

ADOPTED by Council at its meeting held February 21, 2012 [M101-2012]

/AA

Windsor, Ontario February 21, 2012

**REPORT NO. 52** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

---

**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

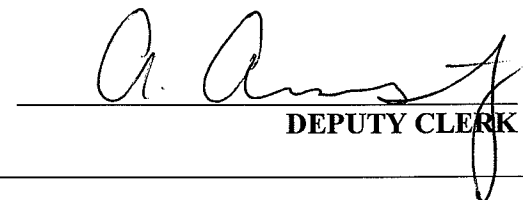
That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Payne,  
That the report authored by the City Engineer dated January 5, 2012  
entitled "Source Water Protection Draft Policies" **BE RECEIVED** for information.  
Carried.  
Councillor Valentinis was absent when the vote was taken.

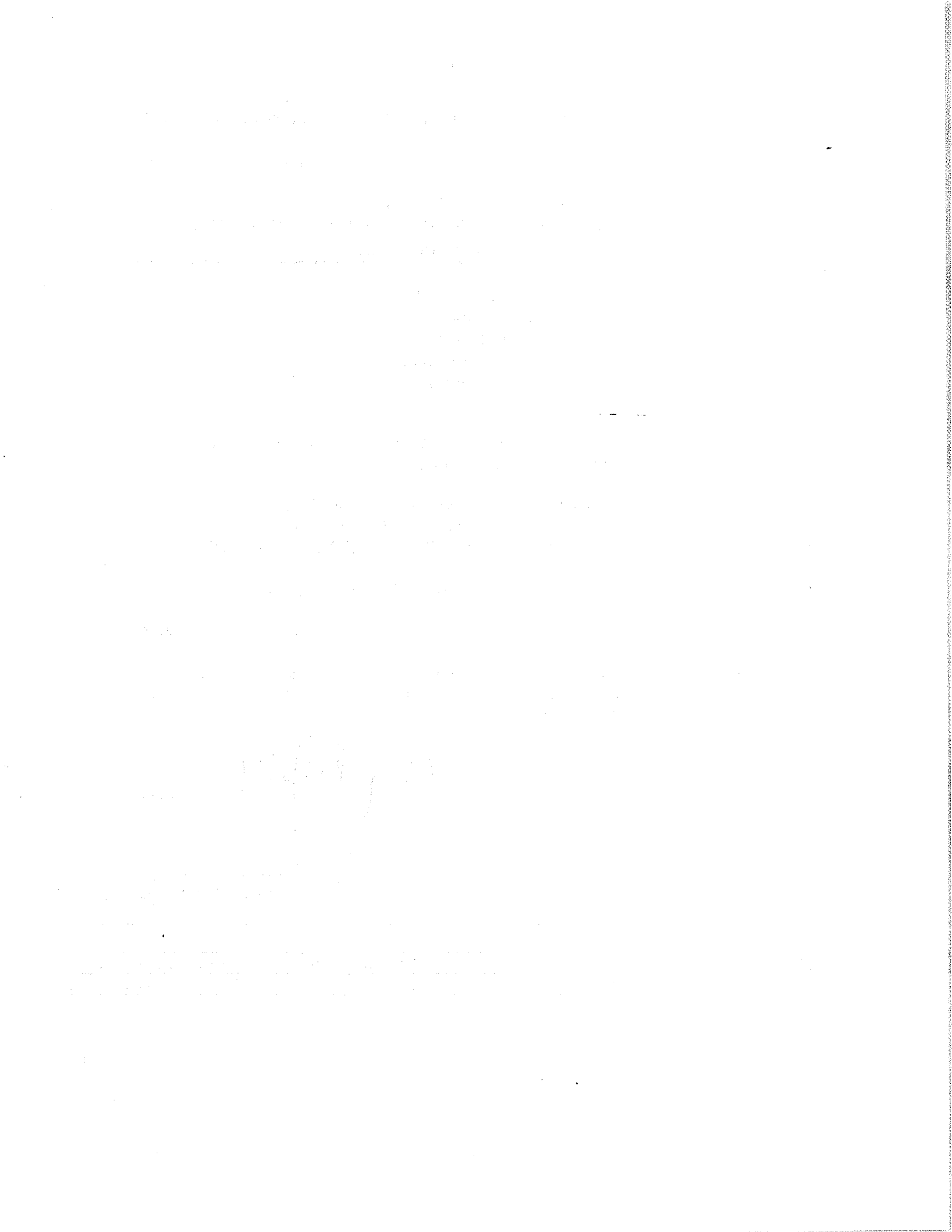
**LIVELINK #15695 EI/10108**

Clerk's Note: The administrative report authored by the City Engineer dated January 5, 2012 entitled "Source Water Protection Draft Policies" is attached as background information.

