South Georgian Bay Lake Simcoe Source Protection Region

Agenda

Source Protection Committee Meeting SPC-04-2026

Thursday, November 12, 2026
1:00 – 4:00 pm
To be held in the Community Rooms, Innisfil Town Hall, 2101 Innisfil Beach Rd, Innisfil

Members
Peter Dance, Acting Chair

Municipal
Jennifer Best, Tom Bradley, Michelle Flaherty, Chris Gerrits, Jeff Hamelin, Michelle Jakobi, Katie Thompson

Economic/Development
Samantha Archibald, Colin Elliott, John Hemsted, Sarah Kurtz, Jessica Neto, Rick Newlove, David Ritchie

Public Sector
Geoff Allen, Ian Chadwick, Stephanie Hobbs, David Ketcheson, Karen Koornneef, Cate Root

First Nations
Chad McRae

Liaisons
Julie Cayley, Severn Sound Environmental Association (SSEA)
Don Goodyear, Lake Huron Region Conservation Authority (LHRCA)
Bilal Kidwai, Ministry of the Environment, Conservation and Parks (MECP)
Karen Kivilahti, Simcoe Muskoka District Health Unit (SMDHU)
David Lembcke, Lake Simcoe Region Conservation Authority (LSRCA)
Jennifer Vincent, Nottawasaga Valley Conservation Authority (NVCA)

Staff
Melissa Carruthers, SSEA
Elizabeth Harrison, LSRCA (minutes)
Ian Ockenden, NVCA
Sheri Steiginga, NVCA
Bill Thompson, LSRCA
Mystaya Touw, LSRCA
Chloe Zhang, LSRCA

Guests
Maureen Bianchet, Durham Region
Shelly Cuddy, Durham Region
Emily Goncalves, York Region
Steve Krbavcic, City of Barrie
Tavis Nimmo, Durham Region
Jeneé Wallace, SMDHU

Regrets
David Ketcheson , Economic/Development Sector – proxy to Sarah Kurtz

Source Protection Committee
Meeting SPC-04-2026
Agenda – Thursday, November 12, 2026

1. **Welcome and Opening Remarks**

2. **Quorum Confirmation**

3. **Acknowledgement of Indigenous Territory**

4. **Declaration of Pecuniary Interest and Conflict of Interest**

5. **Approval of the Agenda**

Pages 1-4

Recommended: **That** the agenda for the Thursday, November 12, 2026 meeting of the Source Protection Committee be approved as presented.

6. **Adoption of Minutes**

Pages 5-11

Recommended: **That** the minutes of the Thursday, July 23, 2026 meeting of the Source Protection Committee be approved as circulated; and

Further That the confidential minutes of the Thursday, July 23, 2026 meeting of the Source Protection Committee be approved as circulated.

7. **Announcements**

a) Chair

8. **Presentations**

a) A presentation by Steven Krbavcic, Risk Management Inspector, City of Barrie, regarding Processes to Address Abandoned Fuel Tanks.

Recommended: **That** presentation a) and Staff Report 1.1 (previously tabled as Staff Report SPC2.3) regarding Review of Fuel Policy FUEL-4 be received for information; and
Further That the proposed revisions to fuel policy FUEL-4 be approved as written.

b) A presentation by Bill Thompson, Manager, Watershed Plans & Strategies, LSRCA, regarding Proposed Amendments to the Clean Water Act.

Recommended: **That** presentation b) regarding Proposed Amendments to the Clean Water Act be received for information.

c) A presentation by Bill Thompson, Manager, Watershed Plans & Strategies, LSRCA, regarding approved Clean Water Act Regulatory Amendments.

Recommended: **That** presentation c) regarding approved Clean Water Act Regulatory Amendments be received for information.

d) A presentation by Mystaya Touw, Sourcewater Protection Specialist, LSRCA, regarding Required Revisions to Prescribed Instrument Policies (O. Reg. 210/26).

Recommended: **That** presentation d) and Staff Report SPC1.2 regarding Required Revisions to Prescribed Instrument Policies (O. Reg. 210/26) be received for information.

e) A presentation by Bill Thompson, Manager, Watershed Plans & Strategies, LSRCA, regarding Proposed Criteria to Permit Use of Source.

Recommended: **That** presentation e) and Staff Report SPC1.3 regarding Proposed Criteria to Permit Use of Source be received for information.

f) A presentation by Chloe Zhang, Source Water Protection Hydrogeologist, regarding Screening for Potential WHPA Updates.

Recommended: **That** presentation f) regarding Screening for Potential WHPA Updates be received for information.

9. Determination of Consent Items Requiring Separate Discussion

(Reference Consent Items on pages 12-90 of the Agenda)

10. Adoption of Items Not Requiring Separate Discussion

Recommended: **That** the recommendations as set forth the Consent Items not requiring separate discussion be approved, and staff be authorized to take all necessary actions to affect those recommendations.

11. Consideration of Consent Items Requiring Separate Discussion

12. Other Business

13. Next Meeting and Adjournment

The next meeting of the Source Protection Committee is scheduled to be held virtually via Zoom on Thursday, December 10, 2026.

Source Protection Committee
Meeting SPC-04-2026
Agenda – Thursday, November 12, 2026

Agenda Items

1. Presentation Staff Reports

SPC1.1 – Review of Fuel Policy FUEL-4

Pages 12-14

SPC1.2 – Requied Revisions to Prescribe Instrument Policies (O. Reg. 210/26)

Pages 15-82

SPC1.3 – Proposed criteria to permit Use of Source

Pages 83-85

2. Consent Items

SPC1.4 – Provincially focused Policies on Salt Application and Storage

Pages 86-89

SPC1.5 – Minister's Letter, Consent Item 357-2026-2496 Signed Letter

Page 90

Source Protection Committee (SPC)

Minutes of Meeting SPC-03-2026

July 23, 2026

The Acting Chair called the meeting to order at 1:00 pm and Kathy Hillis conducted the Roll Call.

Members Present:

Peter Dance, Acting Chair

Municipal

Chris Gerrits, Jeff Hamelin, Jennifer Best, Michelle Flaherty, Michelle Jakobi, Katie Thompson, Tom Bradley

Economic/Development

Colin Elliott, Jessica Neto, Rick Newlove, Sarah Kurtz

Public Sector

David Ketcheson, Geoff Allen, Ian Chadwick, Stephanie Hobbs

Liaisons

Mohammed Ahmed, Ministry of the Environment, Conservation and Parks (MECP)
Don Goodyear, Lake Simcoe Region Conservation Authority (LSRCA)
Melissa Carruthers, Severn Sound Environmental Association (SSEA)
Jennifer Vincent, Nottawasaga Valley Conservation Authority (NVCA)
Jeneé Wallace, Simcoe Muskoka District Health Unit (SMDHU)

Staff Present

Bill Thompson, LSRCA
Mystaya Touw, LSRCA
Kathy Hillis, LSRCA (minutes)
Ian Ockenden, NVCA
Sheri Steiginga, NVCA
Elizabeth Harrison, LSRCA

Guests

Emily Goncalves, York Region
Tavis Nimmo, Durham Region

Regrets:

Cate Root, Public Sector – proxy to Colin Elliott
Chad McRae, First Nations Sector
Samantha Archibald, Economic/Development Sector – proxy to Sarah Kurtz
John Hemsted, Economic/Development – proxy to David Ketcheson
David Ritchie, Economic/Development Sector
Karen Koornneef, Public Sector

1. Welcome & Opening Remarks

2. Land Acknowledgement

The Chair recited the Acknowledgement of Indigenous Territory.

3. Declaration of Pecuniary Interest and Conflict of Interest

None declared.

4. Approval of Agenda

Moved by: Rick Newlove
Seconded by: Chris Gerrits

SPC-21-26 **Resolved That** the agenda for the July 23, 2026 meeting of the Source Protection Committee (SPC) be approved as presented. **Carried**

5. Adoption of Minutes

Moved by: Ian Chadwick
Seconded by: Geoff Allen

SPC-22-26 **Resolved That** the minutes of the June 11, 2026 meeting of the Source Protection Committee be approved as circulated. **Carried**

6. Announcements

a) The Province has reappointed Chairs to some of the SPCs, but there are still 10 that are still pending.

b) Don Goodyear has been named as the new "Project Executive" for the Lake Huron Region Conservation Authority. He will be Chairing the transition committee of the chief administrative officers (CAO) of the six conservation authorities which are being consolidated, and will be the first CAO of the regional conservation authority when it comes into being in February 2027. Don has a lot of background in source water, so it is good to see that someone so knowledgeable about our program will be heading up the new conservation authority.

c) Last meeting with Kathy Hillis as she is retiring soon.

d) Introduction of Elizabeth Harrison, the new Senior Administrative Assistant, Scanlon Operations.

7. Deputations

There were none.

8. Presentations

a) A presentation by Bill Thompson, LSRCA regarding Regulatory Changes for Accelerating and Improving Protections for Drinking Water Sources.

Link to the presentation – Regulatory Changes for Accelerating and Improving Protections for Drinking Water Sources

QUESTIONS AND COMMENTS

Stephanie Hobbs: In regard to Prescribed Instruments (PI), has the Ministry given any rationale as to why they say we can no longer prohibit existing practices?

> Bill advised that a lot of the PI's pertain to significant infrastructure. This SPC did not chose to prohibit existing waste disposal sites or waste water treatment facilties, but some Committees did chose to prohibit this type of existing infrastructure. This gets very challenging for those who manage or replace the infrastructure, so that is why the Province took this approach, and why they chose to leave things like nutrient management plans that are more operational in nature, as exemptions.

Ian Chadwick: How does this get forwarded to municipalities who may have to deal with it? Will this affect any municipal Council at the political level, especially when they need to approve development applications?

> Bill indicated that Council's may not see a change because of this. The process for amendments requires us to still need to go to all municipalities for endorsement. If things go as planned, they should see decisions being made more quickly than they have in the past.

David Ketcheson: If the SPC did not agree with how a PI was being done, and for example we believe a higher standard is needed than the Ministry is requesting, how does the SPC make this known to interested parties, as the SPC has an obligation to voice our opinions about subject matters related to source water protection?

> Bill advised that he provided comments when it was on the Environment Registry of Ontario (ERO) to this nature. The SPCs spent significant time developing policies, but staff have now been directed to change them, which Bill commented to as being inappropriate, however the changes have now been made. Going forward, staff will bring policies to the SPC for review before they get changed, and if at that point there are concerns, the best avenue may be to send a letter to the Minister raising the concerns. Peter advised that we are a public committee with our information on the website, and if we felt something needs to be highlighted we could put it on our website, but first we would go through the channels of reporting to the Ministry. If still not satisfied the SPC could discuss potential ways to take action if we have legitimate concerns.

Moved by: Rick Newlove
Seconded by: Sarah Kurtz

SPC-23-26 **Resolved That** presentation a) regarding Regulatory Changes for Accelerating and Improving Protections for Drinking Water Sources be received for information. **Carried**

b) A presentation by Mystaya Touw, LSRCA regarding Revisiting Policies for Nutrient Management.

