

SPC MEETING MINUTES
APRIL 5, 2018
Meeting #70

The Source Protection Committee Chair, Dean Edwardson called the teleconference meeting to order at 10:00 a.m. on April 5, 2018. The following members and staff were in attendance;

Members

Murray Blackie
Brent Clutterbuck
Pat Donnelly
Dean Edwardson
Pat Feryn
Paul Hymus
Carl Kennes
George Marr

David Mayberry
Earl Morwood
Darrell Randell
John Van Dorp
Darlene Whitecalf
Fatih Sekercioglu (HU Liaison)
Olga Yuinda, MOECC

Regrets:

Kennon Johnson
Joe Kerr
Hugh Moran
Mike Mortimer
John Trudgen
Valerie M'Garry

Staff:

Jenna Allain
Deb Kirk
Brian McDougall

1) Chair's Welcome and Roll Call

Dean Edwardson welcomed the committee. A roll call was completed and quorum was achieved.

2) Adoption of the Agenda

The agenda was approved.

Moved by George Marr -seconded by Paul Hymus

“RESOLVED that the April 4, 2018 teleconference agenda be approved.”

CARRIED

3) Understanding the problem

At the recent SPC meeting a delegation gave a presentation on the wells located within the area of the North-Kent Wind Project. They indicated there is an increase in shale particles and sediments in private wells and attributed this recent decrease in water quality to the pile driving associated with the construction of wind turbines. The delegation is concerned that the same water quality issues could arise in the Otter Creek Wind Project if approved, as the area shares the same aquifer and has the same geology.

Olga Yudina, from the Ministry of Environment and Climate Change (the Ministry that oversees the regulatory oversight for these projects) informed the Committee that the Ministry has been looking into the water quality complaints and provided information about what the Ministry has done to address these concerns. Additionally, an email was circulated to the SPC from Michael Moroney of the MOECC to that reiterated the information that Olga provided. Key points from the information the Ministry provided include;

- the ministry has used a science-based approach to evaluate the well interference claims related to the project and considered: baseline and complaint response lines of evidence, timing of water quality complaints, vibration monitoring and enhanced turbidity monitoring.
- Ministry hydrogeologists and staff have reviewed reports on vibration monitoring and water quality test data to confirm whether pile driving may have impacted water quality.
- It was concluded there is no evidence of any ongoing or permanent impact to water quality related to vibration from off -site pile driving activities.

- The Ministry of Health was also provided all relevant sampling results and recommended sampling be done three times per year.
- Olga reported the MOECC is committed to taking the concerns seriously.

4) Limitations of the legislation

Jenna Allain spoke to the scope of the Clean Water Act and the mandate of the Source Protection Committee. She noted that private wells are not within the scope of the CWA which focuses on the protection of municipal drinking water sources. The North Kent wind project and the proposed Otter Creek wind project are both located in areas identified as Significant Ground Water Recharge Areas (SGRA) and Highly Vulnerable Aquifers (HVA). However, significant drinking water threats cannot occur in HVAs or SGRAs, only moderate or low threats. The policies that can be written in these areas are limited to softer tools such as education and outreach or best management practices and would not be legally binding. Regulatory tools such as Risk Management Plans, PI policies or prohibition could not be used in these areas. Additionally, Source Protection Committees must focus policies on addressing the 21 drinking water threats identified under the Clean Water Act. Wind turbines are not identified as one of the 21 threats. Source Protection Committees may identify activities as local threats provided there is evidence of a chemical or pathogen hazard. Local threats require approval from the Director of the Source Protection Programs Branch. It was also noted that the Act allows for private wells to be elevated into to the source protection program, but this would be a municipal decision or upon the Minister's direction. This provision under the Act has not been enabled in the province to date.

The Source Protection Committee discussed the fact that prior to the *Clean Water Act* being approved, there was significant consultation on which drinking water systems should be included. At the time, consideration was being given to the protection of all drinking water systems in the Province. However, there was significant opposition from farm and rural communities to the inclusion of farm and domestic wells. This ultimately led to exclusion of these systems from the program and the focus shifting to only municipal drinking water systems when the *Act* was passed.

5) Options

The Committee discussed the issue of not being clear on the consideration the Ministry has given to Source Water Protection when reviewing and approving wind projects. In particular, are there any source protection considerations being given to projects located within highly vulnerable aquifers and significant groundwater recharge areas? Several Committee members expressed their concerns about the water quality issues presented by the delegation, and there interest in pursuing any actions the Committee could take to help resolve it. It was noted that the Source Protection Plan is considered a "living document" and should be updated to reflect new drinking water threats or issues as they may arise. The committee agreed that a letter be

drafted and circulated for review by the SPC and then be sent to the Minister of Environment, Chris Ballard to highlight and urge the Ministry to consider the principals of the Clean Water Act and source protection planning when reviewing and approving any new wind projects. This topic will be included on the next SPC meeting agenda for further discussion, and relevant subject matter experts will be invited to attend to present information.

Adjournment

There being no further business, the meeting was adjourned **at 10:50** a.m.