

Thames Sydenham Source Protection Plan Consultation and Stakeholder Engagement Plan

October 11, 2011

1.0 Plan Notification

Source protection committees are required by Section 19 of the Regulation to formally give notice in their source protection area when they begin preparing their source protection plans. Notice was provided as to the commencement of the Source Protection Plan development in March, 2011. Notice (Appendix 1) was sent to:

- Municipalities (March 9, 2011)
- Counties (March 14, 2011)
- First Nations (March 22, 2011)
- Landowners who are or could be engaged in activities that are a significant risk (March, 10 and 11, 2011)

2.0 Early Engagement

Prior to official Pre-consultation, a number of efforts were made to engage both potential implementers of the plan and those affected by the plan. These efforts included:

- Source Protection Municipal Advisory Committee – August 11, 2011
- First Nation Liaison Committee – June 1, 2011; July 27, 2011; August 31, 2011; September 28, 2011; November 29, 2011 (scheduled)
- Municipal Forums: - overview of source water protection and discussed disclosure service
- Presentation to councils upon request
A number of presentations have been made to municipal councils and committees based on their requests for information on the SP planning process. The presentations outlined the work to date and the process underway to develop the policies that will form the Source Protection Plan(s)
- Disclosure Service
With the submission of the Assessment Reports, Conservation Authorities have incorporated a disclosure service into their planning advisory and permitting process. This service augments the required notification of the property owners who are believed to be engaged in activities which may be significant threats. This disclosure is an education effort which will make proponents and planning authorities aware of the vulnerable areas and allow them to become aware of the policy development which is being undertaken. It will allow the proponent and the municipal planning authorities to make informed decisions about land use activities within these areas. This disclosure was discussed with planners at a municipal forums held in 2009 and will again in January 2011.

- **Working Groups**
Working groups are one way for the committee to engage experts and stakeholders in the development of the Threats Policy Discussion Papers. For some threats the Source Protection Committee established working groups to assist with compiling background material, assessing current risk management or to provide input into the policy development. This input helped in the development and refinement of the discussion papers. The Working Groups included:
 - Fuels: April 27, 2011
 - Sewage Treatment: August 22, 2011
 - Waste Disposal: October 7, 2011
 - Storm Water October 7, 2011
- **Tabloid**
A tabloid was produced and distributed to households across the region in November, 2011 to inform the public about the completion of the Assessment Reports and, in general, how the Source Protection Plan Policies will be formulated.

3.0 Pre-Consultation

Pre-consultation refers to the regulatory requirements within the CWA and Ontario Regulation 287/07 "General" (O.Reg 287/07 or the Regulation) to carry out consultation activities. More specifically, it refers to the requirement to send notices to persons or bodies responsible for implementing policies, and to government ministries that have obligations under the CWA. This includes the Ministry of Municipal Affairs and Housing (MMAH), the approval authority for many land use planning decisions under the Planning Act. For details regarding this requirement, refer to *Source Protection Planning Bulletin – Overview of Requirements for Pre-Consultation with Stakeholders, March 25, 2011*.

Pre-consultation will take place during from November, 2011 – February, 2012. Individual packages will be developed and circulated to persons or bodies responsible for implementing specific policies and to government agencies that have obligations under the CWA. The packages will include: cover letter explaining the purpose of the pre-consultation, the materials enclosed and instructions on receiving comments; specific draft policies and references to applicable discussion papers, assessment report references.

In addition, two municipal forums will be held that will include both staff and councillors to review the role of municipalities in implementing the proposed policies and to receive feedback. These forums will take place immediately prior to the official notice being sent to municipalities of pre-consultation.

4.0 Stakeholder Consultation

This phase of consultation will focus on associations which represent those who are or could be affected by the policies being developed for the Source Water Protection Plans. These will include organizations representing farming (OFA, NFU, CF), golf courses, pits and quarries and industry. This consultation will take place from January - March

Packages of information will be developed specific to particular stakeholder groups. The packages will include: cover letter explaining the purpose of the pre-consultation, the materials enclosed and

instructions on receiving comments; specific draft policies; how these policies may impact them; and references to applicable discussion papers and assessment report references.

