



TELECONFERENCE MEETING MINUTES  
MARCH 5, 2015  
Meeting #62

Bob Bedggood, Chair of the Source Protection Committee called the teleconference meeting to order at 10:10 a.m. The following members and staff were in attendance:

**Members**

Bob Bedggood	Valerie M'Garry
Brent Clutterbuck	Hugh Moran
Pat Donnelly	Earl Morwood
Dean Edwardson	Darrell Randell
Patrick Feryn	Joe Salter
Paul Hymus	Charles Sharina
Joe Kerr	Pat Sobeski
Carl Kennes	John Trudgen
George Marr	Darlene Whitecalf
Don McCabe	Teresa McLellan (Provincial Liaison)
Doug McGee	

**Regrets:**

Kennon Johnson  
Murray Blackie (SPA Liaison)  
James Maudsley  
Jim Reffle (HU Liaison)  
John Van Dorp  
Frank Vercooteren  
Augustus Tobias

**Staff:**

Chris Tasker  
Deb Kirk  
Girish Sankar  
Brian McDougall

External attendees:

Susan MacFarlene, LAWSS  
Cassandra Banting, Oxford County  
Paul Michiels, Oxford County



1) Chair's Welcome

Bob Bedggood welcomed the committee. A roll call was completed and quorum was achieved.

2) Adoption of the Agenda

The agenda was approved with an additional item added under *Other Business*, mapping availability.

Moved by Dean Edwardson -seconded by Charles Sharina

*“RESOLVED that the March 5<sup>th</sup> teleconference meeting agenda be approved.”*

CARRIED.

3) Delegations

There were no delegations.

4) Minutes from Previous Meeting

The November 14, 2015 meeting minutes were approved.

Moved by George Marr -seconded by Brent Clutterbuck

*“RESOLVED that the November, 2014 SPC meeting minutes be approved.”*

CARRIED.

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

7) Business

a) SPP Comments

The Discussion paper titled “*Consultation Comments on apSPP and updated ARs and proposed revisions*” with tables outlining comments from members of the public and implementers were reviewed. Most of the comments were concerning clarification on how the plan will affect people.

**Consultation Comments Received by members of the Public**

A question was asked about the comment relating to the dumping of raw sewage into the Thames River. The response outlined was the SPP does not deal with this activity, only where it is or would be a significant drinking water threat. Through previous consultation concerns were raised of discharge running into watercourses near wells; however it only applies when it occurs in the vulnerable areas. Sewage treatment continues to be regulated by MOECC.

**Implementer Source Protection Plan Consultation Comments**

The table of implementer comments was reviewed with the emphasis on the comments highlighted in red.

**Comment on OC-1.02, from MMAH** related to Implementation timing for Oxford County to initiate amendments to its Official Plan (OP) and zoning bylaws to conform to the significant drinking water threat policies. The planned edits did not make it into the changes that were published which was an oversight and the next version will include revisions described in the table.

**Comment OC-2.06 from MMAH** The wording was clarified on zoning by-laws “the area municipalities shall amend their respective Zoning By-laws to prohibit uses, buildings or structures that would require a new septic system or septic system holding tanks to be located within the noted significant drinking water threat areas.” This subtle change is hopefully agreeable to MMAH. Paul Michiels of Oxford County spoke with MMAH about their concerns. The concern that “*activities*” cannot be regulated through Land Use Planning documents was discussed. The reference in the policy was revised to clearly point out that it was the policies of the SPP which affect the activities

**Comment 2.15** Policy wording changes made to Oxford policies related to the location of septic systems or septic system holding tank will also be changed for Thames-Sydenham policy to be consistent.

**Comment 1.06. An additional point** will be added that their OP and Zoning By-laws include a provision that the applicant cannot apply unless a notice is issued by the Risk Management Official stating that the SP policies do not apply or that the RMP has been negotiated. MMAH is suggesting it be part of a complete application which should be documented in the Explanatory Document as not all municipalities use the complete application provisions.

**Comment 1.09 MMAH comment on Implementation timing** Wording was revised to clarify that: Updates to the Official Plans shall be initiated as soon as possible after the effective date of the SPP with the goal of *being adopted* within (3) years of the effective date of the SPP. MMAH is recommending it being done through the 5 year amendment process from the effective date of the OP. This has been considered by the committee several times and everyone agreed strongly it should occur before then.

**Comment 2.54** MTO cannot make commitment at this time to consider SP information as criterion when establishing and reviewing Emergency Detour Routes. The policy would require they consider these criteria and there is flexibility to how they should consider it.

**Comment 5.06 from MTO** related to MTO wanting assurance that the monitoring policy contents and format be consistent year by year. The policy was modified slightly to “shall develop, and when appropriate update” to hopefully satisfy the concerns.

**Town of St. Mary’s comment on UTRSPA AR** comment was related to the number of properties with threats in the AR but has some implications on policies. Threat refinement resulted in an increase in number of threats and is a better representation of the number of properties that will require management under the SPP. The number could also decrease through the RMP negotiation process. The Town suggested using Education & Outreach as the tool however contact with individual landowners is still required with either a Prescribed Instrument or RMP which results in the same amount of workload. Previous policies would have prohibited these future activities in these areas.

