

Thames-Sydenham and Region
Work Plan for the Development of Source Protection Plans

Preliminary Draft
December 2010
Version 0.4

Work Plan Status

This *preliminary* draft of the work plan is provided for the Source Protection Committee to consider content of the work plan. In addition to review and comments being sought from the Source Protection Committee, staff will also be reviewing this version. It will also be subjected to external proof reading. As such, it will continue to evolve leading up to the December Source Protection Committee meeting and following the meeting so that it may be finalized at the January meeting of the committee.

As noted in this work plan, even after acceptance by the committee the work plan will continue to evolve as policy discussion proceed.

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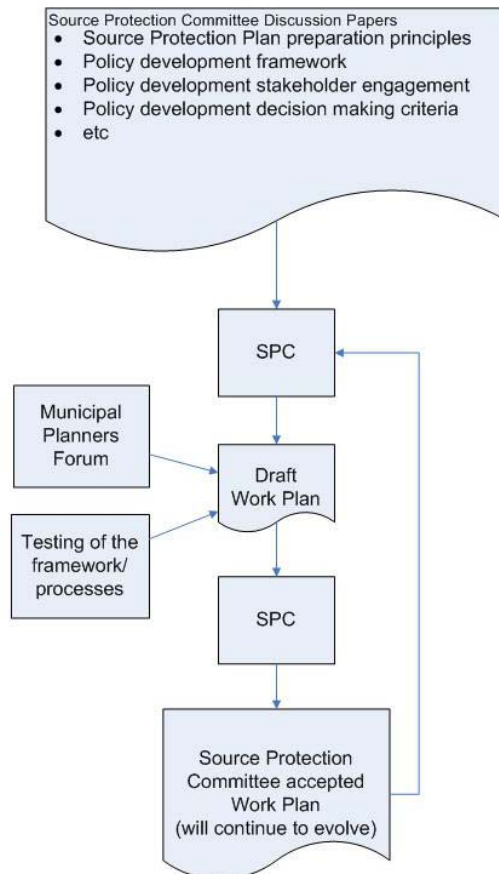
1.0 Purpose of the work plan

The purpose of this work plan is to describe the process for Source Protection Plan development in the Thames-Sydenham and Region.

As such this work plan is intended to:

- Guide the Source Protection Committee in the development of the Source Protection Plans
- Give staff a tool which will allow the Source Protection Planning process to be planned
- Provide documentation which will allow stakeholder to understand the process
- Provide documentation of the process which will be included in the Explanatory Document

This work plan is intended to be a working document which, once approved, will guide the committee in the development of the Source Protection Plan. As many aspects of the Source Protection Plan are not well known it is anticipated that this work plan will continue to evolve as the work plan is being implemented. The following figure illustrates the development of the Source Protection Plan Work Plan.



2.0 Background

The Thames –Sydenham and Region Source Protection Committee needs to plan how they will develop Source Protection Plans for the region. The Source Protection Plans will consist of a range of policies that, together, will reduce the risks posed by water quality and quantity threats identified in the Assessment Reports. The Thames-Sydenham and Region Source Protection Committee will be developing Source Protection Plans for each of the 3 Source Protection Areas in the Thames-Sydenham and Region Source Protection Region.

The Proposed Assessment Reports for the St. Clair Region, Lower Thames Valley and Upper Thames River have been submitted to the MOE for approval. These Assessment Reports identify and assess the vulnerable areas in the region; identify issues; and assess the risk posed by activities which are considered threats to drinking water sources within the vulnerable areas. Further threats identified through the Tier 3 Water Budget, IPZ-3 delineation, GUDI wells, and Issues Contributing Areas will be incorporated in future updates to the Assessment Reports. Policy development for threats can now begin.

It will be necessary for policy development to be nearing completion by the end of 2011 to be included in a Source Protection Plan consulted on in the first half of 2012. The proposed Source Protection Plan must be submitted to the Minister in August 2012.

2.1 Source Protection Plan Content Requirements

Together the Act and Regulations establish the requirements governing the contents of a source protection plan. Some content is mandatory, while other content is optional. The requirements are discussed in the MOE Source Protection Planning Bulletin - Overview of Source Protection Plan Requirements. The objectives and Table 1 from the bulletin are reproduced here.

2.2 Objectives of a Source Protection Plan

Ontario Regulation 287/07 requires the source protection plan to contain the following objectives (*section 22*):

- Protect existing and future drinking water sources.
- Ensure that activities identified as *significant drinking water threats* either never become a threat or, if the activity is already taking place, the activity ceases to be a *significant threat* (this objective may be met by policies that manage the activity so that the risk is reduced, not necessarily eliminated)

The regulation also includes objectives related to great lakes targets and conditions which are not currently applicable to the Thames-Sydenham and Region. The Regulation says that no other objectives can be contained in the source protection plan. This focuses the scope of the plan on the stated objectives.

