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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 Deb Kirk at 519-245-3710 ext 46.

**Meeting Date:** October 2, 2009

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

**Meeting Location:** St. Clair Region Conservation Authority office board room

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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	9:15
a. AR Consultation update	
b. Tier 1 Water Budget update	
c. Comments on SPP Discussion Paper	
d. Letters to MOE	
e. Remodeling of Vulnerable Zones	
f. Consideration of Tile Drained Areas in IPZ-2	
7. Business	11:00
a. MOE clarification on delineation of IPZs for each intake	
b. Meeting Schedule	
Lunch	12:00
8. Information	12:30
a. Exclusion of the Mt. Brydges well system	
b. Vulnerability Assessment Peer Review update	
c. Technical reports update	
d. ODWSP update	
e. Communications update	
f. First Nations update	
9. In Camera Session	
10. Other business	
11. MOE Liaison report	
12. Chair's update	
a. Chair's meeting with Minister	
13. Members reports	
a. Industrial/Commercial Workshop	
14. Adjournment	3:00

## Meeting Materials

	Agenda Item	Description
Discussion Papers		<ul style="list-style-type: none"> <li>• none</li> </ul>
Other materials	4. September Minutes	<ul style="list-style-type: none"> <li>• for review and approval</li> </ul>
	6 a. AR Consultation update	<ul style="list-style-type: none"> <li>• AR Consultation schedule updated</li> </ul>
	6 c. SPP Workshop outputs and comment	<ul style="list-style-type: none"> <li>• Letter on SPP discussion paper comments</li> <li>• Summarized Comments</li> </ul>
	6 d. Letters to MOE	<ul style="list-style-type: none"> <li>• Funding eligibility for First Nations protection of drinking water sources</li> <li>• Changing jurisdiction on pipelines</li> </ul>
	6 f. Consideration of Tile Drained Areas in IPZ-2	<ul style="list-style-type: none"> <li>• Wallaceburg intake – old and revised IPZ-2</li> <li>• Revised LAWSS and Petrolia IPZ-2</li> <li>• Revised West Elgin, Wheatley, Chatham IPZ-2</li> </ul>
	7b Meeting Schedule	<ul style="list-style-type: none"> <li>• Meeting schedule for the next 6 months</li> <li>• Includes additional meetings in November for the review of AR materials</li> </ul>
	8 a. Exclusion of Mt. Brydges System	<ul style="list-style-type: none"> <li>• Environmental Services Committee minutes</li> <li>• Council minutes</li> <li>• Strathroy Age Dispatch newspaper advertisement</li> </ul>
	11 MOE liaison program update	<ul style="list-style-type: none"> <li>• A copy of the MOE liaison's update is provided as mentioned at the previous meeting</li> </ul>

SPC MEETING MINUTES  
FRIDAY OCTOBER 2, 2009  
Meeting #18

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. on Friday, October 2, 2009 at the St. Clair Region Conservation Authority Board Room. The following members and staff were in attendance:

**Members:**

Dean Edwardson	Murray Blackie
Bob Bedggood	Darrell Randell
Paul Hymus	Pat Sobeski
Carl Kennes	Pat Donnelly
Joe Kerr	Patrick Feryn
Doug McGee	Sheldon Parsons
Charles Sharina	Richard Philp
John Van Dorp	Earl Morwood
Brent Clutterbuck	Valerie M'Garry
Marg Misek-Evans	Teresa McLellan

**Regrets:**

Don McCabe  
James Maudsley  
Joe VanOverberghe  
Joe Salter  
Jim Reffle

**Others in attendance:**

**Staff:**

Chris Tasker  
Rick Battson  
Chitra Gowda  
Ralph Coe  
Ian Wilcox  
Brian McDougall  
Steve Clark



1) Chair's Welcome

Bob Bedggood welcomed the committee.

