



SPC Sub-Committee MEETING MINUTES
MAY 13, 2011
Meeting #38

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. on May 13, 2011 at the St. Clair Region Conservation Authority (SCRCA) Boardroom. The following members and staff were in attendance:

Members

Bob Bedggood
Murray Blackie (SPA Liaison)
Brent Clutterbuck
Dean Edwardson
Pat Feryn
Paul Hymus
George Marr
Don McCabe
Valerie M'Garry
Doug McGee
Earl Morwood

Sheldon Parsons
Joe Salter
Charles Sharina
Patrick Sobeski
John Trudgen
John Van Dorp
Joe Van Overberghe
Teresa McLellan (Provincial Liaison)

Regrets:

Kennon Johnson
Jim Reffle (MOH Liaison)
Pat Donnelly
Carl Kennes
Joe Kerr
James Maudsley
Darrell Randell
Augustus Tobias
Darlene Whitecalf

Staff:

Steve Clark
Chris Tasker
Deb Kirk
Ingrid Vanderschot
Brian McDougall
Linda Nicks

Rick Battson
Derekica Snake
Chitra Gowda
Girish Sankar

1) Chair's Welcome

Bob Bedggood welcomed the committee and indicated a quorum had not been met. Agenda items requiring the SPC approval today were identified as items 7 a. and 7 b. relating to the Lower Thames and St. Clair Assessment Reports. The proposed updates and revisions need to be incorporated and the reports posted for consultation. The members present agreed to proceed as a subcommittee and report to the full Source Protection Committee to endorse the decisions made today, at the next meeting of the SPC, allowing for the meeting and work on the Assessment Reports to proceed.

2) Adoption of the Agenda

Moved by Dean Edwardson-seconded by Earl Morwood

“RESOLVED that the agenda be approved.”

CARRIED.

3) Delegations

There were no delegations.

4) Minutes from Previous meetings

A motion to approve the SPC April 8th meeting minutes was not moved due to not having quorum.

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

a) AR Status

A letter dated May 10, 2011 from Ian Smith of the Ministry of Environment was circulated today outlining the directions relating to the UTR SPA report. An

extension date was given to August 8, 2011 to complete the work. This date poses a minor challenge as the committee will not have had an opportunity to consider any comments if the report is to be submitted by this date. Chris suggested that the report be submitted as directed and indicate that the Source Protection Committee would provide MOE with their responses to comments following the August 8 meeting. The Lower Thames and St. Clair reports are approved and updates are being completed.

b) Fuel Handling and Storage working group update

Steve Clark gave an update on the recent fuels handling and storage working group meeting held on April 27th. Joe Van Overberghe and Dean Edwardson participated as well as fuel distributors, water system operators from St. Mary's and Dorchester, the Essex Region SP staff and Technical Standards and Safety Authority staff. Policy considerations were discussed as they relate to fuel handling and storage. A draft report will be circulated to the working group for review and then be presented with policy examples to the SPC at the July meeting. It was reported there is now a greater understanding of the relationship between business owners, home owners and municipalities.

c) First Nations Liaison Committee

Derekica Snake the First Nations liaison gave an update. A First Nations Liaison Committee is being formed and the Terms of Reference has been started. The hope is to have all regions' eight First Nations involved. Augustus Tobias and Darlene Whitecalf will be the leads in this process. The next meeting is scheduled for May 25, 2011. A First Nations grant is available from the Ministry of Environment. Each First Nation has to apply and they are renewable annually. Developing the Terms of Reference for the committee has resulted in a name change evolving to "liaison" as the preference. How representation is structured is being explored. Officially, the Delaware and Chippewa of the Thames First Nations have committed to participating in the GUDI studies. Letters to formalize this participation to come and Dillon Consulting will be completing the work. The Oneida First Nations have asked for further information.

7) Business

a) LTVCA Assessment Report

Proposed updates, revised threats maps, updated LT AR, IPZ3 status.

Chitra Gowda reviewed the tables circulated to the committee titled "*Updates and Amendments to the Approved Lower Thames Valley Amended Proposed Assessment*"

Report as per MOE letter dated December 20, 2010.” The work on modeling the Essex Region SPA’s Lake St. Clair IPZ-3 up the Thames River into the Lower Thames Valley SPA is not completed but is expected by the end of May 2011. This work therefore would have to be included in a subsequent AR for the Lower Thames.

