

SPC MEETING MINUTES
MARCH 24, 2017
Meeting #67

Interim Source Protection Committee Chair, Earl Morwood called the meeting to order at 10:05 a.m. on March 24, 2017 at the St. Clair Conservation Authority Boardroom. The following members and staff were in attendance;

Members

Brent Clutterbuck
Pat Donnelly
Dean Edwardson
Pat Feryn
Carl Kennes
George Marr
Jim Maudsley
David Mayberry

Earl Morwood
Darrell Randell
Charles Sharina
John Van Dorp
Murray Blackie (SPA Liaison)
Beth Forrester (Provincial Liaison)
Fatih Sekercioglu (HU Liaison)

Regrets:

Paul Hymus
Kennon Johnson
Joe Kerr
Valerie M'Garry
Doug McGee
Don McCabe
Hugh Moran
Mike Mortimer
Augustus Tobias
John Trudgen
Darlene Whitecalf

Staff:

Jenna Allain
Deb Kirk
Rick Battson
Bonnie Carey
Linda Nicks
Girish Sankar
Jason Wintermute
Ian Wilcox
Brian McDougall
Don Pearson
Steve Clark
Katie Ebel
Jessica Schnaithman

1) Chair's Welcome

Earl Morwood the Interim Chair welcomed the committee; a quorum was not achieved.

2) Adoption of the Agenda

The agenda was approved.

Moved by Jim Maudsley -seconded by Carl Kennes

“RESOLVED that the agenda be approved.”

CARRIED.

3) Delegations

There were no delegations.

4) Declaration of Conflict of Interest

No conflict of interest was identified.

5) Business Arising from the minutes

5a) Chair appointment

The SPC Chair appointment agenda item was deferred.

6) SPC meeting minute approvals and web posting

The November 17, 2016 SPC minutes were emailed to the committee, approved and posted on the website.

7) Business

7a) Annual Reporting Requirements

Jenna Allain gave an update on annual reporting requirements. Monitoring policies in the SPP's require all policy implementers to annually report on their implementation progress for the previous year. These reports must be submitted to the SPA's by February 1st of each year following plan approval. The reports inform a larger regional annual report that is prepared by the lead SPA and submitted to the Province in May. The first annual report submitted to the Province by the SPAs is not required until May 1st, 2018 allowing time for the implementation process to be in place. The Province has developed reporting templates for SPA Annual reporting. Drafts of these templates were presented at the November SPC meeting, and have since been finalized. In December TSR staff, in partnership with the Grand River SPA staff, prepared reporting templates for municipalities and Risk Management Officials based on the templates prepared by MOECC, and training was provided to the municipalities.

To date, all monitoring reports have been received from the municipalities, RMOs and several provincial reports. Relevant information to the Thames, Sydenham and Region was pulled out from the monitoring reports and presented to the SPC.

Provincial Ministries named as policy implementers in the TSR include the Ministry of Transportation (MTO), the Ministry of Natural Resources and Forestry (MNRF), and the Ministry of the Environment and Climate Change (MOECC). The Ministry of Transportation policies pertained to standardized road signage being established in vulnerable areas for provincial roadways. In 2016 there were 42 signs installed, none of which were installed in the TSR region; 6 signs have been ordered for Upper Thames Region watershed for the Wellhead Protection Areas (WHPAs). Signage for *Event Based Areas* (EBAs) in the Lower Thames and St. Clair region is being discussed. All signs across the province are standardized. However, prior to the policies being in place some municipalities had already erected signs in Guelph, Oxford County and Essex County that have some small differences in appearance.

MOECC, MNRF and OMAFRA have all developed business processes for screening any new applications that require provincial approval for significant drinking water threats. If

significant drinking water threats are found to be associated with an application the Ministry will take steps to manage or prohibit the activity depending on the applicable SPP policy requirements. Threat activities that are already occurring that have existing instruments are in various stages of review depending on the approving Ministry and type of instrument. A question was asked of how aggregate sites are dealt with. Aggregate activities do not pose a threat to water quality under the CWA; fuel storage is the most common threat that applies at an aggregate site.

Progress tables were shown in the discussion paper in numeric format giving a snap shot of work completed by municipalities and RMOs, and highlight what remains to be done. This will help to better assist the municipalities in 2017.

