



Sub Committee MEETING MINUTES  
OCTOBER 9,  
2014 Meeting #60

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. on October 9, 2014 at the Upper Thames River Conservation Authority Boardroom. The following members and staff were in attendance:

**Members**

Bob Bedggood  
Murray Blackie (SPA Liaison)  
Brent Clutterbuck  
Pat Donnelly  
Patrick Feryn  
Carl Kennes  
George Marr

Don McCabe  
Sheldon Parsons  
Darrell Randell  
Joe Salter  
Charles Sharina  
Pat Sobeski  
John Trudgen  
Teresa McLellan (Provincial Liaison)

**Regrets:**

Kennon Johnson  
Dean Edwardson  
Paul Hymus  
Joe Kerr  
James Maudsley  
Valerie M'Garry  
Doug McGee  
Earl Morwood  
Hugh Moran  
Augustus Tobias  
Jim Reffle (HU Liaison)  
John Van Dorp  
Darlene Whitecalf

**Staff:**

Chris Tasker  
Michelle Fletcher  
Deb Kirk  
Steve Clark  
Bonnie Carey  
Rick Battson  
Girish Sankar  
Don Pearson  
Jason Wintermute, LTVCA

External attendees:  
Susan MacFarlene, LAWSS

### 1) Chair's Welcome

Bob Bedggood welcomed the committee and acknowledged a quorum was not achieved. The members present met as a sub-committee.

Bob reported staff will be updating the Source Protection web-site and that this would be an opportunity to submit any revisions to the member's biographies. The committee agendas will also be formatted differently to assist with the posting of materials.

### 2) Adoption of the Agenda

The sub-committee approved the agenda noting an adjustment in the order of the updates to the Assessment Reports.

Moved by Pat Sobeski -seconded by Sheldon Parsons

*"RESOLVED that the October 9, 2014 meeting agenda be approved."*

CARRIED.

### 3) Delegations

There were no delegations.

### 4) Minutes from Previous Meeting

The June 13 SPC meeting minutes and the July 11 sub-committee meeting minutes have not been approved due to quorum not being achieved.



## 5) Declaration of Conflict of Interest

No conflict of interest was identified.

## 6) Business arising from the minutes

### a) Wheatley Microcystin Issue

#### 1) News Clippings from Toledo

Article samples on the Toledo microcystin event were distributed in the meeting package for the committee's information. A notice to not use water was issued for three days due to the algae bloom and microcystin in the treated drinking water. A full package of all the articles was available for the members during the meeting.

#### 2) Proposed Policies

A discussion paper titled "*Wheatley Microcystin Monitoring policy*" was distributed with the package. The approved policy concepts from the previous meeting were incorporated into the draft policy.

The question was asked of who is responsible for these monitoring programs. This monitoring would be built into existing monitoring programs that Chatham-Kent, Lower Thames Region Conservation and Essex Region are already doing. During reviews, any new data or increases in levels may result in changes to the approach and updates to the Assessment Reports and the SPPs would be required. In order for this policy to be effective it will be important that funding and resources are available.

The articles refer to the Maumee River and an emphasis of fertilizer being the cause. Pat F. reported the agricultural community in Ontario and Ohio are using the *Four R Approach* to application of fertilizer (Right source, rate, time and place) and using BMPs. In one of the articles he noted it states phosphorous levels have increased in Lake Erie since the 1990's although Pat noted there is more Dissolved Reactive phosphorous (DRP) going into the lake.

Susan MacFarlene, the General Manager from LAWSS joined the meeting and was introduced. She has been designated the RMO for St. Clair Township, Pymptom-Wyoming and Point Edward. The region's RMO's are being invited to attend the SPC meetings and were distributed meeting packages.

## 7) Business

### a) Waste policy revisions

A Waste policy revision discussion paper was distributed with the meeting package. The committee was reminded of MOE's concerns of prohibiting certain future waste threats. The committee has discussed this in the past and until now maintained the prohibition of all future waste significant threats. Although revised guidance from the province is not expected, some of the later MOE director's comments letters provided more background than what was provided in ours.

