

Thames – Sydenham and Region Drinking Water Source Protection Source Protection Committee Discussion Paper

Report to Chair and members
Thames – Sydenham and Region
Source Protection Committee

Agenda # 2011.12.7b.

Cc SP Management Committee

Date December 07, 2011

Prepared By Source Protection Communications Team

Re: Source Protection Plan pre-consultation

Background

The purpose of this discussion paper is to explore with the SPC the pre-consultation phase of the Source Protection Plan. The Clean Water Act and regulations provide requirements for each designating body responsible for implementing various types of policies including prescribed instruments, decisions under the Planning or Condominium Acts, significant threat or Great Lakes polices, Part IV (s.57 Prohibition, s.58 Risk Management Plans, and s.59 Restricted Land Use), s.35-39 of O. Reg. 287/07 that need to take place prior to posting a draft of the proposed Source Protection Plan.

The following specific requirements for the Source Protection Committee are found within s. 35 to 39 of O. Reg. 287/07. The Source Protection Committee must:

- (a) provide notice of the proposed policy to the person or body who would be responsible for implementing the policy;
- (b) provide the draft wording of the proposed policy to the person or body referred to in clause (a);
- (c) provide a summary of the reasons for the proposed policy to the person or body referred to in clause (a);
- (d) request written comments on the proposed policy from the person or body referred to in clause (a); and
- (e) consider the comments received, if any, from the person or body referred to in clause (a).

In order to satisfy these requirements, a process has been developed which includes providing notice which will be delivered along with information packages and the opportunity to participate in one or more workshops or meetings. These plans are described in the following sections.

Meetings and Workshops

Municipal Policy Advisory Committee (MPAC) – The MPAC has met once to discuss the process for the committee’s input into the policy development process (the review of Threats Policy Discussion Papers). A second meeting was proposed in the Terms of Reference. It was planned that the meeting would be towards the end of the policy development process. This is an opportunity to prepare those who have been involved in the MPAC for the pre-consultation phase and to lay out how the process has and will proceed through to consultation on the Source Protection Plan. A meeting or teleconference of the MPAC will be planned for approximately 2 weeks prior to the workshops discussed below.

Pre-Consultation Municipal Workshops - Two or three workshops for municipalities are planned. These workshops will provide an overview of the pre-consultation process as well as the expectations for responses to the request for comments on the draft policies. Policy tools, as well as other reference material, such as Assessment Reports and Threats Discussion Papers will also be discussed at the workshop so that participants have a better understanding of the policies and their implications.

After the workshops and meetings, the packages would be distributed to the Clerks or Councils of each municipality. Staff would then follow up with phone calls to motivate discussion and responses.

Provincial Implementer Meetings – Individual meetings with provincial agencies will be promoted. The objectives of these meetings will be similar to those of the Municipal Workshops. As the interests of the provincial ministries are unique to their instruments it is anticipated that it would be more efficient to deal with each ministry separately. This is feasible due to the limited number of implementers who would be consulted in this manner. These meetings would be scheduled as requested following the distribution of the pre-consultation packages to the ministries.

First Nations Liaison Committee (FNLC) – At a meeting of the FNLC materials similar to those provided at the MPAC, municipal workshops and provincial meetings will be presented and discussed. The purpose of this meeting will be to prepare the members of the committee for the upcoming posting of the Source Protection Plan and notices which are required to be distributed to the Chiefs. As there are no policies in the Source Protection Plan which the First Nations would be implementing, pre-consultation on draft policies is not required.

Implementer Packages

Municipalities

- 1) Cover letter from the chair
 - a) Purpose and legislative requirements for pre-consultation
 - b) Timeline for comments
 - c) Overview of the materials included in the package
 - d) Feedback being requested by the SP Committee (opportunity for meaningful input to plan)
 - i) How to review and comment on the policies including a checklist and comment form
 - e) How the comments collected will be used
- 2) Fact Sheet of General Background including:
 - a) Legislation overview (municipal responsibilities)(outline tools and under what situation they are applicable – s.57 Prohibition; Education & Outreach; Prescribed Instruments; Risk Management Plans; etc.)
 - b) Timeline for the plan
 - c) Overview of the process:
 - i) Terms of Reference, Assessment Report
 - ii) Policy Development
 - (1) municipal advisory committee role
 - iii) Pre-consultation with implementers
 - iv) Draft proposed Source Protection Plan

- v) Consultation
 - vi) Proposed Source Protection Plan
 - vii) Submission
 - viii) Monitoring
 - ix) Review and updates
- 3) Fact Sheet - Anatomy of a Policy
 - a) Rationale – purpose of the policy
 - b) Interpretation– which threats are applicable to the policy
 - c) General– overriding aspects of the policy including level of threats involved, who is implementing, funding considerations, time frames for implementation
 - d) Implementation– details of the policy
 - e) Monitoring– identifies who will be monitoring and what is to be reported
 - f) Cost considerations
 - g) Implementation Tools
 - i) Options include partnering with other municipalities, agreements to contract out, including the cost considerations for funding them
 - h) In support of the policies, provide links to threats discussion papers posted on the website
 - 4) System/Municipal Specific Information
 - a) System summary
 - b) Specific municipal threats
 - i) what is a threat
 - ii) prescribed and local
 - iii) summary of types of threats for system (tables from Assessment Report)
 - c) *Policy matrix - Customized for municipality*
 - d) Policies proposed to be implemented by the municipality
 - i) Rationale
 - e) Maps that outline areas where it is possible to have significant threats in the municipality

Other Implementers

- 1) Cover letter
 - a) Similar to municipal
- 2) *Policy Matrix*
 - a) Customized to implementer
- 3) Summary of existing threats identified in AR
- 4) Draft Policies
 - a) Rationale
 - b) Cost considerations
- 5) SPA or Region map of areas where significant threats can occur