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## Thames – Sydenham and Region Source Protection Committee

# Meeting Notice

Please be advised that a meeting of the Thames-Sydenham and Region Source Protection Committee has been called for the following time. If you are unable to attend please contact Erin Carroll at 519-245-3710x 46.

**Meeting Date:** January 8, 2010

**Meeting Time:** 9:00 am to 3:00 pm

**Meeting Location:** St. Clair Conservation Authority office

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### *Proposed Agenda*

<b>Item</b>	<b>Time</b>
1. Chair's Welcome	9:00
2. Adoption of the Agenda	
3. Delegations	
4. Minutes From the Previous Meeting	
5. Declaration of Conflict of Interest	
6. Business arising from the minutes	
a. Wallaceburg IPZ-2 (presentation)	
b. Tier 1 Water Budget	
7. Business	10:00
a. LTV AR Sections	
i. Background	
ii. Watershed Characterization	
iii. Water Budget	
iv. Vulnerability Assessment	
v. Issues Evaluation	
vi. Conditions	
vii. Threats and Risk Assessment	
viii. Great Lakes	
ix. Data Gaps	
b. LTV AR Maps	
Lunch	12:00
c. LTV AR Threats Tables	
d. LTV AR System Summaries	
e. LTV AR Section Summaries	
f. For Approval - Notification of Significant Threats	
g. Meeting Schedule	
8. Information	
a. Managed Lands Technical Bulletin	
b. Geothermal Technical Bulletin	
c. DRAFT - Deadstock Disposal Technical Bulletin	
9. In Camera Session	
10. Other business	

11. MOE Liaison report
12. Members reports
13. Adjournment

3:00

### ***Meeting Materials***

<b>Agenda Item</b>	<b>Description</b>
2010.01.4.	<ul style="list-style-type: none"> <li>• December minutes</li> </ul>
2010.01.7a.	<ul style="list-style-type: none"> <li>• LTV AR Sections</li> </ul>
2010.017b.	<ul style="list-style-type: none"> <li>• LTV Maps</li> </ul>
2010.01.7c.	<ul style="list-style-type: none"> <li>• LTV Threat tables</li> </ul>
2010.01.7d.	<ul style="list-style-type: none"> <li>• LTV System Summaries</li> </ul>
2010.01.7e.	<ul style="list-style-type: none"> <li>• LTV Section Summaries</li> </ul>
2010.01.7fg	<ul style="list-style-type: none"> <li>• Revised Meeting Schedule - To be distributed later</li> </ul>
2010.01.8a.	<ul style="list-style-type: none"> <li>• Managed Lands Technical Bulletin</li> </ul>
2010.01.8b.	<ul style="list-style-type: none"> <li>• Geothermal Technical Bulletin</li> </ul>
2010.01.8c.	<ul style="list-style-type: none"> <li>• DRAFT – Deadstock Disposal Technical Bulletin</li> </ul>
2010.01.11.	<ul style="list-style-type: none"> <li>• LO Program Update</li> </ul>



SPC MEETING MINUTES  
JANUARY 8, 2010  
Meeting #22

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. on Friday, January 8, 2010 at the St. Clair Region Conservation Authority (SCRCA) Boardroom. The following members and staff were in attendance:

**Members**

Bob Bedggood	Marg Misek-Evans
Murray Blackie (Liaison)	Earl Morwood
Dean Edwardson	Sheldon Parsons
Brent Clutterbuck	Darrell Randell
Pat Donnelly	Jim Reffle (Liaison)
Pat Feryn	Joe Salter
Paul Hymus	Charles Sharina
Carl Kennes	Pat Sobeski
James Maudsley	Joe VanOverberghe
Don McCabe	John Van Dorp
Doug McGee	Teresa McLellan (MOE-Provincial Liaison)
Valerie M'Garry	

**Regrets:**

Murray Blackie	Richard Philp
Keenon Johnson	Augustus Tobias
Joe Kerr	

**Others in Attendance**

Gary Deonarine	Kent Buchanan
	John Langan

**Staff:**

Rick Battson	Chitra Gowda
Bonnie Carey	Teresa Hollingsworth
Steve Clark	Brian McDougall
Ralph Coe	Linda Nicks
Erin Carroll	Chris Tasker



1) Chair's Welcome

Bob Bedggood welcomed the Committee.

2) Adoption of the Agenda

Moved by Jim Maudsley seconded by Joe Salter.