2) Adoption of the Agenda

A motion to approve the agenda, noting that item 8d would be dealt with prior to 7a, was requested.

moved by Dean Edwardson-seconded by Pat Donnelly

*“Resolved that the agenda circulated be approved with the noted change in the order of item discussion.”*

*CARRIED.*

3) Delegations

None

4) Minutes from the Previous Meeting

A motion to approve the minutes from the previous meeting was made.

moved by Charles Sharina –seconded by Brent Clutterbuck

*“Resolved that the agenda and minutes be approved.”*

*CARRIED.*

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

a) AR Consultation update

An update on assessment report consultation was provided by Chitra G. There were two vulnerability assessment public open houses on September 29, 2009 at Stratford (for the Stratford, Shakespeare, St. Pauls and Sebringville municipal well systems) and on September 30, 2009 at Mitchell. More than 30 persons attended each open house. Two more open houses are confirmed: October 21, 2009 at London (for the Birr, Melrose, Fanshawe and Hyde Park well systems), and October 27, 2009 at Ridgetown (for the Ridgetown and Highgate well systems). Staff will continue to update the schedule and send it to the committee members by email. Sheldon P. indicated that October 26, 2009 is a Chatham-Kent council meeting date, and to avoid that date for Chatham-Kent municipal systems open house consultation.

b) Tier 1 Water Budget update

Chris T. mentioned that revisions to the tier 1 water budget and work on the tier 2 water budget are going on. Work would be presented to the SPC in November.

c) Comments on SPP Discussion Paper

Bob B. and Chris T. used committee input from the previous meeting to draft a letter to the MOE with the SPC comments on the source protection planning (SPP) discussion paper. Following circulation to the members for comment by email, the letter was delivered to Ian Smith at the SPC Chairs' meeting. He mentioned that long term continued funding was discussed at his meeting. Bob thanked the SPC for their help and timely response.

d) Letters to MOE

The pipeline and First Nations stewardship letters were also presented by Bob B to Ian Smith at the SPC Chair's meeting.

e) Remodeling of Vulnerable Zones

Chris T. provided an update on the vulnerable zone delineations.

The SPC passed a motion at its last meeting to not consult on the St. Marys wells until the uncertainty in vulnerable area delineation is reduced to an acceptable level. If the vulnerability assessment of the St. Marys wells is not included in the assessment report, this work would be a significant assessment report data gap. Discussions with the consultant are likely to confirm that it is not possible to initiate and complete the modeling to delineate the vulnerable area, and also consult

on it, before the draft assessment report is to be posted. Through preliminary discussions on the subject Staff at MOE has made it clear that the assessment report would not be in compliance with the Clean Water Act if it is submitted without the St. Marys work. Another option to be discussed with MOE is a request for an extension in the deadline to submit the UTRSPA Assessment Report. Technical work on the two planned Oxford wells will also not be completed in time for inclusion in the Assessment Report if submitted on schedule.

In the Lower Thames Valley SPA, the emergency intake of the West Elgin water treatment plant may also prove to be a challenge. The intake protection zone-2 for this emergency intake is yet to be delineated. The intake is only somewhat functional and can only be operated partially for short periods of time and low flows, as it is prone to silt clogging problems. The municipality is considering changes to the intake which would allow it to be used. Those changes could include a shift in location which would affect the IPZ for this emergency intake.

At the next meeting an update will be provided on outcome of further discussions with MOE so that the committee can decide how to deal with significant gaps in the Assessment Reports.

#### f) Consideration of Tile Drained Areas in IPZ-2

At the last meeting, the SPC decided to include the first parcel touching the buffered areas around watercourses and water bodies in the intake protection zone-2s (IPZ-2s) due to the likelihood that they contain transport pathways to the IPZ-2. The revisions to the IPZ-2s were presented as figures. Pockets of excluded parcels as a result of the revisions were noted and discussed.

The revised Wallaceburg IPZ was discussed. Concerns were raised on the exclusion of pockets of land that drain directly to the Chenal Ecarte and the lack of information on pumps draining land around the Chenal Ecarte including those on Walpole Island.

The SPC was informed that information was requested from Walpole Island with no response. A discussion took place on the responsibility of the SPC when vulnerable areas in the region cross federal or international boundaries. Teresa M. clarified that the Clean Water Act allows for First Nations to participate in the technical studies but does not empower the SPC to apply it to First Nations. Concerns were raised over the information presented at public open houses due to the data gap that Walpole Island poses in the technical work related to the Wallaceburg intake. The committee suggested that areas outside of the SPR, but likely to be within the IPZ, should be shaded a different colour. In the case of Walpole this would be to identify the data gap related to drains and pumping schemes on the island and also the lack of jurisdiction over that area.

