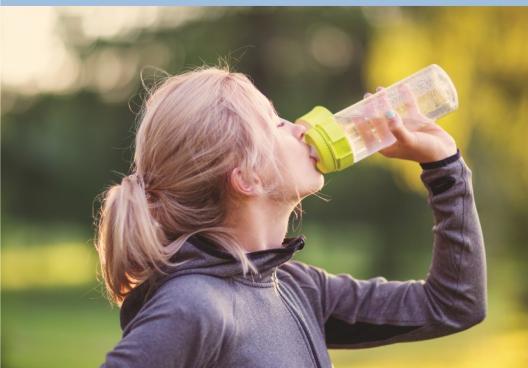


# Source Water Protection

South Georgian Bay Lake Simcoe Region

## Changes to the *Clean Water Act* and its Regulations

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Project Manager



**Water**  
*is life.*  
**Protect**  
**Yours.**

# Legislation and Regulation – what's the difference?

## Legislation

- Written law, enacted by Parliament

## Regulation

- Provides details about the application and enforcement of legislation
- Simpler to update

# Proposed changes to the Act and Regulations

## Changes to the Clean Water Act

- Provides overall intent of the changes
  - Posted on Environmental Registry on October 20, decision made on October 31
- Changes have been PASSED

## Changes to the Regulations

- Will provide the detail of how the overall intent is delivered
  - Posted on Environmental Registry on October 20, to close December 4
- Changes are still PROPOSED

# The proposal

1. Changes to the process for incorporating new / expanded drinking water systems
2. Changing the approval process for amendments
3. Changing how prescribed instruments can be used to address threats

# 1. Incorporating new drinking water systems

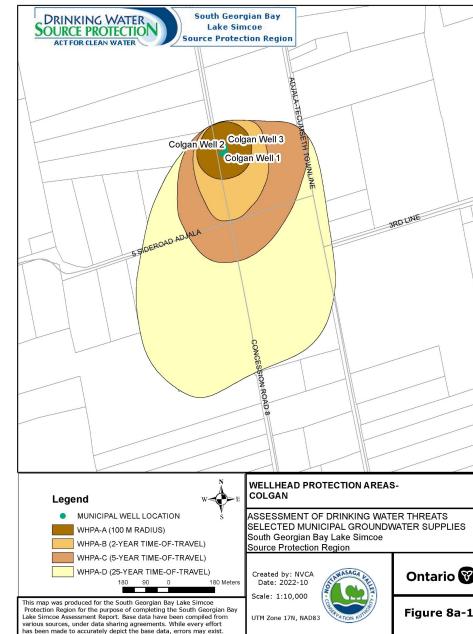
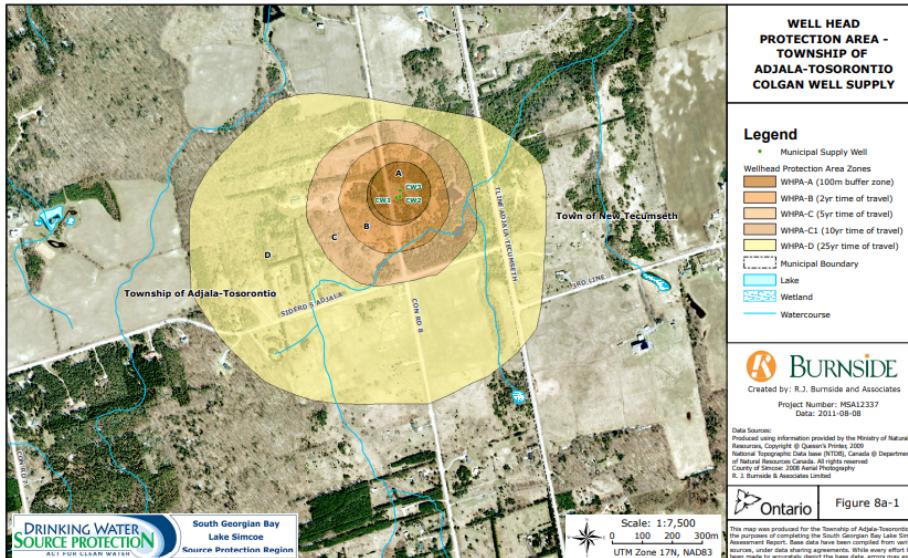
The principle:

