



March 26, 2010

Ms. Debbie Scanlon  
Senior Drinking Water Program Advisor  
Ministry of the Environment  
Drinking Water Management Division  
Source Protection Programs Branch  
2 St. Clair Avenue West  
Toronto, ON M4V 1L5

**Re: Regulatory Components to Support the development and  
implementation of source protection plans under the Clean Water Act,  
2006**

EBR Regulatory Number 010-8766

Dear Ms. Scanlon,

The Ontario Professional Planners Institute (OPPI) is pleased to provide comments on the draft regulation in support of the development and implementation of source protection plans under the Clean Water Act.

Established in 1986, OPPI is the recognized voice of the Province's planning profession and provides vision and leadership on planning issues. Our more than 3,000 members work in government, private practice, universities, and non-profit agencies where they are committed to creating and fostering healthy communities in Ontario.

OPPI supported the approval of the Clean Water Act and its implementation. Last year on September 22, 2009, OPPI commented on the discussion paper that addressed the requirements for the content and preparation of source protection plans. Generally, we believe the matters we raised at that time have been addressed in this draft regulation.

Here are comments that we recommend you consider in guidance documents addressing the implementation of this regulation:


1. On the subject of Great Lakes targets, OPPI agrees these are needed, however, the guidance materials that will accompany the approved regulation should include examples of how these targets might be implemented in source protection plans.
2. With respect to climate change, specifically the recommendations on climate change adaptation contained in the report entitled "Adapting to Climate

Change in Ontario” prepared by the Province’s Expert Panel on Climate Change Adoption, models used in source protection will need to adapt to address changing weather patterns, especially where extreme events are concerned. Some provision is needed to clarify how this will be accomplished.

3. On the subject of the prescribed substances in 1.1 (1) of O. Reg. 287/07, the guidance materials that will accompany the approved regulation should include examples of how these substances (particularly items 15, 16, 17 and 18) are to be addressed where their use is subject to source protection policies and where municipal Planning Act decisions have to either conform to or have regard to these policies.
4. Conservation Ontario is coordinating a Planning Act Working Group comprised of project managers, conservation authority planners and Provincial ministry staff to prepare interim planning reference documents intended to assist in the interim period before this regulation is in force. OPPI has monitored their work and made its members aware of reference documents that have been produced from time to time. Municipalities are required to be consistent with Provincial Policy Statements source protection requirements. Guidance is needed on a transition from application of the reference documents to application of the regulation especially where planning efforts have commenced using the Conservation Ontario references but are not complete when the regulation is enacted.

The Institute would be pleased to discuss our comments further. For further information or to schedule a meeting, please contact Loretta Ryan, MCIP, RPP, Manager, Policy and Communications at 416 483-1873, x226.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Cumming". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Susan Cumming, MCIP, RPP  
President  
Ontario Professional Planners Institute