Key points:

- The municipalities are required to update their OPs/Zoning by-laws. Most are in progress; Stratford has been done and Darrell Randall reported St. Clair Township just completed theirs.
- The number of mandatory septic system inspections required is 203 for this region. 61 inspections have been completed. Septic inspections are required under the Ontario Building (OBC) and policy 2.17 of the SPP, and need to be done within 5 years of the local Assessment Report approvals which was in 2011. What is defined as minor vs major repair of a septic system was noted: minor repair being a tank lid needing replacement versus the bottom of a tank missing. The question of how monitoring will be done was asked; the SPA staff will work closely with municipalities over the next several months to understand their obligations to complete the mandatory inspections.
- *Education and Outreach* strategies will be put in place with implementers and Dense Non-Aqueous Phase Liquid (DNAPL) fact sheets will be circulated in residential sections of vulnerable areas door to door this spring.
- *Part IV implementation* has been dealt with differently by each municipality; some have retained their Part IV authority and some have chosen to delegate this out. The RMOs are responsible for implementing Part IV policies that prohibit (Section 57) or manage (Section 58). A summary of the data collected by the RMOs was included although the numbers do not reflect all the work the RMO has been doing such as visiting landowners for threat verification. Reporting is specific and relates to power and authorities under the CWA such as issuing warrants or work that was ordered to be done; RMOs have not enacted these authorities yet.
- 11 *Risk Management Plans* were completed across the Region in 2016.
- 26 *Section 59 notices* have been issued. The question of why there are a higher number of notices being issued in Oxford County was asked. Restricted Land Use polices involve screening any applications under the Planning Act or Building Code for SWP and Oxford County has larger vulnerable areas which will result in a higher number of applications.

- SPA Annual Reports will be completed next year, one being a brief public facing report, and another supplemental report that is more extensive. The report will be completed by the lead CA and then presented to the SPC and partner SPAs for comment.
- A question was asked about *Prescribed Instruments* as it relates to MOECC *Permits to Take Water* for golf courses. Water quantity is not deemed a threat in this region. Beth Forrester reported in general there are other areas where water quantity is an issue and would include standard operating policies for this.
- OMAFRA provided a provincial wide report and individual region details can be found in the report. The report outlines the number of applications that were screened for the TSR and none resulted in significant threats. More tailored reports may be available in the future and will evolve to be more automated.

A comment of this being the first report provided to the committee and a job well done; also, noting the importance of defining acronyms for the public to understand what they mean.

7b) UTRCA Risk Management Services Presentation

Jessica Schnaithmann the Risk Management Official/Inspector (RMO/RMI) from the Upper Thames River Conservation Authority gave a presentation on the Risk Management Services that are currently being provided to the City of London, Town of St. Marys, Municipality of West Perth, Township of Perth South, Township of Perth East, Chatham-Kent and the City of Stratford by the three RMO/RMIs for the region. She outlined examples of case studies to demonstrate the process being followed in working with a proponent to determine risks and how policies apply. Some of the challenges being faced while completing Risk Management Services were also reviewed.

7c) Section 36 SPP Amendments –presentation

A presentation was given by Jenna Allain for Section 36 SPP Amendments. The process for the next major review and amendment of the SPP was described under Section 36 of the CWA. The initial steps towards the next review and Section 36 amendment to the SPP will be started in the year ahead, and it will be important to understand the scope of the work ahead and the role of the SPC in the review and amendment process. The guidance document included in the SPC packages was prepared by the MOECC and provides more detail and guidance about Section 36 amendments. Section 51, 34 and 35 amendments were briefly outlined and Section 36 in more detail. At the time the SPP was approved the Minister required a workplan be developed. This workplan is to set out what aspects of the Assessment Reports and SPP should be reviewed, timeline of review, and the consultation process with the SPC, SPAs, municipalities and the MOECC. Updates should build on new information from plan implementation. Policy

effectiveness, technical rule changes, implementation challenges will be part of the review as well as other factors. The SPC will have an active part in the workplan development.

The Plan Effective date was December 31, 2015, the first Annual Report is due May 1, 2018 and the workplan for the Section 36 amendment is due November 30, 2018.

7d) EBR Posting-Technical Rule changes

The discussion paper titled “*EBR Posting for Phase 1 Amendments to the Director’s Technical Rules*” was circulated for review. A broad review of the SP Programs is being completed to develop program design options that identify areas for improvement. The technical framework is being reviewed in different phases. Phase 1, 2 and 3 amendments were outlined. Phase 1 is more minor in nature to provide clarity and will be amended over a shorter period of time versus the longer term changes for Phase 2 and 3. A substantial change noted for Phase 1 is to allow for Great Lakes intakes to be scored differently so that you can have significant threats for GL intakes. This is a local decision and needs to be based on concerns about the intake. The TSR has identified event based threats for most of the intakes for fuel and fertilizer storage. IPZ 1 and 2 scoring could increase. Discussions are occurring for this region’s emergency intakes closer to shore and there may be a report brought forward to a future meeting. Phase 1 amendments have been posted on the EBR on March 9, 2017 for comment.

A question was asked for an update for microcystins in the Great Lakes. Jason Wintermute of the Lower Thames Valley Conservation Authority provided a report at the November SPC meeting and reiterated the lack of evidence there is of microcystins impacting the intakes and it being difficult to scientifically track trends due to microcystins being weather driven. This issue is also being addressed through other avenues other than SP and Clean Water Act.