Key points of discussion:

- SGRA mapping is different; less area than in previous maps with fewer SGRAs identified.
- Surficial geology was used to provide a better representation of recharge versus calculations used with County soil maps.
- A concern was raised of the limitations on the data and having this noted in the AR report.
- Pasture and outdoor confinement area threats were discussed. Pasture land related to significant threats in the Ridgetown WHPA-A are not only pathogen type but also chemical threat (nitrates).

The LTV Assessment Report is approved now. The IPZ3 work needs to be included at some point and the SGRA’s should be changed to reflect the better methodologies used. The SGRA’s are scored 6, 4, or 2 and any areas that are scored 6 overlap with the HVA’s so those areas will not change. Scores of 4 and 2 are the areas which will have changes. If the score is 4 or less activities are not classified as a threat. The recommendation is to continue to focus efforts on significant threats and not update the LT AR at this point. The update will be completed when the IPZ-3 information is available and can be considered. There is the possibility there will not be policies based on IPZ3 in Lower Thames. Baird Consulting will be running models. The same methodology is being used in Essex and same as applied to LAWSS, Petrolia. Similar wording is being used in the Essex AR identifying the need to work with the Thames-Sydenham and Region and this work being a gap. The most likely outcome of the current work is that more work would be required if significant threats can be identified. The current work is focused on exploring what needs to be updated in the AR in the future.

Moved by Sheldon Parsons -seconded by George Marr

“RESOLVED that the approved Lower Thames Assessment Report not be updated at this point in time.”

CARRIED.

The committee broke for lunch from 12:25-1:00 p.m.

b) SCRCA Assessment Report

Chitra reviewed the tables circulated titled “*Updates and Amendments to the Approved St. Clair Region Amended Proposed AR (as per the letter dated Dec. 20, 2010, on the SCRSPA Updated Work plan).*”

The proposed updates, revised threats mapping, updated SGRA, IPZ-3 status and AR schedule were discussed.

Key points:

- 4-1 Vulnerability Overview and 4-4b Wallaceburg IPZ maps. A note was made to change the river to show it extending it up farther along the shoreline as there are a number of industrial facilities that would be missed. Girish Sankar will bring this forward to Baird Consulting.
- A concern was discussed on the flow numbers used to develop the Wallaceburg IPZ-3 map
- A concern was discussed that the zone did not extend up the north branch was noted. Particle tracking itself does not determine IPZ3 rather it is the boundary within which to look. Reverse particle tracking means a particle could get to the intake. The model is run forward with the spill and scenario to establish whether the concentration is sufficient and it is extrapolated beyond that. Discussions are still ongoing with the consultant on the extent of the IPZ-3 up the north branch.
- A question was raised of using a 100 year storm event (wind). A 1 in 100 year storm event is written into the rules as the maximum storm which we cannot go beyond. More detailed information is outlined in the presentation to follow.
- IPZ-3 for Wallaceburg, Petrolia and LAWSS intakes were delineated and detailed threats and risk assessment for the delineated IPZ-3s is yet to be completed and will be part of a subsequent AR.

Girsh Sankar gave a presentation to offer a more detailed explanation of how IPZ-3 was delineated by the consultants on the Wallaceburg, Petrolia and LAWSS intakes and the significant threats which were identified through this process.

Key points during the presentation:

- The presentation outlined Technical Rules, approach for IPZ-3 delineation, delineation of IPZ-3 outer boundaries, spill modeling for specific activities, limitations of analysis and modeling and IPZ-3 and Significant Threats.
- A combined approach has been used including; joint probability analysis to select extreme events, reverse particle tracking to define outer IPZ-3 boundaries, identification of activities of concern, Contaminant transport modeling and IPZ-3 delineation and application of Rule 130.
- Bear Creek results were highlighted as showing the contaminant not reaching the Wallaceburg intake at concentration levels higher than the Ontario Drinking Water standards. The consultants are working to determine the results from the north branch.
- A question of how the model is compared was asked. A validation scenario was used however the limited model calibration and validation is a limitation. A comparison was also done to velocity data collected for IPZ-2 work in Wallaceburg. More concentration data has been received recently but has not been considered. It is the best tool based on the available information.
- An explanation of the Joint Probability Analysis was given. They look at the probability that the water level in Lake Huron is at a certain point to provide flow down the St. Clair River and the probability of the flow of the Sydenham River being at the same level and ensure it less than the 100 year event. Probability of spill happening at the same time is not considered.
- Complex variables are considered when looking at storm events. A 100 year event was defined as being a 1% chance of happening each year versus a 250 year event as a 0.4 % chance. Duration of rain, intensity and wind in combination are used to calculate this. Rules allow anything up to a 100 year event.
- A question was asked as to whether Cow/Perch Creek run dry. They do not and the flows are measured on a regular basis on Perch Creek.
- Maps of IPZ-3 in Petrolia, LAWSS and Wallaceburg were reviewed. The modeling shows under these scenarios, spills of that nature (material and quantity) would be a significant drinking water threat
- A question was asked of whether the white donuts on the map should be filled in IPZ-2 and IPZ-3. Rules state 120 m set back or the regulation limit, the greater of the two has been used to delineate the IPZ-3. Uncertain as to what to do with transport pathways. There has to be valid reasons to fill them in. Include these areas may require additional work to determine impact on concentrations however attention will be drawn to anything that directly outlets into these areas through text in the AR.
- Wallaceburg IPZ-3 map was reviewed. The Technical Advisory Committee recommended extending it further north to include all the pipelines. Baird is investigating to see if there was

a spill would it reach the Wallaceburg intake at a concentration which is a problem. Updated map for IPZ-3 to follow.

- The Tupperview Bridge was identified as a location where a spill would be a problem. Under what conditions it becomes a problem is uncertain due to different methodologies applied. The consultants need to further investigate and assess the distance up the north branch
- Wallaceburg has a large regulated area and the consultant was challenged when looking at the when spill in the regulated area would result in a concentration where it would be a problem at the intake.
- Another factor noted was that under high flows on the Sydenham River, the branches do not react similar. The flow along the east branch moves more quickly ahead of the north branch. Very seldom are their high flows at Wallaceburg on both branches at the same time and using similar methodologies should show the differences.
- The IPZ3 work in Wallaceburg is a work in progress; the IPZ will be extended north on the St. Clair River and the flow details for the north branch.
- Understanding the concepts and what is being called a significant threat in IPZ-3s was noted as important. Detailed inventories have not been done. Using tanker trucks were chosen to allow the committee to identify and move forward when looking at transportation type policies and flag large storages of this nature as possibly being a problem. Only Benzene as part of fuel was looked at.

A motion was brought forward for the SPC to give the Technical Advisory Committee authorization to approve the IPZ3 work and bring the decisions forward to the next meeting for formal SPC approval.

Moved by George Marr-seconded by Pat Sobeski

“RESOLVED that the SPC give authorization to the Technical Advisory Committee to make decisions on behalf of the SPC on the IPZ-3 work and bring forward at the next SPC meeting for formal approval.”

CARRIED.

The SPC was given copies of the sections where significant text edits were made. The SCR AR will be posted on May 27th for a comment period to June 27th and submitted to the Ministry by June 30, 2011. The committee will see the comments at the July SPC meeting.

c) UTRCA Assessment Report

i. Proposed updates-A review of the table titled “*Changes to Upper Thames River Proposed Assessment Report Revisions to address MOE Early Notifications Letter*” was given of the changes required to the UT Proposed AR.

Key points:

- Tier 2 water budget work has been updated.
- Map 4-2-1 SGRA map was revised. Rule 46 allows professional judgment in determining and defining SGRA areas. Areas were removed which peer reviewers felt were groundwater discharge rather than recharge areas in river valley/flood plain.
- When overlaying the groundwater vulnerability on the SGRA it creates “overlay artifacts” or “sliver polygons.” Since the datasets do not align the slight gaps and overlaps between the boundaries create small polygons of which some are assigned a vulnerability score of 6 but have areas less than 1 square meter in size. This will be considered in policy development.
- Perth WHPA sewer threats analysis work is complete and is now added in the AR to include Mitchell, St. Mary’s, Shakespeare and Stratford systems. This has resulted in an increase in the number of locations of significant threats. A few more letters will be sent to the affected landowners (municipalities for sewer threats).
- A question was asked related to pasture and outdoor confinement area threats analysis and how the type of animal on the properties was determined. Ariel photography was used and if questionable drive-by verification was done.
- Kilworth-Komoka wells were decommissioned and have been removed from the amended AR. It was noted there are no longer vulnerable areas associated with this system as the system is decommissioned.

ii. WHPA-E -Chris Tasker gave a presentation on WHPA-E Delineation and Vulnerability Assessment. The outline included rules related to WHPA-E, St. Mary’s example in detail, and an overview of Dorchester, Fanshawe, Thamesford, Woodstock rural and Vulnerability Scoring.

