

SPC MEETING MINUTES  
NOVEMBER 18, 2016  
Meeting #66

Earl Morwood, Interim Source Protection Committee Chair called the meeting to order at 10:00 a.m. on November 18, 2016 at the St. Clair Conservation Authority Boardroom. The following members and staff were in attendance;

**Members**

Murray Blackie (SPA Liaison)  
Brent Clutterbuck  
Pat Donnelly  
Dean Edwardson  
Paul Hymus  
Carl Kennes  
George Marr  
David Mayberry  
Don McCabe

Valerie M'Garry  
Hugh Moran  
Mike Mortimer  
Earl Morwood  
Darrell Randell  
Charles Sharina  
John Trudgen  
John Van Dorp  
Beth Forrester (Provincial Liaison)

**Regrets:**

Kennon Johnson  
Patrick Feryn  
Joe Kerr  
James Maudsley  
Doug McGee  
Augustus Tobias  
Darlene Whitecalf  
Fatih Sekercioglu (HU Liaison)

**Staff:**

Michelle Fletcher  
Deb Kirk  
Steve Clark  
Rick Battson  
Linda Nicks  
Girish Sankar  
Jason Wintermute  
Bonnie Carey  
Teresa Hollingsworth  
Ian Wilcox  
Brian McDougall

Cassandra Banting, Oxford County  
Deborah Goudreau, Oxford County  
Bruce McAllister, Chatham-Kent  
Jenna Allain, Ausable-Bayfield CA  
Bob Bedgood, SPC Chair

## 1) Chair's Welcome

Earl Morwood the Interim Chair welcomed the committee and noted a quorum was achieved. Two new SPC members, Mike Mortimer, (Stratford) and David Mayberry (Oxford) introduced themselves. Jenna Allain was introduced as the new Thames, Sydenham and Region SP Coordinator starting January 2, 2017. Jenna is currently the SP Coordinator for the Ausable-Bayfield- Maitland Region and will be replacing Michelle Fletcher who has accepted the Aquatic Biologist position at Upper Thames. Beth Forrester is the new MOECC SP Liaison and Teresa McLellan is still involved with the SP program. Round table introductions were given by everyone.

## 2) Adoption of the Agenda

The agenda was approved.

Moved by Carl Kennes -seconded by Pat Donnelly

*“RESOLVED that the November 18, meeting agenda be approved.”*

CARRIED.

## 3) Delegations

There were no delegations.

## 4) Approval of Minutes

These minutes of November 18, 2016 were approved through an email vote.

Moved by Dean Edwardson -seconded by Valerie M’Garry

*“RESOLVED that the November 18, meeting minutes be approved subject to the amendments outlined below.”*

CARRIED.

Typographical errors were corrected, and that the word “*windmills*” in the last line of the first paragraph under s. 6b) was amended to “*wind turbines*.” The two are completely different entities, with completely different impacts on neighbours.

## 5) Declaration of Conflict of Interest

No conflict of interest was identified.

## 6) Business arising from the minutes

### 6a) Status of Chair Replacement and SPC Reduction

Michelle Fletcher reported that during August and September the MOECC interviewed for the SPC Chair positions for eight SP committees across the province. Four candidates were interviewed for the Thames, Sydenham & Region Chair position. The UTRCA’s General Manager Ian Wilcox, as the lead CA was part of the interview panel. Once a preferred candidate was chosen by the Province a vetting process will start that will require the Minister to sign off on the preferred candidate. Once the candidate has accepted the appointment the UTRCA and other candidates will be notified. It is uncertain when the process will be completed but the hope is by the end of the year. Once the Minister has signed off it still needs to go through the Public appointment secretariat

for conflict of interest purposes. Earl Morwood will remain the interim Chair until this process is complete.

Reduction in Committee size;

In May 2016 the Striking Committee, consisting of the Chair and Vice Chair of each of the CA Board of Directors, met to determine the make-up of the SPC moving forward. Approval was given to reduce the membership from 21 members to 15 based on the discussion paper at the January 15, 2016 SPC meeting. Combining municipal seats and combining/reducing sectoral seats, one of the agricultural seats being reduced and an equal reduction in the “*other*” seats was decided. Which of the SPC members will be asked to fill the seats was also based on the survey the members completed outlining their interest in continuing on the committee. The next step involved taking the decisions to municipal councils who were subject to the new groupings to confirm support. Due to some of the SPC members applying for the Chair position, committee membership was put on hold until this decision is finalized. Once the CA is informed of the Chair appointment, the

committee will be notified of the new seats and asked whether their interest to continue remains.