Table 1: Source Protection Plan Content

Mandatory Content	Optional Content
<ul style="list-style-type: none"> • Approved Assessment Report • Objectives • Significant threat policies – activities: For areas where an activity is or would be a significant drinking water threat, policies intended to ensure the activity ceases to be or never becomes significant • Monitoring policies: <ul style="list-style-type: none"> • monitoring activities/conditions in areas where they are / would be significant • monitoring of moderate / low drinking water threats where advisable to prevent the threat (activity or condition) from becoming significant • monitoring of a drinking water issue where advisable • Summary of consultation activities • Applicable legal provisions, person/body responsible and applicable area for each policy must be clearly identified • Dates by which official plans, zoning by-laws and prescribed instruments must conform with significant threat policies 	<ul style="list-style-type: none"> • Significant threat policies – conditions (contamination from previous activities): For areas where condition resulting from a past activity is a significant threat, policies intended to ensure condition ceases to be significant • Moderate and low threats policies – Policies to address activities and conditions identified as moderate and low threats • Policies governing: <ul style="list-style-type: none"> • Incentive programs and education & outreach programs, including for drinking water systems not in the terms of reference • Spills prevention, contingency or response plans along highways, railways or shipping lanes in intake protection zones or wellhead protection areas • Climate change data collection • Transport pathways • Anything that will assist in understanding the source protection plan • Dates for policies to take effect

Note: Requirements related to Great Lake targets are not listed, as no Great Lakes targets have been established for the first round of source protection planning.

2.3 Significant Threats across the Region:

The SPP must include policies which address activities set out in the Assessment Reports that are or would be **significant threats**. There have been 1092 significant threats identified for the UTR and 112 identified in the LT. There have been no significant threats identified in the St. Clair Region SPR. The following table lists the significant threat activities identified for the Thames-Sydenham SPA and provides scope to the mandatory policies. The top three activities contributing the greatest number of significant threats include:

- The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
- The handling and storage of a dense non-aqueous phase liquid; and
- The handling and storage of fuel.

Include detailed threats sub category totals as an appendix (from work on ER program application)

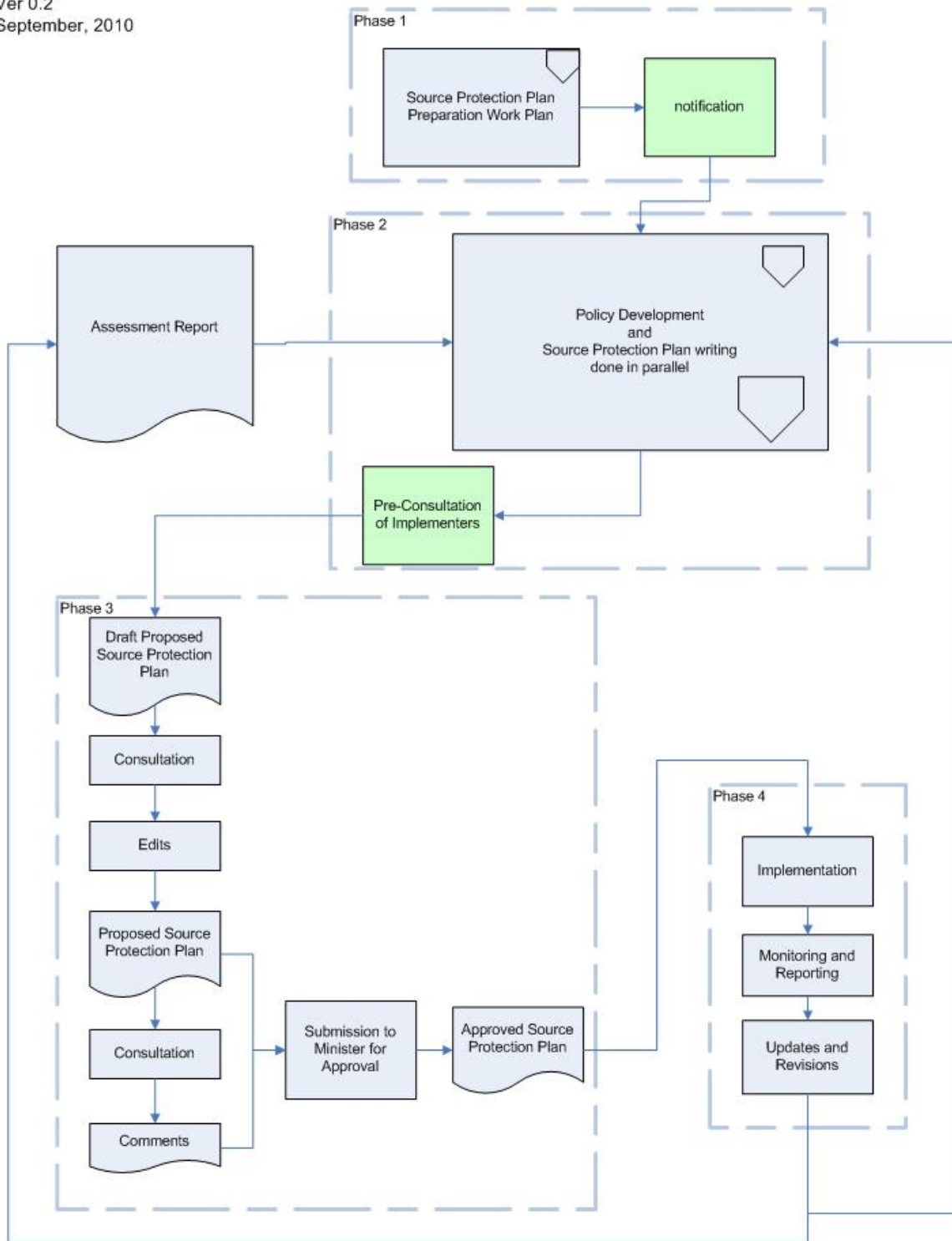
Type of Threat	Number of locations for Potential Significant Threats		
	UTRCA	LTVCA	Region Total*
The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage	384	30	414
The handling and storage of a dense non-aqueous phase liquid	285	7	292
The handling and storage of fuel	203	49	252
The application of agricultural source material to land	68	5	73
The application of pesticide to land	40	2	42
The application of commercial fertilizer to land	36	4	40
The application of non-agricultural source material to land	26	5	31
The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.	11	2	13
The storage of agricultural source material	11	1	12
The handling and storage of commercial fertilizer	9	2	11
The handling and storage of pesticide	7	3	10
The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act	7	-	7
The handling and storage of an organic solvent	5	2	7
Total	1092	112	1204
* There are no significant threats located in the ST. Clair Region SPA.			