  
CHAIRPERSON

  
DEPUTY CLERK

<b>NOTIFICATION:</b>				
Name	Address	Email Address	Telephone	FAX



**THE CORPORATION OF THE CITY OF WINDSOR**  
**Environment & Transportation Standing Committee - Administrative Report**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 15695 EI/10108</b>	<b>Report Date: January 5, 2012</b> (#3230-01/12/11;ebr)
<b>Author's Name: Mario Sonogo</b>	<b>Date to Council: January 25, 2012</b>
<b>Author's Phone: 519 255-6257, ext. 6356</b>	<b>Classification #:</b>
<b>Author's E-mail: msonego@city.windsor.on.ca</b>	

**TO: Mayor and Members of City Council**

**SUBJECT: SOURCE WATER PROTECTION DRAFT POLICIES**

**1. RECOMMENDATION: City Wide: X Ward(s): \_\_\_\_\_**

To Council for information.

**EXECUTIVE SUMMARY: N/A**

**2. BACKGROUND:**

Since 2009, the Essex Region Source Water Protection Committee has been preparing a Source Water Protection Plan which will produce associated policies. The City of Windsor has two representatives on this Committee from Administration (Mario Sonogo, City Engineer and Thom Hunt, City Planner). Other local municipalities have membership as well as citizen members.

Ultimately, a Source Water Protection Plan and policies must be approved in 2012.

**3. DISCUSSION:**

Attached are the draft policies that have been developed with input from not only the City Engineer and City Planner, but also from other members of Administration (Planning and Pollution Control), who are on the Working Committee.

The proposed policies are draft and a presentation from Stan Taylor, Project Manager of the Source Water Protection Committee will be done with respect to these policies at the Environment and Transportation and Standing Committee meeting on January 25, 2012.

It is important to note that the policies vary from application of road salt to sewage treatment bypasses, combined sewer overflows and the handling and storage of fuels amongst various other ones as noted in the attached documents.

There is potential significant threats associated with land near one kilometer of the water intake identified as IPZ-1 in the attached accompanying the information.

It is further noted that there are not many issues that are possible significant threats within this area. The policies vary in their recommendations as to how to handle the threats whether significant, moderate or low in the IPZ-1 area and the IPZ-2 area as well.

The policies have had input from Administration and vetted through the Source Water Protection Committee. Administration is in agreement with the proposal of the current policies.

These policies are through the Source Water Protection Plan as mandated through the Clean Water Act.

#### **4. FINANCIAL MATTERS:**

Ultimately, when the Plan is developed, there will be additional monitoring required at the sewage treatment plants and combined sewer overflows which is estimated at approximately \$10,000 to \$50,000/per year dependent on the extent and frequency and what is found.

With changes in the federal Fisheries Act regulations being proposed, these policies will fall appropriately into that process and there is a small price to pay to protect the drinking water source.

The ultimate question is who will be enforcing issues of private property and at whose cost. Those are the issues that the Source Water Protection and authority Committee and City Council has previously requested the Province should be responsible for the enforcement costs associated with that.

This is a question that is still to be resolved and further reports on this matter and who will be the enforcement agency is still outstanding and will need to be resolved.

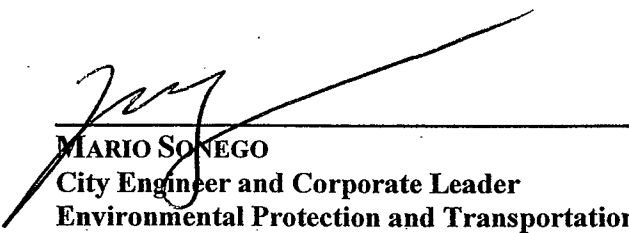
#### **5. CONSULTATIONS:**

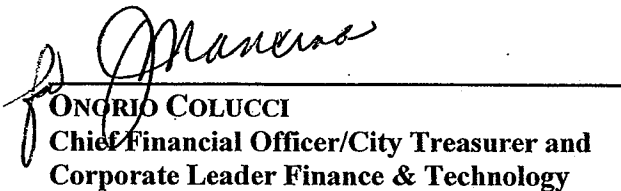
This report was discussed with the City Planner as well as members of the Public Works Department who have been associated with this process.

#### **6. CONCLUSION:**

Administration supports the draft policies as proposed as being reasonable and fair to not only the City of Windsor, but to private properties within the area.

It is further noted that these policies will be out for comment through the public consultation process instituted by the Source Water Protection Committee and authority.