Key points of presentation:

- It was reported the *draft* reports have been received for the non-Oxford systems and the Oxford system report is expected soon.
- The types of intakes for GUDI wells were reviewed. Type C: River for Dorchester, St. Mary's and Thamesford and Type D for Fanshawe and Woodstock.
- WHPA-E Vulnerability Assessment was explained in determining the vulnerability score using Source Vulnerability Factor and Area Vulnerability Factor.
- It was determined no WHPA-F is required.
- St. Marys' Well 1 WHPA Components were described. It was noted in the IPZ-2 work entire parcels drained by tiles which touched on the buffered areas were included in the IPZ. St. Mary's has different topography therefore digital elevation was used and only the parts of parcels which drain towards the buffered zones were included. With the IPZ2 scores are low so including the extra area had less impact than in the WHPA-E where it might be possible to have significant threats.
- Storm sewer sheds were included. Storm sewers are close to the wells so the entire sewer sheds were included in the zone. Similarly, with the exception of an area in Zorra where parcels show tile drainage layer extending upstream of the 2 hour cut off the travel time within the tiles was not considered.
- Overland run flow was not included. The rules allow it but do not specifically point to doing it. These areas could be included if desired.
- The map for St. Mary's WHPA-E was reviewed. This was as a result of combining work done on Trout Creek and overlaying the work from the consultants on North Thames. The vulnerability score was re-accessed across the province and resulted in a score of 7.2, therefore no significant threats are possible in WHPA-E. If the score were 8 or greater, pasture lands and livestock confinement areas would be significant threats.
- It was pointed out that St. Paul's WHPA-E should be labeled on the map to distinguish it as being a different system.
- Dorchester WHPA-E. South of 401 is an area that was highlighted outside the WHPA-E shown on the map where there are ditches and should be included. The consultant is satisfied with the lines on the map covering the areas of 2 hours time of travel and did not support adding in the other areas along the 401 which would be beyond the 2 hour travel time.

- Fanshawe WHPA-E (emergency wells for London). The consultants used a 120 meter buffer around the ponds. These are considered to be a Type D intake due to the standing water.
- Thamesford WHPA-E. Nitrate issue has been removed from the list so there is no need to go to a WHPA F. There are 2 watercourses which are considered, one meets up with the Middle-Thames down stream of the well. So the nearest point to the well was used on both watercourses.
- Woodstock WHPA-E. Watercourses in this area needed to be delineated and previous field work done in the area was relied on to look at water flow which was not consistent with what maps indicated. This resulted in only small areas close to the wells being identified as WHPA-E.
- The Vulnerability Score Summary for WHPA-E was reviewed. The consultant considered the vulnerability scores of the IPZ-2 in the region as well as WHPA-E and IPZ-2 from other regions in making their final submission for vulnerability scores.

In summary, the revisions outlined will be incorporated into the Assessment Report.

Moved by Brent Clutterbuck-seconded by Dean Edwardson

“RESOLVED that the committee accept the amendments to the Lower Thames Assessment Report.”

CARRIED.

Moved by Paul Hymus-seconded by Charles Sharina

“RESOLVED that the committee accept the updates to the St. Clair Region Assessment Report and authorize the Technical Advisory Committee’s to incorporate the changes related to the IPZ-3 work.”

CARRIED.

d) Farm Water Protection Plan presentation (John Van Dorp)

John Van Dorp gave a presentation on a draft proposed “*Farm Water Protection Plan*” proposal being developed by the Ontario Farm Environmental Coalition (OFEC). OFEC is led by four main organizations consisting of the Ontario Federation of Agriculture, Christian Farmers Federation of Ontario, Ontario Farm Animal Council and AGCare. The proposal recommends that the “Significant Drinking Water Threat” property owner should have the opportunity to complete a “*Farm Water Protection Plan*” prior to meeting with the Risk Management Official and have access to technical assistance to prepare the plan.