3.0 Stakeholder Engagement

In preparing the Assessment Reports the Source Protection Committee developed a consultation plan. The Assessment Report Consultation Plan (Nov 2010) included local consultation focused on the vulnerable areas, threats and issues prior to formal consultation on the Assessment Report. Similar requirements for consultation exist for the Source Protection Plan. Beyond the formal consultation, pre-consultation and notification are required for the Source Protection Plan.

The Source Protection Committee is committed to engaging stakeholder groups throughout the development of the plan. This is due in part to the different nature of the Source Protection Plan as well as the increased requirements for consultation included in the General Regulation. As a result the Source Protection Plan Stakeholder Engagement and Consultation Plan includes both the engagement of stakeholders in the development of the Source Protection Plan and the required consultation. Based on the basic concepts outlined in the following sections a Source Protection Plan Stakeholder Engagement and Consultation Plan will be developed. Once developed, the Source Protection Plan Stakeholder Engagement and Consultation Plan will be included as an appendix to this document.

The following flow chart illustrates the overall stakeholder engagement which can be divided into 4 phases.



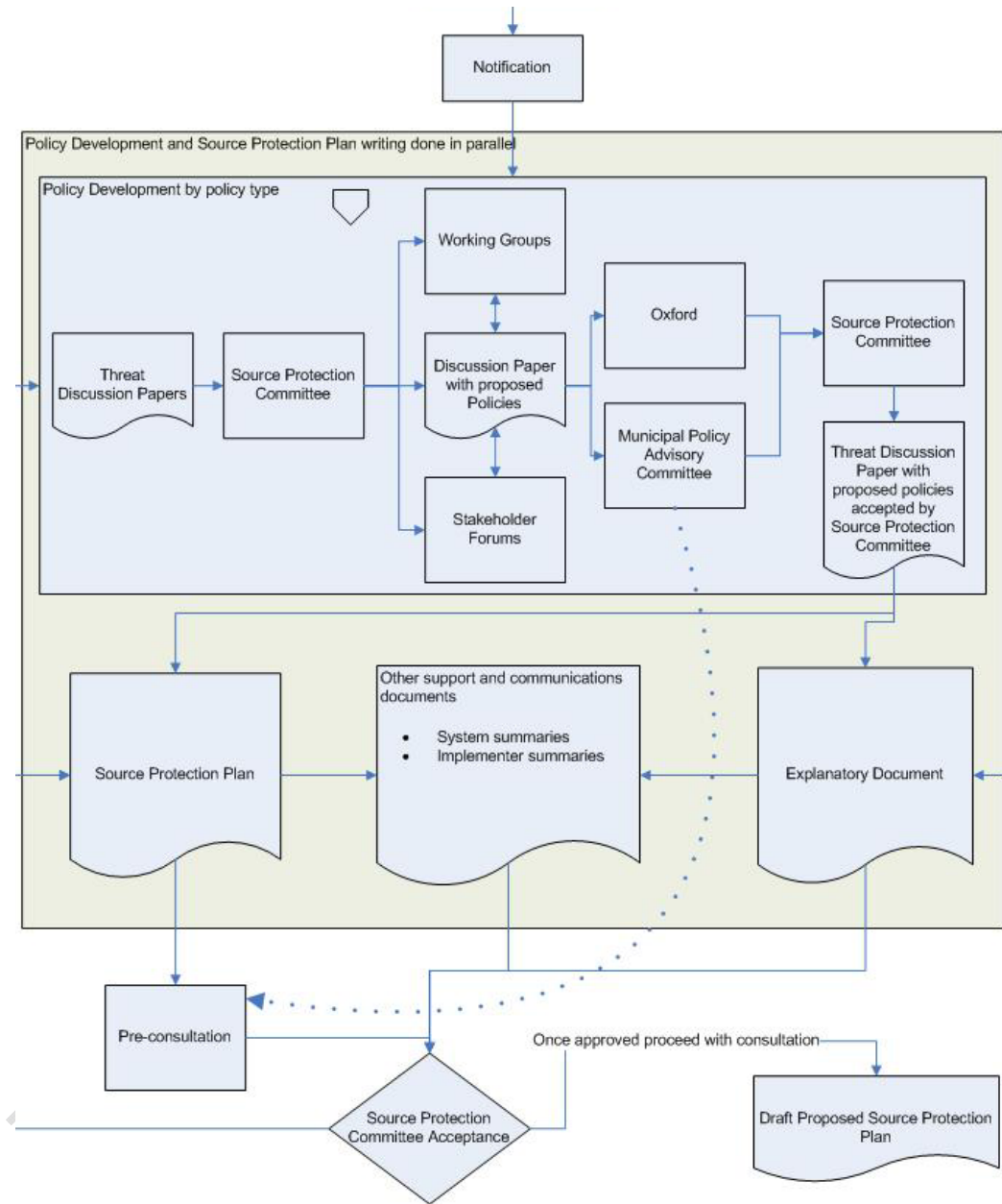
3.1 Phase 1 – Work plan Preparation

The first phase is developing this work plan. This work plan has been developed through Source Protection Committee discussion papers. Once approved this work plan will be available on the web site to inform the public of the process which the Source Protection Committee is engaged in. Although no formal consultation is planned on this work plan, the concepts included in the work plan will be used in forums and stakeholder meetings to describe the policy development process and consultation on the Source Protection Plan. With the completion and Source Protection Committee approval of this work plan, notification can occur and the second phase is started.