One of the challenges identified was that products for sale which have been damaged are considered waste while they are being retained on site awaiting proper disposal. There was no effective way of differentiating in policy quantities or other circumstances to manage appropriate activities while prohibiting those that should be prohibited, for these types of waste. As a result we are proposing to allow for RMPs to be applied to those threats which are not covered by the Prescribed Instrument:

- Storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste, or in clause (d) of the definition of liquid industrial waste, or
- Storage of hazardous or liquid industrial waste.

This allows the discretion of the RMO to adequately manage the risk while not sterilizing some of the areas. If prohibited it might make business difficult for existing businesses as well as future businesses and be of considerable concern to the St Mary's area due to the large and highly commercial WHPA-B (10). Any future activities which require a PI would still be prohibited.

This policy approach has been taken by Oxford County who has been discussing it with others in the Lake Erie Region. Some other regions are opting for Education and Outreach due to the large volume of these types of activities, but in our region it is reasonable to manage this through RMPs and not risk some large quantities existing unmanaged. Michelle Fletcher provided the committee with the details of the discussion paper.

A note was made also in considering the circumstances which make the on-site storage of PCB a SDWT and they would have to be stored below grade or in an uncontained pile, prohibiting this would still allow for proper storage on site for destruction as it would not be considered a significant threat.

The committee agreed with the proposed waste policy revisions outlined in the discussion paper.

Moved by John Trudgen -seconded by George Marr

*“RESOLVED that the Waste Policy revisions in the discussion paper be accepted.”*

CARRIED.

b) Thames IPZ-3 Mapping

Proposed mapping was not ready for distribution at the meeting with the focus on the text portion so that the committee could review it before the meeting. The Thames IPZ-3 mapping is not finalized due to challenges with the MOE technical review of the work. Jason Wintermute from the LTVCA highlighted the options and a change in terminology that is reflected in our mapping for both St. Clair and the Lower Thames ARs.

The *Event Based Areas* or EBA term is now being used on mapping based on Rule 130 concepts where modelling at a location results in a deterioration of water quality at the source for the purpose of drinking water. Rule 68 does not cover this. The challenge was noted in the example of in the LAWSS area and the Petrolia intake where there were IPZ-3 in events based areas and policies affected IPZ-1 and 2 and trying to describe where policies applied was difficult. Maps will clearly identify the areas and policies that apply. This is being done province wide. The Wheatley and St. Clair maps have been updated.

The question of future precedence being set was asked based on a single assessment and others following it. The hope is the province will look at these event based areas and see whether there are items that are identified that point to a need to revise the Prescribed Drinking Water threats to include local threats, changes to vulnerability scoring and rules around IPZ-1 and 2 so modeling does not need to be done on every circumstance where it already demonstrates the threat.

For fuel based event, Benzene was modeled and discussed as a component of fuel. It was used because it would exceed the drinking water standard first.

Stoney Point IPZ-3

Up to this point, technical work on the Stoney Point IPZ-3 in the LTV has been done to delineate the EBA. An IPZ-3 must be created to contain the parts of the

EBA outside the other parts of the IPZ. The committee was asked to consider options for the delineation of IPZ-3. If the rules are followed, the IPZ-3 would include the entire Regulated Area. This is a large area much of which doesn't naturally drain to the Thames. Even the area which does drain to the Thames is pumped, resulting in containment and dilution of the spill. The committee was asked to consider two options:

- 1) Delineate an IPZ-3 according to Rule 68 with the full Regulated Area. Keep EBA delineations separate. Note in the AR and/or SPP that only the EBA is subject to Policy. This would result in a large IPZ-3 which is not affected by the fuel policies. Part of the IPZ-3 would however be scored for vulnerability and could have moderate and low threats however the impact on the intake has not been assessed through modelling.
- 2) Seek director's approval (as was done for Wallaceburg) to exclude from the IPZ-3 Regulated Areas which do not drain to the waterbody and which modelling does not support being included in the EBA. This would make the IPZ-3 match the EBA. The IPZ-3 would not extend beyond the EBA and therefore be subject to the fuel policies.

After discussing and reviewing the pros and cons of the options, the committee agreed and a motion was passed to select Option 2 of seeking a Director's exception to the rules.