“*Environmental Farm Plans*” (EFP) are voluntarily prepared by farm families to increase their environmental awareness on their farm. Through the EFP local workshop process, farmers will highlight their farm's environmental strengths, identify areas of environmental concern, and set realistic action plans with time tables to improve environmental conditions.

The proposal indicates the farm owner will need appropriate technical support tools and optional access to knowledgeable, 3rd party technical assistance in order to develop a site-specific proposed plan. The proposed plan will incorporate the same standards as the “*Nutrient Management Act*” and farmers will be required to complete four of the worksheets adapted from the “*Environmental Farm Plan (EFP)*.” It was noted that fruit and vegetable growers require different licenses and some of the guidelines from the EFP may not apply. Additional key points included: the plan will be a framework to deliver the policy and can be started now, persons having significant threats should be seen as the priority for future funding through the EFP program and implementation will be contingent on funding from the Ministry of Environment.

e) Ag Threats Policy discussion

Ingrid Vanderschot gave an update on the work completed by the sub-committee at the May 6th workshop. SPP objectives were discussed when looking at the four discussion papers addressing the ASMs, pesticides, commercial fertilizers and livestock grazing and outdoor confinement areas. These threats were looked at together as there is some overlap in how policies will address these threats. The table below outlines the outcomes of the May 6th meeting and incorporates the discussions from today's meeting.

SPP Objectives used as a guide for policy development:

- Storage of Pesticides
- Storage of Commercial Fertilizers
- Storage of Agricultural Source Materials

- To control nitrogen, pathogens and pesticides so that there is no deterioration of groundwater for the purposes of drinking water
- To control pathogens and MCPA (pesticide) so that there is no deterioration of surface water for the purposes of drinking water
- To prevent spills and leaks
- To ensure spills response plans are in place
- To require storage that meets safety standards (e.g. size and containment)
- To prevent temporary storage within WHPA-A
- To require storages are a safe distance from wells and surface water
- To raise awareness of impact of threat on drinking water sources
- That MOE consider new pesticides in the tables of drinking water threats as they are introduced
- That emergency responders need to be aware of the contents in the storage in the case of fires or spills

Handling of Pesticides

Handling of Commercial Fertilizers

- To control nitrogen, and pesticides so that there is no deterioration of groundwater for the purposes of drinking water
- To prevent spills from occurring
- To ensure spills response plans are in place
- To require handling procedures meet safety standards
- To require safe handling distance away from wells and surface water
- To raise awareness of impact of threat on drinking water sources

Application of Pesticides

Application of Commercial Fertilizers

Application of Agricultural Source Materials

- To control nitrogen, pathogens and pesticides so that there is no deterioration of groundwater for the purposes of drinking water
- To control pathogens and MCPA (pesticide) so that there is no deterioration of surface water for the purposes of drinking water
- To prevent over application of pesticides, commercial fertilizers and ASMs
- To manage nutrient application so that it matches nutrient uptake of plant
- To adhere to pesticide labels
- To minimize runoff of pesticides, commercial fertilizers and ASMs
- To manage application of pesticides, commercial fertilizers and ASMs in proximity to municipal wells where drinking water could be adversely affected.

- To raise awareness of impact of threat on drinking water sources

The Use of Land as Livestock Grazing or Pasturing Land

The Use of Land as an Outdoor Confinement Area or Farm-animal Yard

- To control nitrogen, and pathogen contaminants in livestock manure so that there is no deterioration of groundwater for the purposes of municipal drinking water
- To manage grazing and outdoor confinement so that pathogens do not enter surface water where it could result in the deterioration of the water for the purposes of municipal drinking water
- To prevent runoff from outdoor confinement areas from entering wells and surface water through active management. (Livestock manure is at greater concentrations from outdoor confinement areas and farm-animal yards and therefore the accumulation of nutrients is intensified, thereby increasing the risk of contamination.)
- To avoid high intensity grazing too close to wells and in surface water where drinking water could be affected
- To raise awareness of impact of threat on drinking water sources

Discussion Papers Review

The committee reviewed and discussed each of the discussion papers on Commercial Fertilizer, Pesticides, and ASMs. Livestock grazing and outdoor confinement areas discussion paper will be reviewed at the June SPC meeting. The Conservation Ontario updated background documents were made available this week and new revisions have been incorporated into the Thames-Sydenham discussion papers. Ideas today will be used to develop formal policy examples to be reviewed at the next SPC meeting.