3.2 Phase 2 – Source Protection Plan Preparation

Phase 2 is started following the notifications required by the General Regulation. This phase includes the policy development and Source Protection Plan writing. During this phase it will be important to engage stakeholders. The third phase of the Source Protection Plan development is the formal consultation. Prior to consulting on a draft of the Source Protection Plan it is necessary to “pre-consult” with those affected by the Source Protection Plan. By engaging many of those stakeholders in the plan development (phase 2) the need for pre-consultation is somewhat reduced, however the regulations do require this additional step before the consultation on the draft proposed Source Protection Plan.

Phase 2 of the Source Protection Plan preparation is detailed in the following figure. Threats Policy Discussion papers, described later in this work plan will be developed and proceed through the process outlined in the figure. Stakeholder engagement through this process will occur in various means as outlined in the following sections.



3.2.1. Notice When Plan Preparation Begins

The SPC must determine when they are ready to begin preparing the plan. As part of the development of this work plan the committee determined that notice will be given following the acceptance of this work plan by the committee. Notices may be issued in stages due to the number of notices which are required to be issued.

The Regulation (section 19) requires that the following parties be notified:

- The clerk of each municipality and band chief of any First Nation reserve that is located all or partly within the source protection area;
- Any persons believed to be engaged in an activity considered a *significant threat*.

3.2.2. Municipal Engagement

The Regulation requires the Source Protection Committee to consult with affected parties during the policy development process, before the draft plan is published for initial public comment. Municipalities must be consulted:

- for policies affecting decisions under the Planning Act or Condominium Act;
- for significant, moderate and low threat policies that impose an obligation on the municipality;
- for policies under Part IV tools (Prohibition, RMP, Restricted Land Uses) which impose enforcement of a policy on the municipality;
- for monitoring policies in which the municipality is responsible to conduct the monitoring.

Regardless of the Regulation, the SPP process will require successful collaboration and communication with municipalities to ensure the accountability of its preparation and success of its implementation. The following efforts will contribute to effective engagement of the municipalities in the policy development.

- *Oxford County* will be developing its own planning policies. It will be important that their policy development process runs in direct parallel the SPC's process with frequent collaboration and comparison of materials being developed. This is illustrate in the figure above in parallel with the Source Protection Municipal Policy Advisory Committee.
- Notification though *Disclosure Service*. With the submission of the Assessment Reports, Conservation Authorities will incorporate 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 forum in 2009 and will again be discussed at a forum planned for January 2011.
- *Information package* giving a regionalized and standardized message about the implications of SPP to municipalities prior to notice when plan preparation begins.
- Source Protection Municipal Policy Advisory Committee (SPMPAC) will be formed. This committee is discussed in the following section and the terms of reference for this advisory group is included in the appendices.
- Municipal forums can be used as another way to engage the municipalities throughout the policy development process

3.2.3. Source Protection Municipal Policy Advisory Committee

The primary venue for engaging municipalities in the policy development process will be a Source Protection Municipal Policy Advisory Committee. This committee will be comprised of municipal representatives selected for the committee based on their technical skills. Once preliminary policies are included in the Threats Policy Discussion Papers they will be reviewed by the Source Protection Municipal Policy Advisory Committee. Input from the committee members will be considered by the Source Protection Committee when they review and accept the discussion papers. Source Protection Municipal Policy Advisory Committee members will be expected to engage others (staff or council) in their review of the discussion papers. Although it is hoped that the municipal input can be incorporated into the policy development at this phase, it is acknowledged that there will be other opportunities for municipal and other stakeholder input into policy development including the required pre-consultation and consultation in Phase 3.

Terms of reference for this committee are included in the Appendices of this work plan.

3.2.4. Stakeholder Engagement

It is anticipated that stakeholder interest in the policy development will be greater than the interest in the technical work of the Assessment Report. Various methods were utilized during committee formation and Assessment Report consultation to engage stakeholders. These same methods will be utilized to engage and inform stakeholders during the policy development phase of the Source Protection Plan.

- Tabloids have been distributed throughout the region at various stages. With the submission of the Assessment Report another tabloid will be circulated. An additional tabloid will be planned during the policy development prior to consultation on the draft proposed Source Protection Plan.
- Threats Policy Discussion Papers will be available on the Source Protection web site as they are reviewed and accepted by the Source Protection Committee.
- Working groups which the Source Protection Committee establishes could include stakeholder representatives as well as technical experts.
- Source Protection Committee members are expected to actively engage their stakeholder groups to ensure that they are aware of the policy development work of the committee.

3.2.5. 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 may establish working groups to assist with compiling background material, assessing current risk management or to provide input into the policy development. All of this input would be made through the development and refinement of the discussion papers. Once incorporated into the discussion papers the Source Protection Committee will again have an opportunity to review, modify and accept the

discussion papers before they are incorporated into the Source Protection Plan and Explanatory Document.

Working groups, once established, will be required to work expeditiously towards the completion of the working papers. These working groups would generally involve one, or perhaps 2, meetings. Working groups will take advantage of electronic circulation of documents and comments to complete their objective: draft Threat Policy discussion Paper for submission to the Source Protection Committee.