5.0 Formal Consultation

Details for formal consultation are outlined in ON. Reg. 287/07 Section 41 and 42 and include:

Formal Consultation on Draft Proposed Source Protection Plans (Section 41 ON. Reg. 287/07)	
May 2012	posting of the Draft Proposed Source Protection Plans on the internet
	publishing notice of posting for Draft Proposed Source Protection Plans – 35 day comment period
	send the notice of posting to implementers (see sections 35 – 39 ON. Reg 287/07) - includes municipalities, First Nations, landowners who are or could be engaged in activities that are a significant risk
	public meeting no earlier than 21 days from posting in newspaper
	SPC to consider comments received
	submit Draft Proposed Source Protection Plans to the SPAs along with comments received
Formal Consultation on Proposed Source Protection Plans (Section 42 ON. Reg. 287/07)	
July 2012	SPA posts Proposed Source Protection Plans on the Internet – include notice of a 30 day (or longer if the SPA determines it is necessary) comment period
	SPA to give notice of posting to municipalities, First Nations and anyone who submitted written comments on the draft proposed source protection plan(s)
	SPA will provide First Nations with a copy of the proposed source protection plan(s) along with the summary
August 2012	SPA to submit Proposed Assessment Report to Minister along with comments received and the explanatory document

A.1 Appendix 1 - Plan Notification

A.1.1 – Notification to Municipalities

March 7, 2011
City Clerk (insert address)

Re: Notice Under O. Reg. 287/07 Source Protection Plan Preparation for Drinking Water Source Protection in the Thames-Sydenham and Region Source Protection Region.

This letter provides notice, as is required by the Clean Water Act, Ontario Regulation 287/07 Section 19, that the Thames-Sydenham and Region Source Protection Committee is commencing with the development of Source Protection Plans for the St. Clair Region, Lower Thames Valley and Upper Thames River Source Protection Areas. These plans must address activities that are defined by the Act as Significant Drinking Water Threats to ensure that a specific activity does not pose a significant risk to the municipal drinking water. Source Protection Plans will build on the science of the Assessment Reports, which identify vulnerable areas where drinking water sources might be at risk of contamination or depletion.

There are many tools available to reduce threats to drinking water. Some threats could be reduced through voluntary action by landowners or with assistance from subsidy and cost-share programs. Other threats can be addressed through an education and outreach effort. Some threats may be addressed through regulatory tools. Existing regulatory processes (such as permits, approvals, orders, zoning bylaws, official plans and provincial instruments) will be used where possible. A Risk Management Plan is a new tool that allows the municipality's risk management official and the landowner to negotiate a risk reduction which satisfies the Source Protection Plan.

Over the next year and a half, the Source Protection Committee will be developing the Plan with extensive public and stakeholder input. Municipalities are being invited to participate in a Source Protection Municipal Advisory Committee. Municipalities who are identified in the Source Protection Plan as having implementation responsibilities will be engaged during pre-consultation on policies. Further, municipalities will have an opportunity to comment on the draft proposed and proposed Source Protection Plans. The committee values early stakeholder involvement in the development of the Source Protection Plan.

Letters are being sent to all landowners that may be engaging in activities which could be a significant threat to municipal drinking water sources (as identified in the Assessment Reports) notifying them of the commencement of the development of Source Protection Plans for the region. A copy of the letter is attached.

If you have any questions, please contact Chris Tasker, Program Manager at 519 451-2800 ext. 238 or by email at taskerc@thamesriver.on.ca

Sincerely,

Bob Bedggood, Chair
Thames-Sydenham and
Region Source Protection Committee

A.1.2 – Notification to First Nations

March 21, 2011

Chief (insert address)

Re: Notice Under O. Reg. 287/07 Source Protection Plan Preparation for Drinking Water Source Protection in the Thames-Sydenham and Region Source Protection Region.

This letter provides notice, as is required by the Clean Water Act, Ontario Regulation 287/07 Section 19, that the Thames-Sydenham and Region Source Protection Committee is commencing with the development of Source Protection Plans for the St. Clair Region, Lower Thames Valley and Upper Thames River Source Protection Areas. These plans must address activities that are defined by the Act as Significant Drinking Water Threats to ensure that a specific activity does not pose a significant risk to the municipal drinking water. Source Protection Plans will build on the science of the Assessment Reports, which identify vulnerable areas where drinking water sources might be at risk of contamination or depletion.

There are many tools available to reduce threats to drinking water. Some threats could be reduced through voluntary action by landowners or with assistance from subsidy and cost-share programs. Other threats can be addressed through an education and outreach effort. Existing regulatory processes (such as permits, approvals, orders, zoning bylaws, official plans and provincial instruments) will be used where possible to manage significant threats outside of the First Nation boundaries. The Clean Water Act also allows for Risk Management Plans to be used to reduce the risks associated with those significant threats.