  
MARIO SONEGO  
City Engineer and Corporate Leader  
Environmental Protection and Transportation

  
ONORIO COLUCCI  
Chief Financial Officer/City Treasurer and  
Corporate Leader Finance & Technology

  
THOM HUNT  
City Planner

MS:ebr  
Attachments

**APPENDICES:**

- 1) Essex Region Source Protection Policies – Complete List December 2011
- 2) Notice dated December 23, 2011 re Notice of Pre-Consultation on Draft Source Protection Plan Policies
- 3) Essex Region List of Source Protection Draft Policies Proposed to be Implemented by the City of Windsor

**DEPARTMENTS/OTHERS CONSULTED:**

**Name:**

**Phone #: 519**      **ext.**

**NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX

**Essex Region Source Protection Policies - Complete List December 2011**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
1	Certificate of Approval - OWRA	Prohibit	Combined sewer discharge from a stormwater outlet to surface water	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	WIW2LIAI-combinedsewer-1 (Prescribed Instrument)
2	Certificate of Approval - OWRA	Prohibit	Sewage treatment plant bypass discharge to surface water, Sewage treatment plant effluent discharges (includes lagoons), Storage of sewage	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	WILIAI-bypass/effluent/storage-1 (Prescribed Instrument)
3	Certificate of Approval - OWRA	Manage	Storage of sewage	Windsor IPZ-1	MOE	S	WI-storage-1 (Prescribed Instrument)
4	Certificate of Approval - OWRA	Manage	Storm water management	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	WIW2LIAI-stormwater-1 (Prescribed Instrument)
5	Certificate of Approval - OWRA	Prohibit	Industrial effluent discharges	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	WIW2LIAI-industrialeff-1 (Prescribed Instrument)
6	Certificate of Approval - OWRA	Manage	Industrial effluent discharges	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	WIW2LIAI-industrialeff-2 (Prescribed Instrument)
7	Certificate of Approval - OWRA	Manage	Sewage treatment plant bypass discharge to surface water, Sewage treatment plant effluent discharges (includes lagoons)	Windsor IPZ-2	MOE	S	WV2-bypass/effluent-1 (Prescribed Instrument)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
8	Certificate of Approval - EPA	Manage	Application of Non Agricultural Source Material (NASM)	Windsor IPZ-2	MOE	S	W2applNASM-1 (Prescribed Instrument)
9	Certificate of Approval - EPA	Manage	Storage of Non Agricultural Source Material (NASM)	Windsor IPZ-2	MOE	S	W2storageNASM-1 (Prescribed Instrument)
10	Certificate of Approval - EPA	Prohibit	Application of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1LIAI-applicationNASM-1 (Prescribed Instrument)
11	Certificate of Approval - EPA	Prohibit	Storage of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1LIAI-storageNASM-1 (Prescribed Instrument)
12	Certificate of Approval - EPA	Prohibit	Application of untreated septage to land	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1LIAI-waste-1 (Prescribed Instrument)
13	Certificate of Approval - OWRA and EPA	Prohibit	Storage, treatment and discharge of tailings from mines	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1LIAI-minetail-1 (Prescribed Instrument)
14	Certificate of Approval - EPA	Prohibit	Land disposal of petroleum refining waste, Land disposal of hazardous waste, Land disposal of municipal waste, Land disposal of industrial or commercial waste, Storage of hazardous waste at disposal sites	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2LIAI-hauledsewage-1 (Prescribed Instrument)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
15	Pesticides Permits	Manage	Application of pesticide	Windsor IPZ-1, Windsor IPZ-2, Lakeshore IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2L1A1applPesticide-1 (Prescribed Instrument)
16	Certificate of Approval - EPA	Manage	Handling and storage of fuel - 1,2,3	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	MOE	S	SLWA123-handlestorefuel-3 (Prescribed Instrument)
17	Certificate of Approval - EPA	Manage	Handling and storage of fuel - Amherstburg IPZs	Amherstburg IPZ-1 and IPZ-2	MOE	S	A12-handlestorefuel-3 (Prescribed Instrument)
18	Certificate of Approval - EPA	Manage	Handling and storage of fuel - Amherstburg and Windsor IPZs	Windsor IPZ-1 and IPZ-2, Amherstburg IPZ-3	MOE	S	WA123-handlestorefuel-3 (Prescribed Instrument)
19	Municipal Drinking Water License and Permit - SDWA	Manage	Handling and storage of fuel - 1,2,3	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	MOE	S	SLWA123-handlestorefuel-1 (Prescribed Instrument)
20	Municipal Drinking Water License and Permit - SDWA	Manage	Handling and storage of fuel - Amherstburg IPZs	Amherstburg IPZ-1 and IPZ-2	MOE	S	A12-handlestorefuel-1 (Prescribed Instrument)
21	Municipal Drinking Water License and Permit - SDWA	Manage	Handling and storage of fuel - Amherstburg and Windsor IPZs	Windsor IPZ-1 and IPZ-2, Amherstburg IPZ-3	MOE	S	W12A3-handlestorefuel-1 (Prescribed Instrument)
22	Aggregate Licenses, Wayside Permits, and Aggregate Permits and Site Plans - ARA	Manage	Handling and storage of fuel - 1,2,3	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	MNR	S	SLWA123-handlestorefuel-5 (Prescribed Instrument)



