



Drinking Water Source Protection Planning Forum

October 14, 2009 - 10:00am – 2:30pm
Best Western Stoneridge Inn & Conference Centre
6675 Burtwistle Lane, London, ON N6L 1H5

Purpose of the Forum

This forum is being provided to bring planners and building officials up to speed on the Source Water Protection planning process and to provide some insight into the implications as we move forward. This forum will also provide the participants an opportunity to provide input as to their future involvement in the planning process.

Agenda

10:00-10:10am

Welcome & Introductions – C. Tasker

10:10-10:30am

Presentation: **Background on Source Protection** – C. Tasker

10:30-11:10am

Presentation: **Implications for Planners and Building Officials** – C. Tasker / J. Brick

11:10-11:45am

Presentation: **Conservation Authority Role** – J. Brick

11:45-12:45pm

Lunch and Networking

12:45-2:00pm

Break-Out Session and Discussion– J. Brick/C. Tasker to Facilitate

2:00-2:30pm

Feedback and Wrap-Up

Meeting Facilitation Plan

Drinking Water Source Protection Planning Forum

Date and Location

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Agenda

9:00-9:30am

Setup – Easels, Mapping, Tables, Handouts, Projectors, etc.

- Coordinate that maps are brought – Chris T
- SP displays (4) – Jeff S to get from Teresa H
- Tripods for maps – UTRCA (Jeff S), LTVCA and SCRCA
- Jeff S to contact hotel about table config (8 tables, 5 chairs per)
- Handouts – Jeff S
- Masking Tape - Jeff S
- Flip charts (6 if possible) – Jeff S
- Projectors (2) – Jeff S
- Laptops – Jeff B and Chris Tasker

9:30-10:00am

Registration

- Divide registrants into 5 groups for the break out sessions – Jeff S
- Names tags with colour coded dots – Jeff S
- Registration table – Jeff S, Val and Patty
 - Give them name tag
 - Confirm their information
 - Confirm the lead contact for their organization
 - Ask if there is anyone else from their organization that should be on our list

10:00-10:10am

Welcome & Introductions – C. Tasker

- Welcome folks
- Reiterate the purpose

- Emphasis on an opportunity to dialogue and network and have input on how we proceed
- Outline the agenda for the day (one minute)
- Ask each participant to:
 - Introduce themselves
 - What organization they are representing
 - Their role in that organization

10:10-10:30am

Presentation: **Background on Source Protection** – C. Tasker

- Legislative Framework
- Committee Formation
- Technical Studies
 - Municipal partnerships
- Terms of Reference
- Assessment Report
- Source Protection Plan
- Next steps
- Schedule
- Why are you here, now. (CT/JB?)

10:30-11:10am

Presentation: **Implications for Planners and Building Officials** – C. Tasker / J. Brick

- What are the Vulnerable Areas
 - WHPA
 - IPZ
 - HVA
 - SGRA
- What is a Drinking Water Threat
 - Circumstances that make them significant, moderate, low
 - If its not in a vulnerable area its not a threat!
- What is an Issue?
- What is a condition?
- Consultation on Assessment Report
 - Municipal input
- Accessing the information
 - Openhouse materials
 - Mapping Geoportal
 - Terms of Reference
- Development of the SP Plan
- Types of Policies in the SP Plan
- Roles in implementation
- Implications for people involved in the decision making process (JB)
 - Short Term – Obligations related to water in the PPS
 - Long term – requirements of the Clean Water Act and approved Drinking Source Water Protection Plan

11:10-11:45am

Presentation: **Conservation Authority Role** – J. Brick

- Context - How Regulatory Activities Fit Into Broader Conservation Authority Activities
- Linkages with CA Regs
 - Overlap b/w IPZs and CA Regulated areas
- Focus on Land Use Planning
 - Overview of Roles and Responsibilities
 - Specifics on the Conservation Authority Role
- Stewardship and Education role
- Involvement in EA process
- DWSP Implications for Land Use and Development Processes
 - Short term
 - Long term
- How should the Conservation Authority Services be adapted

11:45-12:45pm

Lunch and Networking

12:45-2:00pm

Break-Out Session and Discussion – J. Brick/C. Tasker to Facilitate

Format:

