
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. Please confirm your attendance with Deb Kirk at 519-245-3710 ext 46.

Meeting Date: July 11, 2008

Meeting Time: 9:00-1:00 p.m.

Meeting Location: SCRCA Boardroom, Strathroy

Proposed Agenda

Item	Time
1. Chair's Welcome	9:00
2. Adoption of the Agenda	
3. Delegations	none
4. Minutes From the Previous Meeting	
5. Declaration of Conflict of Interest	
6. Business arising from the minutes	9:15
a. Financial Assistance incorporation into Terms of Reference	
b. Local Dispute resolution process	
7. Business	10:00
a. EBR Posting of AR Regulation and Rules	
b. MOE Roundtable consultation	
c. FTP site for updated materials	
Break	10:30
d. Terms of Reference	
• Introduction	
• Municipalities, maps and First Nations	
• Water Systems	
• Schedule	
• Matters Affecting another SPC	
Lunch	12:00
• Tasks	12:45
• Other Items	
8. Information	3:00
a. First Nations update	
9. In Camera Session	none
10. Members reports	
11. Adjournment	4:00

Meeting Materials

	Agenda Item	Description
Discussion Papers		<ul style="list-style-type: none">• none
Other Materials	2008.08.6a	<ul style="list-style-type: none">• Proposed Financial Assistance Task
	2008.08.6b	<ul style="list-style-type: none">• Joe Kerr's proposed local dispute resolution process
	2008.08.7c	<ul style="list-style-type: none">• Terms of Reference components
		<ul style="list-style-type: none">•

SPC MEETING MINUTES
FRIDAY, JULY 11, 2008
Meeting #7

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. Friday, July 11, 2008 at the St. Clair Conservation Authority office. The following members and staff were in attendance:

Members:

Bob Bedggood
Murray Blackie
Brent Clutterbuck
Dean Edwardson
Patrick Feryn
Paul Hymus
Joe Kerr
Don McCabe
Doug McGee
Marg Misek-Evans
Earl Morwood

Sheldon Parsons
Richard Philp
Darrell Randell
Joe Salter
Charles Sharina
John Van Dorp
Pat Donnelly
Valerie M'Garry
Carl Kennes
Pat Sobeski
Joe VanOverberge

Regrets:

Jim Reffle
James Maudsely

Sheldon Parsons
Rick Vantfoort

Staff:

Rick Battson
Ralph Coe
Chitra Gowdra
Brian McDougall
Billy Haklander
Chris Tasker
Deb Kirk

Others:

Eric Boere (Thames Centre)
Robert Olivier (First Nations, Manager of Technical Studies)
Jonas Velaniskis (U of G Student)

1) Chair's Welcome

2) Adoption of the Agenda

A motion to approve the agenda as circulated.

moved by Joe Kerr-seconded by Doug McGee

“Resolved that the agenda be approved as circulated.”

CARRIED.

3) Delegations

None

4) Minutes from the Previous Meeting

Members requested that the minutes for the June meeting be amended to indicate that the motion on Page 8, Item.7.d pertaining to the Source Protection Plan and Consultation Components was not defeated but rather tabled until the next meeting. It was also requested that the list of meeting attendees be amended with the addition of Valerie M’Garry, Carl Kennes, Joe Van Overberge, and Jim Reffle.

Further, an omission was identified that a request for an update on the SWP Stewardship funds had been made. In response Bob gave a brief update on the stewardship program and the applications which were considered by the Clean Water Program Committee. The first meeting for the stewardship fund has been held. The committee approving these projects has specific criteria to follow. To date, three projects have been approved; a septic system for an apartment building, a study on a water refilling station and re-forestation near a municipal well.

moved by Earl Morwood-seconded by Doug McGee

“Resolved that the minutes be approved as amended.”

CARRIED.

5) Declaration of Conflict of Interest

No conflict was identified.

Marg Misek-Evans arrives at 9:15 a.m.

6) Business Arising from the minutes

a) Financial Assistance incorporation into Terms of Reference

Prior to this discussion occurring, Don McCabe asked the committee if they thought there was conflict of interest with his involvement with OFA executive and their legal challenge of compensation restrictions in provincial legislation. It was decided this was not a conflict, as Don would not be receiving monetary gain.

The “Financial Assistance/Compensation in Terms of Reference” options was distributed and discussed at length. The committee reviewed the two policy options provided. Option A is identified as a separate task and applies to all policies and Option B is similar, yet includes the same concepts as part of the task related to developing policies to address drinking water threats. The criteria developed will allow the committee to compare risks by weighing the options, similar to negotiated risk management plans. After careful consideration, and using a balanced approach, the committee agreed that Option B was preferred.

An additional paragraph as follows, was submitted by Valerie M’Garry, “In developing these policies, the Committee will have regard for the financial impact on those affected, including normal business or standard practices and expectations for existing situations. The policies may also consider the cost of change and any ongoing or repetitive costs, long term impacts and any impacts on productive capacity or competitive advantage. Both existing and new programs, opportunities and financial instruments will be considered” it was suggested that this paragraph be incorporated into Option B.

The committee discussed defining businesses as public or private to include for example a municipal sewage plant. When the plan is implemented, some businesses may be more affected than others.

moved by Dean Edwardson-seconded by Charles Sharina

“Resolved that the committee approve Option B of the Financial Assistance/Compensation report and it be inserted into the Terms of Reference, with the amendments as circulated by Valerie M’Garry.”