Over the next year and a half, the Source Protection Committee will be developing the Plan with extensive public and stakeholder input. First Nations are being invited to participate in a Source Protection First Nation Advisory Committee which will have an opportunity to comment on Policies as they are being developed. First Nations will also be encouraged to provide comments on the draft proposed and proposed Source Protection Plans. The committee values early stakeholder involvement in the development of the Source Protection Plan.

If you have any questions, please contact Chris Tasker, Source Protection Project Manager at 519 451-2800 ext. 238 or by email at taskerc@thamesriver.on.ca or Derekica Snake, First Nations Liaison at 519-264-2420 or by email at snaked@thamesriver.on.ca.

Sincerely,

Bob Bedggood, Chair
Thames-Sydenham and
Region Source Protection Committee

A.1.3 – Notification to Landowners

March 10 or 11

Dear:

This letter serves the following purpose:

1. Provides notice that the process for developing Source Protection Plans is commencing
2. Indicates ways for you to become involved in reviewing future discussion papers
3. Includes information on stewardship grant programs
4. Requests information about actions on your property already being done as part of existing regulations that may address the potential significant drinking water threat

This letter provides notice, as is required by the Clean Water Act, Ontario Regulation 287/07 Section 19, that the Thames-Sydenham and Region Source Protection Committee is commencing the development of Source Protection Plans for the St. Clair Region, Lower Thames Valley and Upper Thames River Source Protection Areas. These plans must address activities that are defined by the Act as Significant Drinking Water Threats to ensure that a specific activity does not pose a significant risk to the municipal drinking water. Source Protection Plans will build on the science of the Assessment Reports, which identify vulnerable areas where drinking water sources might be at risk of contamination or depletion.

The Committee is notifying landowners that may be engaging in activities which could be a significant threat to municipal drinking water sources, as identified in the Assessment Report developed in 2010. Therefore you are receiving this notification because the Source Protection Committee believes that there could be activities on your property that appear to be a "significant" threat to drinking water.

Landowners with "significant threat" activities on their property will be required to follow Source Protection Plan policies. The process for developing these policies is starting and the Clean Water Act requires that the Source Protection Committee notify you now that we are entering the Plan development stage.

Examples of things that could be a "significant threat" in a highly vulnerable area include septic systems, fuel storage, manure spreading, handling or storage of road salt or application of pesticides. In Attachment #1 you will find a table of significant threats believed to be occurring in this wellhead protection area. Source Protection Plans are required to contain policies that manage significant threats to municipal supplies of drinking water and ensure that no new significant threats can occur.

Over the course of the next year, the Source Protection Committee will be working to develop discussion papers which outline policy options for the Source Protection Plans. The Committee will use these as a base in writing the Source Protection Plans. We invite you to join us to review the draft proposed policies during the later part of 2011. If interested please complete and return the attached form.

There are many tools available to reduce threats to drinking water. Some threats could be reduced through voluntary action by landowners or with assistance from subsidy and cost-share programs. Information about the Ontario Drinking Water Stewardship Early Response Grant Program has been included in this package.

Other threats can be addressed through an education and outreach effort. Some threats may be addressed through regulatory tools. Existing regulatory processes (such as permits, approvals, orders, zoning bylaws, official plans and provincial instruments) will be used where possible. A Risk Management Plan is a new tool that allows the municipality's risk management official and the landowner to negotiate a risk reduction which satisfies the Source Protection Plan.

It is important to note that the policies developed in the plan may affect activities on property that you own as they relate to the significant risk(s) identified (Attachment #1). If your property is being used by another individual or group, please pass this information on to them and / or notify us with the correct contact information and we will be pleased to send it along.

The Source Protection Committee is required to ask if you are engaged in an activity that is regulated by a provincial instrument (permit, certificate or license issued by the province) prescribed by the regulation. Please see Attachment #2 for a list of the relevant provincial instruments. Please fill out and return the bottom of this form so that we are aware of your existing efforts to manage these risks. It is to your advantage to fill out the form. Public input enhances the development of the Source Protection Plan.

Over the next year and a half, the Source Protection Committee will be developing the Plan with extensive public and stakeholder input. If you have any questions about this letter, or source protection planning policy development, please contact Teresa Hollingsworth at 519-451-2800 ext. 226.

Bob Bedggood Chair,
Thames-Sydenham and Region Source Protection Committee