*"resolved that the agenda be approved as distributed."*

*CARRIED.*

3) Delegations

None

4) Minutes from the Previous Meeting

Moved by Dean Edwardson –seconded by Carl Kennes

*"resolved that the minutes of December 11 be approved."*

*CARRIED.*

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

a) Wallaceburg IPZ-2

Brian McDougal introduced Gary D., Kent B. and John L. of Stantec.

Gary gave an overview of the Wallaceburg IPZ-2 map. Some areas of the delineation are highly certain, while some areas still have some uncertainty because Stantec is still looking for additional details. It is anticipated that the areas will not get any larger, that some of the areas will get smaller when the remaining data is considered.

### Key points

1. *Dykman Drain Area*, does not drain into the Chenal Ecarte (CE) within the time of travel. The northern 120m setback of the CE is truncated here to reflect dyking/height of land (determined based on drainage mapping).
2. *Running Creek Cut-off* – Based on discussion with SCRCA, Stantec applied a bi-directional flow. Stantec assumed a velocity equal to that of CE, since there is not a lot of information about flow.
3. *Wiser Drainage Area* - Entire drainage area included in IPZ-2 due to transport pathways.
4. *Channel Along Cty. Rd. 4-0* – Based on discussion with SCRCA staff, bi-directional flow was applied. Stantec assumed velocity equal to that of CE. 120 m setbacks truncated to reflect dyking.
5. *Skinner Outlet Drain* - 121 m included. This is one of the two locations that pump water goes from Skinner system into Running Creek. The flow velocity applied to this pump is assumed to be equal to calculations performed for a pump at the other location in a Dec. 2003 drainage report by Todgham and Case Associates.
6. *McDonald Tap Drain* - Entire drainage area included based on operator recommendation. One hour residual time of travel available outlet.
7. *McGee Pumping Works* - Entire drainage area included. Some overlap with McDonald Tap Drain, especially in wet weather conditions.
8. *McDonald Tap Drain Stormwater Pump Station* - VLA Storm System – quick drainage to municipal drain assumed. Represents a worst case scenario, due to lack of pumping information. Stantec did not have a lot of information on pumps, so area represents a worst case scenario. As more is learned, this is one of the areas most likely to change.
9. *Miscellaneous Gravity Storm Sewers* – quick drainage was assumed, small area drained by gravity.
10. *Area Near WTP* – not shown in storm sewer or municipal drainage boundaries, 120 m setback applied to Sydenham River. In the absence of information to indicate which direction the water drains it has not been included in the IPZ.
11. *Base Line Stormwater Pump Station* – quick drainage assumed. Did not have information on pumps, so it represents a worst case scenario.

12. *Townline Drain Scenario 1* -306 m included. Calculated from pumping rate and a cross-section near the pump. An area of transport pathways is included assuming perpendicular pathways and a flow velocity equal to the drain.
13. *Townline Drain Scenario 2* – 612 m included. Assumes both pumps run simultaneously.
14. *Rabideau Pumping Works* – entire drainage area included in IPZ-2 due to transport pathways
15. *Private Drainage (Libby)* – entire drainage area included in IPZ-2 due to transport pathways
16. *Fraser Pumping Works* – Does not drain to Sydenham River within the time of travel. The southern 120 m setback of the SR is truncated here to reflect dyking.
17. *Walpole Island* – drainage information unavailable, simple 120m setback applied to Chenal Ecarte.

#### Recommendations from Stantec (18.06)

- If any First Nations information is acquired the uncertain area can be removed
- Double the pump in area 13, to remain conservative
- Get information about pump rates, pump draw down times, wet well volume could probably truncate the area (8 and 11) and uncertainty could be reduced.
- For area 10, if drainage information or information on where it outlets is attained then the uncertainty would be removed.

#### *Delineations Intersecting Parcels in Area 10 Near WTP*

Concerns were raised about parcels intersected by area 10. Gary explained that the delineation represents the best hydrologic estimate. Bob pointed out that it is difficult to justify, for consistency sake, a one parcel setback in one area and not another. Others agreed that diverting from the policy would be unwise.

Gary suggested that holes can be filled in based on the Source Protection Committee's direction based on transport pathways. If entire parcels are included, the hole may disappear. Based on his local knowledge, Sheldon thought that the PUC property would be the only property not included. Chris suggested, the drainage could be ground-truthed by conservation authority staff or Stantec.