Link to the presentation – Committees remain unable to require risk management plans or risk management official oversight on these activities

Moved by: Michelle Flaherty
Seconded by: Jennifer Best

SPC-24-26 **Resolved That** presentation b) and Staff Report 2.1 regarding Limitations of Nutrient Management Policies be received for information. **Carried**

c) A presentation by Mystaya Touw, LSRCA regarding Review of Fuel Policy FUEL-3.

Link to the presentation – Review of Fuel Policy FUEL-3

Moved by: Geoff Allen
Seconded by: Rick Newlove

SPC-25-26 **Resolved That** presentation c) and Staff Report SPC2.2 regarding Review of Fuel Policy FUEL-3 be received for information; and

Further That the existing policy FUEL-3 be removed and replaced with the proposed new FUEL-3 policy as written. **Carried**

d) A presentation by Mystaya Touw, LSRCA regarding Review of Fuel Policy FUEL-4.

Link to the presentation – Review of Fuel Policy FUEL-4

QUESTIONS AND COMMENTS

Peter Dance: Thank you to City of Barrie staff for raising the issue for the Committee. Have any of the municipalities passed bylaws related to this? The two issues are abandoned properties with unused tanks, as well as not abandoned properties with tanks that have not been used in more than a year.

Mystaya discussed at a risk management officials (RMO) meeting and at that time there was one bylaw in Peel that if it was in a backyard it was required to be removed under a sort of backyard aesthetics bylaw. No one else on the call was aware of any bylaw, but not all municipalities were represented on the call.

Jennifer Best: The municipalities often do not find out about these tanks, so can part of the process be flagging this for building department staff as they are often dealing with properties for building and renovation permits, and that way if they are going through a permit process it is something staff can engage in?

Geoff Allen: The Committee should be involved in the process. There is usually a property inspection when properties change hands, so they could be identified at that time. Also the fuel suppliers to these properties would know because if the tanks are not in good repair or are unused they flag it, so perhaps we can reach out to these companies and as them to flag these situations to the building department.

Ian Chadwick: Most municipal bylaw officers work through a complaint process, rather than being progressive about applying bylaws, so they rely on someone reporting it. As a result a bylaw may not be effective as someone has to enforce it. Where would the policy be published; what document would it be put into eg. development process through planning, in the official plan? If we have that process, then real estate agents should be informed about it as they often are the ones calling for a property assessment.

> Peter indicated that it has been identified that perhaps the bylaw approach is not the right tool. Process is a general term so we could leave the proposed motion as is to change the wording to process, and challenge a few municipalities to see what may work and report back to source protection authority staff, and then change the policy approach at that time. Another consideration is changing the wording to “bylaw or process”.

Jeff Hamelin: Penetanguishene is moving ahead with the bylaw approach and Jeff reviewed it during a technical advisory committee meeting. It is being managed through the development process, so the building department is looped in. Jeff is relucant to change the terminology from bylaw to process, since some municipalities are already developing bylaws.

Rick Newlove: A lot of these homes may have been hooked up to gas so they may have disconnected their oil tanks. When they are hooked up, is there a process for someone to check if their underground oil tank has been removed?

> Peter advised there are several approaches to this, and it also goes beyond home heating fuel tanks.

David Ketcheson: Can we assist municipalities by suggesting that fuel tanks above a set size have a bylaw or process developed? Is there a certain size that the Committee feels there is urgency to deal with?

> Mystaya believes the policy generally applies in a well head protection area (WHPA) with a vulnerability score of 10 or an intake protection zone (IPZ) with a pretty high

score, so it would apply in a limited number of highly vulnerable areas. Mystaya has little experience with the different sizes of tanks.

Katie Thompson: Has had discussions with bylaw staff on this and they do not believe enforcement is very viable in getting these fuel tanks out of the ground. Barrie already has some processes in place to deal with it: if the property is not occupied and they stop paying their taxes for long enough they can step in through the tax process; if a building appears to be abandoned and unsafe, either the Fire Chief or the Chief Building Official can step in and ensure the tank is removed; through capital projects if the tanks are found in the ground there are processes in place to remove them right away, and it is the same on the new development side that removal is required as part of construction; occupied houses are a lower risk as you will often get a smell if a tank leaks, and insurance companies are requiring you to submit photos of tanks and information on age of tanks. Flexibility on process will work best for Barrie, rather than a bylaw process.

Moved by: David Ketcheson
Seconded by: Chris Gerrits

SPC-26-26 **That** presentation d) and Staff Report SPC2.3 regarding Review of Fuel Policy FUEL-4 be tabled until the next meeting. **Carried**

9. Determination of Items Requiring Separate Discussion

No items were identified under items requiring separate discussion.

10. Adoption of Items Not Requiring Separate Discussion

Item SPC2.4 - Threat #5: The Management of Agricultural Source Material (Aquaculture) was identified under items not requiring separate discussion.

Moved by: Chris Gerrits
Seconded by: Sarah Kurtz

SPC-27-26 **Resolved That** the recommendations as set forth in the items not requiring separate discussion be approved, and staff be authorized to take all necessary actions to affect those recommendations.**Carried**

There were no correspondence items for this meeting.

11. Consideration of Items Requiring Separate Discussion

There were no items requiring separate discussion.

12. Other Business

None.

13. Closed Session – Legal Matter

COMMITTEE OF THE WHOLE

Moved by: Chris Gerrits
Seconded by: Tom Bradley

SPC-28-26 **That** the Committee move into closed session for presentation e) and Staff Report SPC2.5 - Summary of Consultation Comments Received – Proposed Amendment to Source Protection Plan to Address Nitrate Issue in Cannington, as it pertains to a legal matter. **Carried**

REPORT FROM CLOSED SESSION

Moved by: Geoff Allen
Seconded by: Rick Newlove

SPC-29-26 **That** presentation e) and Staff Report SPC2.5 regarding Summary of Consultation Comments Received – Proposed Amendment to Source Protection Plan to Address Nitrate Issue in Cannington be received for information; and

Further That staff be directed to proceed with Policy Option B in the Cannington Issue Contributing Area; and

Further That the South Georgian Bay – Lake Simcoe Source Protection Committee agree that the proposed amendments to the Source Protection Plan and the Durham Region chapter of the Assessment Report are advisable.

14. Next Meeting and Adjournment

Moved by: Jeff Hamelin
Seconded by: Stephanie Hobbs

SPC-30-26 **Resolved That** the next meeting of the Source Protection Committee scheduled to be held on Thursday, November 12, 2026 from 1-4 pm at Community Rooms, Innisfil Town Hall; and

Further that the July 23, 2026 meeting of the Source Protection Committee be adjourned at 2:56 pm. **Carried**

Source Protection Committee Meeting SPC-03-2026

Staff Report Number: SPC1.1 (previously tabled as Staff Report SPC2.3)

To: South Georgian Bay - Lake Simcoe Source Protection Committee

From: Mystaya Touw, Sourcewater Protection Specialist, Lake Simcoe Region Conservation Authority

Date: November 12, 2026

Subject: **Review of Fuel Policy FUEL-4**

Recommendations:

That Staff Report SPC1.1 regarding Review of Fuel Policy FUEL-4 be received for information; and

Further That the proposed revisions to fuel policy FUEL-4 be approved as written.

Purpose of Staff Report:

The purpose of this Staff Report is to provide the Source Protection Committee with an opportunity to revisit the issue of policy FUEL-4.

Background:

The handling and storage of fuel is one of 22 drinking water threat activities outlined in the *Clean Water Act,* 2006.

Policy FUEL-4 states that municipalities shall develop a by-law to require the removal of fuel tanks from abandoned properties within 1 year of known abandonment, and unused tanks from occupied properties once no longer in use within vulnerable areas where the handling and storage of fuel is or would be a significant drinking water threat.

This policy has a lower successful implementation rate throughout the source protection region than other policies.

Policy FUEL-4 was discussed at the July 23, 2026, Source Protection Committee meeting, though it was tabled when no decision was reached.

Issues:

Municipalities and risk management officials have noted that the policy is difficult to implement as there is no notification mechanism to inform them of where fuel tanks exist and when they are considered abandoned. Some municipalities have also been unsure

how enforcement of the by-law would work and what staff would have the authority to enforce it.

Staff at the City of Barrie used the opportunity to comment through pre-consultation on the S.36 amendment to the source protection plan to note the issue and to provide some alternative policy wording they thought might be more workable for their municipality and hopefully others. Their suggested amendment is to change the wording from “develop a by-law” to “develop a process.”

Staff from the City of Barrie are to supply an accompanying presentation to outline what this process would look like for their municipality and as an example for others at this November 12, 2026, Source Protection Committee Meeting.

Proposed policy amendment text:

FUEL-4:

- Municipalities shall develop a process to require the removal of fuel tanks from abandoned properties within 1 year of known abandonment, and unused tanks from occupied properties once no longer in use within vulnerable areas where the handling and storage of fuel is or would be a significant drinking water threat.

Note that “process” is to be inclusive of by-laws. If by-laws are in existence and working in some areas, they will continue to be an accepted process for the purposes of implementing this policy.

Summary:

Policy FUEL-4 is one of the least successfully implemented policies in the source protection plan as currently written. Feedback received from the City of Barrie during pre-consultation on the S. 36 amendment suggested changing the wording from “municipalities shall develop a by-law” to “municipalities shall develop a process.” The proposed change may be a more flexible solution that municipalities are better able to work with than the current policy.

Recommendations:

It Is Therefore Recommended That Staff Report SPC1.1 regarding Review of Fuel Policy FUEL-4 be received for information; and

Further That the proposed revisions to fuel policy FUEL-4 be approved as written.

Prepared by:

Mystaya Touw, Sourcewater Protection Specialist

Recommended by:

Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Source Protection Committee Meeting SPC-04-2026

Staff Report Number: SPC1.2

To: South Georgian Bay - Lake Simcoe Source Protection Committee

From: Mystaya Touw, Sourcewater Protection Specialist, Lake Simcoe Region Conservation Authority

Date: November 12, 2026

Subject: **Required Revisions to Prescribed Instrument Policies (O. Reg. 210/26)**

Recommendations

That presentation d) and Staff Report SPC1.2 regarding Required Revisions to Prescribed Instrument Policies (O. Reg. 210/26) be received for information.

Purpose of Staff Report

The purpose of this Staff Report is to inform the committee of updates to prescribed instrument policies per the new O. Reg. 210/26. This new regulation under the *Clean Water Act, 2006,* comes into effect on January 1, 2027, and requires all prescribed instrument polices be reviewed and amended to comply with the requirements in the new regulation within 30 days (i.e. by January 31, 2027).

Background

Prescribed instruments include tools such as environmental compliance approvals, consolidated linear infrastructure – environmental compliance approvals, pesticide permits, nutrient management plans and strategies, and NASM (non-agricultural source material) plans. The majority of these instruments are reviewed and/or issued by provincial agencies, with the exception being nutrient management plans.

