

## Source Protection Planning Roles and Responsibilities

### Minister of Environment

- Develops regulations that mandate SPP
- Provides guidance for assessment report and SPP
- Approves ToR's, Assessment Report and SPP's
- Provides relevant information to SPC's for the development of the SPP's
- Regular staff liaison with SPC and SPA

### Source Protection Authority (SPA)

- Conservation Authority Board from lead CA, usually containing reps from Municipal Council
- Provides admin and technical support to SPC
- May be assigned tasks to develop assessment report and SPP
- Must submit ToR to Minister with municipal, authority and public comments
- Must post ToR as approved by Minister on internet
- Must submit proposed assessment report to Minister with all comments from the public and municipalities
- Must submit proposed SPP to Minister
- May propose amendments to SPP but must consult with municipalities

### Source Protection Committee (SPC)

- Prepares ToR for source protection area
- Must consult with municipalities and the public
- Must submit ToR to SPA and post proposed ToR to internet
- Prepares assessment report, must consult with municipalities and post assessment report to internet
- Must submit assessment report to SPA
- Prepares SPP, must consult with municipalities
- Must submit SPP to SPA

1/3 agricultural, commercial or industrial sectors

1/3 Municipalities

1/3 Community Groups/ Public (especially those with interests in environmental, health and the general public)

### Municipalities

- Rep sits on SPA
- Must be consulted on ToR and can submit comments to Minister
- May submit comments to SPA, on proposed assessment report and SPP
- When negotiating to do work around the assessment report and SPP, will need to provide SPC with council resolution agreeing to undertake task
- May undertake work in SPP that was assigned in ToR if task passed by council
- Implementation of the Source Protection Plan
- Incorporates SPP into Official plan and zoning by-laws if necessary -> must comply with *significant threat* policies set out in SPP (CWA, 2006, Sec. 38)
- In some cases development of policies(e.g. in the Grand)
- Hire or delegate responsibility for Risk Management official

## Implementation

# Ontario Source Water Protection Planning: An Analysis of Theory, Policy and Practice

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## The Research

This research aims to evaluate if Ontario's *Clean Water Act, 2006* provided an opportunity in which separate jurisdictions and levels of governance within the same watershed were enabled to work together and negotiate source protection plans in a regional governance network. This research assesses the presence of best practices in source protection planning in Ontario according to theories of network governance, new regionalism and other theories of collaboration. These theories have provided a framework to understand the challenges and successes faced during the source protection planning process. Issues related to the implementation of the plans and next steps in the planning process were also explored. The case study of the Catabaqui watershed, located in Eastern Ontario, was used.

The research has been made up of the following 3 main components:

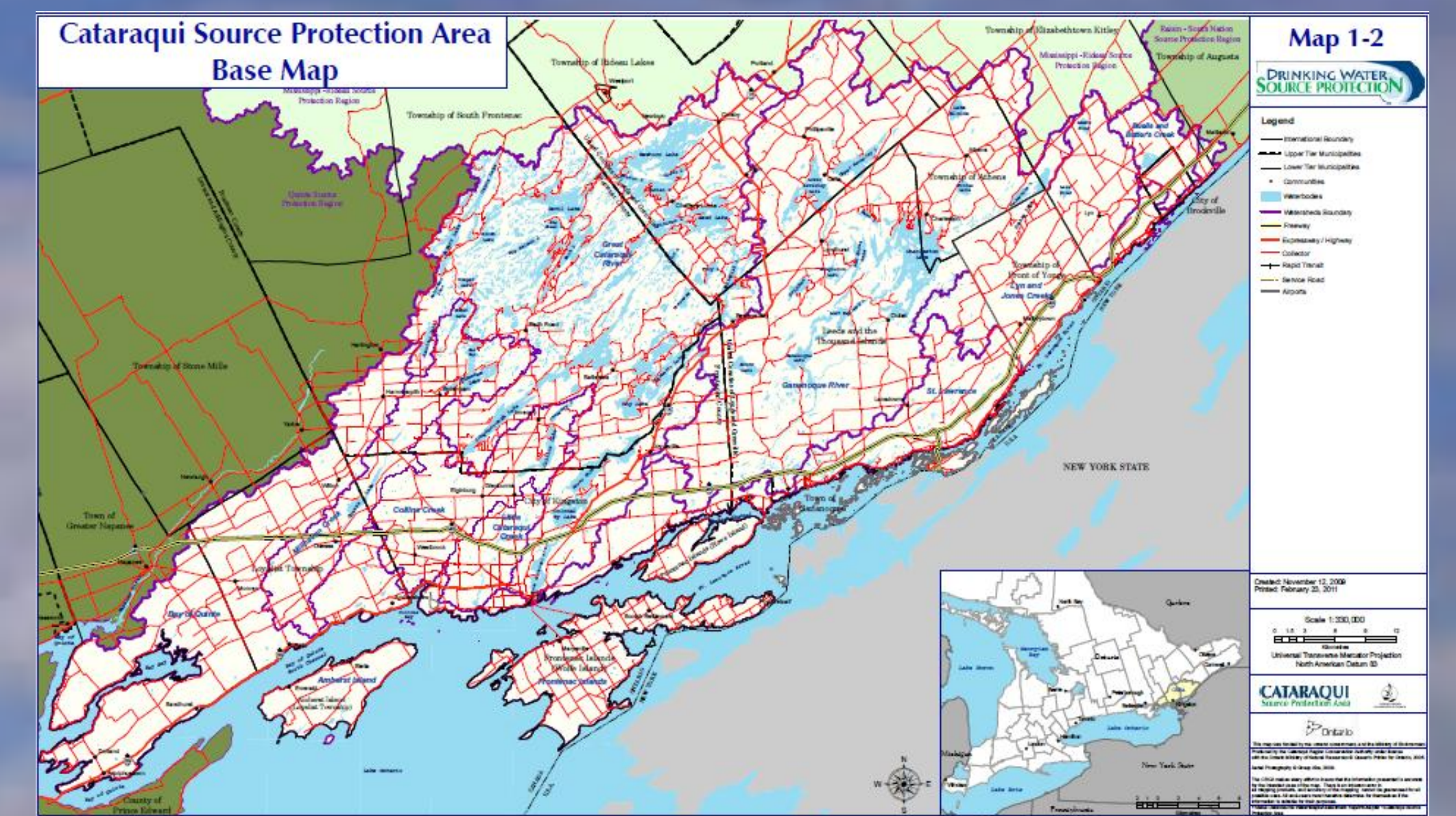
1. A detailed literature review of academic theories in relation to network governance, new regionalism, collaboration and watershed management. The literature review also included a complete assessment of the Clean Water Act, all regulations in relation to the Clean Water Act, other related legislation that impact the Clean Water Act, the Catabaqui Source Protection Terms of Reference, the Catabaqui's Assessment Report and the Catabaqui's final proposed Source Protection Plan.
2. Key informant interviews were conducted with members of the Catabaqui Source Protection Committee, the Catabaqui Source Protection Authority, the Ministry of Environment and several impacted municipalities.
3. Analysis was undertaken of the source protection planning process, using the information gathered from the key informant interviews and the legislation review. This analysis was used to compare what was done in practice to what is prescribed in the themes that emerged from the academic literature.

## The Case Study: Catabaqui Source Protection Area

The Catabaqui Source Protection Area is located in Southeastern Ontario, including the jurisdiction of the Catabaqui Conservation Authority plus the Township of Frontenac Islands and some additional areas along the St. Lawrence River. The Source Protection Committee is made up of 17 members (plus two liaisons), including 5 representatives from the economic/industry sector, 5 members from the encompassing municipalities and 5 members from various community groups. The committee also includes 1 chair, 1 Ministry of Environment liaison and 1 Public Health liaison. This case study is very interesting as it contains both rural and urban populations with sometimes very differing ideas of what source protection planning entails.

As of August 28, 2012 the final proposed SPP has been submitted to MOE for approval. In the plan 12 vulnerable drinking water systems were found containing "significant threats" to drinking water. The specifics on implementation and funding for implementation of the source protection plan is still largely unknown to both the Source Protection Committee and municipalities.

(Catabaqui Source Protection Committee, 2012)



Map Compliments of the Catabaqui Region Conservation Authority

## Themes Explored

### Clear Mission & Objectives:

Common vision, mandate and clear strategic direction.

### Open Flows of Communication & Mutual Learning:

Ongoing dialogue flowing through all stakeholders in the network which creates trust.

### Institutionalized/Organized Structure of Network:

Formalized rights, responsibilities and rules.

### Right Actors at the Table:

The right actors making decisions and participating in the decision making process.

### Adequate Capacity:

Adequate money, expertise, leadership, external connections and social capital to make and implement decisions.

### Shared Ownership & Accountability:

Those involved in the source protection planning process hold each other and decision makers accountable for decisions and commitments made.

### Common Benefit Evident:

Everyone in the source protection planning process must believe their involvement is beneficial to their affiliations agenda.

### Fairness:

All members of the planning process hold equal advantages and power. Negotiations and decisions are based on consensus.