It was noted that area 10 and surrounding regions are heavy industrial areas with a history of unknown spills. For this reason it is sensitive as property owners/farmers will question the mapping if it is excluded.

The group decided to change the map to be consistent with the Source Protection Committee's previous policy regarding transport pathways. Brian estimated that changes (i.e., one parcel setbacks, incorporation of new information) will not take more than one week.



Brian asked, if we get a new map within a week (which would be too late for Committee to review), how should staff proceed with the local consultation? It was decided that map be reviewed by locals on the Committee with concerns. Brian will ensure that the map is circulated by email to the local members and schedule a conference call.

Moved by Doug McGee –seconded by Sheldon Parsons

*“resolved that a small sub-committee get together to review and make a recommendation.”*

*CARRIED.*

#### *Walpole Contact*

One SPC member wondered why conservation staff (specifically Lower Thames), and not the consultants, were instructed to approach Walpole for data gaps? Chris explained that our lines of communication with the First Nation are established through the First Nation Liaison. With Kennon sitting at the table that effort can be rejuvenated.

#### *Chatham Kent Contact*

Sheldon raised concerns around the process for attaining information from Chatham-Kent and indicated he will follow up with staff on this. He inquired about the missing pumping data for area 9, 10 and 11. He asserted that, if the right person was contacted, the information would be made available. Why has the information not been transferred from Chatham Kent to Stantec? He stated that the process may need to be adjusted. CA staff clarified, it was not that information wasn't provided. Brian explained that the CA staff does its best to ask for the complete breadth of information at the onset, but as the mapping product is refined additional information is often required. The CA staff have made multiple contacts with multiple representatives from Chatham Kent. It was underlined that information gaps were not the result of someone not conveying information.

#### b) Tier 1 Water Budget

The Tier 1 Water Budget (T1WB) has not yet been peer reviewed. Chris and staff have been back and forth with consultants and the MNR. They are still waiting on one section of the report, for a final peer review (which is expected to occur before January 25). To resolve the issue of referring to a draft T1WB in the appendix, material in the T1 WB relevant to the LTV has been pulled out and a section prepared to be incorporated in the body of the LTV AR . Chris anticipates that changes made by reviewers to the T1WB will not affect the associated LTV AR section. Much of the material in the section is inline with the information already peer reviewed.

## 7) Business

### a) LTV AR Sections

The committee considered the depth of their discussions on the material for the Assessment Report. The group decided to scrutinize the LTV AR in detail to start (looking for substantive changes only, not an editorial review), acknowledging the importance of getting it right since it is the LTV AR and will be used as a template for the others in the Region. After reviewing the document in detail for some time, individuals questioned the value debating of relatively minor details. It was suggested that unless there was a very good reason to remove material, it should remain. The SPC decided to focus on substantial edits during the meeting. Those with edited copies can give them to Chris, to consider incorporation of minor editorial suggestions into the report. A deadline of Monday or Tuesday was set for additional written comments. If there is a question raised in the emailed comments staff can request members input through email.

*Date on the Lower Thames Valley Assessment Report* The report's posting date is January 25. A cut-off for modifications is necessary since content will continue to evolve (e.g., First Nations appointments). It doesn't necessarily have to be the posting date. January 15<sup>th</sup> was also suggested, but the SPC decided against it. The general consensus among the group was that the date on the LTV AR and the cutoff should be January 8, with comments/corrections from the SPC meeting to be incorporated.

*First Nations* It was decided that the two First Nations appointments be updated (though they have not attended a meeting yet). This update effects multiple parts of the document (Sentence starting "Consultation with First Nations..." no longer correct, since there are now two members on the Committee (pp. 1-10). Other First Nations names are being considered for a third appointment. If there is a new member on the posting date, there can be a note saying that they were not added until later on.

#### *Overall LTV AR Comments/Edits*

- In the LTV AR sections, there is too much text, redundancy, and wordiness that could be pared back to minimize misinterpretation.
- The target of summaries is the public, whereas, the intended reader of the sections is both the Ministry of the Environment (MOE) and the public.
- Watershed and subwatershed meanings need to be defined more consistently (in minutes and assessment report). It was decided that Watershed should relate to the Source Protection Area scale while any smaller scale should be referred to as sub-watersheds.
- Defined terms should be italicized to indicate they are included in the glossary. If issue is used in the context of the act it has to be defined. Chris indicated that the glossary is on the list of things to do.
- There should be a careful read in the regulatory context as the report could be examined in detail looking for loopholes.