These tools are currently used in the Source Protection Plan as part of the approach to address threat types such as various types of waste, wastewater, agricultural source material, commercial fertilizer, non-agricultural source material, and livestock. There are also new policies proposed in our S.36 amendment that would use these tools to address additional waste categories, and pesticides in select circumstances.

Table 1: Threat types and the relevant Prescribed Instruments

Threat Type (Generalized)	Applicable Prescribed Instruments
Waste (many kinds)	• Environmental Compliance Approval (ECA)
Wastewater (including stormwater and septics)	• Environmental Compliance Approval (ECA) • Consolidated Linear Infrastructure - Environmental Compliance Approval (CLI-ECA)
Agricultural Source Material (ASM)	• Nutrient Management Strategy (storage) • Nutrient Management Plan (application)
Commercial Fertilizer	• Nutrient Management Strategy (storage) • Nutrient Management Plan (application)
Pesticides	• Pesticide Permit
Non-Agricultural Source Material (NASM)	• NASM Plan • Environmental Compliance Approval (ECA)
Livestock (grazing, confinement, etc.)	• Nutrient Management Strategy

*Note: other non-prescribed instrument tools like risk management plan may also apply in some circumstances.

Up until now, these policies have not been standardized across the province, and this has made it difficult for ministries to have standard operating procedures for these instruments in sourcewater vulnerable areas.

The standardized wording provided in the regulation reads as follows:

> *Where [insert name of activity that is or would be a significant drinking water threat] [is/would be] a significant drinking water threat [if applicable, identify the specific areas and circumstances where this policy applies] and where the activity is governed by [insert name of the applicable prescribed instrument], the [insert name of the person or body responsible for making the decision to issue, otherwise create or amend the prescribed instrument] shall ensure that every decision to issue, otherwise create or amend the [insert name of the prescribed instrument] is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.*

Paragraph 2 of subsection 22 (2) of the *Clean Water Act, 2006* reads:

> *Policies intended to achieve the following objectives for every area identified in the assessment report as an area where an activity is or would be a significant drinking water threat:*
>
> *i. Ensuring that the activity never becomes a significant drinking water threat.*
> *ii. Ensuring that, if the activity is being engaged in, the activity ceases to be a significant drinking water threat.*

Other policies, such as those administered through Risk Management Officials, are not impacted by these changes.

A full list of required policy amendments is provided in the Appendices.

Issues

O. Reg. 210/26 issues new standardized wording for prescribed instrument policies and requires the removal of prohibition policies for existing threats addressed with prescribed instruments not governed by the *Nutrient Management Act*, as well as the removal of any prescribed instrument policies directed at moderate or low drinking water threats. Prohibition policies for existing threats addressed with prescribed instruments under the *Nutrient Management Act* are still allowed. The required changes affect both the current Source Protection Plan and proposed amended versions, such as the S. 36 Amendment to the Plan currently in development.

While there is a case for standardized being easier for ministries to implement, these changes, including the inability to have policies that prohibit existing threats or address moderate and low threats through prescribed instruments, do limit the agency of the Source Protection Committee over the policies in the Plan.

The Appendices contain the full list of policies requiring amendments. This report will go through a few of those required policies changes as examples.

As a first example, in the current Source Protection Plan, policy WAST(b)-3 currently reads:

> *Where the existing establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval that governs the establishment, operation or maintenance of a waste disposal site includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.*

The policy, once revised to follow this new regulation, will read as follows:

> *Where the establishment, operation, or maintenance of a waste disposal site is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.*

This is a straightforward swap, where the policy wording changes a bit, but the meaning and effect of the policy is unchanged. This is common scenario when looking at the current plan and the required revisions (Appendix A).

Another common situation is one where the current, or proposed S.36 policy, have additional details or requirements that will no longer be captured once the required revisions are made. Policy SEWG(a)-1 shown in **Table 2** is one such example where specificity will be lost but the overall goal of the policy is unchanged. This is also a common scenario, especially when looking at the proposed S.36 policies (Appendix B).

Table 2. Versions of Policy SEWG(a)-1

Policy Version	Policy Text
Existing SPP	Where the existing and future establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater is or would be a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater include appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. Such conditions may include: 1) permitting the expansion of an existing facility where the expansion does not pose a significant drinking water threat. 2) permitting retrofits to existing facilities where the retrofit will discharge the stormwater outside of the significant drinking water threat area.

Policy Version	Policy Text
S.36 Proposed Version	Where the existing and future establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater is or would be a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) that governs the establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater include appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat . Such conditions may include: 1) permitting the expansion of an existing facility where the expansion does not pose a significant drinking water threats. 2) permitting retrofits to existing facilities where the retrofit will discharge the stormwater outside of the significant drinking water threat area. 3) an operations and maintenance plan, and monitoring plan, which ensure that the facility does not become a significant drinking water threat through insufficient maintenance. 4) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 5) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.

Policy Version	Policy Text
Required Revision	Where the establishment, operation or maintenance of a system that collects, stores, transmits, treats, or disposes of stormwater is or would be a significant drinking water threat and where the activity is governed by an environmental compliance approval (ECA) or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

.

Agricultural prescribed instruments policies are also impacted by the regulation changes and standardizing wording. This includes nutrient management strategies that mainly deal with storage, and are administered through the Ministry of Agriculture, Food and Agribusiness, as well as nutrient management plans for application threats, which are not reviewed by any provincial agency. Policies for nutrient management plans are to be addressed to the person who owns or operated the property and is certified under the *Nutrient Management Act*.

One such policy is the revised FERT(ICA)-3, which as of January 31, 2027 will read:

> *Where the handling and storage of commercial fertilizer is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.*

Fertilizer in an ICA, that is outside of the prohibition areas, can also be governed by risk management plans for properties and operations not covered by the *Nutrient Management Act*. The existing policy FERT(ICA)-3 is more detailed and more similar to the risk management plan policy that is not required to be changed by this new regulation. Policy FERT(ICA)-1, the risk management plan policy for fertilizer in an Issue Contributing Area (ICA) is included below for comparison:

> *The existing and future application, handling and storage of commercial fertilizer to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the vulnerability score is less than 10. The risk management plan, at a minimum, will be based on contemporary standards and shall require:*
>
> *<u>Application</u>*
>
> 1) *all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor;*
> 2) *that soil tests (NPK) be conducted; and*
> 3) *that proper farm practices regarding crop rotation be applied, as appropriate.*

Handling and Storage

1) *liquid fertilizer to be stored in double-walled tanks or secondary containment facilities, with collision protection;*
2) *dry fertilizer to be stored under cover on impervious floor surfaces with no drainage outlets so that the application, handling and storage of commercial fertilizer ceases to be or does not become a significant drinking water threat.*

When comparing the nutrient management plan policy FERT(ICA)-3 and the nutrient management plan policy FERT(ICA)-1, FERT(ICA)-1, the risk management plan policy, is more detailed and sets clearer expectations for what property users should be doing as part of their responsibility to protect drinking water. While the Ministries may benefit from streamlined policies and hopefully develop high-quality standard operating procedures, it's less clear how a vague policy aimed at whomever applies the nutrients to a property and may not be well versed in source water protection, would interpret and execute a policy like the revised FERT(ICA)-3. Conversely, risk management officials may feel the risk management plan policy is over prescriptive moving forward since policies for the same threat type using prescribed instrument tools will be streamlined.

Sections 7 and 8 of the regulation require those responsible for prescribed instruments, including nutrient management plans, to keep records of how threats are managed and to report on the number of prescribed instruments addressing significant drinking water threats that were issues, approved, or amended in that calendar year.

In addition to the updated worded for prescribed instrument policies, there are also changes in the regulation that could prevent the use of prohibition policies to future threats, except in cases where the *Nutrient Management Act,* applies. In most cases, our source protection plan does limit prohibitions to future activities, especially for non-agricultural threats, so the impacts of this change are limited. However, there is one area that is impacted by these changes and that is processed organic waste, especially when compared to non-agricultural source material.

As a drinking water threat, non-agricultural source material refers to material that originates off farm, is applied to a farm and may pose a pathogen threat to drinking water. Generally, this material is dealt with using tools under the *Nutrient Management Act*, and therefore, prohibitions can apply to existing and future threats. Our policies limit this to the most vulnerable areas; WHPA-A and IPZ-1.

Processed organic waste is a new threat introduced by the 2021 Technical Rules. This is a similar material to non-agricultural source material, though it has undergone some amount of processing and may be applied to non-farm properties. The policies proposed to address this threat followed a similar approach to that of non-agricultural source material (see Appendix B), including prohibitions in WHPA-A and IPZ-1 (policy WAST(c)-1). Processed organic waste is not governed by the *Nutrient Management Act*, and is instead dealt with through environmental compliance approvals. Under O.Reg. 210/26, this distinction means that existing processed organic waste threats cannot be prohibited by the plan even in areas where non-agricultural source material would be. Staff are not aware of the application of processed organic waste occurring anywhere in the Source Protection Region at this time. Additionally, annual reporting comments from the Ministry for 2024 indicated that they are not currently approving any WHPA-A applications to be consistent with the *Nutrient Management Act*.

Another change introduced by the new regulation, is the inability to have prescribed instrument policies for moderate or low drinking water threats. In most cases, the source protection plan only has policies for significant drinking water threats. However, there is one policy impacted by this change that is required to be removed as of January 31, 2027. That policy is WAST(a)-2 and reads as follows:

> *WAST(a)-2: Where the future application of untreated septage to land would be a moderate or low drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the application of untreated septage to land is managed in accordance with applicable legislation and policy.*

The activity would still require an environmental compliance approval, regardless of whether the Plan has a policy, however, it's unclear how or if sourcewater concerns would be addressed within the environment compliance approval if it is not a significant drinking water threat.

Summary

Ontario Regulation 210/26, under the *Clean Water Act*, requires all prescribed instruments policies be amended by January 31, 2027. The required changes include removing prescribed instrument policies for moderate and low threats, removing prohibitions for existing activities managed through prescribed instruments (with the exception of those under the *Nutrient Management Act*), and standardizing the wording of all prescribed instrument policies, which in some cases will lead to a loss of specificity. These are changes the Source Protection Authority is required to make and will affect the current plan as well as on-going amendment versions such as the S.36 amendment currently in development. Further details on all changes required can be found in the Appendices. Other policy types such as risk management plan policies or education and outreach policies are not impacted by this new regulation.

Recommendations

> **It Is Therefore Recommended** presentation d) and Staff Report SPC1.2 regarding Required Revisions to Prescribed Instrument Policies (O. Reg. 210/26) be received for information.