Concerns were raised about the 120 m setbacks not including the effects of the much faster flow when the pumps are on. The SPC was informed, by Sheldon P and Joe K, of the operation of non-municipal pumps by drainage commissioners. The drainage commissioners are generally private landowners who operate pumps as needed, on the McDonald Tap, Rabideau, Private, Townline and other drains that drain into the Chenal Ecarte.

Concerns were raised over the northward extent of the IPZ-2 in the Chenal Ecarte. It was felt that the delineation did not go far up enough based on local knowledge of the velocity under normal conditions. This will need to be explored with the consultant.

A motion was proposed to consider the above noted concerns and further revise the Wallaceburg IPZ-2.

moved by Sheldon Parsons –seconded by Joe Kerr

*“Resolved that the SPC members with local knowledge of the Wallaceburg area provide information to staff and meet with the drainage commissioners and consultants to ensure that the drainage schemes are adequately represented in the mapping. Further, that the consultants be requested to reconsider flow velocity in the Chenal Ecarte in order to accurately delineate the 2 hour time of travel from upstream of the intake. Also, that the maps be revised to show Walpole Island as a data gap and include all pumped drainage areas which outlet within the 2 hour time of travel. As such, if the pump is located within the 2 hour time of travel, then all parcels of land that the pump drains are to be included”*

*CARRIED.*

The Wheatley, West Elgin, Chatham, Lambton Area Water Supply and Petrolia intake protection zones were reviewed and discussed. A discussion on the scientific basis to include pockets enveloped by the IPZ-2 for all intakes took place. A motion was proposed to consider the pockets enveloped by but excluded from the IPZ-2 based on the consultant's professional judgment and local knowledge of drainage and pump schemes.

moved by Valerie M. – seconded by Darrell R.

*“Resolved that the consultant ensure that professional judgment and local knowledge of drainage and pump schemes be used to determine whether parcel pockets enveloped by the IPZ-2 are to be included in the IPZ-2”*

*CARRIED.*

At the Wheatley IPZs, it was identified that the divide between the Essex Region and the Lower Thames Valley watersheds should be shown on the maps. In reviewing the Chatham IPZ, the property excluded from the IPZ-2 near Old Street Line was discussed and determined to not likely be included in the IPZ-2. Through Brent C., the Municipality of West Elgin let the SPC know that it wanted watercourses and municipal drains to be differentiated in the vulnerable areas figures and maps. The SPC decided that the vulnerable areas figures and maps do not need to show that differentiation but the Municipality of West Elgin was welcome to have their consultant differentiate between drains and other watercourses on the figures and maps in their study. This would not be reflected in the Assessment Report maps as it is not relevant to Source Protection. Further, the Municipality of West Elgin identified to Brent C. that it would like to see the parcel pockets included in the IPZ-2. It was discussed that the SPC motion on the consideration of parcel pockets be applied



to all intakes including those at West Elgin. This would determine if there was any basis for the inclusion of those pockets. While reviewing the IPZ for the Petrolia Bright's Grove intake, it was asked why areas north of Maundaumin road were not included, and why setbacks on the tributaries of Cow Creek seemed to be missing. The consultant is to check these as well as the drainage of properties on Michigan Line to consider the inclusion of those properties in the IPZ-2. The LAWSS IPZ was also discussed. A comment on the map scales was made, noting that relevance is important and that scales seemed to be missing on some maps. A discussion took place on presenting the IPZ on the United States side of the border. Chris T. clarified that in the assessment report, the part of the IPZ on the United States side cannot be shown as part of the IPZ. A motion on the presentation of the LAWSS IPZ on the United States side of the border was passed.

moved by Sheldon P. – seconded by Doug M.

*“Resolved that the intake protection zone on the United States side of the international border be shown in a different color”*

*CARRIED.*

A further discussion took place on a possible SPC subcommittee to review the Wallaceburg intake protection zones including meeting the consultant and drainage commissioners. It was decided that Joe Kerr, Sheldon Parsons and Darrell Randell could meet the consultant and drainage commissioners and provide local knowledge to help with a more accurate delineation of the Wallaceburg intake protection zones.

