

# Ensuring Clean Water for All

**FORCE**

**(Friends of Rural Communities and the Environment)**

**Presentation regarding Bill 43**

**Standing Committee on Social Policy**



**F O R C E**

**Friends of Rural Communities  
and the Environment**

**August 21, 2006**

# Introduction

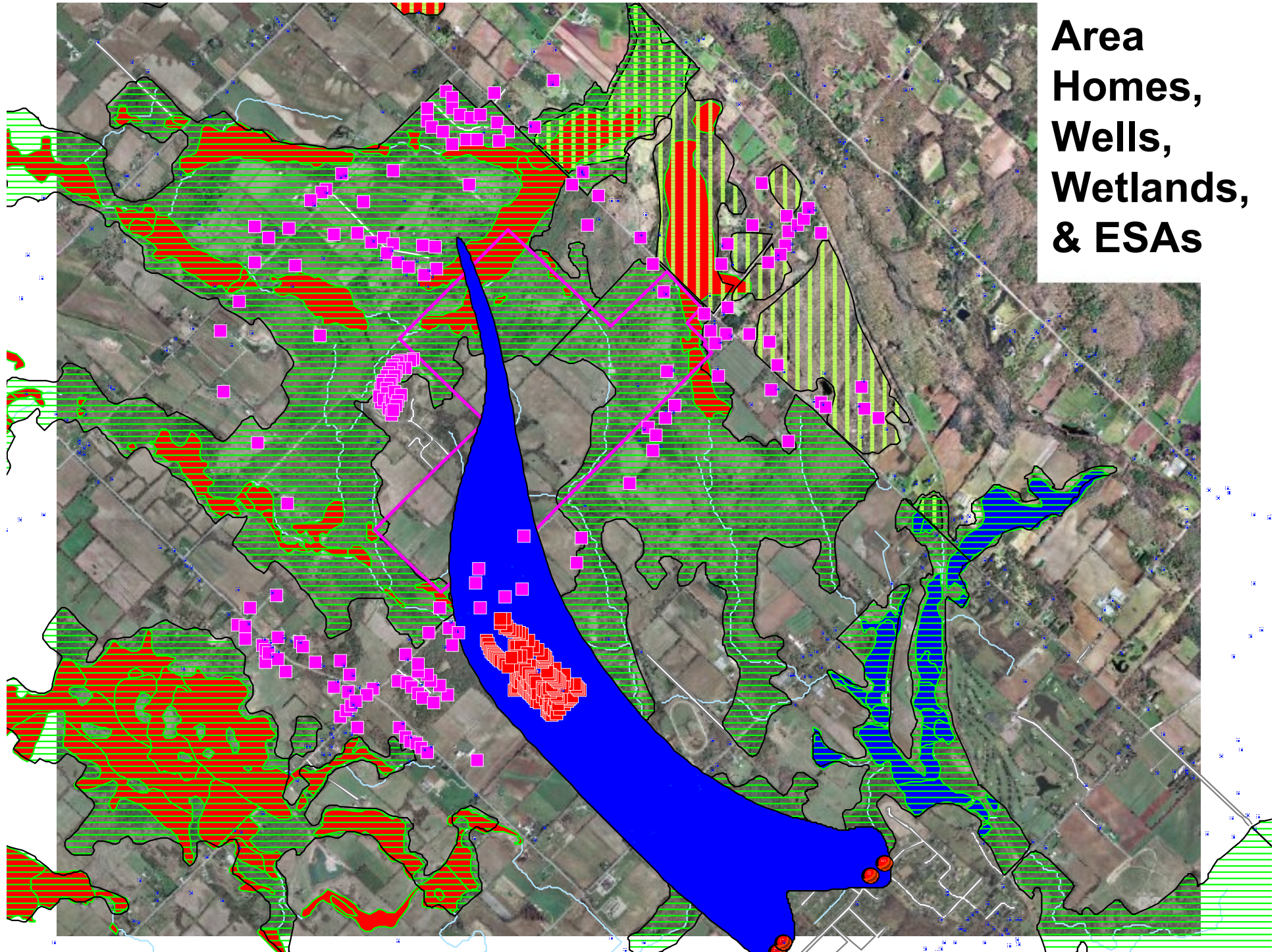
- Thank You for the Opportunity to Input
- Strongly Support this Act as one key step in a multi-barrier approach to Source and Drinking Water Protection
- Key Issues:
  - Primacy – integration / conflict with existing laws
  - Precautionary Principle
  - Scope of Protection
  - Our Agricultural Partners
  - Regulation of Drinking Water Threats
  - Interim Protection Measures

# Why We Care

- Who is FORCE? Not for Profit Corporation representing hundreds of residents in rural Milton, Burlington, and Hamilton.
- Proposed Greenfield Aggregate Development (would be the 8<sup>th</sup> largest quarry in Canada)
- Major issue is Source Water implications



# Area Homes, Wells, Wetlands, & ESAs



# Primacy & Pre-caution

- Primacy for the highest Protection Standard for Source Water should be supported, S. 35 and 96
- Precautionary Principle – key to statutory interpretation
  - Amend to reflect in the purpose S. 1
  - Amend to reflect in source protection plans S. 19
  - Reflect in guidelines and tools, i.e. risk assessment matrix, training materials

# Scope of Protection

- Current scope is too weighted to Municipal systems
- Need to broaden to address private systems more rigorously:
  - Assessment reports s. 13(2) should identify location of all wells on provincial water well records
  - More vehicles to nominate “clusters” of private wells for inclusion in assessment reports s. 8(3) are needed
  - Basic threats assessment needed for all systems and significant threats should be addressed at a minimum
- Protect groundwater recharge and highly vulnerable aquifers more, s.19(6)

# Our Agricultural Partners

- We enjoy a good local working relationship, consider each other partners
- Source Protection Committees must include the Farming Community
- Practices and processes already in use must be recognized and valued, i.e. Environmental Farm Plans, Best Management Practices, Nutrient Management
- S. 83 and 88 should not preclude land leases if land is to be taken out of production for Source Protection Plans
- Premise Source Protection Plans on the concepts of stewardship & partnership

# Regulating Drinking Water Threats

- Support regulated approach to prescribing activities / land uses which should be subject to either prohibition or risk management, Act's Part IV, i.e. aggregate development
- Concerned about permit approach – recommend a shift to negotiated, legally binding, risk management plans and orders

# Interim Protection Measures

- Some promising interim measures are included in the Act
- Significant threats to source water could still develop or continue before Source Protection Plans are approved:
  - Request a commitment to review all provincially regulated operations on a priority basis
  - Province, Municipalities and Conservation Authorities should be required as amendment to s. 80 to take immediate, pre-cautionary action in case of high risk activities and land uses, i.e. authority for cessation order, risk management plan requirement
  - Amendment should provide that the Province issue no new prescribed instruments for activity or land use that has *risk to cause significant or irreversible harm to source water in vulnerable areas* until Source Protection Plans are in place, i.e. Permits to Take Water

# Conclusions

- Act is essential to the goal of protecting Drinking Water Sources
- Several areas of emphasis and concern still require consideration in order for this Act to provide the necessary level of protection to Human Health and the Environment
- Adequate Funding will be critical to ensure investments in capacity at Provincial, Municipal and Conservation Authority levels
- Thank You