

Chapter 1 – Overview



1.1 Purpose

The purpose of the *Clean Water Act* is to protect existing and future sources of drinking water.

1.2 Plan Objectives

As per subsection 22(1) of Ontario Regulation 287/07 (General), the objectives of the Source Protection Plan are:

1. To protect existing and future drinking water sources in the source protection area.
2. Ensure that, for every area identified in the Assessment Report (June 2011) as an area where an activity is or would be a significant drinking water threat,
 - i. the activity never becomes a significant drinking water threat, or
 - ii. if the activity is occurring when the source protection plan takes effect, the activity ceases to be a significant drinking water threat.

1.3 Vision

The overall vision of the Cataraqui Source Protection Committee, in partnership with local communities and the Ontario government, is that the quality and quantity of present and future sources of drinking water in the Cataraqui Source Protection Area will be protected.

In preparing this plan we:

- worked with others to gather technical knowledge
- endeavoured to arrive at well-informed, consensus-based decisions that were made in an open and consultative manner
- aimed to propose policies in the Cataraqui Source Protection Plan that are appropriate, effective, and economical for local communities and
- made use of the available science to assess drinking water threats and issues and where there was uncertainty we were mindful of the precautionary approach.

The Committee's intent for the Source Protection Plan is to fulfill the objectives stated in section 1.2, by:

1. ensuring that existing activities that are significant threats to municipal sources of drinking water are adequately managed, and that new activities that are significant threats are not permitted around these sources
 2. ensuring that new activities that are moderate or low threats will be adequately managed around these sources and
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3. acknowledging and responding to community expectations that regional areas of vulnerable groundwater should be identified and protected to the extent possible through the *Clean Water Act*.

1.4 Application of the Plan

This Plan applies to land and/or water within the jurisdiction of all or part of three counties and 12 municipalities that make up the Cataraqui Source Protection Area. These include large urban and small rural municipalities. The counties are Lennox and Addington, Frontenac, and Leeds and Grenville. As shown on **Figure 1-1**, the municipalities, from west to east, are:

- Town of Greater Napanee
- Loyalist Township
- Township of South Frontenac
- City of Kingston
- Township of Frontenac Islands
- Township of Rideau Lakes
- Township of Leeds and the Thousand Islands
- Town of Gananoque
- Township of Athens
- Township of Front of Yonge
- Township of Elizabethtown-Kitley
- City of Brockville.

1.5 How to Use this Plan

The Source Protection Plan sets out policies to address drinking water threats, as appropriate, that were identified in the [Assessment Report: Cataraqui Source Protection Area \(2011\)](#). The Plan can be downloaded from www.cleanwatercataraqui.ca/sourceProtectionPlan.html. The Assessment Report is included on the DVD that is attached to paper copies of the Plan, and can be downloaded from www.cleanwatercataraqui.ca/assessmentReport.html.

The Plan is accompanied by an [Explanatory Document](#) (June 2012) that provides stakeholders with information that influenced the policy decisions made by the Source Protection Committee. It also includes detailed descriptions of policy intent and helpful implementation information. The Explanatory Document with paper copies of the Plan, and can be downloaded from www.cleanwatercataraqui.ca/sourceProtectionPlan.html.

Chapter 2 provides the reader with background information on the drinking water source protection initiative and the local planning process. Chapter 3 describes implementation of the Plan, including responsibilities, timelines and reporting.

The policies in this Plan are arranged in the following order:

1. all vulnerable areas in the Cataraqui Source Protection Area (chapter 4)
2. highly vulnerable aquifers and significant groundwater recharge areas (chapter 5)
3. wellhead protection areas (chapter 6)
4. surface water intake protection zones (chapter 7).

This Plan should be read in its entirety to ensure that all applicable policies are considered in a given situation. Cross-references between chapters are provided where appropriate, but these may not anticipate every situation. It should also be considered in conjunction with all other applicable land use planning policy, regulations and standards.

Within each chapter, the policies for the specific vulnerable areas are organized by topic and then by policy tool or drinking water threat.

