

Source Protection Implementation Framework

Overview of Technical Experts and Implementation
Committee Reports to the Minister of the Environment,
November, 2004

ENGO Forum on Source Protection - January 13, 2005
Friends House, Toronto

Theresa McClenaghan
Canadian Environmental Law Association

Risk Management Measures

- After existing and potential risks of contamination or depletion are identified source protection plans are to propose measures to reduce those risks
- IC report recommends that the plans identify the required outcome and describe the measure to be adopted along with an explanation as to how the measure will mitigate the water risk

Risk Management Measures cont'd

- Plan should specify the entity or person with legal responsibility to implement the measure
- Where relevant, the plan to estimate the cost of the measure and who is to fund it
- Plan to specify the time frame for implementing the measure as well as the how its effectiveness will be monitored

Interim Measures

- IC report notes that prior to completing approved source protection plans, threats that pose a significant risk to source water and require immediate attention may be identified.
- Report recommends that such risks be brought to the attention of the parties that have responsibility to address that risk who in turn should investigate and determine appropriate action.

Plan Implementation, Monitoring and Amendment

- IC report recommends that source protection plans are “living documents” to be reviewed and updated as needed to reflect current watershed characteristics, scientific research and technological innovation
- Lead source protection board / CA will facilitate implementation of the plans

Plan implementation cont'd

- Implementation of source protection plans will be in conjunction with municipalities, the province, the federal government, First Nations and others.
- Lead source protection board role will include monitoring, evaluating and reporting on status of implementation of approved plan, assessing plan effectiveness, expenditures to date and addressing any identified gaps in the plan.

Status of Source Protection Plans

- IC report notes that source protection plans should prevail if conflicts with other instruments occur. The report states that a primacy clause would help ensure implementation of source protection plans by providing the legal basis for decision making if a conflict occurs.

Consistency in Decision Making

- IC recommends that source protection legislation should ensure that provincial regulation and legislation and decisions that affect drinking water are consistent with approved source protection plans.
- Also that municipalities implement source water protection plans through their land use planning systems where applicable and municipal regulation of activities to complement approved source protection plans.

Conflicts with Existing Legislation

- The IC report recommends that source protection legislation should ensure that if there is a conflict between an approved source protection plan as it pertains to a significant risk to drinking water and a provincial law or instrument or a municipal official plan or by-law, the approved source protection plan should prevail.


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