- Break the groups into five tables – coloured dots on name tags
- Groups have been pre-arranged with some regard for grouping of people from the same area (ie Lambton people together with the SCRCA planner)
- The groups are provided with some sample maps and are asked to consider five questions
- Groups asked to consider each of the questions for 5 – 10 minutes
- 45 minutes allotted for groups to consider questions
- 30 minutes allotted for the information to be reported out and discussed
- In the report back portion, a group is asked to volunteer their summary for question 1. The other groups are asked for adds and or comments. Additional adds and comments will be noted on the sixth flip chart. Then a different group is asked to report back on question 2. Repeat for questions 3, 4 and 5.
- Note taker for each group – CA person at the table should help
- Jeff B and Chris Tasker float around groups
- Jeff S or JB take notes during the report backs
- Arrange for copies of the questions (Jeff S)
- Arrange for markers (Jeff S)

Break Out Group Questions:

1. Review the maps that have been provided and identify a number of challenges (conflicts) that could realistically arise related to land use planning and/or building permit approvals

2. For the challenges that are identified in question 1, discuss possible actions by planners and building officials to avoid future conflicts or liability
3. Are there other planning processes or municipal processes that should be considering the potential implications of the Clean Water Act in the short term (next three years while a Source Protection Plan is being developed) or long term (after the Source Protection Plan is completed)
4. What kind of support is needed from the conservation authorities by municipalities, planners and others during the short term (until a Source Protection Plan is approved) and in the long term (after the Source Protection Plan is approved).
5. The SPC has developed a consultation model which includes formal working groups and less formal forums such as today's discussions. How should planners, building officials and municipalities in general fit into that model? How does council fit into that model?

2:00-2:30pm

Feedback and Wrap-Up

- Deal with any issues that have been identified and parked in the earlier agenda items
- Ask if there are any additional concerns or issues that people would like to bring forward
- See if there is consensus on the idea of a Municipal Planners and Building Officials Working Group
- Advise that notes from the break out sessions will be compiled and circulated
- Ask if the contacts that we have for the municipalities are correct.
- Should we be including any one else
- Need for updates to councils and committees of adjustment etc? Come from staff or would they like CA assistance in any way.
- Confirm action items
- Adjourn
- Evaluation/feedback form(Jeff S)

Post Event:

- Summary notes from break out sessions (Jeff S)
- Updated contact list from the session (Jeff S)



Drinking Water Source Protection Planning Forum

October 14, 2009

Group Breakout Session Responses

Question #1

Review the maps that have been provided and identify challenges (conflicts) that could realistically arise related to land use planning and/or building permit approvals.

Blue Group

Issues

Sarnia-Lambton Intake

- Blue Water Bridge
- International Border
- Shipping (3a) Septic run-off
- Intensification of land use
- Pesticides at public park
- Refuelling at marina (Petrolia Intake)
- Agricultural run-off
- Sewage treatment lagoons upstream of intake
- Golf courses

Red Group

Conflicts – potential Fanshawe

- Gravel Pit operation & future rehab
- Servicing of Clarke Road & increased use (ie: road salt) due to urban growth B.
- Golf course. Use of fertilizer/pesticides storage of...
- Concrete processing plant (existing) stone use expansion, batching plant
- Urban development (west side) future growth

Orange Group

Conflicts

- Currently agriculture possible application of nutrients, fertilizer or non-ag source matinee & pesticides
- Road salt application
- 2ndary plan change of land use
- Future use of pond
- Future development & SWM implications

Black Group

- Golf course – pesticide/fertilizer – increased water use
- College test plots
- Fuel storage
- greenhouse
- Buffalo farm

- Proximity of sewage treatment plant
- Urban storm sewer/drain ditches
- Agricultural pesticides/fertilizer
- Industrial area
- Storm water wash
- Road salt
- Handling of commercial fertilizer
- Road salt storage facility

Green Group

- Less concern with agricultural uses – mainly in urban setting
- Greatest concern with employment user to east
- Possible threat with manure spreading – low threat
- Highway commercial in 5 year WHPA
- Less concern in built up areas – residential, institutional
- Mainly full municipal services so less pathogenic threat

Group Summary

- STP across from wellhead
- Salt Storage
- Uses across lake (USA)
- The challenge of existing built-up areas
 - Management issues vs. New development use

Question #2

For the challenges that are identified in question1, discuss possible actions by planners and building officials to avoid future conflicts or liability.