Highlights of the discussion paper discussion as outlined:

Commercial Fertilizer Discussion Paper

- Definition of cover crop was revised to “*winter plant cover*” in the last bullet under incentive programs to be more general.
- The committee discussed prohibition at length and whether it should be used as a policy tool.
 - Prohibition will be used as a last resort to stop a new or existing operation from becoming a significant threat.
 - “Application” cannot be dealt with through the land use planning tool.
 - A challenge identified was some farmers not being aware of having significant risks. Currently, persons who could have significant risk have been notified. For future purposes, inventories will need to be maintained and plan updates will need to occur.

- Education and outreach will be used to ensure farmers are aware and where there is significant risk the RMO will need to be involved.

Pesticides Discussion Paper

- The list of pesticides deemed as threats was debated. Being less specific in the written policies, by not specifically identifying products, was suggested to maintain flexibility of the policies.
- The concentration (before being diluted) of the pesticide being applied or stored was noted as being very different in terms of risk. Policies will need to be clear when applying to each. Teresa McLellan will report back to the committee on how MOE has considered concentrations.
- Under Prohibition, storage of pesticides will be handled through land-use planning and application through risk management. All pesticides are not prohibited only those that are significant threats.
- Writing general policies was suggested to allow for a longer life and to include some detailed sub-points. The SPC can decide how to proceed in the future.

The committee had a lengthy discussion regarding the prohibition tool and the possible implications.

- A concern was raised of the wording “*the prohibition policy tool should only be used.*” Sheldon P. asked whether this policy could take away the municipality’s authority to prohibit existing uses. Currently, land use planning does not regulate existing but can address any future. He will outline his concerns in writing to be brought forward to the committee at the next meeting.
- Prohibition is used as a last resort for existing. The RMP could address the threat. When it comes to a particular activity the SPC needs to decide what policy tool they want to use. The SPC could recommend the option for the municipalities to purchase the land if they want to be more restrictive than the SPP.
- The SPC will be developing policies for the municipalities to use.
- The concept of writing a policy to read that if there is a failure to comply with a Risk Management Plan then a prohibition policy would become an option.
- Teresa McLellan will report back to the committee on what the repercussions will be if a person does not comply with a Risk Management Plan. If they do not manage the risk, then the activity should cease. Is the mechanism for this built into the Risk Management Tool through MOE or does the SPC need to write a separate policy to enforce it under the Risk Management or Prohibition tool?
- Annual reporting and monitoring policies will be in place to determine if the threat is being adequately managed or if new policies are required to ensure that they cease to be significant threats.

- A suggestion was made to have a separate document on prohibition to provide more clarity.

The committee agreed to proceed with not using the prohibition tool at this point with the agricultural threats. The discussion papers will be brought forward for approval through motions at the next SPC meeting in June.

f) Source Protection Plan policy principles-revised

The revised Source Protection Plan Policy Principles discussion paper was circulated and the table below was reviewed. The committee discussed this at the May 6th workshop and the changes have been incorporated as follows;

Policy Tools/Approaches:

Education and Outreach

- Education and outreach policies should be included for all threats to complement incentive and regulatory approaches
- Will incorporate source water messaging into existing education and outreach programs whenever possible
- New education and outreach efforts may be necessary
- Promote threat and/or industry specific known Best Management Practices that reduce risks to drinking water

Incentive Programs

- Policy should support existing incentive programs (e.g. EFP, Clean Water Program)
- Incentive programs should continue to be supported on a long-term basis
- Encourage/Recommend new incentives to reduce risk of significant threats (as identified in Assessment Reports)
- Highly recommend that Ontario Drinking Water Stewardship Program continue to adequately fund risk mitigation practices for significant threats

Land Use Planning

- New land uses will be prohibited from locating in WHPA–A,B,C and IPZ-1 areas where they will be a significant threat
- Expansions or replacements on existing significant threats will be permitted if the expansion allows for a reduction in risk over the existing.
- Expansion of current land use will not be permitted if it becomes a significant threat unless the threat can be managed
- Land use planning policies will include prohibiting future activities which are unlikely to occur in our SPR's vulnerable areas (e.g. aircraft de-icing)

Prescribed Instruments

- Prescribed Instruments, as an existing tool, will be used as a first preference for managing the threat.
- A particular prescribed instrument will be examined and amended by the issuing agency if necessary to ensure a particular activity ceases to be a significant threat.
- Limitations of the Prescribed Instrument will be considered on a threat by threat basis.
- If a prescribed instrument is determined not to mitigate the significant threat, an SPP policy may include details to change the prescribed instrument content.