Prepared by:

Mystaya Touw, Sourcewater Protection Specialist

Recommended by:

Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Attachments:

Appendix A: Updates required for the current version of the Source Protection Plan

Appendix B: Updates required for the S.36 Amendment version of the Source Protection Plan

Appendix A: Updates required for the current version of the Source Protection Plan

Notes about **Table 3**:

- Only threat types that have at least one prescribed instrument policy have been included
- For the included threats, all polices are listed so the whole policy landscape can be seen

Table 3.Policy comparison: current policy vs. required changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(a)-1	The existing and future application of untreated septage to land is prohibited where the activity is or would be a significant drinking water threat.	WAST(a)-1	The future application of untreated septage to land is prohibited where the activity is or would be a significant drinking water threat.
		WAST(a)-2	Where the application of untreated septage to land is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act. (Note: the Ministry does not currently approve the application of hauled sewage where it is a significant drinking water threat regardless.)
WAST(a)-2	Where the future application of untreated septage to land would be a moderate or low drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the application of untreated septage to land is managed in accordance with applicable legislation and policy.	N/A	policy no longer permitted

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(a)-3	The MECP should undertake research around untreated septage treatment options and the opportunity to create environmentally friendly usable by-products (e.g. compost) to negate the need of spreading untreated septage within vulnerable areas where the activity is or would be a significant, moderate or low drinking water threat.	WAST(a)-3	No changes
WAST(b)-1	Where the Environmental Protection Act does not require an approval, the existing establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act (PCB Waste Storage and the storage of hazardous liquid industrial waste, excluding the storage of wastes described in clauses p,q,r,s,t,u of the definition of hazardous waste (O.Reg 347)) is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	WAST(b)-1	No changes (but it is changed significantly in the S.36 package due to the 2021 Technical Rules))

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(b)-2	Where the Environmental Protection Act does not require an approval, the future establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act (PCB waste management system and the storage of hazardous liquid industrial waste, excluding the storage of wastes described in clauses p,q,r,s,t ,u of the definition of hazardous waste (O.Reg 347)) is designated for the purpose of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	WAST(b)-2	No changes (but it is changed significantly in the S.36 package due to the 2021 Technical Rules)
WAST(b)-3	Where the existing establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval that governs the establishment, operation or maintenance of a waste disposal site includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	WAST(b)-3	Where the establishment, operation, or maintenance of a waste disposal site is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(b)-4	The future establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is prohibited where the activity would be a significant drinking water threat.	WAST(b)-4	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(b)-5	Municipalities responsible for waste management are required to consider ways in which additional opportunities for household hazardous waste disposal can be provided to those handling and storing pesticides, organic solvents, and DNAPLs to ensure they are properly removed from vulnerable areas where the activity is or would be a significant drinking water threat.	WAST(b)-5	No changes
WAST(c)-1	Where the existing disposal of mine tailings is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the disposal of mine tailings includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat.	WAST(c)-1	Where the disposal of mine tailings a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(c)-2	The future disposal of mine tailings is prohibited where the activity would be a significant drinking water threat.	WAST(c)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(a)-1	Where the existing and future establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater is or would be a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater include appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. Such conditions may include: 1) permitting the expansion of an existing facility where the expansion does not pose a significant drinking water threat. 2) permitting retrofits to existing facilities where the retrofit will discharge the stormwater outside of the significant drinking water threat area.	SEWG(a)-1	Where the establishment, operation or maintenance of a system that collects, stores, transmits, treats, or disposes of stormwater is or would be a significant drinking water threat and where the activity is governed by an environmental compliance approval (ECA) or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(a)-2	The MECP is encouraged to consider conducting research to identify risks from infiltration ponds to aquifers used as a drinking water source, and to review contemporary technology for the design and operation of stormwater management facilities that can protect municipal drinking water systems. The research outcome should update stormwater management planning and design guidelines, the Tables of Circumstances, and be applied within vulnerable areas where the activity is a significant drinking water threat.	SEWG(a)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(b)-1	Where the Ontario Water Resources Act does not require an approval, the existing establishment, operation or maintenance of a wastewater treatment plant and associated sewer systems is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the existing activity ceases to be a significant drinking water threat.	SEWG(b)-1	No changes
SEWG(b)-2	Where the existing establishment, operation or maintenance of a sewage treatment plant, sanitary sewers and related pipes, sewage treatment plant by-pass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs these activities includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat.	SEWG(b)-2	Where the establishment, operation, or maintenance of a sewage treatment plant, sanitary sewers and related pipes, sewage treatment plant bypass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is a significant drinking water threat and where the activity is governed by an environmental compliance approval (ECA) or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval or consolidated linear infrastructure - environmental compliance approval (CLI-ECA) is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(b)-3	The future establishment, operation or maintenance of a sewage treatment plant, sewage treatment plant by-pass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is prohibited where the activity would be a significant drinking water threat.	SEWG(b)-3	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(b)-4	Where the future establishment, operation or maintenance of sanitary sewers and related pipes would be a significant drinking water threat, the MECP shall incorporate appropriate terms and conditions into the Environmental Compliance Approval to ensure the activity does not become a significant drinking water threat.	SEWG(b)-4	No changes
SEWG(b)-5	Municipalities shall consider the implementation of programs to remove connections of stormwater sources to sanitary sewers to reduce surges in volumes during inflow/outflow, the removal of combined sewer overflow outlets to surface water and the establishment of upgrade priorities that focus on vulnerable areas where the activity is a significant drinking water threat.	SEWG(b)-5	No changes
SEWG(c)-1	Where an existing large (more than 10,000 litres) on-site sewage system is a significant drinking water threat, MECP shall ensure that the Environmental Compliance Approval that governs the on-site sewage system includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat.	SEWG(c)-1	Where a large (more than 10,000 litres) on-site sewage system is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(c)-2	The future establishment of a large (more than 10,000 litres) on-site sewage system is prohibited where the activity would be a significant drinking water threat.	SEWG(c)-2	No changes
SEWG(c)-3	Where services and capacity exist, municipalities are encouraged to consider enacting by-laws to require mandatory connection to municipal waste water systems in vulnerable areas where the on-site sewage system is a significant drinking water threat.	SEWG(c)-3	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(c)-4	Municipalities shall implement an inspection program for small on-site sewage systems that are located in vulnerable areas where they are a significant drinking water threat in accordance with the Ontario Building Code.	SEWG(c)-4	No changes
SEWG(d)-1	Where the existing discharge of industrial effluent is in an area where this activity is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the discharge of industrial effluent includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat.	SEWG(d)-1	Where the discharge of industrial effluent is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(d)-2	The future discharge of industrial effluent is prohibited where the activity would be a significant drinking water threat.	SEWG(d)-2	No changes
ASM(App)-1	The existing and future application of agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 for those not phased in under the Nutrient Management Act, where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	ASM(App)-1	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(App)-2	Where the Nutrient Management Act does not require an approval, the existing and future application of agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1, where the activity would be a significant drinking water threat.	ASM(App)-2	No changes
ASM(App)-3	The existing and future application of agricultural source material to land is prohibited within WHPA-A and IPZ-1, for those phased in under the Nutrient Management Act.	ASM(App)-3	No changes
ASM(App)-4	Where the existing and future application of agricultural source material to land is in an area where this activity is or would be a significant drinking water threat outside of WHPA-A or IPZ-1, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat.	ASM(App)-4	Where the application of agricultural source material system is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
N/A	N/A	ASM(App)-5	Where the application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(Store)-1	The existing storage of agricultural source material is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the nutrient management act, where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be a significant drinking water threat.	ASM(Store)-1	No changes
ASM(Store)-2	Where the Nutrient Management Act does not require an approval, the future storage of agricultural source material is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	ASM(Store)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(Store)-3	Where the existing storage of agricultural source material is in an area where the activity is a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the storage of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat.	ASM(Store)-3	Where the storage of agricultural source material is a significant drinking water threat, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		ASM(Store)-4	Where the storage of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
ASM(Store)-4	The future storage of agricultural source material is prohibited where the activity would be a significant drinking water threat.	ASM(Store)-5	No changes
ASM(ICA)-1	The existing and future storage and application of agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan where the vulnerability score is less than 10 and the activities are or would be significant drinking water threats. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	ASM(ICA)-1	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(ICA)-2	Where the Nutrient Management Act does not require an approval, the existing and future storage and application of agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the vulnerability score is 10, and the activities would be a significant drinking water threat.	ASM(ICA)-2	No changes
ASM(ICA)-3	Where the existing and future storage and application of agricultural source material to land is in an area where the activity is or would be a significant drinking water threat and the vulnerability score is less than 10, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the storage and application of agricultural source material to land incorporates terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat.	ASM(ICA)-3	Where the storage or application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		ASM(ICA)-4	Where the storage or application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
ASM(ICA)-4	The existing and future storage and application of agricultural source material to land is prohibited where the vulnerability score is 10 and the activities would be a significant drinking water threat.	ASM(ICA)-5	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(App)-1	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future application of category 1 non-agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	NASM(App)-1	No changes
NASM(App)-2	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future application of category 1 non-agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	NASM(App)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(App)-3	Where the existing application of category 1, 2 and 3 non-agricultural source material to land requires approval under the Nutrient Management Act or Environmental Protection Act, and is in an area where it is a significant drinking water threat, MAFA and/or MECP shall ensure that the Environmental Compliance Approval: 1) Prohibits the application of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. 2) Prohibits the application of category 2 and 3 non-agricultural source material within WHPA-A, WHPA-B and IPZ-1 where the activity is a significant drinking water threat and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A, WHPA-B and IPZ-1.	NASM(App)-3	Where the application of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a NASM plan, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the NASM plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		NASM(App)-4	Where the application of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
NASM(App)-4	The future application of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat. Where the future application of category 1 non-agricultural source material to land requires an approval under the Nutrient Management Act or Environmental Protection Act, MAFA and/or MECP shall ensure that the Environmental Compliance Approval prohibits the application of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity does not become a significant drinking water threat outside of WHPA-A and IPZ-1.	NASM(App)-5	The existing application of category 2 and 3 non-agricultural source material is prohibited within WHPA-A, WHPA-B and IPZ-1, where it would be a significant drinking water threat. The future application of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat.

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(H&S)-1	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future handling and storage of category 1 non-agricultural source material is designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	NASM(H&S)-1	No changes
NASM(H&S)-2	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future handling and storage of category 1 non-agricultural source material is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	NASM(H&S)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(H&S)-3	Where the existing handling and storage of category 1, 2 and 3 non-agricultural source material requires approval under the Nutrient Management Act or Environmental Protection Act and is in an area where it is a significant drinking water threat, OMAFRA and/or MOE shall ensure that the Environmental Compliance Approval: 1) prohibits the handling and storage of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. 2) prohibits the handling and storage of category 2 and 3 non-agricultural source material within WHPA-A / IPZ-1 where the activity is a significant drinking water threat, and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A / IPZ-1.	NASM(H&S)-3	Where the handling and storage of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a NASM plan, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the NASM plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		NASM(H&S)-4	Where the handling and storage of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
NASM(H&S)-4	The future handling and storage of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat. Where the future handling and storage of category 1 non-agricultural source material requires an approval under the Nutrient Management Act or Environmental Protection Act, OMAFRA and/or MOE shall ensure that the Environmental Compliance Approval prohibits the handling and storage of category 1 non-agricultural source material within WHPA-A and IPZ-1, and include appropriate terms and conditions to ensure the activity does not become a significant drinking water threat outside of WHPA-A and IPZ-1.	NASM(H&S)-5	The existing handling and storage of category 2 and 3 non-agricultural source material is prohibited within WHPA-A, WHPA-B and IPZ-1, where it would be a significant drinking water threat. The future handling and storage of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat.