Blue Group

Actions

- Review existing OD & zoning to ascertain conflicts
- Make potential conflicting uses legal non-conforming so that any change needs planning approval.
- No new development on private services
- No new impactive uses in vulnerable area.
- Disclosing

Red Group

Conflicts – Hyde Park

- Mostly residential – awareness is key
- Commercial – gas stations, risk management plans?
- Shopping mall – what shops are in them? Dry cleaner (outlet or processing)
- NOTE: fire dept. may have a process that ID's risk chemicals/explosives/etc. May be a possibility for SWP
- Chemistry lab in public school (v=8)?
- Chemistry lab in high school (v=lower)
- Decommission the well to remove the WHPA
- Sifton bog located adjacent is likely a recharge area & possibly a sig. aquifer (constraint to redevelopment)
- Decommission will Hyde Park – risk management plan for neighbouring uses

Orange Group

- Actions to avoid conflicts
- Nutrient management plans required

- Salt management plans
- Alternative to salt
- Regulation of pond use through by-laws
- Overall SWM catchment area plans
- Education & stewardship for pesticide applications
- Put I on title
- New subdivision homeowner information packages

Black Group

- Risk Management plans
- Motivation
- Education
- Restrictive zoning or holding with description of what the restriction is
- Make mapping available to building officials

Green Group

- Uses of risk management plans for existing uses
- Redevelopment applies – what are they planning – part of review
- More of a challenge for CBO's than planners?
- Prohibited uses? Septic
- Issue of municipal infrastructure/improvements
- Would CWA have an impact? Can design work to address these concerns
- Need to think about risk management as part of infrastructure planning – links to EA process

Group Summary

- Request a salt management plan
- Provide the mapping and direct them to CA's for more information
- Disclosure – does it really do anything for us?

Question #3

Are there other planning processes or municipal processes that should be considering the potential implications of the Clean Water Act in the short term (next three years while a Source Protection Plan is being developed) or long term (after the Source Protection Plan is completed)?

Blue Group

Short Term

- Road activities
- Location of new municipal facilities ie: salt dome, vehicle storage, treatment facilities, waste management, and landfill.
- Locating new municipal wellhead locations outside of areas where they may be impacted.

Long Term

- Implement vulnerability areas into GP zoning
- Including policies for new uses
- Implementation of new infrastructure to ensure stormwater quality

Red Group

- Holding designation may allow the forewarning for future
- Change of use permit may also provide a trigger

Orange Group

Short Term

- Planning process
- Short term
- ZBA – site specific prohibitive uses
- Subdivision agreements
- Site plan control
- Holding provisions
- Interim control by-law
- Minor variance with conditions
- Conditional building permits

Long Term

- Secondary plans
- Risk management plans/operational process
- Temporary use by-law
- Municipal EA's
- Updates of official plans & zoning by-laws

Black Group

- Mapping crucial
- Education for municipal council proponents, landowners, staff
- How does this process fit into municipal budgets?
- Ongoing municipal practices
- Storage of potential sources of contaminants by municipality

Green Group

- Boundary adjustments
- SWM
- Servicing strategies/infrastructure improvements
- Brownfield/CIP's
- Secondary planning
- Property acquisitions
- Operational eg: roads crew – practices/materials
- Implications for economic development possibly

Group Summary

- Boundary adjustments
- Economic development initiatives
- SWM Ponds, SWM Planning
- Fire department and their use of chemicals/storage
- What is the role of Regulation?
 - I.e. Provincial Regulatory role

Question #4

What kind of support is needed from the conservation authorities by municipalities, planners and others?

- **During the short term (until a Source Protection Plan is approved) and**
- **In the long term (after the Source Protection Plan is approved)?**

Blue Group

1. Sharing information
 - Education
 - Justification for policy changes
2. Work together

Activity list
OK vs. may impact

Generic O.P. policy for vulnerable areas

Red Group

- Support?
- Education of councils with respect to decisions they make & potential future impacts
- Assist with disclosure in land use changes & building permits

Orange Group

- Support from CA's

Short term

- Application review
- Public education
- Landowner contact regarding stewardship initiatives
- Regular council updates
- Land acquisition
- Technical support
- Comprehensive mapping

Long term

- Issues guidelines for Risk Management plans preparation
- Review of Risk Management plans
- Technical support
- Mapping support & updates
- Advisory role to councils/municipalities
- Land acquisition fund & strategy for acquisition of priority lands