In establishing a working group the SPC must confirm the role of the working group and how they will be formulated. The must also determine the make-up of the working group. This information will be included in the terms of reference to guide the working groups. A template for working group terms of reference is included in the appendix of this work plan.

3.2.6. Forums

Forums, an alternative to working groups, can be utilized to engage stakeholders in the development of the discussion papers. Forums would generally occur in a day or part day session where discussion paper materials are presented and feedback or input is sought from the participants through various means such as workshop or discussion groups. Forums could be focused through targeted invitations or may be more general invitations to stakeholders depending on the nature of the input that the Source Protection Committee is desires. The results from the forum would be incorporated into the discussion papers by staff before submitting the discussion papers to the committee for review and acceptance.

3.3 Phase 3 – Formal Consultation

The consultation during phase three of the Source Protection Plan is similar to phase 3 of the Assessment Report Consultation Plan. It involved the posting of a draft proposed Source Protection Plan, notices of posting, consideration of comments by the Source Protection Committee. A proposed Source Protection Plan is then posted with the required notices and comments received during the posting are submitted to the MOE with the proposed Source Protection Plan.

3.4 Phase 4 - Implementation

Phase 4 will include implementation of the policies, monitoring of the plan implementation, reporting on the implantation and future revisions. This phase is beyond the scope of this work plan.

4.0 Policy Development Framework

A policy development framework was considered by the Source Protection Committee. Various options were considered for organizing the policy discussions:.

- By vulnerable area or system
- By municipality
- By SPA
- By general land use
- By groupings of similar threats (or threat categories)

The Source Protection Committee Policy Development Framework discussion paper contains more details including the advantages and disadvantages of each alternative framework. This discussion paper and its subsequent update are attached as an appendix to this work plan.

The Source Protection Committee chose to organize their policy discussion by threat type as outlined below:

<p>Waste disposal and sewage:</p> <ul style="list-style-type: none">• Hauled sewage• Waste disposal• Stormwater• Wastewater• Septic systems• Industrial sewage <p>Agricultural threats (Managed Lands):</p> <ul style="list-style-type: none">• Agricultural source material• Non-agricultural source material• Fertilizer• Pesticides• Livestock pasturing and outdoor confinement <p>Other Chemical Threats:</p> <ul style="list-style-type: none">• Fuel• Organic Solvents and DNAPLS <p>Transportation</p> <ul style="list-style-type: none">• Road salt• Snow storage• Aircraft de-icing• Transportation: addressing spills <p>Water quantity</p> <p>Transport Pathways</p> <ul style="list-style-type: none">• Wells• Other types of transport pathways (affecting vulnerability) that result in an activity being a significant threat or endanger the drinking water source.
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There will be a need to provide background information on these threats to inform the policy development process. This information will be compiled into Threats Policy Discussion Papers which are described in the next section.

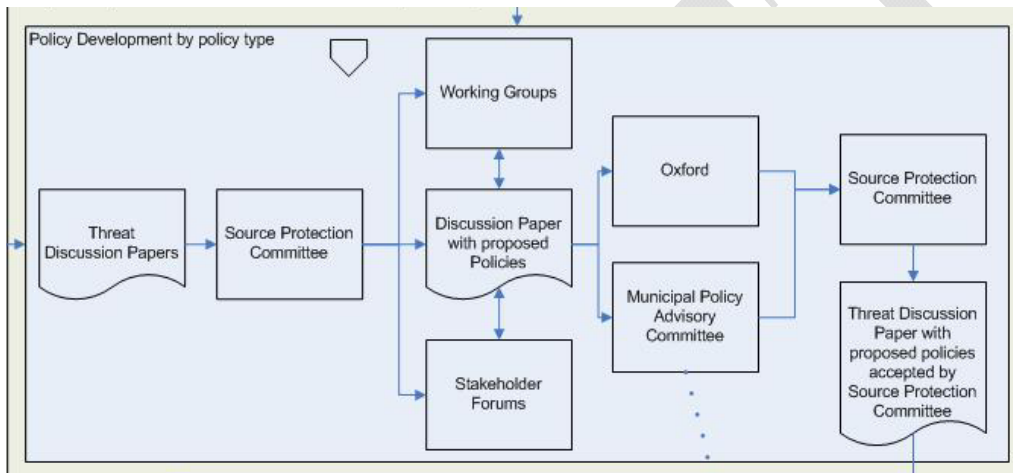
Some threat specific information would best be considered by stakeholder groups (working groups or forums), while other more general policy information may better be considered directly by the entire Source Protection Committee. These options are discussed in more detail on the sections on working groups and forums. It will be the Source Protection Committee's decision as to which threats would benefit from working groups or forums.

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5.0 Threats Policy Discussion Papers

Threats policy discussion papers will be developed for each of the threats categories identified in the previous section. Where the concepts or amount of information warrants, it may be advisable to further break the threats categories into sub categories and draft discussion papers on these sub categories. The Threats Policy Discussion Papers are further discussed in the deliverables section of this work plan. An outline of the materials to be included in these discussion papers is included in the appendix.

The following figure outlines the process which each discussion paper will proceed through which is part of phase 2 consultation as described previously.



