

Provincial Regulations:

Regulatory setbacks in O. Reg. 267/03 made under the Nutrient Management Act (NMA; 2002) that apply to commercial fertilizer include:

Setbacks from Wells

46. (1) No person shall apply nutrients to land closer than 100 metres to a municipal well. O. Reg. 338/09, s. 43.

(2) No person shall apply prescribed materials to land closer than 15 metres to a drilled well that has a depth of at least 15 metres and a watertight casing to a depth of at least six metres below ground level. O. Reg. 338/09, s. 43.

(3) No person shall apply the following to land closer than 30 metres to a well, other than a well described in subsection (1) or (2):

1. Agricultural source materials.

2. Non-agricultural source materials that are both CM1 and CP1. O. Reg. 338/09, s. 43.

(4) No person shall apply non-agricultural source materials that are CM2 or CP2 to land closer than 90 metres to a well, other than a well described in subsection (1) or (2). O. Reg. 338/09, s. 43.

(5) No person shall apply commercial fertilizer or compost that meets the requirements for Category AA or A compost in Part II of the Compost Standards to land closer than three metres to a water well that is not a municipal well. O. Reg. 284/12, s. 2 (2).

Requirement for vegetated buffer zone

52. (1) No person shall apply nutrients to a field that contains or is adjacent to surface water unless there is a vegetated buffer zone in the field that is adjacent to the surface water and that lies between the surface water and where the nutrients are applied. O. Reg. 338/09, s. 43.

(2) Subsection (1) does not apply in relation to the application of nutrients to a field that is composed of organic soils. O. Reg. 338/09, s. 43.

(3) No person shall apply nutrients within the vegetated buffer zone except for an amount of commercial fertilizer that is reasonable to establish or maintain the vegetation of the vegetated buffer zone. O. Reg. 338/09, s. 43.

(4) For the purposes of subsection (3), a person applies an amount of commercial fertilizer that is reasonable to establish or maintain the vegetation of a vegetated buffer zone if the person applies the fertilizer,

(a) in accordance with a determination of the concentration of plant available phosphorus and plant available potassium in the soil of the vegetated buffer zone;

(b) in accordance with the Agronomy Guide for Field Crops; and

(c) in such a manner that the agronomic balance does not exceed zero. O. Reg. 338/09, s. 43; O. Reg. 284/12, s. 7 (1).

(5) The determination of the concentration described in clause (4) (a) shall be made using,

(a) the results of an analysis of a sample of the soil performed in accordance with section 94; or

(b) the following concentrations:

(i) 101 milligrams of plant available phosphorus per litre of soil,

(ii) 251 milligrams of plant available potassium per litre of soil. O. Reg. 338/09, s. 43.

(6) No person shall apply materials containing nitrogen and phosphorus to any part of the field, whether or not within the vegetated buffer zone, that is within 13 metres from the top of the nearest bank of the surface water. O. Reg. 338/09, s. 43.

(7) Despite subsection (6), a person may apply commercial fertilizers, agricultural source materials or NASM that is CM1 and CP1 within the 13 metres from the top of the nearest bank of the surface water if the application is done in accordance with this Regulation and at least one of the following conditions is satisfied:

1. The materials are applied by injection or placement in a band below the soil surface.
2. The materials are incorporated within 24 hours of application.
3. The materials are applied to land covered with a living crop.
4. The materials are applied to land with crop residue covering at least 30 per cent of the soil, as determined in accordance with the Nutrient Management Protocol. O. Reg. 338/09, s. 43; O. Reg. 284/12, s. 7 (2).

These standards only apply to fields that are phased-in to the regulation (see S. 41).

- i. Sections 52.3 and 52.6 apply in respect of all agricultural operations. O. Reg. 338/09, s. 43.
- ii. Sections 42 to 52.2, 52.4, 52.5 and 52.7 to 52.13 apply as follows:
 - a. If this Regulation requires an agricultural operation to have a nutrient management plan, those sections apply to the application of nutrients to land in the course of the operation.
 - b. If this Regulation requires an agricultural operation to have a NASM plan, those sections apply to the application of nutrients to the relevant NASM application area.
 - c. If Category 1 NASM is applied to a NASM application area in the course of an agricultural operation, those sections apply to the application of nutrients to the NASM application area during the calendar year in which the Category 1 NASM is applied. O. Reg. 338/09, s. 43.

Municipal Regulations:

In O. Reg. 284/07 the Clean Water Act (CWA, 2006) identifies the below source protection regions that cover the 36 source protection areas in Ontario. Please visit the source protection region(s) for your area to review the protection areas in your region. Any growers in a known source protection area with a Risk Management Plan in place are asked to self identify on the grower sign-off sheet.

Item	Name of Source Protection Region	Source Protection Areas	Lead Source Protection Authority
1.	Ausable Bayfield Maitland Valley Source Protection Region	Ausable Bayfield Source Protection Area, Maitland Valley Source Protection Area.	Ausable-Bayfield Conservation Authority
2.	CTC Source Protection Region	Central Lake Ontario Source Protection Area, Credit Valley Source Protection Area, Toronto And Region Source Protection Area	Toronto and Region Conservation Authority
3.	Halton-Hamilton Source Protection Region	Halton Region Source Protection Area, Hamilton Region Source Protection Area	Halton Region Conservation Authority
4.	Lake Erie Source Protection Region	Catfish Creek Source Protection Area, Grand River Source Protection Area, Kettle Creek Source Protection Area, Long Point Region Source Protection Area	Grand River Conservation Authority
5.	Mississippi-Rideau Source Protection Region	Mississippi Valley Source Protection Area, Rideau Valley Source Protection Area	Rideau Valley Conservation Authority
6.	Raisin-South Nation Source Protection Region	Raisin Region Source Protection Area, South Nation Source Protection Area	Raisin Region Conservation Authority
7.	Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region	Grey Sauble Source Protection Area, Northern Bruce Peninsula Source Protection Area, Saugeen Valley Source Protection Area	Saugeen Valley Conservation Authority

8.	South Georgian Bay-Lake Simcoe Source Protection Region	Lakes Simcoe and Couchiching/Black River Source Protection Area, Nottawasaga Valley Source Protection Area, Severn Sound Source Protection Area	Lake Simcoe Region Conservation Authority
9.	Thames-Sydenham and Region Source Protection Region	Lower Thames Valley Source Protection Area, St. Clair Region Source Protection Area, Upper Thames River Source Protection Area	Upper Thames River Conservation Authority
10.	Trent Conservation Coalition Source Protection Region	Crowe Valley Source Protection Area, Ganaraska Region Source Protection Area, Kawartha-Haliburton Source Protection Area, Lower Trent Source Protection Area, Otonabee-Peterborough Source Protection Area	Lower Trent Region Conservation Authority

Source:

- [Clean Water Act, 2006](#)
- [Nutrient Management Act, 2002](#)