Moved by Sheldon Parsons -seconded by Pat Donnelly

*"RESOLVED that the committee agreed with Option 2 and will seek Director's approval to only include in IPZ-3 those areas which modelling supports including in the EBA."*

#### c) Lower Thames Local Threats

The Director's approval letter was distributed with the package. Modelling spills from transportation and policies related to transportation would not have an effect in these areas if transportation of fuel was not identified as a local threat. Therefore it was requested that it be accepted as a local threat. The letter is similar to the one for the SCRSPA. It includes the tables which identify where the activity would be a significant, moderate or low threat. These tables are important as this activity is a threat beyond the area that was modelled, although not a significant threat. The revised threats tables from appendix 10 would be reviewed later in the meeting. These tables have been updated to outline where this would be a moderate or low threat.

d) LTVSPA Assessment Report updates

1. Introduction Section 1

- The order of these items in the agenda was adjusted to reflect the section numbers and the order of the materials in the packages as distributed.
- This change log was distributed with meeting package.
- This AR will be dated November 14, and the goal is to have it approved at the next SPC meeting for consultation.
- The changes in this section are mainly due to the updates and status of the report.
- A new term will be added to the glossary to define EBA.
- A notation will be added to the glossary to reflect MOECC although that is not included in this change log.
- The change log refers to an updated SP schedule figure which was not included in the package. It has been updated to reflect the updates and amendments to the documents.

2. Water Budget Section 3

- Change log was distributed with the meeting package.
- These changes reflect the accepted status of the T1WB which was not the case when we previously submitted the report.
- Some minor editorial revisions.
- Data gaps revisions reflecting the work that has been completed since the previous AR was submitted.
- Revisions are proposed to discuss the revised SGRA.

3. Issues Section 5

- This change log was distributed with the package and has also been used as a template for the SCR Assessment Report.
- The revisions to the document include describing the possibility of identifying an issue under the act rather than the rules.
- Identification of Microcystin-LR as an issue will be documented in Table 5.6.

4. Data Gaps and Next Steps Section 9

- The change log was distributed with the package.
- In the status of the work section, items that have been done will be removed.
- Most of the revisions are reflected in the new table 9-1.

5. Vulnerability Section 4

- The change log was sent by email to the committee and circulated printed copy provided at the meeting.

- This section required considerable work due to the new IPZ-3 and the new term Events Based Area (EBA).
- Sections were added for the Stoney Point intake that is outside the SPA.
- Reflects that future work could include IPZ-3 for other intakes (4.2).
- A summary and reference to the additional work undertaken by staff (4.2.1).
- 4.2.6 adds a description of the vulnerability scoring for the Stoney Point intake in the ERSPA.
- Identifies why the IPZ-3 for Stoney Point needs to have its vulnerability calculated although not needed for Type A and B intakes in the Lower Thames or St. Clair.
- 4.3.4 removes Highgate GUDI work as it is no longer considered GUDI.

#### 6. Revised Maps

- IPZ-3 and EBA for Wheatley were distributed at the meeting. There is still uncertainty around the in-water portion and extension out to Point Pelee. It is in the ERSPA and will be incorporated into their final version when ready.
- The SGRA, Managed Land, Livestock Density and Percent Impervious Maps were also distributed at the meeting
- SGRA has been revised through the Tier 2 work in the UTRCA.
- Use of more consistent surficial geology layer instead of soils.
- Maps are now more consistent with HVA mapping.
- This had already been updated in SCRSPA and UTRSPA ARs, but we were waiting this update to revise it in the LTVSPA AR.
- The new SGRA is a more continuous areas, less patchy, includes urban areas as appropriate.
- Reduces area considerably in the Dutton/Dunwich area.
- Updated SGRA vulnerability needed to be reassessed using the vulnerability information which has not changed.
- Percent impervious, Managed Land and Livestock Density needed to be reapplied to the new areas.

#### 7. Appendix 10 Revised Threats Tables

- Revised tables were distributed with meeting package.
- New tables were added to include the new vulnerable zones and revise the others affected by the local threats.  
Steve Clark reviewed the changes made to one of the tables.