## 7) Business

### a) MOE Clarification on delineation of IPZs for each intake

The SPC was provided information on recent clarification from MOE on the delineation of vulnerable areas for systems with more than one intake. Each intake must be delineated and scored separately. In the TSR, the Wheatley and West Elgin water treatment plants have two surface water intakes each: primary intakes and near-shore emergency intakes. The separate intake protection zones have been delineated and scored for each intake except the IPZ-2 for the West Elgin emergency intake. Discussions with the Municipality of West Elgin, system operator OCWA and the technical study consultant took place to get an estimate of the time and effort needed to delineate and score the IPZ-2 for the emergency intake. It would be about a month to model, then it is to be peer reviewed and consulted upon. As discussed in item 6e, the West Elgin emergency intake can only be operated partially for short periods of time and low flow, as it is prone to silt clogging problems. Further, the plant is considering a reconfiguration of the intake which would affect the delineation of the IPZ-2 for that intake.





The SPC broke for lunch from 12:15 pm to 12:45 pm.

The discussion on the delineation and scoring of IPZ-2 for the West Elgin emergency intake was continued. The work may be a part of the phase 2 or addendum to the Assessment Report. It was suggested that, given the undetermined status of this intake, other priorities and tight timelines, the West Elgin emergency intake modeling for the delineation of IPZ-2 be given a lower priority.

#### b) Meeting Schedule

Bob B. discussed the November SPC meeting on November 13, 2009 and also the need for SPC members to commit to two more days in November. These additional meetings are required to review, discuss and approve the assessment report material. The timing and need for the extra meeting days is based on the assessment report material and submission timelines. The SPC members present were asked about their availability for the week of November 16, 2009. Based on the member's response, the dates of November 19 and 20, 2009 were selected to be additional SPC meetings. It was noted that the SCRCA board room was not available on November 19 so an alternative location will be found.

### 8) Information

#### a) Exclusion of Mt. Brydges well system

Chris T. provided information on the exemption of the Mt. Brydges well system from further technical studies under source water protection program. The Mt. Brydges drinking water system is a groundwater source of drinking water in the UTRCA watershed. It was confirmed by Mark Harris, Director of Environmental Services, Municipality of Strathroy-Caradoc, that the municipality intended to switch over to the Lake Huron primary water supply for drinking water needs in 2010. The exemption of the Mt. Brydges well system from further technical studies under SWP was discussed with TSR staff. A copy of the Environmental Services Committee report dated June 18, 2009, the council meeting minutes dated July 6, 2009 where a motion to approve of the exemption of the Mt. Brydges system was passed and the Strathroy Age Dispatch newspaper advertisement published September 1, 2009 to inform the public of decision were presented to the SPC. This requires an amendment to the Terms of Reference for the SPA.

The exemption of the Kilworth Komoka system is still being considered.

#### b) Vulnerability Assessment Peer Review update

Chitra G. provided an update on the vulnerability assessment peer review process. All vulnerability studies are peer reviewed with the exception of Oxford and the Thames Centre wells.

Peer reviewer comments on the Ridgetown wells regarding the hydraulic conductivity and recharge values used were satisfactorily addressed by the consultants after they held discussions with the peer reviewers. Hence the vulnerability assessment of the Ridgetown system is ready to be consulted on.

#### c) Technical Reports Update

Chitra G. presented an update on the status of the technical studies in the region. All draft vulnerability reports are received except for Thorndale and Dorchester. All IPZ-2s were revised to follow the SPC's direction on transport pathways to include the first parcel adjacent to the setbacks from watercourses and water bodies and CA regulatory limits. Revised factors and scores for the Chatham-Kent and West Elgin intakes are yet to be provided. The WHPAs are being delineated and scored for Thorndale wells and Dorchester overburden and bedrock wells. There were some delays in the Dorchester bedrock wells study.

Draft issues reports were received for the London-Middlesex, Thames Centre and Chatham-Kent groundwater systems and the LAWSS and Petrolia systems. The SPC were informed of the potential issues identified in the raw water to these systems. Parameters such as hardness, total dissolved solids and chlorides were identified as naturally occurring issues in these systems. At the Fanshawe wells, organic nitrogen was identified as being an issue of both natural and anthropogenic sources. At the LAWSS and Petrolia surface water systems, no issues were identified. Concerns noted by the LAWSS and Petrolia plant operators were also described. The concern of spills at the LAWSS intake was clarified as being related to shipping.