Risk Management Plans

- RMP shall generally be used to manage existing and expanding significant threats
- RMP shall be used to manage future threats where the threat is an activity that cannot be prohibited under the land use planning tool
- Risk Management Plans must allow for the incorporation of new technologies and Best Management Practices as they arise
- The RMP details will be left to a Risk Management Official to negotiate with the individuals/businesses engaged in a significant threat based on the techniques outlined in the Risk Management Catalogue. However, policy must allow for flexibility in risk management measures not highlighted in the RMC if they are deemed effective in managing the significant risk.
- A policy should be written to direct the province to allow an individual or business to have someone they can consult with if negotiations with the RMO are not proceeding in a fair and reasonable manner.
- If a prescribed instrument applies to a particular threat and is deemed effective in mitigating the significant risk, but does not apply to all individuals and/or businesses engaged in the significant risk activity, then a RMP will apply to those individuals/ businesses not covered under the prescribed instrument. The RMP in these instances must match the risk management measures outlined in the prescribed instrument.
- Individuals and/or businesses subject to a RMP should have the ability to access expertise outside of the Risk Management Official.

Prohibition

- Prohibit for existing activities only when all other measures fail to address risk of significant threat.
- Apply prohibition for future threats through land use planning as preferred tool.

Restricted Land Use

- Links Prohibition (sec 57) or Risk Management Plans (sec 58) to land uses where the activities addressed by these policies could occur. Land uses named in policy must match the names that appear in local Official Plans or zoning by-laws.

- When used in a SPP, applications under the Planning Act or Building Code within the designated land uses areas and related to activities that could be a significant threat would be subject to certain conditions
- “screening tool” that provides municipalities with an administrative procedure to avoid inadvertently approving applications/ building permits for activities that would conflict with PART IV policies in the SPP.
- Individuals/Businesses would need a notice from the municipality to proceed with an application.

Specify Action Tools (Land Securement, Established Pilot projects, Govern Research, Municipal Act, Recommendations outside or prescribed instruments authority).

- The information gleaned from innovative individuals, pilot projects and research should be passed on to decision makers and implementers as part of two way education.
- Where timelines for inspections cannot be made under a prescribed instrument, these timelines will be highly recommended using a specify action approach.
- The Municipal Act will be considered where it is the applicable enabling legislation on municipal implementation that does not fall under Land Use Planning.
- Specify Action policies will be used to make recommendations that fall outside of the authority of one of the other tools and may be extended to include policies for moderate and low threats.

8) Information

a) MOE Technical Bulletins

Technical bulletins related to: *Permit to Take Water and Threats Policies, Aboriginal and Treaty Rights* and *Overview of O. Reg. 287/07 section 26 p. Tools*, were circulated for the committee’s review and information

9) In Camera Session

None.

10) Other business

No other business

11) MOE Liaison Report

Teresa McLellan- the first pilot risk management training course is starting this week. The Risk Management Officials are current municipal employees and a few municipalities have designated



conservation authority staff. Teresa advised the committee if they want to have experts attend the workshops she can provide the contacts.

12) Members Reports

Dean Edwardson- reported that SLEA is having their annual meeting on May 13 at the Dante Club in Sarnia for anyone who would like to attend.

John Van Dorp- reported on the upcoming Elgin Children's Water Festival in St. Thomas from May 17th to May 20.th He noted this is a good avenue for children to discover the importance of water.

13) Adjournment

There being no further business, the meeting was adjourned at 3:50 p.m. The next meeting scheduled is the *Friday, June 3rd* workshop prior to the SPC meeting June 10, 2011.

It was noted the workshop dated for Thursday, June 30th will be changed to Wednesday, June 29th due to the July 1st holiday.