#### 8. Sections 2, 6 and System Summaries

- Sections 2 and 6 are not being revised as no additional work has been done for these sections.
- Footers will not be changed so that they still represent the previous version.

- Section 2 would require considerable work to re-evaluate the water quality data and update all the statistical analysis of the more recent information.
- System summaries will be taken out of the Assessment Report as a separate document. They will still be updated. The plan is to use these as a communications tool and add sections on the SPP which cannot really be done if they remain in the AR. This will allow them to be updated in the future without having to get the AR approved.
- Section 7 needs updated threats counts added including the fuel and threats in the EBA.
- Section 8 Great Lakes is being worked on to reflect the current status of the agreements. A section from one of the AR's will be used as a template for all three reports.
- Other than those sections and the final IPZ-3/EBA mapping for the Thames, this will be all of the changes for the LTVAR.

If there are any questions or concerns, the committee was advised to contact Jason Wintermute at the LTVCA office or Chris Tasker.

#### e) SCRSPA Assessment Report updates

##### 1. Issues Section 5

- The change log was distributed with the meeting package.
- Section 5 is based on the revisions for the LTVCA.
- These AR revisions summarize and refer to the ICA work and explain the plan for future work should the intake remain.

##### 2. Threats Section 7

- Change log was distributed with meeting package.
- Revisions reflect the issues work in 7.1.4 and Kettle Stoney Point work.
- New paragraphs to be added to reflect the additional work that Girish Sankar has undertaken and the threats inventory work completed. ERCA provided assistance with the fuel threats work.
- Updated threats counts were also distributed in meeting package.

##### 3. Event Based Area Maps

- Updated maps were distributed in meeting package. The EBA term was explained and how it has been applied to the maps.

- The volumes and substances are right in the map titles now so that the policies refer in general terms to the quantities modelled as we now have many different quantities for fuel.
- These maps should simplify the application of the policies to the areas.

4. Appendix 10 Revised Threats Tables

- Revised tables distributed with meeting package and were discussed with the LTV tables.

f) UTRSPA Assessment Report updates

1. Threats section

- The change log was distributed with the meeting package.
- Reflects that the Tier 2 threats assessments are not being done.
- Updated threats counts were distributed in meeting package.
- Circumstances are better reflected for ML&LD, sewer and septic were missed in some cases.
- Updates reflect sanitary services added in Dorchester and Embro, revision of vulnerability in Sweaburg, availability of natural gas.
- Some threats counts went up while other went down.

2. Revised maps

- Revised SGRA, Managed Land, Livestock Density and Percent Impervious in SGRA were distributed at meeting.
- This has been updated to reflect the SGRA with was updated as part of the T3Water Budget.

g) Source Protection Plan amendments

1. Volume 2 Policy revisions

- Distributed with meeting package.
- Revisions proposed by Oxford were incorporated to be consistent with other SPPs. Oxford has an approved SPP for one of their systems in Catfish Creek CA.
- Michelle Fletcher reviewed some of the high points of the new revisions.

2. Volume 3 Policy revisions

- Distributed with meeting package.

### 3. Explanatory Document revisions

- Distributed with meeting package.
- Considerable revisions are proposed to the Explanatory Document to reflect the revisions to the policies that were discussed.

The committee was advised to contact Michelle Fletcher with any questions or concerns and if necessary they can be brought to the November 14 meeting.

## 8) Information

### a) Updated Consultation schedule and SPC Meeting Schedule

A discussion paper was distributed with the meeting package outlining the consultation and SPC meeting schedule. Pre-consultation packages will be sent out next week. An email has already been sent to the municipalities to prepare them. Two workshops will be held to review the policy changes with the municipalities and update them on where we are in the process. Provincial and CA packages will also be sent out. Comments are due back quickly so that any concerns can be reviewed by committee at the November meeting. Assuming there are no significant policy changes, consultation will occur on the amended proposed SPP and updated ARs in December and January. An open house will be planned before the holidays and two more after that the holidays. The January SPC meeting will be held later in the month to allow for a longer consultation period due to the holidays. Submission of the SPP to the Ministry will be in February assuming there are no significant comments requiring further revisions.