No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
23	Aggregate Licenses, Wayside Permits, and Aggregate Permits and Site Plans - ARA	Manage	Handling and storage of fuel - Amherstburg IPZs	Amherstburg IPZ-1 and IPZ-2	MNR	S	A12-handlestorefuel-5 (Prescribed Instrument)
24	Aggregate Licenses, Wayside Permits, and Aggregate Permits and Site Plans - ARA	Manage	Handling and storage of fuel - Amherstburg and Windsor IPZs	Windsor IPZ-1 and IPZ-2, Amherstburg IPZ-3	MNR	S	W12A3-handlestorefuel-5 (Prescribed Instrument)
25	Specify Action	Manage	The transportation of organic solvents, dense non-aqueous phase liquids (DNAPLs), fuels, pesticides/herbicides, fertilizers	All IPZ-1s, IPZ-2s and IPZ-3s	ERCA	M,L	A11123-transportcorridor-1 (Specify Action)
26	Specify Action	Manage	The transportation of organic solvents, dense non-aqueous phase liquids (DNAPLs), fuels, pesticides/herbicides, fertilizers	All IPZ-1s, IPZ-2s and IPZ-3s	MTO and Municipalities	S,M,L	A11123-transportcorridor-3 (Specify Action)
27	CWA Sec.57	Prohibit	The application of Agricultural Source Material (ASM)	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	W1W2L1A1-applASM-1 (Clean Water Act)
28	CWA Sec.57	Prohibit	The storage of Agricultural Source Material (ASM)	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	W1W2L1A1-storageASM-1 (Clean Water Act)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
29	CWA Sec.57	Prohibit	The application of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-applNASM-1 (Clean Water Act)
30	CWA Sec.57	Prohibit	The storage of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storageNASM-1 (Clean Water Act)
31	CWA Sec.57	Prohibit	The storage of Road Salt	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storageroadsalt-1 (Clean Water Act)
32	CWA Sec.59	Restricted Land Use	The storage of Road Salt	Windsor IPZ-1, Amherstburg IPZ-1 and Lakeshore (Belle River) IPZ-1	Windsor, Amherstburg, Lakeshore	S	WILIAI-storageroadsalt-3 (Clean Water Act)
33	CWA Sec.57	Prohibit	The storage of Snow	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storage snow-1 (Clean Water Act)
34	CWA Sec.58	Manage	The application of Non Agricultural Source Material (NASM)	Windsor IPZ-2	RMO - Windsor	S	W2-appINASM-1 (Clean Water Act)
35	CWA Sec.58	Manage	The storage of Non Agricultural Source Material (NASM)	Windsor IPZ-2	RMO - Windsor	S	W2-storageNASM-1 (Clean Water Act)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
36	CWA Sec.58	Manage	The application of Pesticide	Windsor IPZ-1, Windsor IPZ-2, Amherstburg IPZ-1 and Lakeshore IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIWA111 applIPesticide-1 (Clean Water Act)
37	CWA Sec.58	Manage	Storage of pesticide	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIA111-storagepesticide-1 (Clean Water Act)
38	CWA Sec.58	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	RMO - Windsor, Amherstburg, Lakeshore, Kingsville, Essex, Learnington, Lasalle, Tecumseh	S	SLWA123-handlestorefuel-1 (Clean Water Act)
39	Specify Action	Manage	Sewage treatment plant bypass discharge to surface water	Windsor IPZ-2	Windsor	S	W2bypass-1 (Specify Action)
40	Specify Action	Manage	Sewage treatment plant effluent discharges (includes lagoons)	Windsor IPZ-2	Windsor	S	W2effluent-1 (Specify Action)
41	Specify Action	Manage	Combined Sewer Overflows (CSOs), bypass, effluent discharge 2	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	W1W2-combinedsewerbypasseffluent-1 (Specify Action)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
42	Govern Research	Manage	Combined Sewer Overflows (CSOs)	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	WIW2-combinedsewer-2 (Govern Research)
43	Education and Outreach (E&O)	Manage	Combined Sewer Overflows (CSOs), stormwater management	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	WIW2-combinedsewerstorm-3 (E&O)
44	Stewardship/Incentive	Manage	Combined Sewer Overflows (CSOs), bypass, effluent discharge	Windsor IPZ-1 and Windsor IPZ-2	Windsor, Tecumseh, ERCA	S	WIW2-combinedsewerbypasseffluent-4 (Stewardship/Incentive)
45	Municipal Act	Prohibit	Storage of sewage (e.g.: treatment plant tanks)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	WILIAI storage-1 (Municipal Act)
46	Specify Action	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	ERCA	S	SLWAI23-handlestorefuel-1 (Specify Action)
47	Land Use Planning	Manage	Application of Road Salt	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	WILIAI-RoadSalt-1 (Planning)
48	Land Use Planning	Manage	Application of Commercial Fertilizer to Land	Windsor IPZ-1, Lakeshore (Belle River) and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	WILIAI-fertland-1 (Planning)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
49	Land Use Planning	Prohibit	Use of Land as Livestock Grazing or Pasturing Land, an Outdoor Containment Area or Farm Animal Yard	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	WIW2LIAI-livgraz-1 (Planning)
50	Land Use Planning	Manage and Prohibit	Various	Windsor IPZ-1, Windsor IPZ-2, Amherstburg IPZ-1 and Lakeshore IPZ-1	Windsor, Amherstburg, Lakeshore	S	WIW2LIAI-officialplaninfo-1 (Planning)
51	Education and Outreach (E&O)	Manage	Industrial effluent discharges	Windsor IPZ-2, Amherstburg IPZ-1	ERCA	S	W2AI-industrialeff-1 (E&O)
52	Education and Outreach (E&O)	Manage	Storage of road salt and storage of snow	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1	ERCA	S	WIAI1storageSaltSnow-1 (E&O)
53	Education and Outreach (E&O)	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	ERCA	S	SLWA123-handlestorefuel-X (Education & Outreach)
54	Education and Outreach (E&O)		Application of untreated septage to land; Storage, treatment and discharge of tailings from mines; Land disposal of petroleum refining waste; Land disposal of hazardous waste; Land disposal of municipal waste; Land disposal of industrial or commercial waste; Storage of hazardous waste at disposal sites.	Amherstburg IPZ-1	ERCA	S	AI-waste-1 (E&O)