## Key Findings

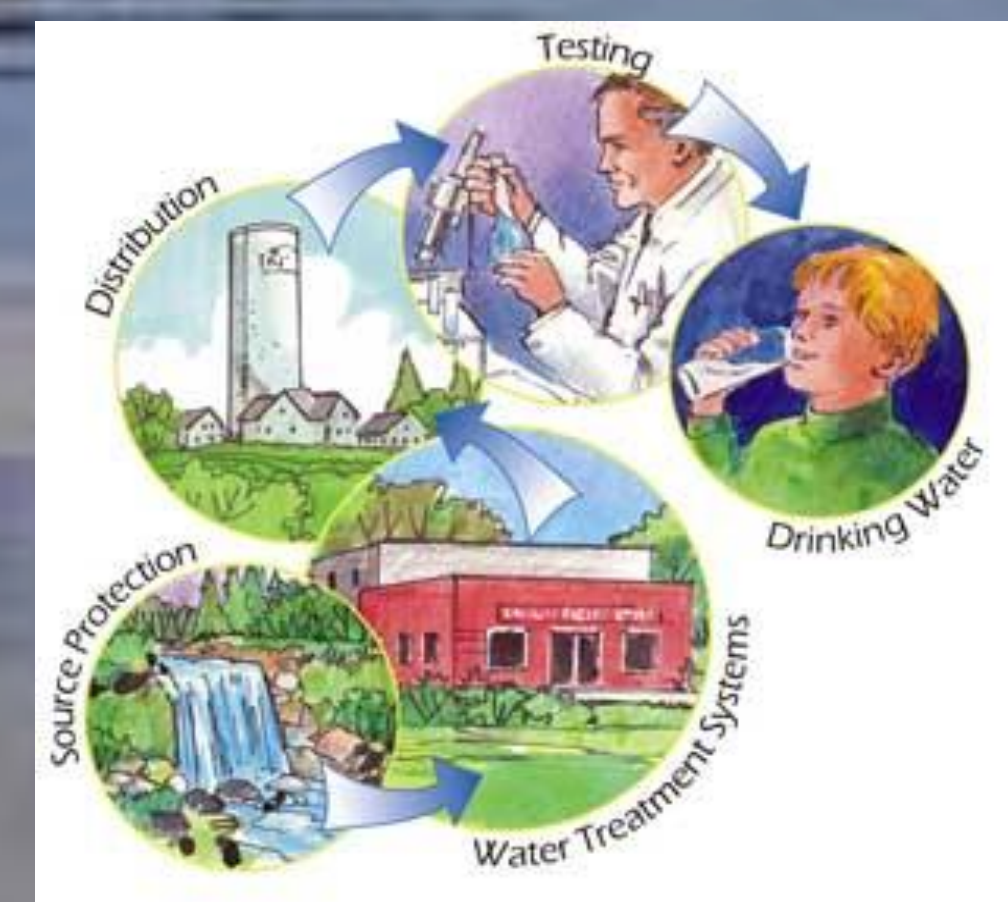
The field research component of this project has just recently concluded. Analysis of the field data is currently underway. More analysis needs to be done to determine to what extent the explored themes were present in the source protection planning process in Ontario, and more specifically in the Catabaqui source protection area. First impressions show that each theme has been acknowledged as being positive factors existing in the process, however to varying degrees. Another common theme that has frequently emerged as a positive factor for the source protection planning process was the merger of informal local based knowledge and formal technical knowledge.

Overall, it seems this process has been acknowledged by all participants as being needed, worthwhile and a tremendous learning experience. However, source protection planning in Ontario has been a complex process that has faced numerous difficulties. These difficulties include:

- ❖ Low public interest in the process
- ❖ Unknowns in regards to funding for implementation
- ❖ Assuming if a committee member is representing a certain sector that they are communicating with or converting their constituency
- ❖ The next round of planning is very elusive, however key informants do hope it includes an expansion to residents living outside of municipal water systems and the incorporation of Great Lakes protection.

## Related Provincial and Municipal Legislation

- Municipal Official Plans and By Laws
- Planning Act
- Provincial Policy Statement
- Oak Ridges Moraine Conservation Act
- Nutrient Management Act
- Greenbelt Act
- Places to Grow Act



## References

Bogason, P. & Zolner, M (2007). *Methods in democratic network governance*. In Bogason P., Zolner M., (Eds.), Houndmills England ; New York: Palgrave Macmillan.

Catabaqui Source Protection Committee. (2012). *Draft Source Protection Plan: Catabaqui Protection Area, Volume 1*. Retrieved from, <http://www.cleanwatercatabaqui.ca/assessmentReport.htm>

Himmelman, A. T. (2001). On coalitions and the transformation of power relations: Collaborative betterment and collaborative empowerment. *American Journal of Community Psychology*, 29(2), 277-284.

Medd, W. & Marvin, S. (2008). Making water work: intermediating between regional strategy and local practice. *Environment and Planning D: Society and Space*, 26(2), 280 - 299.

Ministry of Environment. (2006a). *Clean Water Act, 2006* (S.O. 2006, CHAPTER 22). Toronto, ON: Queen's Printer. Retrieved from, [http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_06c22\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06c22_e.htm)

Tindal, C.R. & Tindal, S. (2009). *Local Government in Canada* (7 ed.). Toronto, ON: Nelson Education.

Wheeler, S.M. (2002). The New Regionalism: Key Characteristics of an Emerging Movement. *Journal of the American Planning Association*, 68(3), 267-278.

