
SOME OF THE LEGISLATION AND GUIDELINES PROTECTING WATER RESOURCES

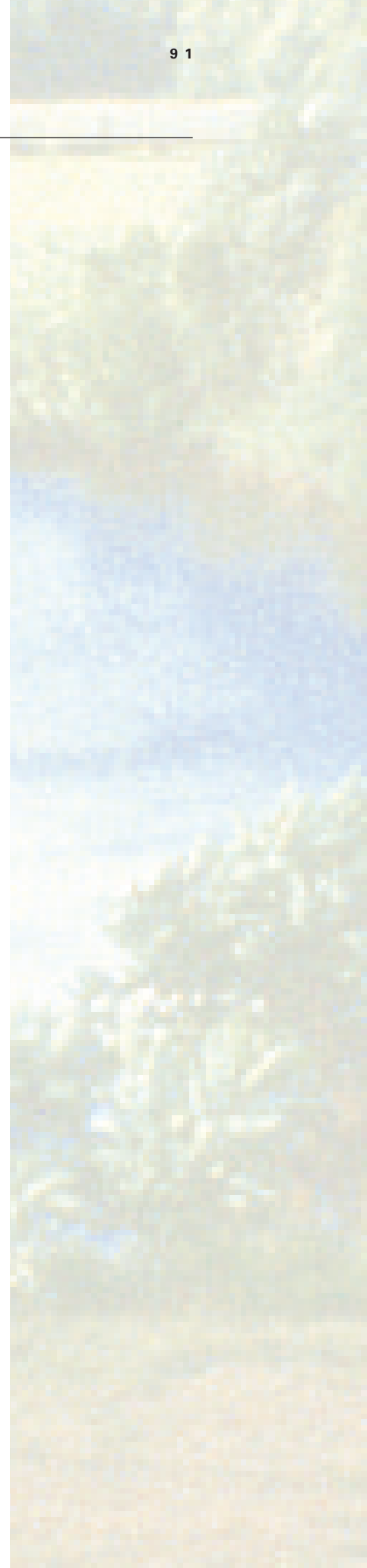
To protect your rights and the rights of future water users, federal, provincial, and local governments have created a number of laws and guidelines to ensure an abundant supply of clean water.

The large number of laws and guidelines protecting your water resources can be confusing. In part, this is the result of all three levels of government attempting to manage water or issues related to water. Control over water resources has never been clearly allocated to any one level of government in our constitution.

Other laws have developed as a response to specific pollution problems. The Pesticide Act evolved from a growing awareness of health risks and water pollution problems associated with the improper use of pesticides. Similarly, the Gasoline Handling Act was a response to problems of inadequate private fuel storage facilities.

This list describes some water-related laws and guidelines that can directly influence a farmer's operation. Please note: additional local zoning bylaws and other legislation may also have a bearing on what you do!

If you have concerns or questions regarding water management on your property, be sure to contact relevant government agencies, and be aware of bylaws in your area.



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LAW/GUIDELINE	GOVERNMENT AGENCY	GOAL	RELEVANCE TO LANDOWNER
Agricultural Code of Practice (Certificate of Compliance)	OMAF, MOEE, Ministry of Housing	<ul style="list-style-type: none"> to provide guidelines for livestock operations to minimize land, water, and air pollution potential 	<ul style="list-style-type: none"> best management practices are described to reduce pollution potential associated with livestock operations if requested by the landowner, an application for a Certificate of Compliance can be made and an inspection of the farming operation performed; if conditions outlined in the Code of Practice are satisfied, a Certificate of Compliance will be issued
Common Law	Provincial Courts	<ul style="list-style-type: none"> generally, to protect the rights of the people 	<ul style="list-style-type: none"> all landowners bordering water are entitled to have water flow through in its natural state (this relates to both water quality and quantity)
Conservation Authorities Act	MNR, Local Conservation Authority	<ul style="list-style-type: none"> to manage and conserve natural resources within watershed jurisdiction 	<ul style="list-style-type: none"> regulations may be in place controlling construction or the placement of fill adjacent to a watercourse
Dead Animal Disposal Act	OMAF	<ul style="list-style-type: none"> to provide for the safe disposal of deadstock 	<ul style="list-style-type: none"> deadstock must be disposed of in accordance with regulations (i.e. within 48 hours, buried under 0.6 metres of earth, disposed of by a licensed collector)
Drainage Act	OMAF	<ul style="list-style-type: none"> to allow landowners to obtain an improved outlet for their land drainage 	<ul style="list-style-type: none"> provides financial assistance for drain construction and maintenance general prohibition against the discharge of polluting substances into a drain controls activities in or near a drain and connections to a drain
Environmental Protection Act	MOEE	<ul style="list-style-type: none"> to protect Ontario's land, water, and air resources from pollution 	<ul style="list-style-type: none"> contaminants are not allowed to be discharged into the environment in excess of regulatory limits farmers are exempt from requiring a Certificate of Approval for agricultural structures or equipment (i.e. manure storage)
Fisheries Act	MNR, on behalf of Dept. of Fisheries and Oceans, MOEE, and Environment Canada	<ul style="list-style-type: none"> to protect fish and fisheries habitat 	<ul style="list-style-type: none"> general prohibitions against discharging pollutants to a watercourse that would harm fish or fish habitat general prohibitions against stream alterations that would harm fish habitat
Gasoline Handling Act	MCCR	<ul style="list-style-type: none"> to protect land, surface and ground water resources from damage by petroleum products 	<ul style="list-style-type: none"> minimum standards are set regarding farm fuel storage

