

**STAFF REPORT**

*File No. SPC Report-01/12*

**Date:** January 11, 2012  
**To:** Source Protection Committee  
**From:** Jennifer Stephens, Project Manager  
**RE:** Development of the Trent and Ganaraska Source Protection Plans

This staff report seeks support from the TCC Source Protection Committee regarding a revised schedule for assembling, consulting on, refining and submitting proposed Trent and Ganaraska Source Protection Plans by August 20<sup>th</sup>, 2012. Additional details on related aspects (*i.e.*, meeting dates, communications/consultation workplan) are also included to confirm support from the SPC in terms of approach and timing.

Ontario Regulation 287/07 under the *Clean Water Act, 2006* sets parameters for the preparation of source protection plans. Staff have discussed options for the timing of work in 2012 with the TCC SPC, most recently at the November 2011 meeting. There is a need to revisit the schedule based on pre-consultation comments and our latest understanding of the required tasks.

Revised Schedule for the Proposed Source Protection Plan

The due date for all source protection authorities to submit proposed plans to the Ontario Minister of the Environment is August 20, 2012. Staff propose the revised schedule outlined below to meet the submission deadline:

<b>Task</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Draft Plan								
1 <sup>st</sup> Consultation								
Proposed Plan								
2 <sup>nd</sup> Consultation								
SPA Discussion								
Submission								

Attached to this report is the recommended consultation workplan for 2012. Regulation 287/07 outlines a number of decisions which should be made by the SPC. Some of these major decisions include:

- Location where Source Protection Plans will be made available for inspection by the public;
- Which newspapers to advertise consultation on *draft* source protection plans; and
- The number and other details relevant to the public meetings to consult on the *draft* plans.

## Trent Conservation Coalition Source Protection Region

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### Proposed SP Committee Meeting Dates in 2012

As shown above, your meeting schedule for next year will need to follow the course of plan development. The schedule has attempted to account for unexpected delays. That said, it is possible that an additional meeting will be necessary to finalize the *draft* plans or the proposed plans. The frequency of meetings after submission of the proposed plan to the Minister of the Environment is uncertain at this time.

<b>Date of SPC Meeting</b>	<b>Content</b>
January 19, 2012	- Revisions to draft policies as a result of pre-consultation feedback
February 2, 2012	- Revisions to draft policies as a result of pre-consultation feedback
February 15, 2012	- Review of draft source protection plan, draft explanatory document, response document to municipalities, and business case to Province (re: implementation funding)
March 7, 2012	- Approval of draft source protection plans and explanatory document for consultation
May 17, 2012	- Review of feedback acquired through the first phase of consultation
June 13, 2012	- Approval of proposed source protection plans for consultation

### **RECOMMENDATION**

THAT the TCC SPC adopt a revised schedule for the development of the proposed Trent and Ganaraska source protection plans in 2012, and

THAT the TCC SPC endorse the *draft* consultation workplan with consideration of the discussion relevant to the decisions that the SPC is required to make.

Attachment 1:

## **Source Protection Plan Consultation – 2012 DRAFT Work Plan**

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This *draft* work plan is intended to outline consultation actions to be carried out during the preparation of the Source Protection Plan. Activities include the legislative and regulatory requirements set out in the *Clean Water Act* and Ontario Regulation 287/07 as well as other consultation activities that further educate and inform stakeholders and the general public.

### **Objectives:**

- Fulfill legislative and regulatory requirements for consultation
- Facilitate the completion of source protection plans
- Provide transparency for the source protection planning process

### **Key Stakeholders:**

- Municipalities
  - Politicians
  - Staff
  - Planning boards
  - Source Protection Authorities
- Landowners within vulnerable areas that are a significant threat (approx. 1,000)
- Landowners within vulnerable areas who could be a significant threat (approx. 10,000)
- Bodies responsible for implementation (e.g., municipalities, agencies, conservation authorities)
- First Nations
- Agriculture
- Other: Municipal water users, General Public

### **WORK PLAN**

***NOTE: Items highlighted in yellow are identified in Regulation 287/07 to be determined as “directed by the Source Protection Committee”. Staff recommendations are highlighted for decision to be made by SPC.***

#### **1. Explanatory Document (section 40) – early March**

The purpose of the explanatory document is to provide stakeholders, the general public, other interested parties, as well as the source protection authority and the Minister of the Environment with an understanding of the rationale for the policies included in the source protection plan by providing information that may have influenced the policy decisions of the Source Protection Committee.