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
55	Education and Outreach (E&O)	Manage	Storage of pesticide, application of pesticide	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1, Windsor IPZ-2	ERCA	S	WIW2A11 applPesticide-1 (E&O)
56	Education and Outreach (E&O)	Manage	Various	all IPZs	ERCA	M,L	All IPZs (E & O)
57	Education and Outreach (E&O)	Manage	Various	HVAs and SGRAs and rural areas with private wells	ERCA	M,L	HVAs, SGRAs, Wells - 1 (E&O)
58	Stewardship/Incentive	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	ERCA	S	SLWA123-handlestorefuel-1 (Stewardship/Incentive)
59	Stewardship/Incentive	Manage	Various	HVAs and SGRAs and rural areas with private wells	ERCA	M,L	All IPZs, HVAs, SGRAs, Wells - 1 (Stewardship/Incentive)



360 Fairview Avenue West, Suite 311,  
Essex, Ontario, Canada N8M 1Y6  
phone: (519) 776-5209 fax: (519) 776-8688  
[www.essexregionsourcewater.org](http://www.essexregionsourcewater.org)

## NOTICE

December 23, 2011

Valerie Critchley, Clerk  
350 City Hall Square, Room 203  
Windsor, ON N9A 6S1

[vcritchley@city.windsor.on.ca](mailto:vcritchley@city.windsor.on.ca)

### RE: NOTICE OF PRE-CONSULTATION ON DRAFT SOURCE PROTECTION PLAN POLICIES

Dear Ms. Critchley,

We are writing to notify you that the Essex Region Source Protection Committee has begun preparation of a Source Protection Plan to protect municipal drinking water sources. This preparation includes drafting policies that will not only address existing significant threats, but prevent any new significant drinking water threats in the future.

This letter serves as a Notice for the purposes of Ontario Regulation 287/07 under the *Ontario Clean Water Act, 2006* to consult with bodies responsible for the implementation of the Source Protection Plan policies. You are receiving this notice because the Essex Region Source Protection Committee has drafted policies to protect drinking water sources and it is proposed your office will be responsible for implementing some of these policies through the municipality and through an appointment of a Risk Management Official. There are also other draft policies which may be of interest to your municipality.

The Assessment Report has identified threats as significant drinking water threats to municipal drinking water sources. To view these threats and the approved Assessment Report visit the following website: [http://www.essexregionsourcewater.org/resources/assessment\\_report.cfm](http://www.essexregionsourcewater.org/resources/assessment_report.cfm).