#### 6b) Water Wells First and Chatham-Kent Council Dover Aquifer issue

In October, Chatham-Kent staff approached the Upper Thames CA SP staff about a proposal for a new development of wind turbines and asked whether the aquifers could be protecting through SP. Mapping as it relates to SP Assessment Reports and the area shows highly vulnerable aquifers, but not in a significant threat area tied to a municipal drinking water system. Policies are based on the 21 prescribed drinking water threat activities; vibration from a wind turbine affecting the aquifer is currently not listed as a threat, and this area does not fall within a significant threat area.

After being approached by the Water Wells First group about this issue, Chatham-Kent passed a motion to: The Municipality of Chatham-Kent will nominate representation from Chatham-Kent to be on the Thames, Sydenham and Region SPC in 2017, the Thames, Sydenham and Region SPC will be asked to come to council during an open sessions to discuss roles & responsibilities, a combined group be formed of the Water Wells First group, Chatham-Kent staff and the Thames, Sydenham and Region SPC to research this matter and formulate a response to the current Source Water concerns being experienced by citizens such as water contingency plans, communications with stakeholders etc.

Michelle Fletcher plans to meet with Chatham-Kent council on December 12, 2016 to provide an overview of the Thames, Sydenham and Region SPP and policy framework, to explain the SP mandate of protecting municipal drinking water systems, not private wells, and for the SPC membership nomination process. The Chatham-Kent seat is now combined with Essex and Elgin. If more than one person is nominated the striking committee will interview the candidates to determine who will fill the seat.

Bruce McAllister, Director of Planning Services from Chatham-Kent, provided some history on the wind turbine issue showing on the map where 55 existing wind turbines have been operational now for 3 years and where the new wind turbine project is being considered; north part of Dover Township. The Water Well First group came forward with concerns during the first project about the wells and water quality. When the group came forward concerning the new project most of the comments related to protecting wells and the vibration issue. Conditions had to be met prior to construction; hiring a professional to review vibrations and identify all wells within the area to see if people wanted a sampling program. Despite the conditions an appeal was put forward to the

Environmental Review Tribunal which resulted in a settlement agreement. In October, a counselor brought forth this issue at a Chatham-Kent council meeting.

Water Wells First group has a lot of members from different areas aside from just Dover Township. Wind turbines have not been included in municipal planning policies at this time.

John VanDorp noted a recent study on earth worms not being present near wind turbines and how they help get water to the aquifer. New information is coming out about the wind turbines and impacts on wells but no testing has been done.

- 6c) Annual Reporting requirements -final draft of reporting requirements from Province.
- 6ci) Annual Progress Reporting for Source Protection Supplemental Form, November 2016
- 6cii) Guidance & Rationale- Annual Progress Reporting to Source Protection Supplemental Form- Nov 2016
- 6ciii) Program Outcomes-Nov 2016
- 6civ) Program Logic Model- Nov 2016
- cv) Municipal Annual Report Template V2

The Annual Reporting forms and templates were circulated as listed above. Since SPP implementation has started, the Province has been working on what information is required as part of the mandatory annual progress reporting that Source Protection Authorities are responsible for. The information that will inform these reports will be collected annually by SPAs from all implementing bodies, as per the monitoring policies in the SPP. The reporting focuses on the implementation progress of municipalities that have significant threat areas, and those that are responsible for Risk Management Services. Significant Threat Areas fall within lower and upper tier municipalities, but only the municipality that has the authority to pass by-laws respecting water production, treatment and storage under the Municipal Act, has the RMO responsibility. For example, in Middlesex County/Middlesex Centre both have significant threat areas, but the Township has the RMO office, whereas in the case of Woodstock and Oxford County, Oxford County has the RMO office. For municipalities with significant threats (upper or lower tier), where the municipality is required to have the RMO, they are responsible for the full level of reporting. For municipalities with significant threats that do not require a RMO, there is more limited reporting requirements. For municipalities

who only have moderate to low threats who do not require an RMO, some reporting is still required such as updating Official Plans and having regard for moderate and low threat policies.