Black Group

- Mapping
- Sharing of an "Officer" within the entire source area
- Education of "how to" use the plan once it has been complete
- Where is the funding \$\$ coming from?
- Involvement of other levels of government
- guidelines

Green Group

- Variable depending on the capacity of each municipality
- Education of councils
- Comments from CA's on WHPA's - support
- Technical comments
- Have CA's act as RMO?
- Third party review
- Policy direction in OR's & ZB's – reinforcement of staff
- Data management & mapping
- Implementation body for incentives – well decommissioning
- Delivery agent for funding programs

Group Summary

- Guidelines for Risk Management Plans
 - Catalogue currently being developed by the province
- Support from CA's to present the info to municipal councils, as they are the decision makers
- Mapping is key
- Funding?

Question #5

The SPC has developed a consultation model which includes formal working groups and less formal forums such as today's discussions.

How should planners, building officials and municipalities in general fit into the model?

How does council fit into that model?

Blue Group

- Planners/M.B.O.
- No education & Out Reach
- Council presentations & stuff
- Educate members and water boards

Red Group

- Working group for planners is beneficial
- Informal sessions good for management level & councillors

Orange Group

- Session like today's for council's – more formal
- Working group for building officials & Planners (Munc.) to look towards implementation
- Also have feedback from OPPI & AMO coordinated response
- Ongoing education of Councils past next election.

Black Group

- Education on an as needed basis
- Less formal groups – meet as needed as the process updates
- Monitoring – is it working?
- How will they know if it's being done properly
- Consistency among municipalities
- Hope it works better than the Nutrient Management Plan!
- Presentation at building official annual meeting & planners annual session, OPPI, AMCTO, good roads workshop, DSAO sessions.

Green Group

- Need to continue staff level meetings – (staff) will take the message back
- Council presentations wanted value? – need to be focused
- Info “immediate” just so politician many not be
- They do need to be ready & informed – perhaps on info letter to councils?
- Make impacts real to them – maps, whaton the ground
- Something they can grasp quickly
- Important to identify roll of staff of time commitments – staffing/budgeting implications
- Need to also extend this to the development community too
- Councils leave a big responsibility to understand this
- Issue of upcoming municipal elections – may have to start from scratch with new councils

To: Jeff Brick, Coordinator – Hydrology & Regulatory Services
Chris Tasker, Source Protection Project Manager – Source Protection Unit

From: Jeff Shaughnessy, Land Use Planner

Date: October 22, 2009 **Agenda #**

Subject: Drinking Water Source Protection Forum (October 14, 2009) **Filename** **Doc #**
- Evaluation Sheet Responses 82082.1

After reviewing the ‘Quick Evaluation Sheet’ forms that were filled out by the Drinking Water Source Protection Forum attendees, I have compiled a summary of the most relevant and constructive responses to the questions that were asked. Please find below the full summary for your review.

Quick Evaluation Sheet Responses

1. Did you find this forum to be helpful?

All responses indicated ‘Yes’.

Constructive responses:

- *“Having planners, building officials and CA’s together to hear info in this forum was very beneficial.”*
- *“Yes, it was a very helpful overview. The list of planning tools will be beneficial in implementing the SPP.”*
- *“Helpful as a ‘Source Water 101’, but could use more detail on potential implementation issues and challenges faced by experienced staff, rather than relying solely on feedback from the group.”*

2. Should another forum similar to this be held at an appropriate Drinking Water Source Protection planning milestone?

Again, all responses indicated ‘Yes’.

Select responses:

- *“Yes, to discuss regulations for implementation. OP’s and Zoning By-laws may not be enough.”*
- *“I will have some office discussion on this, and will respond accordingly.”*
- *“Yes, updates at key milestones would be beneficial to all parties. Continuing education will help implementation transition time.”*

3. Are forums/sessions like this the best way to convey the information to you or your organization?

Most responses indicated that the forum was a great way to pass on the information, but there were also many that mentioned the importance of getting this information directly to their respective councils. Some suggested a short presentation directed to councils would be extremely beneficial.