- Any time a new drinking water system is built, or an existing one is expanded, it should be protected by the Source Protection Plan before coming into service

# 1. Incorporating new drinking water systems

In practice:

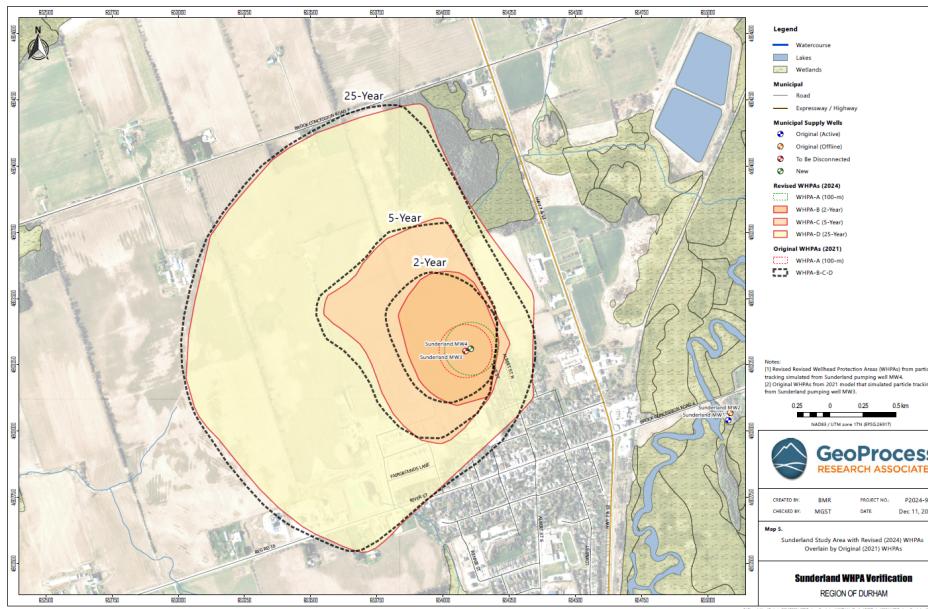
- If expansion just means an increased taking, no SPP update has been required



# 1. Incorporating new drinking water systems

In practice:

- Even relatively small changes (e.g., moving a well 10 m) has required a full amendment



# 1. Incorporating new drinking water systems

The proposal:

1. Close the loophole that did not require increased consumption to have a plan amendment
2. Give the source protection authority the ability to recommend cases where the system can come into service before the amendment is complete

Details still to be resolved:

- What situations would we recommend that systems can come into service? (e.g., where no significant drinking water threats exist? Where threats are being managed?)

## 2. Changing the approval process for amendments

- Technical work completed
- Early engagement
- Source protection committee presentation
- Pre-consultation with implementing bodies
- Municipal endorsement
- Public consultation
- Submission to Ministry for approval

## 2. Changing the approval process for amendments

The proposal – three types of amendments



1. Expand use of section 51 (typographic changes)
  - Source protection authority approval, Ministry is informed when complete
  - Could apply to replacement of wells / intakes in close proximity
2. Plan approved by source protection authority
  - New process to be developed
  - Might apply in cases where existing policies are applied to new vulnerable areas
  - Needs to be requested by source protection authority
  - Ministry approves technical work, we approve amendment
3. Existing process
  - Would be the default, apply in all other scenarios
  - New 120-day decision timeline for the Minister



### 3. Prescribed instruments

Changes to the Act now:

1. Remove the ability to prohibit existing activities with Prescribed Instruments
2. Require standardize wording in the Prescribed Instruments

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Changes to the Act now:

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2. Require standardize wording in the Prescribed Instruments

Details to be resolved in the Regulation

1. Does this apply to all existing activities in all situations?
  - Perhaps only those that apply to infrastructure?
  - What about the case of Issues?

### 3. Prescribed instruments

Changes to the Act now:

1. Remove the ability to prohibit existing activities with Prescribed Instruments
2. Require standardize wording in the Prescribed Instruments

Details to be resolved in the Regulation

2. What will the wording say?
  - Expected to require greater clarity from Ministries, more reporting to source protection authorities/committees

# Next steps

- The changes to the Act have been approved by Queen's Park, though not yet in effect
- Environmental Registry posting on the Regulatory Changes closes December 4
- The new rules will come into effect on a date to be determined

# Thank you

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