### **Key points of reporting requirements:**

- Within the Thames, Sydenham and Region there are (15) municipalities that have Risk Management Officials. The focus of discussion was on these municipalities due to the scope of reporting required; 50% of questions in the form are directed toward municipalities.
- There are two types of reporting at two different levels: the first level is the *Supplemental form* which has detailed questions and is done by all implementers. Municipalities who have RMO responsibilities will need to submit their reports to the Upper Thames River CA by February 1<sup>st</sup> each year and will start in 2017.
- The Upper Thames CA then completes an analysis based on the reports on a regional basis to complete the Annual Progress Report which is then reviewed by the SPA in March of each year. The Annual Progress report is due starting in 2018.
- The Annual Progress report is submitted to the SPC by April 1 of each year for another review and then is submitted May 1 to the Ministry starting in 2018.

The presentation will be sent to the SPC and the annual reports will be available to the public.

The province has given the minimum requirements of what needs to be collected and staff are now working on the final draft of supplemental information. The TSR is collaborating with the Grand River Conservation on an annual reporting tool (APRIMS-Annual Program Reporting Information Management System) based on the supplemental reporting form. The goal is to make the report as efficient and as user friendly as possible to reduce work for the municipalities. Currently it is in Excel format but it will move toward a database format with as much automation as possible. The final Excel version should be ready to release to the municipalities in December 2016. Municipal meetings will be scheduled at the St. Clair and Upper Thames Offices in December to run municipal staff through the process and to be sure they know this is mandatory. The reports are then due February 2017 and will be presented at the SPC meeting in March 2017.

Beth Forester reported that the forms will evolve to what information is really necessary and gave a breakdown of who is responsible for what questions.

- The SPA reports on 46 questions from municipal information.
- The MOECC SP branch completes a few joint questions.
- 14 of the questions only have to be reported on once.

- 12 of the questions are only required to be answered for the first few years relating to OP amendments.
- 33 questions are ongoing.

There will be a better understanding of the process by 2018 when TSR report is due to the Province. A committee member noted the complexity of the reporting and wants to ensure it will not get lost.

The Project Managers have been involved in the development of the reporting process and have given feedback resulting in some level of comfort.

#### 7a) Proposed changes to technical rules for surface water intakes

Girish Sankar circulated a discussion paper titled “*Surface water workshop/Source Protection –Draft Recommendations*” and gave the committee an update.

Recommendations were developed by a surface water working group relating to some tweaks to the technical rules in the following categories:

- Intake Protection Zones delineation
- Intake Protection Zones vulnerability scoring, and
- Consideration of Climate Change impacts on IPZs
- Consideration for the uncertainty level determined for IPZs on SPP policy decision making.

These will not replace the existing prescribed methods but will allow for more flexibility to the SPAs to use other technical approaches in delineating IPZ-1, IPZ-2, IPZ-Issues contributing area rather than having a prescribed fixed radius that is not sufficient to meet the intent. Consideration for Climate Change and Uncertainty factors are longer term goals.

MOECC will be providing a technical bulletin on delineating an ICA when it will be part of an IPZ. Flexibility in the scoring was an option that could make IPZ2 greater than what we have delineated if we feel the scoring does not reflect the reality and it could increase the vulnerability factor making it a significant threat.

Committee members agreed that much work was done to come to the decisions about IPZ delineations, and for now, changes in how these are dealt with are not necessary.

Beth Forrester, MOECC reported that some areas in the province would be more affected such as the Great Lakes channel intakes.

## 7b) Lower Thames Valley SPA: Microcystin Issue Update

Jason Wintermute circulated a discussion paper titled “*Lower Thames Valley SPA: Microcystin Issue Update*” Jason provided some background on the identified microcystin in the Lower Thames AR as an issue for the Wheatley and Chatham/South Kent Lake Erie intakes and the work plan that was established. Considerable progress has been made in the last few years through various agreements and groups such as Great Lakes Water Quality Agreement, Western Basin of Lake Erie Collaborative Agreement. A website is being created to obtain information and the Health units have been designated as the organization to receive public complaints and for immediate action required. The Clear Water Revival group has a water management plan to include microcysts. Jason Wintermute noted that policies around Great Lakes Water Quality are out on the EBR for comment and are due November 21, 2016.

The US impact was noted as a concern and some algae blooms are reported to be in Lake St. Clair. Don McCabe noted farmers have been discussing putting peat bogs beside the Thames River to get the phosphorous back in and strong monitoring needs to be put in place.

More work needs to occur to update microcystin and phosphorous data for the Lake Erie intakes, reviewing the data for monitoring gaps and solutions for the gaps, summarizing research undertaken which may point to the impact of nutrient loadings from the Thames on intakes in Lake St. Clair and the western basin of Lake Erie and to continue working with the Essex Region CA, local municipalities, health units and the Ministry on an as needed basis on this issue.