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(App)-1	Existing and future application of commercial fertilizer to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the activity is or would be a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the application of commercial fertilizer ceases to be a significant drinking water threat. The risk management plan shall require fertilizers to be applied using best agronomic practices on the advice of a certified crop advisor, that soil tests (NPK) be carried out and that proper farm practices regarding crop rotation be applied, as appropriate.	FERT(App)-1	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(App)-2	Where the existing and future application of commercial fertilizer to land is in an area where this activity is or would be a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat.	FERT(App)-2	Where the application of commercial fertilizer is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		FERT(App)-3	Where the application of commercial fertilizer is or would be a significant drinking water threat, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(H&S)-1	The existing handling and storage of commercial fertilizer is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards and shall require: 1) liquid fertilizer to be stored in double-walled tanks or secondary containment facilities, with collision protection, 2) dry fertilizer to be stored undercover on impervious floor surfaces with no drainage outlets so that the handling and storage of commercial fertilizer ceases to be a significant drinking water threat.	FERT(H&S)-1	No changes
FERT(H&S)-2	Future handling and storage of commercial fertilizer is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	FERT(H&S)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(ICA)-1	The existing and future application, handling and storage of commercial fertilizer to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the vulnerability score is less than 10. The risk management plan, at a minimum, will be based on contemporary standards and shall require: Application 1) all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor; 2) that soil tests (NPK) be conducted; and 3) that proper farm practices regarding crop rotation be applied, as appropriate. Handling and Storage 1) liquid fertilizer to be stored in double-walled tanks or secondary containment facilities, with collision protection; 2) dry fertilizer to be stored under cover on impervious floor surfaces with no drainage outlets so that the application, handling and storage of commercial fertilizer ceases to be or does not become a significant drinking water threat.	FERT(ICA)-1	No changes
FERT(ICA)-2	Where the Nutrient Management Act does not require an approval, the existing and future handling, storage and application of commercial fertilizer is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the vulnerability score is 10, and the activity is or would be a significant drinking water threat.	FERT(ICA)-2	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(ICA)-3	Where the existing and future application of commercial fertilizer to land is in an area where the vulnerability score is less than 10 and the activity is or would be a significant drinking water threat, and requires approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer include appropriate terms and conditions to ensure the activity ceases to be or become a significant drinking water threat. Such conditions may include: 1) requiring all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor; 2) that soil tests (NPK) be conducted; 3) that proper farm practices regarding crop rotation be applied, as appropriate.	FERT(ICA)-3	Where the handling and storage of commercial fertilizer is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
FERT(ICA)-4	The existing and future application of commercial fertilizer to land is prohibited where the vulnerability score is 10 and the activities would be a significant drinking water threat.	FERT(ICA)-4	No changes
LSTOCK-1	Existing and future livestock grazing and pasturing is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat.	LSTOCK-1	No changes

Existing SPP		Revised	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
LSTOCK-2	Existing and future outdoor confinement areas and farm-animal yards are designated for the purposes of Section 58 of the Clean Water Act, and therefore require a risk management plan for those not phased in under the Nutrient Management Act where the activity is a significant drinking water threat outside of WHPA-A/IPZ-1. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices and ensure the activity ceases to be or does not become a significant drinking water threat.	LSTOCK-2	No changes
LSTOCK-3	Where the Nutrient Management Act does not require an approval, existing and future outdoor confinement and farm-animal yards is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A/IPZ-1.	LSTOCK-3	No changes
LSTOCK-4	Where existing and future outdoor confinement areas and farm-animal yards are in an area where the activity is or would be a significant drinking water threat outside of WHPA-A/IPZ-1, and the activity requires an approval under the Nutrient Management Act, OMAFRA shall ensure that the nutrient management plan or strategy that governs the outdoor confinement area or farm animal yard include appropriate terms and conditions to ensure the activity ceases to be or does not become a significant drinking water threat.	LSTOCK-4	Where outdoor confinement areas and farm animal yards are or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
LSTOCK-5	The existing and future outdoor confinement areas and farm-animal yards are prohibited within WHPA-A/IPZ-1, where the activity would be a significant drinking water threat.	LSTOCK-5	No changes

Appendix B: Updates required for the S.36 Amendment version of the Source Protection Plan

Notes about **Table 4**:

- Only threat types that have at least one prescribed instrument policy have been included
- For the included threats, all polices are listed so the whole policy landscape can be seen
- The revised SEWG(a)-2 included here is not a required change as EASR is not a prescribed instrument. The new proposed wording matches wording of other source protection regions and reflects their conversations with MECP to date.

Table 4. Policy comparison: current S. 36 policy vs. required changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(a)-1	The existing and future application of hauled sewage to land is prohibited where the activity is or would be a significant drinking water threat.	WAST(a)-1	The future application of hauled sewage to land is prohibited where the activity is or would be a significant drinking water threat.
		WAST(a)-2	Where the application of hauled sewage is a significant drinking water threat and where the activity is governed by an environmental compliance approval the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act. (Note: the Ministry does not currently approve the application of hauled sewage where it is a significant drinking water threat regardless.)

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(a)-2	Where the future application of hauled sewage to land would be a moderate or low drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the application of untreated septage to land is managed in accordance with applicable legislation and policy. The Ministry shall include appropriate conditions to ensure that the activity ceases to be a drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	N/A	policy no longer permitted
WAST(a)-3	The MECP should undertake research around hauled sewage treatment options and the opportunity to create environmentally friendly usable by-products (e.g. compost) to negate the need of spreading untreated septage within vulnerable areas where the activity is or would be a significant, moderate or low drinking water threat.	WAST(a)-3	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(b)-1	Where the Ontario Water Resources Act does not require an approval, existing tanks or lagoons used for the storage of hauled sewage are designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the existing activity ceases to be a significant drinking water threat.	WAST(b)-1	No changes
WAST(b)-2	Where the existing establishment, operation or maintenance of tanks or lagoons used for the storage of hauled sewage are a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs these activities includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(b)-2	Where the storage of hauled sewage is a significant drinking water threat and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(b)-3	The future establishment, operation or maintenance of tanks or lagoons used for the storage of hauled sewage is prohibited where the activity would be a significant drinking water threat.	WAST(b)-3	No changes
WAST(c)-1	The existing and future application of processed organic waste to land is prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	WAST(c)-1	The future application of processed organic waste to land is prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(c)-2	Where the application of processed organic waste is a significant drinking water threat MECP shall ensure that the Environmental Compliance Approval prohibits the application of processed organic waste within a WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1 including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(c)-2	Where application of processed organic waste is a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(d)-1	The existing and future handling and storage of processed organic waste that contains sewage residue or waste biomass where it might be a source of pathogens is prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	WAST(d)-1	The future handling and storage of processed organic waste that contains sewage residue or waste biomass where it might be a source of pathogens is prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(d)-2	Where the handling and storage of processed organic waste or waste biomass where it might be a source of pathogens is a significant drinking water threat MECP shall ensure that the Environmental Compliance Approval prohibits the handling and storage of processed organic waste within a WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1 including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(d)-2	Where storage of processed organic waste/waste biomass is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(d)-3	Where the existing and future handling and storage of waste biomass, which is not a source of pathogens, within the WHPA - A and IPZ - 1 is a significant drinking water threat MECP shall ensure the Environmental Compliance Approval includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	N/A	(also replaced/superseded by WAST(d)-2)