CARRIED.

b) Local Dispute resolution process

Joe Kerr circulated a report he authored titled “Thames Sydenham and Region Drinking Water Source Protection ToR Restrictions on Property.” This report outlines the need for procedures for dealing with conflicts such as financial issues that arise when normal business operating practices are changed or stopped when restrictions are placed on property owners by Source Protection and the Clean Water Act. After giving a brief summary, Joe felt the aforementioned motion of including Option B in the Terms of Reference adequately covered his concerns of fostering local cooperation, and having

dispute process options available. By having Option B, the door remains open to the type of process that he proposed, as we continue through the process.

7) Business

a) EBR Posting of AR Regulation and Rules

The Ministry of Environment has posted the AR Regulation and Rules. The staff will review the rules, and how these will affect the Terms of Reference. Any feedback from the committee is welcomed. Instructions on how to locate the files on the province's web site were given. The links can be found on the UTRCA/Source Protection website, under "Assessment Report and Regulations & Rules Posted on EBR for comments." The documents are listed in a table to include 010-3866 (Technical Rules), 010-3873 (Proposed Assessment Reports) and 010-3893 (Proposed Definitions or Words or Expressions Used in the Act). The supporting documents, include CWA Technical rules, Tables of Drinking Water Threats, Summary of Clean Water Act, Mapping Symbology, Draft Assessments Reports Regulation and Draft Definitions of Words and Expressions Used in the Act. Comments are to be submitted by August 4, 2008

b) MOE Roundtable consultation

The Ministry of Environment held consultation meetings in London on June 26th and 27th. Some of the committee members and staff were invited and attended. The committee discussed their questions and concerns. Some key components were:

- Global warming was discussed at the consultation meeting. A question was raised as to how the committee will deal with droughts/flooding. It was also noted at the meeting that practices which harden the soil and prevent infiltration will be frowned upon.
- Water quantity was discussed and it was suggested that it will be difficult to deem an area less than moderately stressed. In response it was pointed out that until we are through the Tier 1 Water Budget, it is difficult to know which areas will trigger a Tier 2. A question was raised if the expectation is to supply water from other sources to high stressed areas or will a water conservation approach be used. Risk management needs to consider the approaches as well as allocation of the limited resource. Water quantity risk assessment looks at the entire water budget including re-charge areas and all water users are considered collectively rather than identifying individual threats.
- Changes identified in the regulations as compared to the previous guidance which were circulated were reviewed.

c) FTP site for updated materials

The SPC members and working group members now have access to a FTP Site (File Transfer Protocol). This site contains a shared folder which committee members and staff can work from. A report was circulated to provide instructions on how to use the

site and a reminder given about the case sensitivity when logging on. When working on the files, it was asked that each person copy the file to their hard drive versus opening them within the FTP site. A similar site has also been established for the water budget.

Break 10:35-10:55 a.m.

d) Terms of Reference

The committee completed a thorough review of each section during the meeting and made the following requests, as well as minor editorial changes.

Keypoints:

- A recommendation was made to re-title the first three paragraphs of the introduction as the “Preamble.” A new paragraph would then be inserted after this preamble titled "Introduction." This new introductory paragraph will describe the Committee’s Mission Statement and Guiding Principals, highlighting the importance of being locally driven, science based and fair and equitable. This will address the issue pertaining to financial assistance.
- Clarification was requested during the review of Section 7.1 Tasks of whether the committee will have input into the decisions being made pertaining to the contents of the Assessment Report. As the results of the studies are submitted, there will be opportunity for further discussion.
- 7.2 Tasks included in the Terms of Reference outlines information on the budget. This generated considerable discussion and questions. The current numbers indicated in the table are not final. MNR/MOE has approved the current year workplan but we have not received these funds to date. The projects not currently funded are shown as blank on the table. Once the Terms of Reference is approved, the funding will be in place. The funds will be received by the lead CA (UTRCA) versus each municipality.
- A further update will be given in the packages prior to the next meeting to show the changes discussed.

Lunch 12:05-12:50 p.m.

Clarification on Financial Assistance Letter to the Ministry

The committee discussed at length whether to submit a letter to the Minister seeking clarification on the compensation issue. By asking for the legislation to be opened, there was a concern of running the risk of the concepts of financial assistance already in the Clean Water Act, being removed. How these issues will be dealt with in the future is still a question to be considered.

By consensus, the committee agreed it is not necessary at this point in time to submit a letter to the Ministry. The committee was satisfied to move forward with the work and to include Option B in the Draft Terms of Reference, as mentioned in (6.a) of the minutes. However, this issue may be re-visited in the future when more information is available.

8) Information

a) First Nations update (verbal)

Bob has contacted each of the First Nations' offices to continue to encourage formal involvement on the committee. To date, he has not received any responses. Bob plans to meet with Robert Olivier to discuss using another approach.

9) In Camera Session

None

10) Members reports

John Van Dorp reported he will be arranging a meeting with Chris and some Oxford County farmers.

Don McCabe reported OFA contacting individual members through the county federations to consider putting together a legal fund to challenge the issue of compensation. They will also be completing a legal review of the language used.

Dean Edwardson commented on the American modeling initiative being completed on their intakes considering cross channel mixing.

Charles Sharina enquired about updates locally for the public. Once the Terms of Reference is complete there will be municipal forums and public open houses held.

Richard Philp advised the committee of the extensive study on water done by the University of Guelph, for future reference.

Paul Hymus reported on the recent Ryerson University Survey that was distributed to some of the members and expressed his concern of being contacted, thus identifying him personally to the survey.

Bob reminded the committee of the upcoming working group meetings scheduled July 15 and 21.st Members are welcomed to attend.

11) Adjournment

There being no further business, the meeting was adjourned at 2:05 p.m.