## 7c) Update from Chairs Meeting

Earl Morwood attended the SPC Chair’s meeting and reported there was much appreciation mentioned for Bob Bedgood, previous SPC Chair.

## 8) Information

- a) MOECC Report. Beth Forrester gave a report on the information from the Chairs meeting.
  - The technical rules amendments were discussed.
  - SP program reviews are being undertaken and now with all the SPPs complete, discussions are occurring of what the SP program will look like moving forward to steady/mature state of the program.

- Discussion on policy templates being developed that SPCs could modify is being considered. Valerie M'Garry noted template policies may take away from the local piece and would like to see the ability to make changes to capture this.
- SPC role moving forward may be more in line with their role of plan development and being more involved with reviews and amendments to the SPPs.
- The state of the First Nations drinking water systems being unacceptable and plan to move forward. The SPCs were brought together to improve this. One strategy will be to make information available to the First Nations. The Ministry in collaboration with the Ontario First Nations Technical Service Corporation is in the process of developing training specifically on SWP. P. Donnelly noted the Clear Water Revival group has assisted in building relationships with First Nations.
- Annual reporting was discussed.
- EBR postings are on technical rules, microcystin, Aggregate Resources Act review, and a bill to combine Aggregate and Mining Acts.
- New mapping tool is being developed using Geocortex vs google that is more user-friendly.

A broader communication to the public is required about Source Protection. The Great Lakes Protection Act has a Guardian Council which has a portal containing information about the Great Lakes to raise awareness and Conservation Ontario has great communications tailored to the SP regions. Media ads in farming magazines have also been an avenue to highlight information.

## 9) In Camera Session

None.

## 10) Other Business

None.

## 11) Members Reports

*Don McCabe*-reported the Minister has a very vested interest in climate change and the Climate Action plan document and there are many areas to cover. OMAFRA has signed a deal with MNR & Forestry to assist farmers to be better farmers and a new mapping tool is being developed called LIDAR to help with the production of more accurate mapping topography.

*John Van Dorp-* received a complaint about a recent septic tank inspection and the operator having to dig all around the tank; the operator reported it to be a waste of his time and that funding was not available to cover the costs. He also spoke about the number of sewage treatment bypasses in the City of London.

M.Fletcher clarified the role of the SPC that while there is policy in the SPP that indicates that a person in a WHPA-A/B(10) is subject to a septic system inspection every 5 years, this requirement comes directly out of the Building Code Act.

Deb Goudreau reported Public Health does not require digging all around the tank. The inspections have tiered phases and it could have been that more work was required in the example provided. She reported landowners are not receiving the bills for these inspections rather the County is.

*George Marr* –reported that South Huron Ducks Unlimited recently had a dinner and received more funding for land stewardship.

*Hugh Moran-* noted that climate change may not be stopped but it can be managed and that all industry needs to contribute to the energy plan and not one sector is fully responsible for climate change. A lot of questions need to be asked of how much energy we use and who will provide it. He noted a lot can be accomplished through collaboration. Ontario uses 150 million barrels per year and 200 billion feet of natural gas and the question is will we be off this someday?

*Pat Donnelly*-reported he attended a presentation at the Latornell Conference by Nicola Crawhall of the Great Lakes and St. Lawrence Cities Initiative on *Reducing Phosphorus Loss From Farmland Through Improved Water Management and Drainage in the Thames River*. The Great Lakes Agricultural Stewardship Initiative (GLASI) was also discussed and there being good steps in place for moving forward. Pat also reporting seeing SP signs across the region with the template the province created. He also noted Eastern Ontario had a level 3 drought which is most extreme and how important water is and the work being done.

*Paul Hymus*-noted the Aggregate Resources Act proposed changes being posted on the EBR for comment. SWP is highlighted and will have effect on all aggregate producers of Ontario.

Bob Bedggood was thanked for his leadership in developing the first Source Protection Plan for the Thames-Sydenham and Region. His dedication over the past 9 years as the Thames, Sydenham and Region SPC Chair was appreciated by the Source Protection Authorities, Source Protection Committee and everyone on the staff team. Bob's knowledge and experience was valued at the committee and Chairs table.

12) Adjournment

There being no further business, the meeting was adjourned at 12:25 p.m. PLEASE NOTE: The next SPC meeting is scheduled for **March 2017 date to be determined** and meeting location is to be at the St. Clair Region Conservation Authority office.