As part of our pre-consultation requirement for these draft policies (O. Reg. 287/07), we ask that you review and provide comment on the enclosed draft policies. The following information is attached in order to assist with your review:

- A list of draft policies proposed to be implemented by the City of Windsor, including those to be implemented through an appointment of a Risk Management Official; and other draft policies which may otherwise may be of interest to the City of Windsor;
- Implementation Considerations Summary Table;
- Outline regarding Clean Water Act policies implemented by Risk Management Official;
- Proposed draft policies, for review and comment;
- Maps of the subject 'vulnerable areas' (Intake Protection Zones)
- Summary list of all draft policies

December 23, 2011

Page 2

The reason(s) for the draft policies are described in brief in this Notice and in detail in the enclosed attachments. The Clean Water Act requires that significant threats to sources of drinking water be addressed through source protection policies. Policies for significant threats involve mandatory implementation if approved in the final Source Protection Plan. The policies have been grouped by tool used (e.g. land use planning) and then by threat type. In each case, a monitoring policy follows the threat policy it is associated with. Monitoring policies are required in order to monitor the effectiveness of the implementation measure taken to address the significant threat through the policy tool.

The draft policies have been developed in close collaboration with City of Windsor staff. We particularly appreciate the participation of Mario Sonego, City Engineer and Thom Hunt, City Planner on the Source Protection Committee (SPC), as well as the involvement of others in the City's Planning and Engineering/Environmental Departments. One of the most important considerations on the part of the SPC is to ensure that local implementation costs are reasonable. Wherever possible, policy approaches rely on existing regulations implemented by the Province. In some cases, land use planning approaches are used, which primarily rely on existing requirements. The new Clean Water Act policies are used to address significant drinking water threats only when other policy approaches are not available.

The Implementation Considerations associated with the various policies are summarized in the attached Implementation Considerations Summary Table. This includes a preliminary indication of the approximate level of effort or cost which may be involved. The implementation of the policies is not expected to be onerous. In most cases the affected areas are small, and the potential significant threats are unlikely to occur. Exceptions include the existing threats associated with sewage, and large volumes of fuel, however the proposed policies provide for these threats to be readily managed.

Some of the draft policies require implementation by Risk Management Official(s). The Clean Water Act identifies municipalities as 'default' implementers of these policies. To that end, each municipality would need to designate staff for this purpose. Alternatively, the RMO services could be delivered cost effectively by ERCA's staff responsible for various other aspects of Source Water Protection. Please refer to the attached outline regarding Clean Water Act Policies implemented by RMOs, for more information in this regard.

Other draft policies, in addition to those proposed to be implemented by the City of Windsor, have also been enclosed in this Notice for information and comment from your municipality. In particular, some of the policies to be implemented by the ERCA, will help to bring about awareness of the sensitivity of the intake protection zones to various potential threats, including spills from transportation corridors, and will assist in spills response and help spills prevention. These policies complement and enhance the proposed policy for signage which may be implemented as a partnership involving the MTO and municipalities. Another policy to be implemented by ERCA involves the development of a Region-wide inventory of large above ground fuel storage facilities, which will assist in implementation of other



December 23, 2011

Page 3

policies. ERCA will also be encouraging and assisting municipalities in updating their Emergency Plans.

This is your first opportunity to provide comments on these draft policies. Comments received as part of this Pre-Consultation process will be reviewed by the Source Protection Committee and possible changes made to policies prior to further consultation. In May 2012, the committee plans to post a draft source protection plan on the Internet for public review and comment. We will be providing you a Notice of that posting and you will be able to provide comments again at that time. Further, it is intended that the proposed source protection plan will be posted near the end of June 2012 for a final round of public consultation before being submitted to the Minister of the Environment for approval.

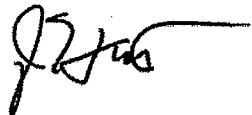
To provide the committee with enough time to review and consider your comments before the draft is made available publicly, we ask that you **please submit any feedback on the draft policies by January 31<sup>st</sup>, 2012** to Stan Taylor, P.Eng., Source Water Program Manager:

c/o Essex Region Conservation Authority  
360 Fairview Avenue West, Suite 311  
Essex, ON N8M 1Y6

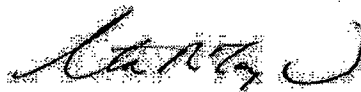
Email: [staylor@erca.org](mailto:staylor@erca.org)  
Phone: 519-776-5209 ext 354

Thank you for your ongoing assistance with the Drinking Water Source Protection Program. Please contact the above for more information or if you have any questions. If you wish to meet to discuss the attached draft policies, please contact us.