8) Information

a) New online information tool on Lake Erie Harmful Algal Blooms

There is new online information tool on Lake Erie Harmful Algal Blooms. A Project team from University of Toledo opened a new web-based online information database tool for research and studies on Lake Erie HABs. This website provides connection to an online management system that contains sources of key information on the variety of science and public policy research, studies and reports discussing Lake Erie HABs. The goal of this project to provide a "one stop clearing house" so users can readily access information of interest to them.

b) Auditor General's Follow up Report

A report was circulated titled "*Chapter 1 Section 1.12 Source Water Protection Follow-Up on VFM Section 3.12, 2014 Annual Report*". In 2014 the Auditor General set out recommendations for the SP Program's Branch to address. Approving the SPPs was one of the main recommendations. This report outlines how the recommendations were addressed.

9) In Camera Session

None.

10) Other Business

None.

11) MOE Liaison Report -Beth Forrester gave a update.

The Ministry is working on a mapping tool that is a geocortex space map with a launch date of March 31, 2017. Vulnerable areas are now linked to policies that apply to them.

The program review continues and how to resolve some of the issues that have occurred during the program development. A few local RMOs and municipal representatives attended a regional consultation session held in London in early March to provide feedback, and it will be brought to the Chairs/Project Manager's meetings as well.

A discussion paper for Phase 2 Technical changes recommendations will be posted on the EBR for comments similar to the Phase 1 process.

Work continues with First Nations. The Prime Minister made the commitment to end all drinking water advisories within five years on all First Nation reserves. A new office has been established through the MOECC and a committee formed of federal, provincial and First Nations representatives to work on this; SP has been identified as one of the key areas of interest in how to improve water quality on reserves and how to enable SP Planning on them. There is not a First Nations liaison on the committee, but there are staff identified as working on this.

An announcement was made that Dean Edwardson has now been appointed the new SPC TSR Chair. He will attend the orientation session at the Chairs meeting next week in Toronto on March 27th, 28th and 29th.

Jenna Allain reported the committee size reduction will occur from 21 members to 15 and will be determined after the next Management Committee meeting. All current members will be invited to the next SPC meeting in the fall to acknowledge the service of the members over the years.

12) Members Report

Darrell Randall- reported St. Clair Township has completed their Zoning/OP Bylaws amendments.

Dean Edwardson- noted he is humbled by the Chair appointment and acknowledged Bob Bedgood. He thanked Earl Morwood for being the Interim Chair and is looking forward to working with everyone going forward.

Fatih Sekercioglu- introduced himself as the Environmental Health Manager for the London-Middlesex Health Unit. He noted the *Ontario Public Health Standards* the main guidance document that oversees all services such as child health, immunizations and environmental health is being revised and is in the initial stage of consultation before Minister approval next year in January. The new name for the guidance document is *Standards for Public Health Programs and Services*. A Safe Water program mandate will be included that has more emphasis on education and awareness for private well water testing and communicating with the owners and providing education materials. The Public health departments will continue to monitor small drinking water systems of which there are approximately 9000 across the province with Middlesex County having 135. There is a new training program for small drinking water systems for owners/operators by the Walkerton Clean Water Centre that started recently. Fatih has been involved in a project with the MOECC that relates to the auditor general's recommendation of water testing being disclosed across the province. Ontario Geologic Survey, Ontario Provincial Groundwater Monitoring and Public Health & Ontario lab have test results from wells and he is hoping to disclose these results in every region and finalize the project later this year.

Pat Donnelly- reported he attended an event at the Lamplighter on March 8 hosted by MOECC this being one of three meetings, looking for input from municipalities on the SP process. Representatives from municipalities from Windsor through to Niagara Falls attended as well as many RMOs.

Brent Clutterbuck- reported that Canada and Ontario have launched a public consultation on draft action plan to reduce harmful algal blooms on Lake Erie. Stakeholders and community members are encouraged to comment on the draft action plan before May 9, 2017. This input will inform the final action plan for the Canadian side of Lake Erie.

Jim Maudsley- Asked about lower tier municipal funding for RMO training for RMOs that change over time at the municipalities. Beth Forrester reported that SP municipal

implementation funding is a fixed fund to municipalities and there are no plans for additional funding. However, the timeframe has been extended to use the funding to December 2017. RMO/Inspector training is offered at no cost aside from accommodation two times a year. A session is scheduled for this May/June.

Earl Morwood- gave best wishes to Dean Edwardson.

13) Adjournment

There being no further business, the meeting was adjourned at 12:00 p.m. PLEASE NOTE: The next SPC meeting is scheduled for ***date to be determined*** and meeting location is to be at the St. Clair Region Conservation Authority office.