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(e)-1	Where the Environmental Protection Act requires an approval, existing and future waste generating facilities are considered a significant drinking water threat, the MECP shall ensure the prescribed instrument includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(e)-1	Where waste generating facilities are or would be a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(e)-2	Where the Environmental Protection Act does not require an approval, existing and future waste generating facilities (facilities required to register to the provincial waste registry) are designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	WAST(e)-2	No changes
WAST(e)-3	Existing and future waste generating facilities (those required to register to the provincial waste registry) are designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan for quantities of 200 Kg or 1 Kg of waste mercury. Residential waste generation, and emergency waste clean up are exempted.	WAST(e)-3	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(f)-1	Where the existing establishment, operation, or maintenance of a waste transfer and/or processing activity (including municipal waste, hazardous waste, and liquid industrial waste) is a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval that governs the activity includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(f)-1	Where waste transfer and processing facilities are a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(f)-2	The future establishment, operation, or maintenance of a waste transfer and/or processing activity (including municipal waste, hazardous waste, and liquid industrial waste) is prohibited where the activity would be a significant drinking water threat.	WAST(f)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(g)-1	Where the Environmental Protection Act does not require an approval, the existing establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage) is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	WAST(g)-1	No changes
WAST(g)-2	Where the Environmental Protection Act does not require an approval, the future establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage) is designated for the purpose of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	WAST(g)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(g)-3	Where the existing establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage), is a significant drinking water threat, the MECP shall ensure the Environmental Compliance Approval that governs the establishment, operation or maintenance of a waste disposal site includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(g)-3	Where waste disposal sites are a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(g)-4	The future establishment, operation or maintenance of a waste disposal site (including landfarming of petroleum refining waste, landfilling of hazardous or liquid industrial waste, landfilling of municipal waste, liquid industrial waste injection into a well, and PCB waste storage), is prohibited where the activity would be a significant drinking water threat.	WAST(g)-4	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
WAST(g)-5	Municipalities responsible for waste management are required to consider ways in which additional opportunities for household hazardous waste disposal can be provided to those handling and storing pesticides, organic solvents, and DNAPLs to ensure they are properly removed from vulnerable areas where the activity is or would be a significant drinking water threat.	WAST(g)-5	No changes
WAST(h)-1	Where the existing disposal of mine tailings is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the disposal of mine tailings includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	WAST(h)-1	Where waste mine tailings are a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
WAST(h)-2	The future disposal of mine tailings is prohibited where the activity would be a significant drinking water threat.	WAST(h)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(a)-1	Where the existing and future establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater is or would be a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) that governs the establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of stormwater include appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat . Such conditions may include: 1) permitting the expansion of an existing facility where the expansion does not pose a significant drinking water threats. 2) permitting retrofits to existing facilities where the retrofit will discharge the stormwater outside of the significant drinking water threat area. 3) an operations and maintenance plan, and monitoring plan, which ensure that the facility does not become a significant drinking water threat through insufficient maintenance. 4) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 5) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	SEWG(a)-1	Where stormwater management or infiltration facilities are or would be a significant drinking water threat, and where the activity is governed by an environmental compliance approval (ECA) or a consolidated linear infrastructure – environmental compliance approval (CLI-ECA), the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval or consolidated linear infrastructure – environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(a)-2	The MECP is encouraged to prioritize activities registered to the Environmental Activity and Sector Registry that are considered Significant Drinking Water Threats within their audit process.	SEWG(a)-2	Where storm water management works are, or would be significant drinking water threats and meet the criteria for registration on the Environmental Activity and Sector Registry (EASR), the Ministry of the Environment, Conservation and Parks shall provide a report to the Source Protection Authority by February 1st of each year with the number of: a) newly registered storm water management works identified as significant drinking water threats; b) registered storm water management works that have been updated by the registrant to identify a significant drinking water threat; and c) inspections conducted on registered works where the activities are a significant drinking water threat.
SEWG(b)-1	Where the Ontario Water Resources Act does not require an approval, the existing establishment, operation or maintenance of a wastewater treatment plant and associated sewer systems is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the existing activity ceases to be a significant drinking water threat.	SEWG(b)-1	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(b)-2	Where the existing establishment, operation or maintenance of a sewage treatment plant, sanitary sewers and related pipes, sewage treatment plant by-pass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) that governs these activities includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	SEWG(b)-2	Where wastewater collection facilities are or would be a significant drinking water threat, and where the activity is governed by an environmental compliance approval (ECA) or consolidated linear infrastructure – environmental compliance approval (CLI-ECA), the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval consolidated linear infrastructure – environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(b)-3	The future establishment, operation or maintenance of a sewage treatment plant, sewage treatment plant by-pass discharge to surface water, and sewage treatment plant effluent discharge (including lagoons) is prohibited where the activity would be a significant drinking water threat.	SEWG(b)-3	no changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(b)-4	Where the future establishment, operation or maintenance of wastewater collection facilities and associated parts (sanitary sewers, outfalls, sewage pumping station or lift station wet well, holding tanks or tunnels) would be a significant drinking water threat, the MECP shall incorporate appropriate terms and conditions into the Environmental Compliance Approval or Consolidated Linear Infrastructure – Environmental Compliance Approval (CLI-ECA) to ensure the activity does not become a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	SEWG(b)-4	Where wastewater treatment facilities are a significant drinking water threat, and where the activity is governed by an environmental compliance approval (ECA) or consolidated linear infrastructure – environmental compliance approval (CLI-ECA), the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval or consolidated linear infrastructure – environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(b)-5	Municipalities shall consider the implementation of programs to remove connections of stormwater sources to sanitary sewers to reduce surges in volumes during inflow/outflow, the removal of combined sewer overflow outlets to surface water and the establishment of upgrade priorities that focus on vulnerable areas where the activity is a significant drinking water threat.	SEWG(b)-5	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(c)-1	Where an existing large (more than 10,000 litres) on-site sewage system is a significant drinking water threat, MECP shall ensure that the Environmental Compliance Approval that governs the on-site sewage system includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	SEWG(c)-1	Where on-site sewage systems are a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(c)-2	The future establishment of a large (more than 10,000 litres) on-site sewage system is prohibited where the activity would be a significant drinking water threat.	SEWG(c)-2	No changes
SEWG(c)-3	Where services and capacity exist, municipalities are encouraged to consider enacting by-laws to require mandatory connection to municipal waste water systems in vulnerable areas where the on-site sewage system is a significant drinking water threat.	SEWG(c)-3	No changes
SEWG(c)-4	Municipalities shall implement an inspection program for small on-site sewage systems that are located in vulnerable areas where they are a significant drinking water threat in accordance with the Ontario Building Code.	SEWG(c)-4	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
SEWG(d)-1	Where the existing discharge of industrial effluent is in an area where this activity is a significant drinking water threat, the MECP shall ensure that the Environmental Compliance Approval that governs the discharge of industrial effluent includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	SEWG(d)-1	Where industrial effluent discharge is a significant drinking water threat, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
SEWG(d)-2	The future discharge of industrial effluent is prohibited where the activity would be a significant drinking water threat.	SEWG(d)-2	No changes
ASM(App)-1	The existing and future application of agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 for those not phased in under the Nutrient Management Act, where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	ASM(App)-1	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(App)-2	Where the Nutrient Management Act does not require an approval, the existing and future application of agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1, where the activity would be a significant drinking water threat.	ASM(App)-2	No changes
ASM(App)-3	The existing and future application of agricultural source material to land is prohibited within WHPA-A and IPZ-1, for those phased in under the Nutrient Management Act.	ASM(App)-3	No changes
ASM(App)-4	Where the existing and future application of agricultural source material to land is in an area where this activity is or would be a significant drinking water threat outside of WHPA-A or IPZ-1, and the activity requires an approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the application of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	ASM(App)-4	Where the application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		ASM(App)-5	Where the application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(Store)-1	The existing storage of agricultural source material is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the nutrient management act, where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be a significant drinking water threat.	ASM(Store)-1	No changes
ASM(Store)-2	Where the Nutrient Management Act does not require an approval, the future storage of agricultural source material is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	ASM(Store)-2	No changes
ASM(Store)-3	Where the existing storage of agricultural source material is in an area where the activity is a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the storage of agricultural source material to land includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located	ASM(Store)-3	Where the storage of agricultural source material is a be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
	within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	ASM(Store)-4	Where the handling and storage of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
ASM(Store)-4	The future storage of agricultural source material is prohibited where the activity would be a significant drinking water threat.	ASM(Store)-5	No changes
ASM(ICA)-1	The existing and future storage and application of agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan where the Vulnerability Score is less than 10 and the activities are or would be significant drinking water threats. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	ASM(ICA)-1	No changes
ASM(ICA)-2	Where the Nutrient Management Act does not require an approval, the existing and future storage and application of agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the Vulnerability Score is 10, and the activities would be a significant drinking water threat.	ASM(ICA)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
ASM(ICA)-3	Where the existing and future storage and application of agricultural source material to land is in an area where the activity is or would be a significant drinking water threat and the Vulnerability Score is less than 10, and the activity requires an approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the storage and application of agricultural source material to land incorporates terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	ASM(ICA)-3	Where storage or application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		ASM(ICA)-4	Where storage or application of agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
ASM(ICA)-4	The existing and future storage and application of agricultural source material to land is prohibited where the Vulnerability Score is 10 and the activities would be a significant drinking water threat.	ASM(ICA)-5	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(App)-1	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future application of category 1 non-agricultural source material to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	NASM(App)-1	No changes
NASM(App)-2	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future application of category 1 non-agricultural source material to land is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	NASM(App)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(App)-3	Where the existing application of category 1, 2 and 3 non-agricultural source material to land requires approval under the Nutrient Management Act or Environmental Protection Act, and is in an area where it is a significant drinking water threat, MAFA and/or MECP shall ensure that the Approval: 1) prohibits the application of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. 2) prohibits the application of category 2 and 3 non-agricultural source material within WHPA-A, WHPA-B and IPZ-1 where the activity is a significant drinking water threat and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A, WHPA-B and IPZ-1. 3) identifies in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 4) requires an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	NASM(App)-3	Where the application of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a NASM plan, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the NASM plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(App)-4	The future application of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat. Where the future application of category 1 non-agricultural source material to land requires an approval under the Nutrient Management Act or Environmental Protection Act, MAFA and/or MECP shall ensure that the Environmental Compliance Approval prohibits the application of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity does not become a significant drinking water threat outside of WHPA-A and IPZ-1 including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	NASM(App)-4	Where the application of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environment Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
		NASM(App)-5	The existing application of category 2 and 3 non-agricultural source material is prohibited within WHPA-A, WHPA-B and IPZ-1, where it would be a significant drinking water threat. The future application of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat.
NASM(App)-5	The MECP and MAFA are encouraged to consider continuing research regarding soil limiting factors relevant to non-agricultural source material, and to reflect that research in the management of non-agricultural source material sites located in vulnerable areas where the application of non-agricultural source material to land is a significant drinking water threat.	NASM(App)-6	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(H&S)-1	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future handling and storage of category 1 non-agricultural source material is designated for the purposes of Section 58 of the Clean Water Act and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	NASM(H&S)-1	No changes
NASM(H&S)-2	Where the Nutrient Management and Environmental Protection Acts do not require an approval, the existing and future handling and storage of category 1 non-agricultural source material is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the activity is or would be a significant drinking water threat.	NASM(H&S)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(H&S)-3	Where the existing handling and storage of category 1, 2 and 3 non-agricultural source material requires approval under the Nutrient Management Act or Environmental Protection Act and is in an area where it is a significant drinking water threat, MAFAand/or MECP shall ensure that the Environmental Compliance Approval: prohibits the handling and storage of category 1 non-agricultural source material within WHPA-A and IPZ-1, and includes appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat outside of WHPA-A/IPZ-1. prohibits the handling and storage of category 2 and 3 non-agricultural source material within WHPA-A / IPZ-1 where the activity is a significant drinking water threat, and includes appropriate terms and conditions to ensure that the activity ceases to be a significant drinking water threat outside of WHPA-A / IPZ-1 including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	NASM(H&S)-3	Where the handling and storage of non-agricultural source material is or would be a significant drinking water threat, and where the activity is governed by a NASM plan, where no prohibition applies, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the NASM plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
NASM(H&S)-4	The future handling and storage of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat. Where the future handling and storage of category 1 non-agricultural source material requires an approval under the Nutrient Management Act or Environmental Protection Act, MAFA and/or MECP shall ensure that the Environmental Compliance Approval prohibits the handling and storage of category 1 non-agricultural source material within WHPA-A and IPZ-1, and include appropriate terms and conditions to ensure the activity does not become a significant drinking water threat outside of WHPA-A and IPZ-1 including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	NASM(H&S)-4	Where the handling and storage of non-agricultural source material is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by an environmental compliance approval, the Ministry of the Environments Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the environmental compliance approval is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
N/A	N/A	NASM(H&S)-5	The existing handling and storage of category 2 and 3 non-agricultural source material is prohibited within WHPA-A, WHPA-B and IPZ-1, where it would be a significant drinking water threat. The future handling and storage of category 2 and 3 non-agricultural source material is prohibited where the activity would be a significant drinking water threat.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(App)-1	Existing and future application of commercial fertilizer to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the activity is or would be a significant drinking water threat. The risk management plan will include appropriate terms and conditions to ensure that the application of commercial fertilizer ceases to be a significant drinking water threat. The risk management plan shall require fertilizers to be applied using best agronomic practices on the advice of a certified crop advisor, that soil tests (NPK) be carried out and that proper farm practices regarding crop rotation be applied, as appropriate.	FERT(App)-1	No changes
FERT(App)-2	Where the existing and future application of commercial fertilizer to land is in an area where this activity is or would be a significant drinking water threat, and the activity requires an approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer to land includes appropriate terms and conditions to ensure that the activity ceases to be or does not become a significant drinking water threat. including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	FERT(App)-2	Where the application of commercial fertilizer is or would be a significant drinking water threat, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
N/A	N/A	FERT(App)-3	Where the application of commercial fertilizer is or would be a significant drinking water threat, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
FERT(H&S)-1	The existing handling and storage of commercial fertilizer is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards and shall require: 1. liquid fertilizer to be stored in double-walled tanks or secondary containment facilities, with collision protection, 2. dry fertilizer to be stored undercover on impervious floor surfaces with no drainage outlets so that the handling and storage of commercial fertilizer ceases to be a significant drinking water threat.	FERT(H&S)-1	No changes
FERT(H&S)-2	Future handling and storage of commercial fertilizer is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	FERT(H&S)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(ICA)-1	The existing and future application, handling and storage of commercial fertilizer to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for those not phased in under the Nutrient Management Act, where the Vulnerability Score is less than 10. The risk management plan, at a minimum, will be based on contemporary standards and shall require: Application 1. all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor; 2. that soil tests (NPK) be conducted; and 3. that proper farm practices regarding crop rotation be applied, as appropriate. Handling and Storage 1. liquid fertilizer to be stored in double-walled tanks or secondary containment facilities, with collision protection; 2. dry fertilizer to be stored under cover on impervious floor surfaces with no drainage outlets so that the application, handling and storage of commercial fertilizer ceases to be or does not become a significant drinking water threat.	FERT(ICA)-1	No changes
FERT(ICA)-2	Where the Nutrient Management Act does not require an approval, the existing and future handling, storage and application of commercial fertilizer is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the Vulnerability Score is 10, and the activity is or would be a significant drinking water threat.	FERT(ICA)-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
FERT(ICA)-3	Where the existing and future application of commercial fertilizer to land is in an area where the Vulnerability Score is less than 10 and the activity is or would be a significant drinking water threat, and requires approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the application of commercial fertilizer include appropriate terms and conditions to ensure the activity ceases to be or become a significant drinking water threat. Such conditions may include: 1) requiring all fertilizers to be applied using best agronomic practices based on the advice of a certified crop advisor; 2) that soil tests (NPK) be conducted; 3) that proper farm practices regarding crop rotation be applied, as appropriate. 4) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 5) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	FERT(ICA)-3	Where the handling and storage of commercial fertilizer is or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management plan, the person who owns or controls the agricultural operation and the person certified under Part X of Ontario Regulation 267/03 under the Nutrient Management Act, 2002 shall ensure that every decision to issue, otherwise create or amend the nutrient management plan is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
FERT(ICA)-4	The existing and future application of commercial fertilizer to land is prohibited where the Vulnerability Score is 10 and the activities would be a significant drinking water threat.	FERT(ICA)-4	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
PEST(App)-1	Where a pesticide permit is required and the application of pesticides would be a significant drinking water threat, MECP shall: 1) identify in the pesticide permit that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) include a condition in the pesticide permits requiring the holder of the pesticide permit to develop and implement procedures for emergency response. The policy shall start to be implemented within one year of the date that this policy takes effect.	PEST(App)-1	Where the application of pesticides is or would be a significant drinking water threat and where the activity is governed by a pesticide permit the Ministry of the Environment, Conservation and Parks shall ensure that every decision to issue, otherwise create or amend the pesticide permit is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
PEST(App)-2	Where a pesticide permit is not required, the existing and future application of pesticides to land is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is or would be a significant drinking water threat, (with the exception of domestic class pesticides, and pesticides used for immediate public health concerns). The risk management plan, at a minimum, will be based on contemporary standards, and shall require that pesticides be applied by a certified or registered professional in keeping with prescribed label rates to ensure that the activity ceases to be or does not become a significant drinking water threat.	PEST(App)-2	No changes
PEST(App)-3	MAFA and MECP are encouraged to review and, where appropriate, amend pest management training courses to incorporate additional precautions and considerations to address pesticide application in vulnerable areas where the activity is a significant drinking water threat.	PEST(App)-3	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
PEST(H&S)-1	The existing handling and storage of pesticides is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan where the activity is a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards and include appropriate terms and conditions to ensure the activity ceases to be a significant drinking water threat.	PEST(H&S)-1	No changes
PEST(H&S)-2	Future handling and storage of pesticides is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited where the activity would be a significant drinking water threat.	PEST(H&S)-2	No changes
LSTOCK-1	Existing and future livestock grazing and pasturing is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A and IPZ-1 where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat.	LSTOCK-1	No changes
LSTOCK-2	Existing and future livestock grazing and pasturing is designated for the purposes of Section 58 of the Clean Water Act, and therefore requires a risk management plan for areas outside of WHPA-A and IPZ-1 where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre where the activity is or would be a significant drinking water threat. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices, and ensure the activity ceases to be or does not become a significant drinking water threat.	LSTOCK-2	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
LSTOCK-3	Existing and future outdoor confinement areas and farm-animal yards are designated for the purposes of Section 58 of the Clean Water Act, and therefore require a risk management plan for those not phased in under the Nutrient Management Act where the activity is a significant drinking water threat outside of WHPA-A/IPZ-1. The risk management plan, at a minimum, will be based on contemporary standards, reflect appropriate nutrient management practices and ensure the activity ceases to be or does not become a significant drinking water threat.	LSTOCK-3	No changes
LSTOCK-4	Where the Nutrient Management Act does not require an approval, existing and future outdoor confinement and farm-animal yards is designated for the purposes of Section 57 of the Clean Water Act, and is therefore prohibited within WHPA-A/IPZ-1.	LSTOCK-4	No changes