The policies in Chapter 4 fall into following six general categories:

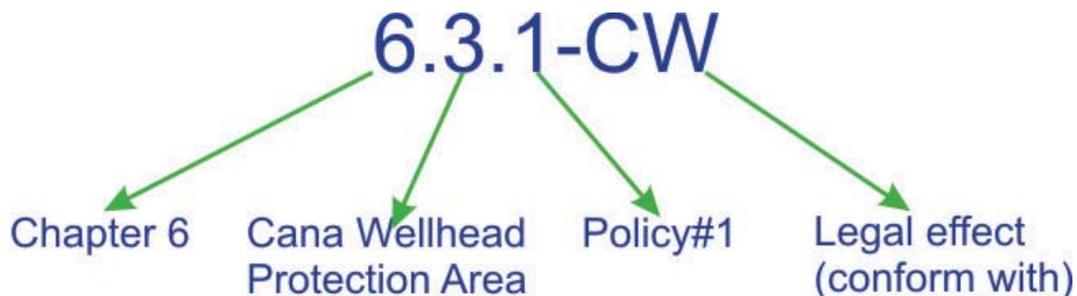
1. raw (untreated) water quality sampling
2. provincial and municipal emergency and spill response
3. education and outreach programs
4. incentive programs
5. research initiatives
6. provincial and municipal programs, policies and procedures.

The policies in Chapter 5 are organized by those that encourage education and outreach programs, research and monitoring, promote on-site sewage system maintenance inspection pro-

grams, and that influence decision-making related to land use planning and development under the *Planning Act* or the *Condominium Act*, and related to provincial prescribed instruments.

In Chapter 6 and 7, the first set of policies generally relate to all of the wellhead protection areas or intake protection zones. These are followed by policies that apply to specific wellhead protection areas or intake protection zones (e.g., Part IV of the *Clean Water Act*).

The introductory paragraphs of each section of the plan provides a context for the policies in that section. Each policy specifies the area to which the policy applies and whether the activity is a significant, moderate or low drinking water threat. There is a reference number associated with each policy in the Plan. For example:



The various types of legal effect are described in **Table 1-1**.

Table 1-1: Code Describing the Legal Effect of the Policies

Code	Description
CW	<ul style="list-style-type: none"> • The <i>Clean Water Act</i> requires municipalities, local boards or source protection authorities to <u>comply with</u> any obligations imposed on it to address a significant drinking water threat, regardless of the particular tool or approach used in the policy. • The Act requires decisions under the <i>Planning Act, 1990</i> and <i>Condominium Act, 1998</i> to <u>conform with</u> policies on significant threats. • The Act requires decisions related to prescribed instruments to <u>conform with</u> policies on significant threats. • Persons carrying out significant threat activities must <u>conform with</u> policies that use Part IV powers under the <i>Clean Water Act</i>. • Public bodies designated in the source protection plan to carry out monitoring required by the <i>Clean Water Act</i> must <u>conform with</u> the obligations set out in the monitoring policies.

Code	Description
HR	<ul style="list-style-type: none"> • The Act requires decisions under the <i>Planning Act, 1990</i> and <i>Condominium Act, 1998</i> to have regard to policies on moderate and low threats. • The Act requires decisions related to prescribed instruments to have regard to policies on moderate and low threats.
NB	<p>Other types of policies are not legally binding under the Act, but are recommended by the Committee having determined that they are important to achieving the Plan's objectives. These include:</p> <ul style="list-style-type: none"> • policies on significant, moderate and low threats to be implemented by bodies other than municipalities, local boards or source protection authorities and which do not rely on Part IV, prescribed instrument or <i>Planning Act</i> tools. <ul style="list-style-type: none"> ▫ other permitted policies governing: <ul style="list-style-type: none"> ▫ incentive programs and education & outreach programs that are not specific for a wellhead protection area or intake protection zone (e.g., private wells) ▫ the update of spills prevention, contingency and response plans for highways, railways or shipping lanes in wellhead protection areas and intake protection zones ▫ transport pathways in wellhead protection areas and intake protection zones.

For the purpose of this Plan,

1. the words *shall* and *must* are mandatory, and
2. the words *should* and *would* are discretionary.

All references to *Assessment Report* in this document mean the Assessment Report: Cataraqui Source Protection Area (June 2011).

1.6 End Users of the Source Protection Plan

This Plan will be used by:

- provincial ministries as the basis for decisions and actions on matters within the Cataraqui Source Protection Area
- other government agencies and departments in preparing plans and programs which may affect the Cataraqui Source Protection Area
- area municipal councils as the basis for decisions and actions on matters within their jurisdiction

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- municipal administrators and committees
 - Cataraqui Region Conservation Authority staff
 - businesses, industry, private organizations, and citizens in considering and preparing their own plans and programs.