

EXECUTIVE OVERVIEW

CHAPTER 3.3 – Source Water Protection

SUMMARY

The *Source Protection Plan* for the Niagara Peninsula Source Protection Area (SPP) protects existing and future sources of drinking water in Niagara by ensuring activities identified as drinking water threats under the *Clean Water Act* and associated regulations either never become a *significant threat*, or cease to be a *significant threat* to drinking water.

The Ministry approved and in-effect SPP (2014) evaluated six water treatment plants and determined there were *significant threats* related to land uses for the Decew Falls Water Treatment Plant, Port Colborne Water Treatment Plant, and the Niagara Falls Water Treatment Plant *intake protection zones*.

In 2015, source protection policies were added for the in-effect Official Plan (an exercise known as ROPA 5). The Niagara Official Plan predominantly carries forward those policies and mapping.

- The NPCA is the Source Protection Authority (SPA) in Niagara under the *Clean Water Act*. The SPA provides administrative and technical support to the Source Protection Committee (SPC) and the source protection planning process.
- Responsibility for source water protection planning is that of the SPC with staff support from the NPCA. The Province is the approval authority for Source Protection Plans prepared by the SPC.
- The Niagara Peninsula Source Protection Plan, including the technical Assessment Report and Explanatory Document is in effect as of October 1, 2014.
- ROPA 5- 2015 implemented the *significant threat* policies for Decew Falls, Port Colborne, and Niagara Falls water treatment plants *intake protection zones* in the Regional Official Plan.
- Source water protection policies only apply to municipal drinking water sources. All drinking water in Niagara is from surface water.
- The SPC is currently updating the assessment report and SPP, anticipated to be completed in 2023. Once approved, an amendment to the Niagara Official Plan, Local Official Plans and Local Zoning By-laws will be required.

A Draft Policy set and schedule is provided with this sub-section document.

Integration Guide for Sub-sections Reported in PDS 32-2021

<input checked="" type="checkbox"/> Regional Structure	<input type="checkbox"/> Archaeology
<input type="checkbox"/> Housing	<input checked="" type="checkbox"/> Employment
<input checked="" type="checkbox"/> Land Needs	<input checked="" type="checkbox"/> Agriculture
<input type="checkbox"/> SABR	<input type="checkbox"/> Aggregates
<input type="checkbox"/> Transportation	<input type="checkbox"/> Natural Heritage incl.
<input checked="" type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Water Systems Options
<input checked="" type="checkbox"/> District/Secondary Plans	<input checked="" type="checkbox"/> Watershed Planning
<input type="checkbox"/> Urban Design	<input type="checkbox"/> Climate Change

OVERVIEW

The creation of the *Clean Water Act* (2006) was in direct response to an inquiry led by Justice Dennis O'Connor into the May 2000 Walkerton tragedy and more broadly to the safety of Ontario's drinking water. The *CWA* established 38 source protection areas within the Province based on Conservation Authority boundaries. Source protection plans are now in place within 38 source protection areas, representing approximately 90 percent of the population.

The purpose of the *CWA* is to ensure communities are able to protect their municipal drinking water supplies at the source through identifying potential risks to local water supply quality and quantity and create a plan to reduce or eliminate these risks.

In Niagara, the NPCA is the Source Protection Authority (SPA), providing administrative and technical support to the Source Protection Committee (SPC). The SPC is responsible for the source protection process, which includes the development of a Source Protection Plan (SPP) for the Niagara Peninsula Source Protection Area.

An assessment report outlining the vulnerable zones, vulnerability scores, and *significant threats* was prepared, followed by the SPP outlining policies to address *significant threats*, implementation timelines and responsibilities.

The Niagara Peninsula Source Protection Plan evaluated six water treatment plants in Niagara and determined there were *significant threats* for three water treatment plants: Decew Falls, Port Colborne, and Niagara Falls. The SPP was approved by the Province and has been in effect since October 1, 2014.

As required under the *CWA* and through the SPP, Niagara Region prepared an amendment to include source protection policies in the Regional Official Plan in 2015

(process known as ROPA 5-2015). The amendment included policies to address *significant threats* identified through the SPP for the Decew Falls, Port Colborne, and Niagara Falls water treatment plant *intake protection zones*. The policies also require local municipalities to incorporate source water protection policies into their local official plans and zoning by-laws. A municipal guidance document was prepared to provide a framework for local municipalities to translate Regional Official Plan policy related to source protection, and implement those policies into local Official Plans and associated planning and building processes.

For the new Niagara Official Plan, there are minimal changes being made to this section as the SPP (2014) remains in effect. However, the SPC is currently updating the Assessment Report and SPP for the Niagara Peninsula Source Protection Area. The SPP is anticipated to be completed in 2023, subject to Ministry approval. Once approved and in effect, the Niagara Official Plan and Local Official Plans and Zoning By-laws will require an amendment to conform to the policies of the new SPP.

The attached draft policy and mapping, **Appendix 1.2** and **Appendix 1.3** respectively, predominantly carries forward policies and mapping approved through ROPA 5-2015. For more information on source protection planning in Niagara, please visit the [Niagara Peninsula Drinking Water Source Protection website](https://www.sourceprotection-niagara.ca/) (https://www.sourceprotection-niagara.ca/)