### *Section 1: Introduction and Background*

The introduction was challenging and should be examined in detail. It could be reduced by about one third. Teresa clarified that the MOE will only examine the LTV AR to see that it meets the regulations, so some details are unnecessary. According to her, MOE is not the audience of the introduction. It is up to the Committee, to decide what is contained within the introduction. According to MOE, Committee names could be removed.

#### *Edits*

- Substitute “spoke to” with “dealt with” (pp 1-1).
- “Justice” in front of O’Conner (last sentence, paragraph one, pp 1-1).
- Reference to TIWB in Appendix will have to be corrected.(pp. 1-3)
- Add: it is not the intent to identify individuals or “identify specific properties” (pp.1-4)
- Confine the discussion of regulations to what is relevant to report. First two paragraphs on regulations and how the Committee was structured unnecessary. Since technical rules in terms of the old guidance not going to make sense to the public, and is redundant to explain it to the MOE. This text should be removed (Paragraph 2, Section 1.2.2, pp. 1-6). Use the first two sentences only (pp.1-5).
- An apology regarding deviation from mapping symbology is unnecessary. Could reword to say, we “made a decision as a Committee to make the maps more understandable” (pp.1-8).
- Add meetings are open to the public (pp.1-12)
- Teresa wondered about the necessity to use staff names. It was the Committee’s direction to include Chris’ name (pp. 1-12)
- In the Terms of Reference, the language is not clear regarding the posting date (1-13).
- Source of drinking water is not stated (pp.1-14)
- United Nations, orphan.(pp.1-15, pp.1-20)
- Meaning unclear: “Municipal involvement...” substitute “studies were generally done by consultants” (pp.1-15)
- Again, do not apologize, watch the wording/tone (pp. 1-17)
- Is the sentence about “local acceptance” accurate? The subject of this sentence has to be narrowed and explained (second paragraph section 1.10, pp 1-18).
- The dates should be summarized in a table. Since timing depends on the date the posting gets in the paper, substitute “Anticipated dates” in the title. (consultation paragraph, pp.1-18).

### *Section 2 Watershed Characterization*

#### *Edits*

- Species at Risk Tables: The relevance of the fish tables was questioned. According to MOE, it is at the SPC’s discretion to include the table. The group agreed to include the whole section as an addendum to the watershed characterization summary included as an appendix. Some wording will have to be adjusted once the table is removed. A summary paragraph will go into the LTV AR , which will be easier than editing the section (pp.2-7).

- Percent organically grown, inaccurate numbers (pp. 2-24).
- Population density will have some colour added (pp.2-27).
- Derekica confirmed the numbers are correct in Table 2-12 (pp.2-26).
- Water taking needs to be defined as it is misleading to indicate that water has been taken when some water use does not “take” water. Suggest change wording to use. (pp. 2-30).
- Add wildlife (e.g., deer and geese ) to data gaps table. Add an asterisks explaining it is outside the area of responsibility (pp .2-32). It was also acknowledged that the impacts vary depending on the location and it was suggested that there are things that we can do (e.g., discourage intentional feeding). There will be decisions about which data gaps will be addressed. This wildlife data gap does not need to be carried through to section 9.

### *Section 3 Water Budget*

It was stressed that the numbers behind the potential stress levels are intentionally conservative and are indicative of whether more work is done to determine if sub-watersheds are stressed. Stress is only determined in a Tier 3 Water Budget. Need to be very cautious, that other programs, don't take report and conclude this watershed is significantly stressed. More work is required, especially on the demand side for the surface water stress.

An argument was made that a permit to take water, is not a reliable measure of stress, that a complaint is a better indication of stress. Chris and Linda countered that the process is far more scientific than whether someone had a problem.

### *Edits*

- Clarify conceptual water budget and draft water budget and be consistent (Section 3)
- Closing bracket missing “(only municipal” (pp. 3-2).
- Insert proper citation, “as per deLoe” (second paragraph, pp.3-6).
- Missing word, add water budget (pp.3-10).
- Poor grammar: “MNR must accept” replace with “must be submitted for acceptance” (pp. 3-14)
- Table 3.3 needs proofreading (pp.3-15)
- Tables 3.4, 3.5, 3.6: table headings should be sub-watersheds (with names?) (pp.3-15).
- Maps should be 3.5 and 3.6 not both 3.5.
- Reference in the legend to table with sub-watershed codes (maps 3-5 and 3-6)
- “It is worth noting...” sentence trails off (pp. 3-18)
- data gaps that have not shown up in the data gaps section yet, need be screened for inclusion in priority data gaps (pp 3-19).