Constructive responses:

- *“I think it is one key element. On-going email updates or new information tabs on a web page to encourage continued discussion/thoughts on topic would be a positive step.”*
- *“Sessions like this are ok, but they would benefit from having a written primer that could be shared with councils or others in the organization.”*
- *“Until we get closer to the ‘go’ date (these forums are useful). At that point, we should begin to educate municipal elected officials/staff.”*
- *“At my level, yes (this forum is useful). For frontline/approval staff, a working group focused on planning and implementation would be useful.”*
- *“Once things are more formalized, presentation where your reps go to our offices to meet with Council and staff from the local and upper-tiers to explain requirements.”*

4. Do you have anything further to add to today’s forum that you were not able to convey, for any reason, in front of the entire group?

Not many responses to this question, as it appears that most in attendance were able to give their opinions at the forum. The breakout session was popular, as the discussions were referred to as thought provoking and informative.

Constructive responses:

- *“Education is key to implementation. In the end, local councils make the decision, and it is their education that is key in the success of Source Water Protection.”*
- *“Having a planners and building officials working groups would be helpful and gives an opportunity to identify issues with the SPP as it is being prepared.”*

5. Any other comments or input that you would be willing to offer would be appreciated.

- *“We need direction now and an outline plan, so as to ease into the implementation date so all levels are prepared to go.”*
- *“For future sessions, poll planners and CBO’s for specific questions – similar to the liaison newsletters for discussion at next meeting.”*
- *“Provide up-to-date mapping to all municipalities.”*

- *“Continued updates and sharing of information would be appreciated.”*

Prepared by:

Jeff Shaughnessy

To: Chair and Members of the UTRCA Board of Directors

From: Jeff Brick, Coordinator – Hydrology & Regulatory Services

Date: October 14, 2009

Agenda #

Subject: Drinking Water Source Protection – Disclosure Service

**Filename Doc #
81719.1**

Recommendation

That staff, in consultation with the Authority solicitor, proceed to develop and implement a service involving the disclosure of DWSP information as part of the currently offered Environmental Planning services; and

That staff provide updates to the Board of Directors on the changes that are needed to this service as the Drinking Water Source Protection Planning process evolves and that staff provide updates on the implications of offering this service in terms of staffing capacity and revenue.

Background

As the Drinking Water Source Protection Program moves forward and Source Protection Plan technical studies receive approval, interim information is being made available and being disseminated. The technical studies are leading to the mapping of vulnerable areas and these technical studies are currently in the process of being peer reviewed. Properties that are identified as being in vulnerable areas may be constrained in terms of future land use or management. The technical studies are generating information that should now be considered by municipalities in fulfilling their decision making responsibilities under the Planning Act. The new information may also have implications for other land use management and development decisions. The concern is that until the Source Protection Planning process is completed, the specific implications for certain uses and activities in certain types of areas are not known.

Analysis

The Thames-Sydenham Source Protection Region Planning staff group (UTRCA, LTVCA and SCRCA) has met to discuss the implications of this information being made available as it relates to the environmental planning services that are offered by each CA. The Planning staff from the three Conservation Authorities agree that the technical information coming from the Source Protection Plan development process should be considered by decision makers, development proponents and landowners. It is also agreed that it is logical that the Conservation Authorities would be a source for this information as it dovetails with the role that Conservation Authorities are playing in the Source Protection Planning process.

It is proposed that the vulnerable areas information will be simply disclosed as part of the current Environmental Planning services that are offered by the UTRCA. The logical milestone for implementing this additional information dissemination is the completion of the peer review of the

technical studies. In all cases the disclosure will be limited to providing mapping showing the location of the vulnerable areas and a statement indicating that the process is underway and the recipient should consider the potential implications of the PPS (2005) and the evolving Source Protection Planning process. A fact sheet providing general information on the Source Protection Planning background and the process will also be provided. The specific clauses for letters prepared by the UTRCA and the specific wording of the fact sheet will be worked out with the Authority solicitor to ensure that the information provided does not attract liability. As the Source Protection Planning process evolves, the disclosure service may need to be adjusted. This will be monitored by staff and reported to the Board of Directors as appropriate.

It is anticipated that there will be an incremental work load increase for Environmental Planning Staff to add this disclosure to the currently offered services. It is also anticipated that there will be a slight increase in revenue related to Planning Application reviews and possibly increased inquiries. The work load and revenue implications will be monitored.

Prepared and Recommended by:

Jeff Brick, MCIP, RPP,
Coordinator, Hydrology & Regulatory Services