The first draft of discussion papers will be circulated to the Source Protection Committee for discussion. The Source Protection Committee will identify gaps or details which should be added to the discussion papers. The Source Protection Committee will consider whether they wish to work immediately on policy development or refer the discussion paper to a working group. A working group would refine the background materials in the discussion paper and if requested by the Source Protection Committee would add input into proposed policies. Should the committee determine that a working group is not required, they may wish to consider hosting a forum. Forums and working groups are discussed in more detail in the previous sections. Once the discussion papers contain proposed policies, they will be circulated through the Source Protection Municipal Policy Advisory Committee. **In many cases it may be preferred to solicit input from SPMPAC into the background materials included in the first draft of the discussion paper.**

Oxford County is identified in the Terms of Reference for the Upper Thames River Source Protection Area as having the lead for policy development for their groundwater systems. It will be important that Oxford follow a parallel process to that which is described in this work plan. Oxford County also needs to consider the policy

development process for the Lake Erie Source Protection Region where the other half of their wells are located. Oxford intends to utilize the same background information and policy considerations in the discussion papers. Source Protection team members will work closely with Oxford staff in the development of the Threats Policy Discussion Papers. In this way inconsistency in policy should be minimized.

Once accepted by the Source Protection Committee, the threats policy discussion papers will be incorporated into the Source Protection Plan and the Explanatory Document.

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6.0 Source Protection Plan Preparation Principles

The Thames-Sydenham SPC guiding principles were previously developed as follows:

- Fair and reasonable solutions
- Consensus within our diverse area group
- Clarity of information
- Open communication
- Respecting diversity of opinion

The committee discussed Source Protection Plan preparation principles. These principles along with the committee's guiding principles will assist the committee in developing the Source Protection Plans for the region. These principles will also help the staff in developing a work plan for the Source Protection Plan. These principles are as follow:

1 Consistency

- Policies should be consistent within the Thames-Sydenham Region, yet strive for local relevance;
- Information in the Assessment Reports provide for local variation in policy implementation based on such things as vulnerability scores;
- Policies using prescribed instruments can be developed at a general level and can rely upon the instruments' issuing agency to apply local specificity;
- In the development of policies it is important to collaborate with MOE, other SPRs, municipalities, First Nations and stakeholders to maximize effectiveness, efficiency and consistency, while minimizing duplication.

2 Existing measures

- Existing measures will be considered first in the development of policies and where they are deemed ineffective, measures will be fine tuned or other policies will be explored to further mitigate risks;
- Where new measures are necessary, lessons can be learned from other jurisdictions (SPRs, provinces, countries), but the uniqueness of our region must be considered in how measures are adapted;
- The SPP will provide implementers of existing tools with new information on vulnerable areas that allows for considerations to be given to drinking water protection.

3 Education and outreach

- Education cannot be relied upon as a stand alone policy to address significant drinking water threats, but is a necessary part of supporting all other policies;
- Education and outreach will complement incentive and regulatory programs;

- Education and outreach influence the majority, yet there will always be a level of non-compliance in voluntary approaches that needs to be addressed through regulatory means;
- Education will be extremely important for risk reduction for private drinking water sources;
- A range of education and outreach approaches should be considered.

4 Incentives

- Incentives help to move the bar forward after education has been provided;
- People who voluntarily adopt changes are far more committed than those who are forced to make change;
- Incentive approaches are potentially effective in reducing risks;
- There will always be a level of non-compliance in voluntary approaches that needs to be addressed through regulatory means.

5 Regulatory approaches

- Adequate enforcement is necessary for regulatory policies to be effective;
- Prescribed Instruments are preferred where they are seen to be effective.

6 Prohibition

- Prohibition for existing activities will only be used when all other measures fail to address risk of significant threat;
- Prohibition will be considered as one tool in a tool box to be used in conjunction with others;
- Land Use Planning as a tool to prohibit future uses has its own, existing appeal process (OMB);
- Prohibiting future activities which are unlikely to occur will be considered;
- Prohibition may be considered differently for existing, future and expansion of activities.

7 Risk Management Plans (RMP)

- The policies should direct the use of RMPs for consistency and not leave too much to the discretion of the individual Risk Management Officials;
- RMP are intended to allow an activity with mitigation measures to manage the risks;
- Risk Management Plans should be general enough to recognize improvements in technology and changes in operating environments;
- If monitoring reveals that RMP (or other policy approaches) are not being effective, the SPP policies would be revisited.

8 Impacts of the policies on others

- Fair and reasonable solutions are always preferred;
- Meet the objectives of the Clean Water Act while minimizing fiscal, social, and economic impact, to extent feasible, on any one body;
- Implementation costs may be a shared responsibility of all stakeholders;

- A cost sharing model, similar to the drainage act, where costs are shared by beneficiaries and proponent is worth considering
- New operations may be responsible for implementation costs while existing operations may have access to financial support;

9 Engagement

- Engage those responsible for policy implementation in policy development process;
- Engage those whose activities will be affected by the policies where possible.

10 Priority in addressing threats

- Address mandatory policies, such as significant threats and monitoring policies first;
- Consider optional policies related to spills, transportation corridors, and transport pathways;
- Address moderate and low threats where they may become significant;
- Policies for water quantity threats will be revisited in an updated SPP, once the Tier 3 water budget is completed and included in an updated Assessment Report;
- Policies for moderate and low threats and for HVAs and SGRAs will be parked and timelines for the inclusion of these reassessed later in the SPP development process.

11 Policy development efficiency

- Keep focused on priorities as decided upon in framework and work plan;
- Develop a parking lot for items which are not mandatory and which cannot be addressed within the timeframe available to develop the first proposed SPP;
- Support collaboration as much as possible.

The committee also identified the following items which will need to be further considered as they develop policy for the Source Protection Plan.