### *Section 4. Vulnerability Assessment*

Clarification on the status of IPZ -3 was sought. Chris explained that it is yet to be done. IPZ-3 can be included in an amended report.

### *Edits*

- Suggested clarification on what capitalized acronyms mean (pp.4-14)
- Terminology: text refers to moderate, table says medium, what do MOE rules say? (pp.4-18, 4-19)

### *Section 5 Issues Evaluation*

Clarify that indicators are tested routinely. Needs to differentiate between raw water source, treated water and water in the distribution system.

- Table 5.5 should be all on one page, or a title on the second page (pp.5-5).

### *Section 6 Conditions Assessment*

No comments

### *Section 7 Threat and Risk Assessment*

#### *Edits*

- Re-organize paragraphs in 7.1.1. to ensure that activities associated with assessing risk are not referred to as threats incorrectly. Needs to be clear that hazard and vulnerability combine to create risk. The current paragraph focuses on threats. Re-arrange to read: “An activity may be deemed a risk to drinking water quality based on” Followed by a discussion on how risk is measured, then vulnerability and hazards (pp.7- 5).
- Do not use the term Farm Unit it is a specific nutrient management plan term (pp.7-12).
- Table 7-5 – title of the third column “significant threat locations,” add “the number of”, (pp.7-17).

### *Section 8 Great Lakes*

- Include management plan for Lake St. Clair
- Mention that there is no management plan for Lake Huron

### *Section 9 Next Steps and Data Gaps*

There may be First Nations update, if there is a band resolution asking the Minister to include them by regulation. It was suggested that the LTV AR include a covering letter, with a few paragraphs (e.g., draft presented – still things to be done, consulted on the report already), chair’s signature.

#### *Edits*

- Add work that still needs to be done on the GUDIs, plus the other vulnerability and water budget data gaps (pp.9-5).



#### b) Assessment Report Maps

Comments from the last meeting have been integrated. It was asked, Why is there a copyright claim on map 7.3? Chris will look into having it removed. The squiggly line (instead of smooth) on Map 7.5, 7.6 was questioned. This issue is on the list of things to resolve.

#### c) Threats Tables

Chris explained that the Threats Tables were tidied-up since the last meeting (e.g., colour etc.).

#### d) Assessment Report System Summaries

The summaries have been edited to be more readable since the last SPC meeting. It was suggested a picture of Lake Erie shoreline be included.

#### e) Assessment Report Section Summaries

LTV AR System and Section Summaries are part of the LTV AR , but they are to be bound separately.

Notice and a CD will be sent to clerks (not the council). Conservation authority staff will endeavor to get copies to all the people who have been working on it. It is to be posted by January 25.

#### f) For Approval: Notification of Significant Treats

The letter is to go out around time of posting the LTV AR.

The group wondered if phones will be answered at the number provided? Chris purposely did not put a name on the letter. Jack and Chitra's names, email addresses and extensions will be given. Chris pointed out that a process on how to address the calls is needed (e.g., immediate site visit to address issues).

It was suggested that the language on the last page be softened, since we do not know if the actual landowner is engaging the activity. Sheldon has some wording suggestions that he will pass on.

The municipal representatives can use maps (Ridgetown and Highgate) to prepare councilors to respond to calls especially those that may be generated by the notice being provided to significant threats.

#### g) Meeting Schedule

Moved by Jim Maudsley –seconded by Doug McGee



*“resolved that the 2010 SPC meeting schedule be approved and posted.”*  
**CARRIED.**

8) Information

- a) Managed Lands Technical Bulletin
- b) Geothermal Technical Bulletin
- c) DRAFT – Deadstock Disposal Technical Bulletin

These MOE bulletins were provided to the members in their package.

9) In Camera Session

None

10) Other Business

Staff has received confirmation from MOE that the requested extension has been granted. The MOE is anxiously waiting for the UTRCA request for extension.

11) MOE Liaison Report

Other than the circulated bulletins in item 8 no additional information to report.

12) Members Reports

The recently published Canadian Environmental Law Association and Environmental Defense paper on air quality and its implication for drinking water source protection is on MOE’s radar.

Adjournment

There being no further business, the meeting was adjourned at 3:21pm. The next meeting is scheduled for February 19, 2010 at the SCRCA.