

# **Agricultural Policies from the Maitland Valley Source Protection Plan**

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## **Agricultural Policies – Agricultural Source Material (ASM), Non-Agricultural Source Material (NASM), Commercial Fertilizer and Pesticides Application and Storage**

### **Policy A.9.1 – Section 57 Prohibition of Existing and Future ASM and NASM Application and Storage**

Within Wellhead Protection Area A, any existing or future ASM or NASM application or storage where it is or would be a significant drinking water threat, is designated for the purposes of Section 57 of the *Clean Water Act, 2006* as prohibited. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) the Agricultural Source Materials (ASM) application and storage in any quantity
- b) the Non-Agricultural Source Materials (NASM) application and storage in any quantity

As per Section 57 (2) of the *Act*, where this policy applies to existing activities, the prohibition of those activities shall not take effect until 180 days after the plan takes effect.

### **Policy A.9.2 – Risk Management Plan for Existing and Future ASM and NASM Application**

Within Wellhead Protection Area B, where the vulnerability score is 10, any existing or future application of ASM or NASM where it is or would be a significant drinking water threat, is designated for the purpose of Section 58 of the *Clean Water Act*, and requires a Risk Management Plan. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) Agricultural Source Materials (ASM) in any quantity,
- b) the application of Non-agricultural Source Materials (NASM) where either:
  - i. the material is removed from a meat plant or sewage works or
  - ii. the livestock density (according to livestock density mapping) is greater than 1 nutrient unit / acre, or
  - iii. the percentage of managed land is greater than 80%.

The Risk Management Official shall negotiate or establish a Risk Management Plan with the person engaged in the designated threat activity within three years of the Plan coming into effect. The RMP shall include terms and conditions which when implemented will ensure that existing operations continue to function in a manner which minimizes the risk to sources of municipal drinking water. Prescribed Instruments such as Nutrient Management Strategies, Nutrient Management Plans or NASM Plans are expected to form the basis of the Risk Management Plan.

**Policy A.9.3 – Risk Management Plan for Existing ASM and NASM Storage in WHPA-B**

Within Wellhead Protection Area B where the vulnerability score is 10, any existing storage of ASM or NASM where it is a significant threat is designated for the purpose of Section 58 of the *Clean Water Act*, and requires a Risk Management Plan. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) Agricultural Source Materials (ASM) in any quantity,
- b) Non-Agricultural Source Materials (NASM) where either:
  - i. the storage is at or above grade and the mass of nitrogen is greater than 5 tonnes, or
  - ii. the storage is in a permanent nutrient storage facility below grade or partially above grade where the mass of nitrogen is at least 0.5 tonnes, or
  - iii. the NASM being stored contains material generated by a meat plant

The Risk Management Official shall negotiate or establish a Risk Management Plan with the person engaged in the designated threat activity within three years of the Plan coming into effect. The RMP shall include terms and conditions which when implemented will ensure that existing operations continue to function in a manner which minimizes the risk to sources of municipal drinking water. Prescribed Instruments such as Nutrient Management Strategies, Nutrient Management Plans or NASM Plans are expected to form the basis of the Risk Management Plan.

**Policy A.9.4 – Section 57 Prohibition of Future ASM and NASM Storage in WHPA-B**

For those lands located within a Wellhead Protection Area B where the vulnerability score is 10, any ASM or NASM storage where it would be a significant drinking water threat (future), is designated for the purpose of Section 57 of the *Clean Water Act*, as prohibited. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances);

- a) the storage of Agricultural Source Materials (ASM) in any quantity.
- b) the storage of Non-agricultural Source Materials(NASM) where either:
  - i. the storage is at or above grade and the mass of nitrogen is greater than 5 tonnes, or
  - ii. the storage is in a permanent nutrient storage facility below grade or partially above grade where the mass of nitrogen is at least 0.5 tonnes, or
  - iii. the NASM being stored contains material generated by a meat plant.

**Policy A.9.5 – Risk Management Plan for Existing and Future Commercial Fertilizer and Pesticide Storage**

Within a wellhead protection area where the vulnerability score is 10, any existing or future commercial fertilizer or pesticide application where it is or would be a significant drinking water threat, is designated for the purpose of Section 58 of the *Clean Water Act*, and requires a Risk Management Plan. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) the application of commercial fertilizers where either
  - i. the livestock density (according to livestock density mapping) is greater than 1.0 nutrient unit/acre or
  - ii. the percentage of managed land is greater than 80%.
- b) the application of pesticides to an area of land greater than 1 hectare resulting in the presence of chemicals listed in the MOE Table of Circumstances.