- When and how incentives and disincentives are best applied?
 - Challenges with incentives include that they:
 - Don't benefit earliest adopters;
 - Don't promote the continued use of the BMP;
 - Create unfair subsidized property value increases;
 - Often provide irregular availability of funding;
 - Don't solve problems for those who can't pay their portion of the costs.
- How will the SPC give consideration to brownfields in prohibiting future uses?
- How will RMP and prohibition be best used for existing, expanding and/or future uses?
 - If risk management is acceptable for existing, should it be acceptable for new?
 - Need to consider new vs. expansion of existing.

- Can Risk Management Plans be implemented in consultation with the Source Protection Committee?
- What is fair and equitable?
 - The Oxford County model of purchasing the land around the wellhead;
 - The province providing grants as a shared cost via the tax payer;
 - Can a policy be “We don’t think this is a good place for a well”?

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7.0 Decision Making Criteria

The development of the Source Protection Plan will require the Thames-Sydenham SPC to draft policies that have been evaluated and chosen from a range of existing and new policy options. Evaluative criteria should be established by the SPC to guide the Source Protection Committee and working groups in assessing policies and to provide the rationale influencing policy decisions. This rationale may then formulate the basis of the SPP Explanatory Document. The following was developed through a discussion paper accepted by the SPC.

There are a wide range of decision making criteria upon which to assess SPP policies. Some examples of evaluation criteria include: *Efficiency, Effectiveness, Consistency, Flexibility, Fiscal Responsibility, Compatibility, Feasibility, Appropriateness; Fairness, or Justifiability*. These types of criteria could also be categorized or grouped. The following were accepted by the SPC. As these criteria are applied the SPC may wish to add to this list or otherwise amend the criteria established herein.

Economic criteria

- Financial capacity:
 - The financial capacity of the delivery agent to implement the policy
 - The effect on the person engaged in the activity
 - Comparison to requirements outside vulnerable areas
- Comparison of net costs to benefits
 - Direct and indirect financial costs and benefits for landowners, business operators, First Nations and municipalities. This would include the avoidance of future costs and the benefit of maintained or improved water quality.
 - Consideration of beneficiary and funder
- Monitoring requirements
 - The level of monitoring required to demonstrate the effectiveness of the policy
 - The administrative capacity of the delivery agent to implement the policy, including compliance monitoring.

Effectiveness criteria

- Adequacy:
 - How adequate the policy will be to manage site specific activities or land uses that are or could be threats
- Timeliness:
 - How much time will be required to implement the policy and to address the threat in order to reduce the risk the threat poses to people and the environment

Appropriateness criteria

- Consistency
 - How consistent the policy with those in neighbouring regions
 - Consistency within the municipality

- Consistency with other policies within the region
 - Comparison with requirements outside of the vulnerable areas
- Scale
 - Is the scale of the policy suitable for the scale of the threat
- Community acceptance
 - The potential for the policy to be accepted by the community, to raise awareness and participation
 - Need to consider acceptance by both the users of the water and those who will be engaged in the activity

Decision making criteria may be used in the decision making processes to choose between alternatives. For such purposes, measures or alternatives may be weighted on a qualitative scale (e.g. good, fair, and poor). Policies may also compliment each other as well as be compared as alternatives to each other. The discussion paper on decision making criteria included in the appendix of this work plan contains more details on the criteria. It should be noted that the SPC considered a more qualitative approach rather than assigning scores.

More than one policy approach may be employed to ensure the effectiveness of the Source Protection Plan in reducing the risk. For a particular set of circumstances, policies may vary in how they address the different levels of threat and the type of activity or circumstance. A policy matrix could show, at a glance, the number of policies that could be related to a set of circumstances and may outline the variations that exist in a set of circumstances. The SPC could utilize the matrix in the policy development stages to select approaches. A simplified example of using a policy matrix is included in the discussion paper included in the appendix.

Threat	Start Date	End Date
Waste disposal and sewage:		
• Hauled sewage	Jun-2011	Sep-2011
• Waste disposal	Jun-2011	Sep-2011
• Stormwater	Jun-2011	Nov-2011
• Wastewater	May-2011	Oct-2011
• Septic systems	Dec-2010	Apr-2011
• Industrial sewage	May-2011	Sep-2011
Agricultural threats (Managed Lands):		
• Agricultural source material	Apr-2011	Aug-2011
• Non-agricultural source material	Apr-2011	Jul-2011
• Fertilizer	Mar-2011	Jul-2011
• Pesticides	Mar-2011	Jun-2011
• Livestock pasturing and outdoor confinement	May-2011	Aug-2011
Other Chemical Threats:		
• Fuel	Mar-2011	Jul-2011
• Organic Solvents and DNAPLS	Feb-2011	Jun-2011
Transportation		
• Road salt	Aug-2011	Nov-2011
• Snow storage	Aug-2011	Nov-2011
• Aircraft de-icing	Sep-2011	Nov-2011
• Transportation: addressing spills	Jul-2011	Nov-2011
Transport Pathways		
• Wells	Jul-2011	Oct-2011
• Other transport pathways	Aug-2011	Nov-2011
Water quantity		
• beyond completion of first Source Protection Plan		

9.0 Deliverables

This work plan is ultimately focused on the Source Protection Plan, however there are a number of other deliverables which are related. Threat Policy Discussion Papers and the Explanatory Document will support the Source Protection Plan. Consultation on the Source Protection Plan will be documented in a Stakeholder Engagement and Consultation Plan and in a consultation record. Each of these deliverables is discussed in the following sections.

