

SPC MEETING MINUTES
MARCH 26, 2021
Meeting #77

The Source Protection Committee Chair, Dean Edwardson called the meeting to order at 10:00 a.m. on March 26, 2021 via ZOOM. The following members and staff were in attendance;

Members

Dean Edwardson
Brent Clutterbuck
Cassandra Banting
Gary Eagleson
Carl Kennes
George Marr
Gary Martin

Earl Morwood
Christa Sawyer
John Van Dorp
Darlene Whitecalf
Joe Salter (Liaison)
Olga Yudina, MECP

Regrets:

Hugh Moran
Andrew Powell (HU Liaison)
Nich Seebach
Pat Feryn

Staff:

Jenna Allain
Deb Kirk
Steve Clark
Linda Nicks
Katie Ebel
Jason Wintermute
Mark Peacock
Donna Blue
Brian McDougall

1) Chair's Welcome

Dean Edwardson welcomed the committee. After the roll call, he acknowledged a quorum was not achieved. An email will be circulated to all the SPC members to finalize the motion on the Annual reporting recommendation.

2) Adoption of the Agenda

The agenda was approved.

Moved by George Marr-seconded by Gary Eagleson

“RESOLVED that the March 26, 2021 agenda be approved.”

CARRIED.

3) Approval of October 30, 2020 SPC minutes

A motion for the approval of the October 30, 2020 minutes was not completed due to not having quorum. One correction was noted of a typo under 7.d.

4) Delegations

None.

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business Arising from the minutes

None.

7) Business

a) Chairs Meeting /Update

Chair Edwardson gave a presentation to the SPC Chairs meeting on February 24, 2021 titled “*Perspectives of the Southwest*”. The presentation provided an overview and update of SP planning for the southwest region to include: Ausable-Bayfield Maitland Valley Region, Essex Region, Saugeen, Grey Sauble Region, Lake Erie Region and the Thames-Sydenham Region. He outlined the characterization of each area, reviewed the accomplishments, gaps or concerns, why the Clean Water act is successful and steps moving forward. The presentation was circulated to the SPC members.

b) TSR Annual Report Program Update

7bi) Staff Report

Jenna Allain gave an update and reviewed the TSR annual progress report. This report outlines the progress made in implementing policies that protect surface water and groundwater municipal drinking water sources in the region.

An online “*Electronic Annual Reporting (EAR)*” tool was used by staff to analyze the information from implementing bodies, Municipalities, provincial ministries and Risk Management Officials. Once the SPAs approve the report will be forwarded to the Ministry of the Environment, Conservation and Parks (MECP) by May 1. Katie Ebel, Source Protection Policy and Risk Management Advisor at UTRCA, was acknowledged for her valuable data analytics work that helped organize the information.

The report outlines that the TSR is progressing well and is on target –with the majority of the Source Protection Plan policies have been implemented and/or are progressing well.

December 31st, 2020 marked five years since our Source Protection Plan first took effect. Currently, 80% of the policies in the plan that address significant drinking water threats have been fully implemented, and 20% are progressing well. 2020 was a difficult year due to the COVID-19 pandemic, Risk Management Officials and Inspectors throughout the region halted all site visits for most of the spring of 2020, with mostly outdoor only visits resuming over the summer.

Municipalities planning and building decisions need to conform with the Thames-Sydenham and their Official Plan must conform with the SPP upon the next Planning Act review. Half of the municipalities in the TSR that have an official plan (9 of 18) have completed their required Official Plan conformity exercises. Of the

remaining 9 municipalities, 8 are in the process of amending their Official Plan, and one has not yet started. Oxford County reported their zoning by-laws were ready to go but in person public consultation could not occur due to covid and has been postponed. Other municipalities have commented that they are in the process of system changes such as decommissioning wells in Chatham-Kent and are waiting for the SPP changes to be finalized before updating their OPs.

Under item #3 Septic systems: For ground water systems where the vulnerability score of 10, (primarily 100 meters around the well) or in a WHPA-A or WHPA-B with a 2 year time of travel septic systems require mandatory inspections every 5 years, under the Building Code. The TSR has a corresponding policy that municipalities are required to do this and it should have been completed in 2017-2018. Oxford County is on a different time table as they relate to *Issues Contributing Area* which was assessed at a later date. Most of the first inspections were completed and the municipalities are gearing up to do second inspections this year or in 2022. Cassandra Banting noted the responsibility has shifted in Oxford County to the municipalities to complete septic inspections rather the Health Unit. They hope to complete inspections this year; Covid halted this work in 2020.