The Risk Management Official shall negotiate or establish a Risk Management Plan with the person engaged in the designated threat activity within three years of the Plan coming into effect. The RMP is to contain, at a minimum, structural or management alterations (if any) which when implemented will ensure that existing operations continue to function in a manner which minimizes the risk to sources of municipal drinking water. Prescribed Instruments such as Nutrient Management Strategies or Nutrient Management Plans are expected to form the basis of the Risk Management Plan.

**Policy A.9.6 – Risk Management Plan for Existing Commercial Fertilizer and Pesticide Application**

Within a wellhead protection area where the vulnerability score is 10, any existing commercial fertilizer or pesticide storage where it is a significant drinking water threat is designated for the purpose of Section 58 of the *Clean Water Act*, and requires a Risk Management Plan. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) the storage of commercial fertilizers where the mass of materials, in any form, is greater than 2,500 kilograms
- b) the storage of pesticides for retail sale or extermination and the mass of materials is greater than 250 kilograms or
- c) the storage of pesticides where they are manufactured, processed or wholesaled and the mass of materials is greater than 2,500 kilograms.

The Risk Management Official shall negotiate or establish a Risk Management Plan with the person engaged in the designated threat activity within three years of the Plan coming into effect. The RMP is to contain, at a minimum, structural or management alterations (if any) which when implemented will ensure that existing operations continue to function in a manner which minimizes the risk to sources of municipal drinking water. Prescribed Instruments such as Nutrient Management Strategies or Nutrient Management Plans are expected to form the basis of the Risk Management Plan.

**Policy A.9.7 – Section 57 Prohibition of Future Commercial Fertilizer and Pesticide Storage**

For those lands located within a wellhead protection area where the vulnerability score is 10, any commercial fertilizer or pesticide storage where it would be a significant drinking water threat (future), is designated for the purpose of Section 57 of the *Clean Water Act*, as prohibited. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances);

- a) the storage of commercial fertilizers where the mass of materials, in any form, is greater than 2,500 kilograms
- b) the storage of pesticides for retail sale or extermination and the mass of materials is greater than 250 kilograms or
- c) the storage of pesticides where manufactured, processed or wholesaled and the mass of materials is greater than 2,500 kilograms.

**Policy A.9.8 – Education and Outreach for Existing ASM, NASM, Pesticides and Commercial Fertilizer Storage and Application**

Within one year of the Plan coming into effect, municipalities, in collaboration with the lead Source Protection Authority (SPA), shall implement an outreach and education program, developed by the lead SPA, for delivery to all landowners within their jurisdiction located within a wellhead protection area where the vulnerability score is 10, and apply or store ASM, NASM, commercial fertilizer or pesticide where it is a significant drinking water threat. This includes, for example, but is not limited to the following (for full circumstance details refer to the MOE Tables of Circumstances):

- a) agricultural source material (ASM) in any quantity
- b) non-agricultural source material (NASM) where either:
  - i. the storage is at or above grade and the mass of nitrogen is greater than 5 tonnes or
  - ii. the storage is in a permanent nutrient storage facility below grade or partially above grade where the mass of nitrogen is at least 0.5 tonnes or
  - iii. the NASM being stored contains material generated by a meat plant or
  - iv. the NASM being applied contains material generated by a meat plant or sewage works
  - v. the livestock density (according to livestock density mapping) is sufficient to annually apply the NASM at a rate greater than 1.0 nutrient unit per acre or
  - vi. the application area has a managed lands percentage of greater than 80%
- c) commercial fertilizer where either:
  - i. it is stored for retail sale or application in quantities in excess of 2,500 kg or
  - ii. the livestock density (according to livestock density mapping) is greater than 1 nutrient unit per acre or
  - iii. the percentage of managed land is greater than 80%
- d) pesticides where either:
  - i. it is used for the purposes of extermination and is stored in quantities greater than 250 kg or
  - ii. it is applied on lands greater than 1 ha.

The outreach and education program is intended to inform affected landowners of risks to sources of local municipal drinking water and help identify means by which such risks can be minimized.