A revised meeting schedule was distributed that reflects the consultation schedule. Meeting attendance will be important for final approvals of SPP and ARs.

Bob expressed his concern with not achieving quorum at the SPC meetings and how important it is to have this in order to move forward in the process to obtain approvals. He noted it is imperative to have quorum at the November meeting.

### b) First Nations Engagement

Staff attended a meeting of the Aamjiwnaang Environmental Committee to discuss revisions and the pre-consultation process. The IPZ-3 for Talfourd Creek crosses through the First Nations and remains cross hatched in the maps. This did not raise a concern but there were discussions as to what can be done on the reserve to deal with it. Concerns were raised about limitations of the Act and what the SPP can do. A meeting will be set up with the Kettle and Stoney Point so that they are aware of the revisions to include their work and advise them of the upcoming consultation.

### c) Wind Turbine Developments

There has been a recent request for information on turbine proposal referred to as Suncor Cedar Point Industrial Turbine Project, in the St. Clair SPA, near Forest. The concern relates to the affect that the project may have on their aquifers and in particular the proximity of some of the installations to SGRA or HVA areas. They requested a response which will be sent to indicate that the turbine development is not seen as a threat to drinking water. SP does not have a regulatory basis upon which to request information relating to the design, construction. A member pointed out that Provincial policy in the planning act suggests the aquifers need to be protected. The regulator should take this into account when reviewing and approving the approvals.

### 9) In Camera Session

None.

### 10) Other Business

None.

### 11) MOE Liaison report

Teresa McClellan updated the committee. She reported that OMAFRA training has occurred internally with MOE and that hopefully this will be shared in the future. OMAFRA is ready for implementation. RMO training will be provided again in December and the RMO forum is up and active. There is a SP Chairs meeting coming up and the Minister may attend. The website for SP information to include interactive mapping site has been launched internally for MOE and will be available to the public soon. The Minister has asked the MOE to provide a plan as to how all plans will be approved by the end of 2015. To date 7 or 8 plans have been approved (Kettle and Catfish are now approved). The Auditor's report is due to come out in the next few weeks with high level findings to include; not enough work is being on abandoned wells, small systems and smaller non-municipal communal systems, they want to see more work on First Nations and there is not enough action on Great Lakes targets. Stewardship programs were praised and should continue.



Chris Tasker reported that he met with the environmental planners from the Ministry of Transportation, southwest region last week and they are quite interested in SP. Provincial based training including interactive mapping will occur.

## 12) Members reports

*Charles Sharina*- supported Bob's comments of it being important to meet quorum.

*Don McCabe*- attended a recent climate change summit in New York. He relayed that steps are going to be made in December in Lima, Peru to set further policy work in place for the Paris meeting in 2015 to cement policy of not breaking threshold of 2 degrees Celsius. The Ministry of Environment for Peru has put forward the concept of landscape management, to include climate, water, biodiversity and hopefully there some traction in Canada on a federal scale. The American's are moving quickly on climate change and are putting a great deal of money on it and on the Great Lakes; we are putting very little toward it. Sooner or later some of the aspects of the work we have been doing needs to hit the ground running. He noted we need to look at how we can share knowledge across borders.

*George Marr*- reported there is a Ducks Unlimited dinner being held November 13<sup>th</sup> at the South Huron Branch, Exeter and has tickets available.

*Sheldon Parsons*-gave an update on the Wallaceburg filtration plant. The Chatham-Kent PUC is looking at where Wallaceburg gets its water from. There have been two public meetings. Three options will be looked at; fix in place utilizing the existing intake, distribute and draw water from Lake Eire though existing plants run by Chatham-Kent or drawing water from existing intakes from Lake Huron. The consulting process will go into 2015 and the recommendations will need to vetted through the PUC, committee and council.

## 13) Adjournment

There being no further business, the meeting was adjourned at p.m. PLEASE NOTE: The next SPC meeting is scheduled for **November 14, 2014** and will be held at the Upper Thames River Conservation Authority office due to construction continuing to take place at the St. Clair Conservation office.