



## Thames-Sydenham and Region

### Comments on Source Protection Plan Discussion Paper

These comments are provided as a starting point for Source Protection Committee discussion in formulating comments to be submitted to MOE they are intended to be discussed in detail at the meeting. Members are encouraged to bring proposed wording of additional comments so that they may be discussed by the Source Protection Committee and included with the comments.

Comments are based on August 17, 2009 workshop. Participants in the workshop included members of the Source Protection Committee, CA staff and municipal planners. Detailed worksheets and notes are attached to these comments. These comments have been formulated through discussion at the September meeting of the Source Protection Committee.

- 1) In working through the scenarios presented in the workshop it was apparent that the Source Protection Committee will be challenged in policy development to focus on the development of policy based on the circumstances and resulting risk identified in the tables of threats and not question the basis which separates the significant from non-significant risks. This is complicated by the limitation of many of the tools (type of policies) from being applied to non-significant risks which may collectively be more significant than the lower risk items.
- 2) Prescriptive framework needs to include a range of increasingly “strict” compliance approaches, i.e., voluntary compliance, mandatory compliance
- 3) Permit and instrument issuers will need proper training to be relied upon for implementation of varying programs in different areas/regions
- 4) Specific water quality monitoring programs may be needed as an implementation policy although it has been made apparent that the monitoring programs described in the paper are focused on a more bureaucratic than scientific monitoring program.
- 5) Enforcement will be a concern was not considered in the discussion paper
- 6) Maintenance of good technical & GIS information will be critical to the success of the plan
- 7) Certificates of Approval for various activities such as waste management, waste disposal, and wastewater treatment provide an opportunity to regulate improvements to facilities however its implementation will need to be phased appropriately based on available funding to make the improvements.
- 8) Funding programs for infrastructure improvement need to consider the ability of the proponent to finance the work.
- 9) Research and Technology needs to be embraced as a way of reducing risks to drinking water sources. This research needs to promote research on effectiveness of new and existing technologies. The focus needs to be on both natural and engineered solutions as more natural solutions may be more effective and cost efficient than expensive engineered infrastructure, but the reliability of the engineered solution is often more assumed to be greater in the absence of the research on the more natural solutions. Promotion of implementation combined with research which monitored the effectiveness was important in development and promotion of many of the agricultural BMPs. The new focus on risk reduction needs to be considered in the development of these policies and built into research programs. The

ability to include policy at the local level to include a combination involving research will be beneficial in improving the plan in future updates.

- 10) Incentives are far more effective than regulation in dealing with many of the risks to drinking water. The carrot is more effective than the stick – this needs to be strongly emphasized in regulation. Rewarding those who voluntarily undertake activities needs to be considered in the policies and programs proposed in the plans.
  - Use of tax dollars as incentives will allow the beneficiary to participate as a partner in the implementation
  - Sustained funding is critical to the success of these programs
  - Recognition of environmental goods and services, e.g., water quality trading (like carbon trading) needs to be considered as a tool in implementation
  - Incentives for soil and water testing, e.g., Environmental Farm Plan through Ontario Soil and Crop Improvement Association
  - Profile local champions/case studies utilizing these examples as leaders to encourage broader acceptance of the risk reduction methods.
- 11) It is important to note that not all incentives need to be financial. Celebration of successes and promotion of leaders in communities needs to be considered along with other incentives.
- 12) Education is very important as is the communication of the risks and the need to reduce the risks.
- 13) Cost of education and outreach, will need to be considered in plan development. When including an education and outreach program in the plan the appropriate implementer needs to be considered and consulted as well as a funding source or mechanism to ensure the long term viability of the program. Short programs will do little to reduce the long term risks associated with the contamination of these drinking water sources.
- 14) Complete list of Provincial Instruments, standards, guidelines, BMPs, programs, and other opportunities needs to be provided. Although the BMP catalogue may address some of these needs it is unlikely that it can be comprehensive enough to adequately fill this gap. This challenge will only become apparent as the Source Protection Committee proceeds through plan development.
- 15) Expert advice during policy development will be needed. It is unlikely that the staff teams and Source Protection Committee members can be relied up on for all of the expertise needed to answer questions which will come up during plan development such as knowing how much risk reduction is adequate and how effective various policies will be at achieving the desired magnitude of risk reduction. Simple questions like "does a TSSA or other standard adequately address the risk where it relates directly to a drinking water source or was that standard only adequate for a general situation?" will need to be considered in plan development. It will be important for the Source Protection Committees to have that information readily accessible at plan development.
- 16) How does the committee decide if requirements of a C of A/Permit is good enough to reduce risk below significant? Can we have some of the MOE staff responsible for applicable programs provide the committee with information session, e.g., PTTW, C of A, provincial instruments.
- 17) Risk management official will need timely access to provincial staff/information - to see if instruments are sufficient to provide protection

- 18) The Source Protection Committees will need a way to be able to incorporate recommendations and suggestions into the Source Protection Plan without having the strength or formality of a policy in the plan
- 19) The use of provincial instruments is limited to existing instruments. In some cases the Source Protection Committee may feel that the most effective tool would be a new or revised provincial instrument rather than a local program. The discussion paper does not present a tool for including that type of program as a recommendation in the plan.
- 20) Use of provincial standards in addition to instruments would be an effective tool in risk reduction. As an example the TSSA standards program is not identified in the list of prescribed instruments. Although this may not be an instrument these standards will be important in many of the activities, especially the storage of fuel. Although this could be utilized in RMP it may also serve as a useful tool in lower risk situations where RMPs cannot be used.
- 21) There needs to be better integration with Federal legislation, standards and instruments as some of these may be the best route for utilizing existing programs and regulations to reduce the risks to drinking water.
- 22) Training/certification for risk management officials will need to be a provincial responsibility.
- 23) Make sure Provincial legislation is in place to allow OP, site plan and zoning plan policies
- 24) Programs to engage the local community in efforts to implement Source Protection Plans where stakeholders work together to implement rather than left to individually implement in their own back yard (Local "friends of the intake" groups) may be very effective at reducing risks to drinking water sources.
- 25) A concern was raised that the risk assessment process seems to scare people into moving away from secure groundwater sources with natural protection from threats to surface water sources which are intrinsically vulnerable.
- 26) Any new or renewed PTTW should be shared with neighbouring permit holders, municipalities and CAs
- 27) Framework or structure needs to be set up so information is shared through the plan development