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Health Protection and Promotion Act	MOH	<ul style="list-style-type: none"> to minimize situations where human health may be threatened 	<ul style="list-style-type: none"> landowners whose operations have created a health hazard, i.e. contaminated water, may be required to correct the situation or cease activities causing the contamination
Lakes and Rivers Improvement Act	MNR	<ul style="list-style-type: none"> to ensure flow and water level characteristics of lakes and rivers are not altered to the point of disadvantaging other water users 	<ul style="list-style-type: none"> any work forwarding, holding back, or diverting water must receive prior approval from MNR
Ontario Water Resources Act	MOEE	<ul style="list-style-type: none"> to protect the quality and quantity of Ontario's surface and ground water resources 	<ul style="list-style-type: none"> general prohibitions against discharging pollutants to surface or ground water permits are required for the taking of large amounts of surface or ground water, i.e. for irrigation
Pesticides Act	MOEE	<ul style="list-style-type: none"> to protect Ontario's land, and surface and ground water resources from damage due to improper use of pesticides 	<ul style="list-style-type: none"> landowners involved in pesticide application as part of a business (farming) are required to take a Grower Pesticide Safety Course regulations are set regarding pesticide storage, e.g. warning sign identifying the storage site, proper ventilation, no floor drains, concrete impervious floors
Planning Act	MMA, Municipality	<ul style="list-style-type: none"> to reduce land use conflicts between neighbours within the township 	<ul style="list-style-type: none"> minimum setbacks may be established between watercourses and structures minimum standards may be set for manure storage construction to reduce water pollution potential (check your local zoning by-laws)
Wetlands Policy Statement	MMA/MNR	<ul style="list-style-type: none"> to protect wetlands 	<ul style="list-style-type: none"> wetlands are protected under the authority of section 3 of the Planning Act
Public Lands Act	MNR	<ul style="list-style-type: none"> to protect and perpetuate public lands and waters for the citizens of Ontario 	<ul style="list-style-type: none"> requires a landowner to obtain a work permit for any activity on shorelands adjacent to a navigable water shorelands include public or private lands as well as areas that are seasonally inundated with water the bed of a navigable water (below the high water mark) is considered to be public (Crown) land

MNR Ontario Ministry of Natural Resources
MOEE Ontario Ministry of the Environment and Energy
OMAF Ontario Ministry of Agriculture and Food

MCCR Ontario Ministry of Consumer and Commercial Relations
MOH Ontario Ministry of Health
MMA Ontario Ministry of Municipal Affairs

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Contributing Writers: Karen Maaskant, Brad Glasman, P.Eng., and Ian Wilcox, Upper Thames River Conservation Authority.

Participating Agencies: Agriculture and Agri-food Canada, Canadian Wildlife Service, Environment Canada, Ontario Ministry of Agriculture and Food, Ontario Ministry of Natural Resources, Ontario Ministry of Environment and Energy, Ontario Soil and Crop Improvement Association, Oxford County Board of Health, Upper Thames River Conservation Authority.

Technical Coordinator: Ted Taylor, Ontario Ministry of Agriculture and Food.

Task Team: Theo Beukeboom and Murray Blackie, Ontario Ministry of Environment and Energy; Mike Bragg, Oxford County Board of Health; David Hayman, Upper Thames River Conservation Authority; Steven Kerr, Ontario Ministry of Natural Resources; Laurie Maynard, Canadian Wildlife Service; Bill Orth, Ontario Soil and Crop Improvement Association; Jim Myslik and Sid Vander Veen, Ontario Ministry of Agriculture and Food.

Steering Committee: Cecil Bradley, Ontario Federation of Agriculture; Gary Nelson, Agriculture and Agri-food Canada; Ted Taylor, Ontario Ministry of Agriculture and Food.

Editorial Coordinator: Alison Lane.

Graphic Designer: Neglia Design Inc.

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