**OMAFRA Comments** relate to several policies and are outlined in detail in appended table. A summary was provided. Recent discussions with OMAFRA indicate there is greater acceptance of the CWA requirements and integrating them into Nutrient Management Act approvals. After a discussion with a Director who is an issuer of the Prescribed Instrument (PIs), OMFRA has committed to engaging the RMOs in the discussion when the instruments are amended or approved as well as when reviewing a PI issued by the *certified preparers (it will not just be the*

*Ministry creating instruments*). The plans will be reviewed by OMAFRA as well to ensure the plans include appropriate conditions and respect the intent of the policy. This has allowed us to revise the RMP policy to better reflect the PI and include the expectations around OMAFRA working with the RMO. A big concern for OMAFRA was that the policy not suggest that the RMO has final influence on the PI. We expect OMAFRA will work with the RMO to determine whether the plan will deal with the threat but the RMO will not have the ability to control what is in the instruments.

The recommended wording changes were accepted by the committee. A point was made that some landowners are considering the policies in other areas as a direct attack on agriculture. The intent of this committee has been captured to address OMAFRA's concerns. A suggestion was given when doing the training to advise the farmers when following the NMP to have the appropriate, trained person part of this so it is one stop shopping. OMAFRA has done some training for certified repairers; also livestock farmers need to be informed.

#### b) Assessment Report Comments

A comment from the MOECC relating to Maps 4-4c Transportation of Fertilizer (ToF) as a Local threat for Wallaceburg was discussed. ToF has been approved as a local threat in the Director's approval letter dated Sept 2011, where Nitrogen (N) in the form of Nitrate (NO<sub>3</sub>) is the parameter of concern. A spill of fertilizer was modelled, as shown in the consultant report, resulted in identification of SDWT at specific locations mapped in map 4-4c. This identification was based on, as stated in the consultant report, the ODWS for Nitrite (NO<sub>2</sub>) instead of Nitrate (NO<sub>3</sub>). The ODWSs for NO<sub>3</sub> and NO<sub>2</sub> are 10mg/l and 1mg/l, respectively. Given the consultant modelling results, the locations mapped in map 4-4c would not result in a SDWT if the NO<sub>3</sub> threshold was used for the volume assessed.

It was requested that a more detailed description of what type of transportation routes of *fertilizer* being a threat will be included.

The differences between nitrate and nitrite thresholds should be adequately documented in the AR including the volumes which result in exceedances for each parameter. We have requested that the province consider adding nitrite to the director's letter and also allowing it to be used for the storage and handling of fertilizer. They have indicated that currently only nitrate is considered and that further review has not yet occurred. We are not optimistic that this will change prior to AR approval. Two options were presented for the SPC consideration:

1. Document that the activity at the volumes analysed are not SDWT as they did not result in an exceedance of nitrate.

2. Document the larger quantity (currently estimated to be 3x larger but requiring more detailed calculations) would result in a SDWT

With either option, if MOECC allows nitrite to be considered the AR would have to be revised to document the smaller quantity before approval of the AR.

A motion was passed of the committee agreeing to option #2 of documenting the larger quantity which would result in a SDWT.

Moved by George Marr -seconded by John Trudgen

*“RESOLVED that the larger quantity be documented as resulting in a SWDT.”*

CARRIED.

A suggestion was also made that it would be helpful if the Significant Threat Policy Applicability Mapping for Intake Protection Zones were updated to show the EBA volumes. Mapping is provided in section 4 of the Assessment Reports (ie maps 4-Xa, b, c which shows each EBA separately. In order to revise as suggested, we would also need to differentiate between different volumes of fuel and fertilizer in the SCRCA. This would also not adequately represent that the EBAs overlap and policy applies to multiple quantities (although the lowest could be represented).

A motion was passed that the committee has accepted and endorsed the changes to the Source Protection Plan and Assessment Reports in order to submit the plan to the Ministry within the next month.

Moved by Charles Sharina -seconded by Valerie M'Garry

*“RESOLVED that the SPC endorse the changes to the SPP and AR discussed to be submitted.”*

CARRIED.



8) In Camera Session (not planned)

None.

9) Other Business

Pat Donnelly asked about edge mapping and although there were some challenges getting the information the City of London worked with the Kettle Creek CA and will be including a map with HVAs/SGRAs in their Official Plan. Edge mapping is not available to some therefore not all will have this for their OPs. A discussion at provincial level will help make it easier for others to obtain information. Chris Tasker indicated the workplan does include edge mapping and is hopeful this would facilitate working with the City of London and other neighboring CA's to address edge matching challenges.

10) MOE Liaison report

Teresa congratulated everyone on the work and reaching this milestone today.

11) Members reports

*Pat Donnelly*- suggested for future teleconferences it would be worthwhile to remind people to mute their phones.

*Charles Sharina*- congratulated staff on a job well done.

*Bob Bedggood*- noted the work will be posted on the website and echoed the thanks to the staff and the committee for their hard work in being close to submit the plan to the Minister.

12) Adjournment

There being no further business, the meeting was adjourned at 11:05 a.m. PLEASE NOTE: The next SPC meeting is scheduled for June 12, 2015 and meeting location is to be determined.