Under item #4 Risk Management Plans: Risk Management Officials and Inspectors throughout the Thames-Sydenham and Region reported that 2020 was a challenging year to try and engage people to negotiate risk management plans due to the COVID-19 pandemic. There are 18 municipalities who have areas where risk management plan policies apply. In 10 of those 18 municipalities, 100% of the expected risk management plans have already been agreed to or established. Although site visits were limited in 2020, Risk Management Officials and Inspectors still carried out 86 inspections to investigate activities that could either be prohibited or require a risk management plan.

Under item # Road Signs: New, provincial standard road signs mark locations where well-used roads cross into zones where municipal drinking water sources are the most vulnerable to contamination. A question was asked about the actual number of road signs being erected as there was miss-reporting. A total estimated 163 Drinking Water Protection Zone signs have been installed on roadways in the Thames-Sydenham Source Protection Region.

Under #7. Source Protection Plan Policies: Summary of Delays. Incentive programs are not being considered by most organizations in the Thames- Sydenham Region as suggested by Policy 1.04 of the Source Protection Plan. Discretionary Septic System Maintenance Inspections programs targeting moderate and low septic system threats have not yet been considered by municipalities. Policy 3.01 Discretionary inspections are recommended, and as above, it should be noted that this is a non-legally binding policy. Municipalities have been focusing on the mandatory septic inspections as required for septic systems that pose a significant threat to drinking

water. More consideration will be given to discretionary inspections once the mandatory inspections are complete.

Under #8. Source Water Quality: Monitoring and Actions: There are issues in the Assessment Report that continue to be monitored.

- Microcystin at the Wheatley and Chatham/South Kent Surface Water Intakes
Harmful algal blooms of blue-green algae have been increasing in size and severity in recent years in the western basin of Lake Erie. The Conservation Authorities of the Thames-Sydenham and Region have and will continue to work with senior levels of government and other partners to implement relevant actions to reduce phosphorous in our region and consider all available data for the Wheatley and Chatham/South Kent intakes to determine whether microcystin-LR continues to be an issue for these water treatment plants.
- Nitrates at the Wallaceburg Surface Water Intake. Monitoring that was done was inconclusive and did not yield enough information to confirm the issue and delineate an *Issue Contributing Area*. Water treatment plant staff and managers for the Wallaceburg intake indicated that they no longer had any significant concerns regarding nitrate concentrations at the intake
- Nitrogen at the Woodstock Well System. Nitrate occurs in the Thornton wellfield and Tabor wellfield of the Woodstock Drinking Water. Oxford County indicated that there currently was not enough information available to determine changes to the concentration or trend of nitrates in either the Thornton or Tabor wellfields. The County will complete a review of the Thornton nitrate levels to determine whether the delineation of an Issue Contributing Area (ICA) is warranted.

7bii) TSR –was circulated.

7biii) TSR Implementation Status Summary- detailed report was included in the package to the committee

7iv) 2020 Supplemental Form- was included in the package.

Recommendation

That the Source Protection Committee approves the SPC comments on the annual report as drafted and direct staff to submit those comments to the Source Protection Authorities for inclusion in the Thames-Sydenham and Region Annual Progress Report submission.

Moved by –Carl Kennes seconded by George Marr

“RESOLVED that the SPC direct TSR staff to submit the comments to the Source Protection Authorities for inclusion in the Thames-Sydenham and Region Annual Progress Report Submission.”

CARRIED.

c) Significant Threats vs. Environmental Issues in Vulnerable areas

Several environmental concerns have been brought forward over the past few years and although they may be located within vulnerable areas, they are NOT identified as significant drinking water threats, and are not addressed through SPP regulatory policies. Jenna Allain provided a review of Drinking water threat identification, where TSR SPP policies apply, a review environmental issues/concerns that have been brought forward such as wind turbines, NASM storage, septic systems, salt storage, geothermal wells, and transport pathways.

Discussion:

- Wind turbines- Proposed wind turbines in the Wallaceburg area were brought forward as a concern to the SPC in 2018. Wind turbines were not one of the 22 drinking water threats so it was out of the scope of the SPC mandate to act and the turbines were not in a significant threat or vulnerable area. When there was a change in government, the province cancelled the planned wind farm. There had been a municipal council resolution prior to the cancelation to look at the turbines impacts on a cluster of private wells for inclusion in the Source Protection program.

The question was asked whether the SPC should take preemptive look at extending our mandate to include any risk that can create an issue. This can only be done in significant threat or vulnerable areas. This issue is being reviewed by the Ministry and there are still uncertainties how it can tie into the Source Protection program.