Existing S.36		Revised S.36	
Policy ID	**Policy Text**	**Policy ID**	**Policy Text**
LSTOCK-5	Where existing and future outdoor confinement areas and farm-animal yards are in an area where the activity is or would be a significant drinking water threat outside of WHPA-A/IPZ-1, and the activity requires an approval under the Nutrient Management Act, MAFA shall ensure that the nutrient management plan or strategy that governs the outdoor confinement area or farm-animal yard include appropriate terms and conditions to ensure the activity ceases to be or does not become a significant drinking water threat. When and where applicable, the Ministry shall screen existing Prescribed Instruments to determine if authorized activities are significant drinking water threats based on the most recent Technical Rules. If amendments are required to ensure the activity ceases to be a significant drinking water threat, where feasible and warranted the Ministry shall include appropriate conditions to ensure that the activity ceases to be a significant drinking water threat including: 1) identifying in the environmental compliance approval that the activity is a significant drinking water threat located within the wellhead protection area and/or the intake protection zone and the name of the associated municipal drinking water system. 2) requiring an emergency response procedure, whether through O. Reg 224/07 or a condition in the prescribed instrument. The prescribed instrument condition should at a minimum include information about the drinking water vulnerable area and contact information for the Spills Action Centre and the drinking water system operator that utilizes the source where the activity is occurring.	LSTOCK-5	Where outdoor confinement areas and farm animal yards are or would be a significant drinking water threat, where no prohibition applies, and where the activity is governed by a nutrient management strategy, the Ministry of Agriculture, Food and Agribusiness shall ensure that every decision to issue, otherwise create or amend the nutrient management strategy is designed to achieve the objectives set out in paragraph 2 of subsection 22 (2) of the Act.
LSTOCK-6	Existing and future outdoor confinement areas and farm-animal yards are prohibited within WHPA-A/IPZ-1, where the activity would be a significant drinking water threat.	LSTOCK-6	No changes

Source Protection Committee Meeting SPC-04-2026

Staff Report Number: SPC1.3

To: South Georgian Bay - Lake Simcoe Source Protection Committee

From: Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Date: November 12, 2026

Subject: **Proposed criteria to permit Use of Source**

Recommendations:

That presentation (e) and Staff Report SPC1.3 regarding proposed criteria to permit use of source be received for information.

Purpose of Staff Report:

The purpose of this Staff Report is to introduce the Committee to a recent change in Provincial regulation, and to provide an overview of criteria wherein the Source Protection Authority may permit the use of source for new drinking water systems, prior to approval of the amended Source Protection Plan.

Background:

Ontario Regulation 205/18 under the *Safe Drinking Water Act* requires that any new or expanded municipal drinking water system be included in the relevant Source Protection Plan, and that the Plan amendment be approved, before that system can come into service, and provide water to residents. The Regulation terms coming into service the "use of source" (i.e., using the aquifer or surface water body as a source of municipal drinking water).

This Regulation was an important step in ensuring that as Ontario's municipal drinking water systems expand, that they continue to be protected by Source Protection Plan policies. In practice, this makes amendments very time sensitive, as the amendment process (which can take 1 – 2 years to complete) must be completed before this critical municipal service can be provided to existing or new residents. There have been cases however where this delay has not appeared necessary.

Issues:

In July 2026 an amendment to the *Safe Drinking Water Act* came into effect, as did a companion amendment to the *Clean Water Act*. Under the newly revised regulation, a Source Protection Authority can recommend that the prohibition on the use of water until

the Source Protection Plan amendment is completed and approved isn't necessary. When such a recommendation is provided, that system could come into service while the amendment is being completed.

The Acts are not specific on the situations wherein such a recommendation would be appropriate. Rather, the *Clean Water Act* directs the Source Protection Authority to consider:

- the nature of the technical work completed to identify vulnerable areas where policies would apply
- the nature of the amendment necessary
- the existing policies in the source protection plan, that would apply in that situation

The local Source Protection Authorities have not yet established a formal process or criteria for making these recommendations; that may happen some time after conservation authority consolidation. In the interim however, decisions on the use of source may be necessary.

It would be rare that such a recommendation would be appropriate, as the intent of the Regulation (to ensure all future municipal drinking water systems are well protected) is important. However, based on experience in dealing with several amendments in recent years, there are four scenarios where such a recommendation might be suitable:

1. Situations where a vulnerable area is being re-delineated, and the new vulnerable area does not include any new properties, or any new threats, which were not in the original vulnerable area. A situation like this would not lead to any additional constraints on landowners, any additional work for implementing bodies, or be associated with any additional threats to public health.

2. Situations where a new vulnerable area is delineated around a new municipal drinking water system, but no significant drinking water threats were identified. This could occur, for example, if a well were deep and well-protected (such that a vulnerability score of 10 only exists in the WHPA-A), and where land use in the WHPA-A is residential with municipal servicing (i.e., on-site septic systems are not present). This could also happen with a surface water treatment plant, where the IPZ does not touch the shoreline. Like situation 1, this situation would not lead to any additional constraints on landowners, any additional work for implementing bodies, or be associated with any threats to public health

3. Situations where the only threats in a new, or revised, vulnerable area are those associated with the municipal drinking water system, and are addressed by the Province's standard operating procedures. An example of this would be a

municipal drinking water system where fuel stored for a back-up generator is the only significant drinking water threat. As part of their licensing process, MECP requires that risk management measures be in place to manage potential spills. A situation like this would not introduce a constraint on a landowner, or work by an implementing body, which they would not be expecting, and significant drinking water threats would not require an amended Source Protection Plan before being addressed.

4. A situation where an existing drinking water system comes into public ownership, and all significant drinking water threats are already being managed by processes outside the Source Protection Plan. An example of this would be a privately-owned drinking water system which is assumed by the municipality, the only threats are those associated with on-site septic systems, and the municipality already had a septic system inspection process in place.