#### d) ODWSP update

Teresa H. provided an update on the Ontario Drinking Water Stewardship Program uptake in the Thames-Sydenham and Region. Approximately \$380,000 was provided to the TSR. About 9,700 parcels in the TSR are eligible for funding of which 1150 have uptake potential, based on a review of land use and funding project types. The SPC can obtain lists of people targeted for this funding program. It is not determined at this point whether the funding will extend beyond the 2 year time of travel in future programs.

#### e) Communications update

Teresa H. provided an update. Open house consultation work is going on, including preparation for remaining phase 1 open houses as well as the phase 2 open houses across the region.

#### f) First Nations update

No updates.



9) In Camera Session

None

10) Other Business

11) MOE Liaison Report

Bob B. noted that the MOE August 26, 2009 report is a part of the SPC meeting package. Teresa M. mentioned the MOE Geothermal technical bulletin, also a part of the SPC meeting package. She will provide information from a meeting with the MOE approvals branch on assessment report data gaps and deficiencies.

Teresa announced that the Assistant Deputy Minister (Drinking Water Management Division) and Chief Drinking Water Inspector for Ontario, John Stager selected TSR to visit. He is looking to gain insight into ground level work by visiting the region and meeting with GIS, communication and technical staff to discuss the region's source water protection program.

12) Members Reports

*Bob Bedgood* provided an update from the SPC Chair's meeting held in September, 2009. At this meeting the chairs met with the Minister of Environment. He mentioned that the geothermal issue was brought up and the committee's concerns were noted by the Minister. Bob also noted the support of many SPC chairs for long term funding for the source water protection program. Bob B relayed the Minister's appreciation for the work by SPCs and thanks them for their commitment to protecting Ontario's drinking water. The Minister identified to the chairs that he understands the time and effort required in conducting the source water protection program.

*Earl M.* mentioned separate workshops will be held October 8 and 14, 2009, for the drilling and installation of geothermal system. The drilling segment is dealt with under the OWRA. The OGWA and Canadian Geothermal Coalition is developing legislation for drillers which is expected to be in place in April 2010. The MOE technical bulletin seems to help clarify ground source technology.

*Carl Kennes* mentioned he attended the industrial/commercial workshop at Mitchell on September 15, 2009. Representatives from various SPCs attended. It was a brainstorming session on how to best serve the people the SPC represents. Concerns were raised on the various rules being followed and the impacts on industry owners. Prescribed instruments can be used. The Ausable Bayfield-Maitland Valley region conducted test runs of policies with industry owners but found it challenging since the interviews were conducted without informing the owners of the repercussions. Carl K.



asked if it is possible to host one of the industrial /commercial workshops since rotating hosts was discussed and encouraged at the meeting he attended. It was agreed.

*Joe Kerr* mentioned that in the province of British Columbia, surveys are being conducted on whether the drinking water should be chlorinated or not. Ontario is far advanced in source water protection.

*Richard Philp* informed the SPC that on September 22, 2009, the Simcoe County Council voted against the approval of Dump site 41.

*Pat Feryn* reported on the Stratford open house, noting the turn out was good, about 40 people, with landowners curious about why their land fell within a well head protection area. A landowners and municipal councillor raised a question on why not enough attention is being paid to decommissioning wells outside the WHPAs.

*Dean Edwardson* mentioned the EBR posting 0106350, on stewardship, dealing with legislation on conservation plans, intra-water basin transfers and phase 2 charges for commercial and industrial water users. He expressed his concern over significant costs to come on top of other costs and legislation. He pointed out that this affects industry competitiveness in this area. As an example, a commercial operator who has a permit to take water may be subject to these costs. The SPC should be mindful of the significant impact these costs will have on the industrial sector due to cumulative impacts of various regulations.

*Darrell Randell* noted the large number of abandoned wells in Lambton County and is concerned about how to address this through the source water program. Chris T. mentioned that if these are affecting municipal wells, they are not considered in the threats analysis in the current assessment report.

Bob Bedgood mentioned that the next meeting is on November 13, 2009 and to indicate to Chitra whether you can attend or not.

## Adjournment

There being no further business, the meeting was adjourned at 2:30 p.m.