Sincerely,



Tom Fuerth  
Chair, Source Protection Committee



Stan Taylor, P. Eng.  
Project Manager, Source Water Protection

**Encl:**

1. A list of draft policies proposed to be implemented by the City of Windsor, including those to be implemented through an appointment of a Risk Management Official; and other draft policies which may otherwise be of interest to the City of Windsor;
2. Implementation Considerations Summary Table;
3. Outline regarding Clean Water Act policies implemented by Risk Management Official;
4. Proposed draft policies, for review and comment;
5. Maps of the subject 'vulnerable areas' (Intake Protection Zones);
6. Summary list of all draft policies

**Table 1: Essex Region List of Source Protection Draft Policies Proposed to be Implemented by the City of Windsor**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
1	Land Use Planning	Manage	Application of Road Salt	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	W1L1A1-RoadSalt-1 (Planning)
2	Land Use Planning	Manage	Application of Commercial Fertilizer to Land	Windsor IPZ-1, Lakeshore (Belle River) and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	W1L1A1-fertland-1 (Planning)
3	Land Use Planning	Prohibit	Use of Land as Livestock Grazing or Pasturing Land, an Outdoor Containment Area or Farm Animal Yard	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	W1W2L1A1-livgraz-1 (Planning)
4	Land Use Planning	Manage and Prohibit	Various	Windsor IPZ-1, Windsor IPZ-2, Amherstburg IPZ-1 and Lakeshore IPZ-1	Windsor, Amherstburg, Lakeshore	S	W1W2A1L1-officialplaninfo-1 (Planning)
5	Municipal Act	Prohibit	Storage of sewage (e.g.: treatment plant tanks)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	Windsor, Amherstburg, Lakeshore	S	W1L1A1storage-1 (Municipal Act)
6	Specify Action	Manage	Sewage treatment plant bypass discharge to surface water	Windsor IPZ-2	Windsor	S	W2bypass-1 (Specify Action)
7	Specify Action	Manage	Sewage treatment plant effluent discharges (includes lagoons)	Windsor IPZ-2	Windsor	S	W2effluent-1 (Specify Action)
8	Specify Action	Manage	Combined Sewer Overflows (CSOs), bypass, effluent discharge	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	W1W2-combinedsewerbypasseffluent-1 (Specify Action)

**Table I Continued.**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
9	Govern Research	Manage	Combined Sewer Overflows (CSOs)	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	WIW2-combinedsewer-2 (Govern Research)
10	Education and Outreach (E&O)	Manage	Combined Sewer Overflows (CSOs), stormwater management	Windsor IPZ-1 and Windsor IPZ-2	Windsor	S	WIW2-combinedsewerstorm-3 (E&O)
11	Stewardship/Incentive	Manage	Combined Sewer Overflows (CSOs), bypass, effluent discharge	Windsor IPZ-1 and Windsor IPZ-2	Windsor, Tecumseh, ERCA	S	WIW2-combinedsewerbypass-4 (Stewardship/Incentive)
12	Specify Action	Manage	The transportation of organic solvents, dense non-aqueous phase liquids (DNAPLs), fuels, pesticides/herbicides, fertilizers	All IPZ-1s, IPZ-2s and IPZ-3s	MTO and Municipalities	S, M, L	All 23-transportcorridor-3 (Specify Action)
13	CWA Sec.59	Restricted Land Use	The storage of Road Salt	Windsor IPZ-1, Amherstburg IPZ-1 and Lakeshore (Belle River) IPZ-1	Windsor, Amherstburg, Lakeshore	S	WIA11-storage-roadsalt-3 (Clean Water Act)

**Table 2: Essex Region Source Protection List of Draft Policies Proposed to be Implemented by RMO to be appointed by Municipality**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
1	CWA Sec.58	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1,2,3	RMO - Windsor, Amherstburg, Lakeshore, Kingsville, Essex, Leamington, Lasalle, Tecumseh	S	SLWA123-handlestorefuel-1 (Clean Water Act)
2	CWA Sec.58	Manage	The application of Pesticide	Windsor IPZ-1, Windsor IPZ-2, Amherstburg IPZ-1 and Lakeshore IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIWZAIL1applPesticide-1 (Clean Water Act)
3	CWA Sec.58	Manage	Storage of pesticide	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIAIL1-storagepesticide-1 (Clean Water Act)
4	CWA Sec.58	Manage	The application of Non Agricultural Source Material (NASM)	Windsor IPZ-2	RMO - Windsor	S	W2-applNASM-1 (Clean Water Act)
5	CWA Sec.58	Manage	The storage of Non Agricultural Source Material (NASM)	Windsor IPZ-2	RMO - Windsor	S	W2-storageNASM-1 (Clean Water Act)
6	CWA Sec.57	Prohibit	The application of Agricultural Source Material (ASM)	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIWZLIA1-applASM-1 (Clean Water Act)