9.1 Threat Policy Discussion Papers

Threat Policy Discussion Papers are the interim deliverables which will be incorporated into the Source Protection Plan and the Explanatory Document. As discussed above these discussion papers will be a cornerstone of policy development and stakeholder engagement. They will be organized based on the threats or categories of threats as discussed above. In their first stage they will be used to compile and discuss background materials. As the discussion papers evolve they will have preliminary proposed policy added to the discussion papers.

The appendices of this work plan include an outline of the materials to be included in these discussion papers.

The basis for most of these discussion papers will be background documents developed and refined through provincial working groups established by the Source Protection Planning Advisory Committee. This committee was formed by the chairs of the Source Protection Committees to collaborate on the Source Protection Plan preparation. Many of these generic documents originated in Cataraqui Region, and have been reviewed and improved through the working groups. The Thames-Sydenham and Region has been involved in the working groups and will use those background papers as a starting point for the local Threat Policy Discussion Papers.

9.2 Source Protection Plans

Source Protection Plans will be developed for each of the 3 Source Protection Areas in the Thames-Sydenham and Region Source Protection Region. Beyond the requirements for the Source Protection Plan there is considerable flexibility in how it is organized. The Clean Water Act and Regulations also provide direction on the policy limitations and are supported by MOE bulletins and guidance. The requirement for a separate explanatory document leaves it to interpretation as to how much of the content should be included in the Source Protection Plan with the policies and how much should be incorporated into the explanatory document.

In the development of this work plan it is assumed that the Thames-Sydenham and Region will utilize a more minimalist approach to the Source Protection Plan and utilize the Explanatory Document to include more of the explanation on process and policy

development. A limited amount of context, in summary form, will be included in an introduction with reference to the explanatory document for more details.

The Source Protection Plan must include the Assessment Report for the area. Consideration was given to including the summaries only; however MOE has indicated that this is not acceptable. The Assessment Report will therefore be included as an appendix to the Source Protection Plan. It is important to realize that the Assessment Report for each of the Source Protection Areas in the Thames-Sydenham and Region are multi-volume documents, each with their own appendices. As such the Assessment Report will need to be a separately bound, but included in the Source Protection Plan table of contents, available for consultation with the Source Protection Plan and submitted with the proposed Source Protection Plan. Appendices for the Source Protection Plan will be enumerated using letters (ie Appendix A, B, C) rather than numbers as was done in the Assessment Reports.

The policies contained in the Source Protection Plan will be included in the manner in which they have been developed, organized by threats category. This will organize the Source Protection Plan and allow policies on activities to be included in the same part of the Source Protection Plan. It is anticipated that variation in policies between vulnerable areas will be generalized based on zone and vulnerability score, rather than developing significantly different policies for different vulnerable areas having the same vulnerability scores. This will promote consistency in policies within the region.

It is anticipated that implementers would require summaries of the Source Protection Plan policies which would facilitate implementation of policies for which they have implementation responsibilities. A summary by implementer will be included in the Source Protection Plan. Further it is anticipated that other stakeholders will wish to see the policies which will be applied to their systems (vulnerable areas). System summaries were included in the Assessment Reports which will be updated to include the policy information for the system.

A preliminary outline of the Source Protection Plans is included in the appendices.

9.3 Explanatory document

Regulations under the Clean Water Act require that an explanatory document be produced that is available during consultation and be submitted to the MOE with the Source Protection Plan. This document is not being consulted on with the Source Protection Plan, but must be available to understand how the committee arrived at their policy decisions. The following is an excerpt from OReg 246/10 which amends OReg 287/07

40 (2) The explanatory document shall contain the following:

1. An explanation of the source protection committee's reasons for each policy set out in the source protection plan.
2. An explanation of the source protection committee's reasons for designating an activity under paragraph 1 of subsection 22 (3) of the Act, including the reasons relied on by the committee to form the opinion that the activity must be prohibited in order to ensure that it ceases to be a significant drinking water threat.
3. A summary of the comments received under sections 35 to 39 and an explanation of how the comments affected the development of the policies set out in the source protection plan.
4. An explanation of how the summary referred to in paragraph 7 of subsection 13 (1) affected the development of the policies set out in the source protection plan.
5. A summary of how the consideration of the potential financial implications for persons and bodies who would be implementing or affected by the source protection plan influenced the development of the policies set out in the plan.
6. If a policy described in subsection 22 (7) of the Act or paragraph 1 of section 26 of this Regulation is the only policy set out in a source protection plan to deal with an activity that has been identified as a significant drinking water threat, a statement that the source protection committee is of the opinion that,
 - i. the policy, if implemented, will promote the achievement of the objectives of the plan in accordance with paragraph 2 of subsection 22 (2) of the Act, and
 - ii. a policy to regulate or prohibit the activity is not necessary to achieve those objectives.

As discussed above the Thames-Sydenham and Region will include much of the background, process and context related to the Source Protection Planning process in the Explanatory Document and minimize the content included in the Source Protection Plan.

It is anticipated that a single explanatory document will be developed which will support all 3 Source Protection Plans. As the Source Protection Committee is proceeding with policy development based on this work plan, most if not all of the explanatory document will be common to all 3 Source Protection Regions. **This will need to be confirmed with MOE to ensure that this is allowable**

A preliminary outline of the Explanatory Document is included in the appendix.

9.4 Consultation on the Source Protection Plans

A stakeholder engagement and consultation plan will be developed which will become an appendix to this document. The consultation plan will be based on the consultation principles included in this work plan. The consultation plan when combined with the consultation record will document the efforts of the Source Protection Committee to engage and consult with the stakeholders in the region. The consultation plan and record will form part of the explanatory document.