- ❖ Publish document
  - Post on website prior to consultation on *draft* plan; and
  - Make document available for inspection by public in one or more location deemed appropriate by the Source Protection Committee.
    - Conservation Authority offices, municipal offices

**2. Public Consultation on *Draft Proposed SPP (section 41)* – March 19 to April 23**

- ❖ Publish documents
  - Post on website
  - Make document available for inspection by public in one or more location deemed appropriate by the Source Protection Committee.
    - Conservation Authority offices, municipal offices
- ❖ Prepare Notice of Consultation opportunities and deadlines
  - Provides details about the opportunity to view the draft and where to attend public meetings and submit written comments.
  - Deadline for comments is not earlier than 35 days after notice is published in newspapers (April 23).
- ❖ Publish Notice
  - Place advertisement in one or more newspapers deemed appropriate by the Source Protection Committee
    - all newspapers across the planning region (approx. 30)
  - Make Notice available for inspection by public in one or more location deemed appropriate by the Source Protection Committee
    - website, Conservation Authority offices, municipal offices
  - Circulate Notice (& document) to: municipal clerks, First Nations (with invitation to discuss the *draft* plan), every person/body who was involved in pre-consultation, adjacent SPC chairs, remedial action plans, planning boards, etc.
  - Circulate Notice to every person the SPC believes could be engaging in an activity that is or would be a significant threat (as identified in the Assessment Report). Additional information to accompany notice includes identification of the activities, a complete or partial list of significant threats for the vulnerable area and notification that the source protection plan may contain policies that may affect the activity.
- ❖ Public meetings (weeks of April 9 & 16)
  - The Source Protection Committee must hold at least one public meeting in each Source Protection Area to give the public an opportunity review the document and make comments;
  - Meetings must be held at least 21 days after notice is published in newspapers; and
    - 6 meetings: 1 per SPA plus additional meeting for KH SPA
    - Locations: Baltimore, Minden, Lindsay, Havelock, Peterborough, Codrington
    - Tentative Dates: April 10, 11, 12, 16, 17, 18, 19
    - Times: 6 PM to 8 PM (presentation at 7 PM)
- ❖ Press release

**3. Consultation on the Proposed SPP (section 42) – June 18 to July 19**

- ❖ Submit documents
  - Provide documents to Source Protection Authorities and a summary of any concerns raised by First Nations and municipalities during the preparation of the Plan that were not resolved; and
  - Provide Plan to First Nations and clerks of each municipality and a summary of any concerns that were not resolved.
  
- ❖ Publish documents
  - Post on website; and
  - Make documents available for inspection by public at one or more locations deemed appropriate by the Source Protection Committee.
    - **Conservation Authority offices, municipal offices**
  
- ❖ Publish notice
  - Post on website;
  - Circulate notice (& document) to municipal clerks, First Nations, as well as anyone who submitted comments on *draft* proposed plan; and
  - Deadline for comments to Source Protection Authority is within 30 days after the source protection plan is published on the website, or longer as determined by the Source Protection Authority.
  
- ❖ Press release

**4. Submit Proposed Source Protection Plan**

- ❖ Prepare Summary of Comments
  - Compile a summary of comments including:
    - Written comments received by the Source Protection Authority during the 3- day consultation period;
    - Concerns raised by First Nations and municipalities during the preparation of the documents that were not resolved; and
    - Comments the Source Protection Authority wishes to make.
  
- ❖ Submit Plan to Minister of the Environment
  - Submit proposed Source Protection Plan documents along with the summary of comments and the Explanatory Document; and
  - Provide summary of comments to the Source Protection Committee.

**5. Other Consultation Activities**

- ❖ Education to landowners within most vulnerable areas (approx. 10,000) – *i.e.* ‘would be’ threats
  - Options include: one-on-one contact, direct mail, or bulk mail to a broader group
  - Note: Conservation authority staff are currently identifying the number of parcels and assessing capacity to implement.
  
- ❖ Ongoing general communications in conjunction with CA activities (*e.g.*, events, newsletters, etc.) targeted to general public/other municipal water users