**Table 2 Continued.**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
7	CWA Sec.57	Prohibit	The storage of Agricultural Source Material (ASM)	Windsor IPZ-1, Windsor Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WIWZLIAI-storageASM-1 (Clean Water Act)
8	CWA Sec.57	Prohibit	The application of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-applNASM-1 (Clean Water Act)
9	CWA Sec.57	Prohibit	The storage of Non Agricultural Source Material (NASM)	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storageNASM-1 (Clean Water Act)
10	CWA Sec.57	Prohibit	The storage of Road Salt	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storageroadsalt-1 (Clean Water Act)
11	CWA Sec.57	Prohibit	The storage of Snow	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	RMO - Windsor, Amherstburg, Lakeshore	S	WILIAI-storage snow-1 (Clean Water Act)

**Table 3: List of Other Essex Region Draft Policies that may be of interest to the City of Windsor**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
1	Specify Action	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1, 2, 3	ERCA	S	SLWA123-handlestorefuel-1 (Specify Action)
2	Education and Outreach (E&O)	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1, 2, 3	ERCA	S	SLWA123-handlestorefuel-X (Education & Outreach)
3	Stewardship/Incentive	Manage	The handling and storage of fuel	Stoney Point, Lakeshore, Windsor and Amherstburg IPZ-1, 2, 3	ERCA	S	SLWA123-handlestorefuel-1 (Stewardship/Incentive)
4	Specify Action	Manage	The transportation of organic solvents, dense non-aqueous phase liquids (DNAPLs), fuels, pesticides/herbicides, fertilizers	All IPZ-1s, IPZ-2s and IPZ-3s	ERCA	M,L	All123-transportcorridor-1 (Specify Action)
5	Education and Outreach (E&O)	Manage	Industrial effluent discharges	Windsor IPZ-2, Amherstburg IPZ-1	ERCA	S	W2A1-industrialeff-1 (E&O)
6	Education and Outreach (E&O)	Manage	Storage of road salt and storage of snow	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1	ERCA	S	W1A1I1storageSaltSnow-1 (E&O)
7	Education and Outreach (E&O)	Manage	Storage of pesticide, application of pesticide	Windsor IPZ-1, Amherstburg IPZ-1, Lakeshore (Belle River) IPZ-1, Windsor IPZ-2	ERCA	S	W1W2A1I1applPesticide-1 (E&O)
8	Education and Outreach (E&O)	Manage	Various	all IPZs	ERCA	M,L	All IPZs (E & O)
9	Education and Outreach (E&O)	Manage	Various	HVAs and SGRAs and rural areas with private wells	ERCA	M,L	HVAs, SGRAs, Wells -1 (E&O)
10	Stewardship/Incentive	Manage	Various	HVAs and SGRAs and rural areas with private wells	ERCA	M,L	All IPZs, HVAs, SGRAs, Wells -1 (Stewardship/Incentive)

**Table 3 Continued.**

No.	TOOL	Approach	Subthreat/Threat	Vulnerable Area	Proposed Implementer	Threat Level	Policy No.
11	Certificate of Approval - OWRA	Prohibit	Combined sewer discharge from a stormwater outlet to surface water	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2LIAI-combinedsewer-1 (Prescribed Instrument)
12	Certificate of Approval - OWRA	Prohibit	Sewage treatment plant bypass discharge to surface water, Sewage treatment plant effluent discharges (includes lagoons), Storage of sewage	Windsor IPZ-1, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1LIAI-bypass/effluent/storage-1 (Prescribed Instrument)
13	Certificate of Approval - OWRA	Manage	Storage of sewage	Windsor IPZ-1	MOE	S	W1-storage-1 (Prescribed Instrument)
14	Certificate of Approval - OWRA	Manage	Storm water management	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2LIAI-stormwater-1 (Prescribed Instrument)
15	Certificate of Approval - OWRA	Prohibit	Industrial effluent discharges	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2LIAI-industrialeff-1 (Prescribed Instrument)
16	Certificate of Approval - OWRA	Manage	Industrial effluent discharges	Windsor IPZ-1, Windsor IPZ-2, Lakeshore (Belle River) IPZ-1 and Amherstburg IPZ-1	MOE	S	W1W2LIAI-industrialeff-2 (Prescribed Instrument)
17	Certificate of Approval - OWRA	Manage	Sewage treatment plant bypass discharge to surface water, Sewage treatment plant effluent discharges (includes lagoons)	Windsor IPZ-2	MOE	S	W2-bypass/effluent-1 (Prescribed Instrument)