Summary:

Recent changes to Ontario Regulation 205/18 under the *Safe Drinking Water Act* now allows Source Protection Authorities to recommend that the prohibition on the use of that source of drinking water for residents is not necessary, allowing that system to come into place while the amendment is being completed. Prior to this change, all such amendments had to be completed and approved before the system could come into service.

This may speed up the provision of water (or ensure the continuity of provision) in the lowest risk situations, while the time-consuming process of amending the Source Protection Plan is undertaken.

It has been left to Source Protection Authorities to determine when such a recommendation would be deemed appropriate. Some additional work may be necessary to ensure consistency among Source Protection Regions in the future Lake Huron Regional Conservation Authority, however decisions on the use of source may be necessary before that additional work is done.

Recommendations:

It Is Therefore Recommended That presentation (e) and Staff Report SPC1.3 regarding proposed criteria to permit use of source be received for information.

Prepared by:

Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Source Protection Committee Meeting SPC-04-2026

Staff Report Number: SPC1.4

To: South Georgian Bay - Lake Simcoe Source Protection Committee

From: Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Date: November 12, 2026

Subject: **Provincially focused Policies on Salt Application and Storage**

Recommendations:

That Staff Report SPC1.4 regarding Provincially-focused Policies on Salt Application and Storage be received for information; and

Further That Source Protection Authority staff be directed to introduce a non-legally binding policy to the Source Protection Plan, requesting MTO to reduce impacts of salt on municipal drinking water.

Purpose of Staff Report:

The purpose of this Staff Report is to describe the role of the Source Protection Plan in addressing salt use on Provincial highways.

Background:

The application and storage of road salt are two of the activities listed under the Clean Water Act as posing a potential threat to municipal drinking water, and for which Source Protection Committees were tasked with developing policies to address.

Policies in the South Georgian Bay – Lake Simcoe Source Protection Plan take a range of approaches to address these threats, including the requirement for risk management plans governing its use or storage where it would be a significant threat (SALT(App)-1, SALT(H&S)-1), prohibiting future storage of large volumes where it would be a significant threat (SALT(H&S)-2), using the site plan approval process to reduce future use (LUP-2), public education (EDU-3), and encouraging MTO and others to undertake research on effective alternatives (SALT(App)-2).

However, a letter received during the pre-consultation phase of our s.36 amendment (included in the SPC-02-2026 (June) agenda package as item SPC2.5) expressed some frustration with this policy environment. The author of this letter appears to be subject to our Source Protection Plan policies pertaining to salt application, and they note the

apparent contradiction of policies applying to their property, but not applying to the nearby Highway 400 corridor.

Issues:

Managing the use and storage of salt in the South Georgian Bay – Lake Simcoe Source Protection Region is arguably most important within the Barrie sodium and chloride Issue Contributing Areas, as these areas are associated with a known (and ongoing) impact on groundwater associated with the use of winter salt. As can be seen in Figure 8a-4 of the Lake Simcoe Assessment Report (appended), the highway 400 corridor does in fact bisect this Issue Contributing Area.

Section 38 of the Clean Water Act specifies that municipalities, local boards and source protection authorities shall comply with source protection plan policies. It does not similarly require the Province or Provincial ministries to comply. Further, while the requirement to complete Risk Management Plans is a municipal responsibility, strictly speaking, the Highway 400 corridor is not within the City of Barrie, leaving MTO not subject to municipal requirements to complete a Risk Management Plan.

However, non-legally binding policies can be included in the Source Protection Plan, in cases where legally binding policies are not permitted. While those subject to non-legally binding policies may choose to not comply, the creation of the policy does clearly signal the Committee's concern with the activity.

We are currently proposing to add a new policy to the Source Protection Plan, using section 36 of the Act. Based on work done by the City of Barrie, this new policy would require municipalities maintain a salt management plan which identifies areas where the application of road salt could be a significant threat, and to implement practices to minimize the impact of salt on drinking water. While it would be non-legally binding, this policy could be extended to apply to the Province, as follows:

To manage the existing and future application of road salt, municipalities and MTO shall maintain a salt management plan, which identifies any municipal drinking water system where the application of road salt could be a Significant Drinking Water Threat as a "salt vulnerable area." These plans will identify and implement practices to minimize the loss of salt to the environment and the impact of salt on drinking water, in areas where it would be a Significant Drinking Water Threat.

Summary:

Public consultation on a draft amendment to the Source Protection Plan led to some comments about perceived misplaced effort in restricting use of salt on private properties,

while not addressing salt use on 400-series highways. While we do not have the legal authority to require Provincial Ministries to conform to our policies, I share the commenters frustration.

In absence of the ability to create a legally binding policy, a non-legally binding policy could be introduced, which would make the Source Protection Committees concerns clear to MTO.

Recommendations:

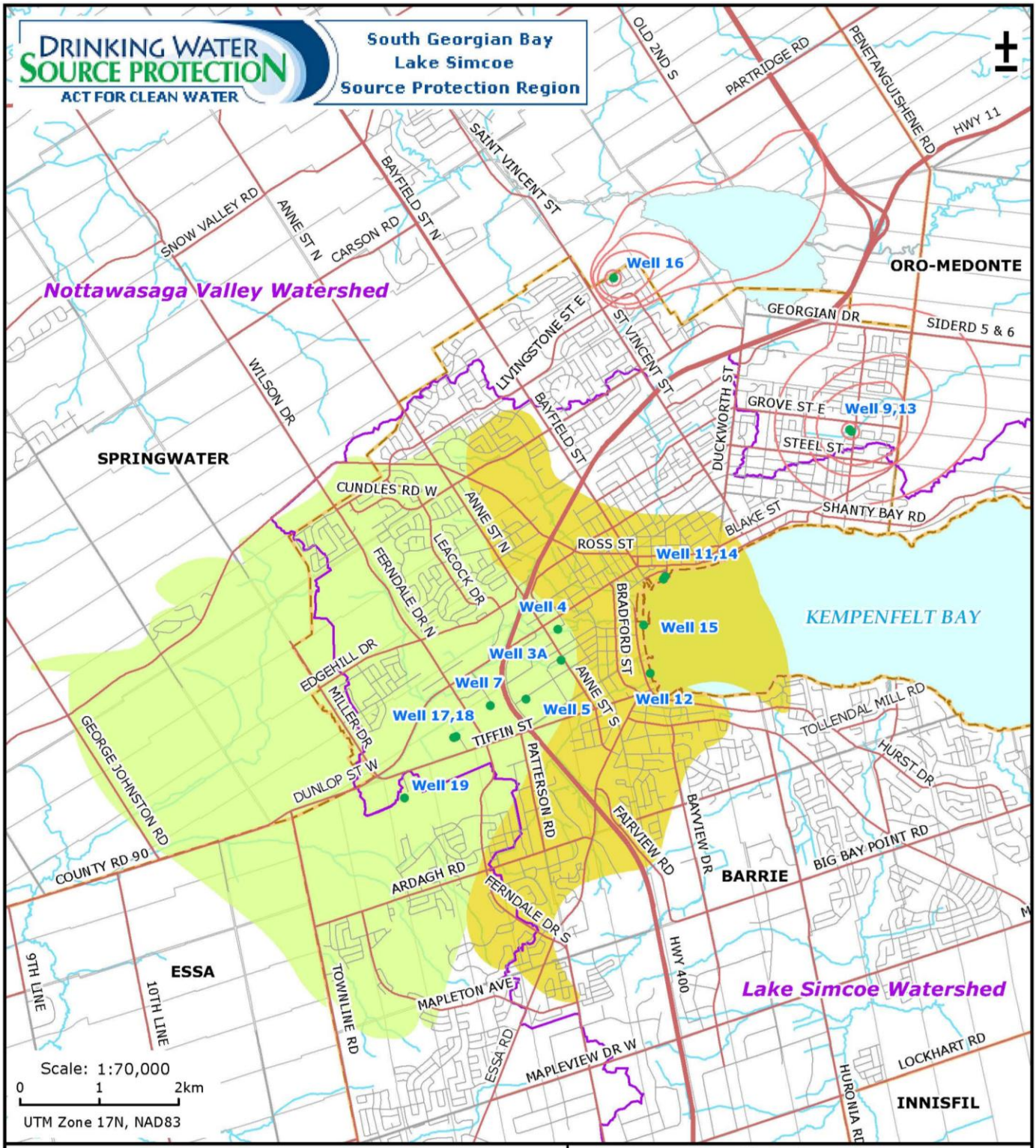
> **It Is Therefore Recommended That** Staff Report SPC1.4 regarding Provincially-focused Policies on Salt Application and Storage be received for information; and
>
> **Further That** Source Protection Authority staff be directed to introduce a non-legally binding policy to the Source Protection Plan, requesting MTO to reduce impacts of salt on municipal drinking water.

Prepared by:

Bill Thompson, Project Manager, Lake Simcoe Region Conservation Authority

Attachments:

The Sodium / Chloride issue contributing area in Barrie map.



Municipal Supply Well

Issue Contributing Area
- Chloride and Sodium
- Chloride

SWP Watershed Area

Municipality Boundary

Adjacent Well Field WHPA

City of Barrie
Drinking Water Issues
Contributing Areas

Created by: LSRCA
Date: 2014-04-10

Golder Associates
Barrie, Ontario

Nottawasaga Valley Conservation Authority

This map was produced by the Lake Simcoe Region Conservation Authority, lead agency of the South Georgian Bay Lake Simcoe Region Source Protection Region. Base data have been compiled from various sources, under data sharing agreements.
While every effort has been made to accurately depict the base data, errors may exist.

Ontario

Figure 9a-4

Ministry of the Environment, Conservation and Parks

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
Tel.: 416 314-6790

Ministère de l'Environnement, de la Protection de la nature et des Parcs

Bureau du ministre

777, rue Bay, 5e étage
Toronto ON M7A 2J3
Tél. : 416 314-6790

Ontario

357-2026-2496

October 16, 2026

Mr. Peter Ferragine
Chair
Lake Simcoe Region Conservation Authority
Email: pferragine@townofbwg.com

Mr. Mark Critch
CAO
Lake Simcoe Conservation Authority
Email: m.critch@lsrca.on.ca

Dear Mr. Ferragine and Mr. Critch:

It is a pleasure to inform you that the ministry has completed its review of the amended South Georgian Bay Lake Simcoe Source Protection Plan and the associated Nottawasaga Valley Source Protection Area Assessment Report. The amendments relate to proposed changes to the Midhurst Drinking Water System in the Township of Springwater and were developed in accordance with the *Clean Water Act, 2006*.

I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006.* These amendments will take effect on the day a notice of this decision is posted to Ontario's Environmental Registry.

I appreciate the dedication of the local municipalities, source protection authorities and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

Todd McCarthy
Minister of the Environment, Conservation and Parks

c: Bill Thomson, Source Water Protection Program Manager, South Georgian Bay Lake Simcoe Source Protection Region
Leo Luong, Director, Great Lakes and Inland Waters Branch, MECP
Hassaan Basit, Chief Conservation Executive, Ontario Provincial Conservation Agency