Management Official Discussion*
 - June 25, Perth (staff participating)
4. *Joint Source Protection Authority Meeting*
 - July 26, Manotick (members are invited)