- NASM storage a new product, largely in Lambton County has resulted in concerns by the public. The storage areas are in not any in vulnerable areas at this time and to date is only *temporary* storage. This is being monitored by Steve Clark, the RMO, and he will continue to update the committee. Special policy areas can be identified and dealt with using municipal tools.
- Septics Outside of significant threat areas. Concerns have been raised about failing or flooded septic systems particularly for lakeshore properties. Many of the areas with known septic system problems are located outside of significant threat areas. One area with known issue of flooded septic systems that is located in a significant threat area is Lighthouse Cove in the Municipality of Lakeshore. However, septic systems are not a significant drinking water threat in IPZ's unless the vulnerability score is 10. Policy 3.01 recommends municipalities undertake

discretionary monitoring of septic systems that are moderate or low threats. No municipalities in the TSR have done any discretionary monitoring.

- Dorchester Subdivision a new subdivision being developed within the WHPA in Dorchester was noted. The location of the subdivision is in an area that has a vulnerability score of 10 with no significant threats associated with this development except for the sanitary sewers. Variables could change the risk such as a gas tank in a house although this is not an issue in our area. Sewers are managed by prescribed instrument though the province.
- Salt Storage in Mitchell A small amount of salt storage associated with a commercial property inside the WHPA in Mitchell has recently grown to a large amount of storage. Katie Ebel, RMO identified concerns over growing storage. Salt storage is only a significant threat in a WHPA with a vulnerability score of 10. The property is located just outside the area that scores 10 and is therefore not a significant threat and SPP policies do not apply. Salt is being packaged and sent to retail stores. The question was asked of whether chloride levels been checked and they have and the municipality has been contacted. A RMP cannot be done at this point but we will work with them to use Best Management Practices.
- Geothermal Wells. A few municipalities have contacted staff to ask whether our SPP policies prohibit geothermal wells in WHPAs. THEY DO NOT (geothermal wells are not one of the 2 threats). HOWEVER, they are a potential transport pathway. Municipalities are required to report transport pathways to the SPA's who will review whether the proposed pathway could affect vulnerability. Policy 4.05 encourages municipalities to develop by-laws to restrict private wells and septic systems in areas where significant threats can occur. Some of our municipalities are developing these bylaws.

The recent float glass plant in Stratford was noted. Information was requested for water quantity work from this region from the Tier 3 water budget. The Stratford well was reported to be in permitted capacity to handle it. Council had approved the development but backlash from the community resulted in the company pulling out.

It is uncertain and there is not a clear route to deal with pre-cautionary issues. At this time only discretionary tools only Best Management Practices and Education & Outreach can be used and ongoing monitoring.

d) SPC Membership Presentation

Jenna Allain gave a presentation on the current SPC membership terms and expiry dates. TSR SPC Members are appointed for 4 year terms. Members appointed in 2018 have a term that expires in June 2021 (7 members). Members appointed in 2019 have a term that expires in June 2023 (8 members). Existing SPC members that wish to stay on

the committee are encouraged to seek reappointment. Regulation 288/07 requires Source Protection Authorities to advertise expiring SPC memberships by posting an ad on the internet. Any applications received will be reviewed and interviews will be conducted by the Striking Committee (consisting of Chairs of each of the 3 SPAs).

For municipal representatives each expiring municipal representative, the municipalities for which they represent will be consulted. If only one representative is nominated by all municipalities within a municipal grouping, that nominee will be appointed by the Striking Committee. If more than one is nominated an interview will take place.

Committee member position notices will be advertised on the Conservation Authority and Source Water websites and municipalities will be consulted in April.

8) Information

The items listed below were provided to the committee as a FYI:

- a) Florida Water Supply Hack. Jenna noted the recent news reports on an incident where hackers gained access to a water treatment plant and tried to poison the water supply.
- b) Update on First Nation long-term drinking water advisories. A news article was circulated in the members package by Indigenous Services Canada on Mar 10, 2021, titled *“In partnership with First Nations, more than 100 long-term drinking water advisories have now been lifted since 2015”*.

9) In Camera Session

None.

10) Other Business

None.

11) MOECP Liaison Report

Olga Yudina, the MECP Liaison provided an update. The MECP is currently reviewing proposed amendments to the Director Technical rules. The changes were posted on the EBR for a 90 days period which closed November 9, 2020. There were 360 comments received with a majority of them technical in nature and some general ones about the program. All comments will be taken into consideration.

The CAs Act finalized changes were passed in December 2020 with a goal of ensuring more consistency and transparency across the CAs and to highlight the CAs core mandated programs and services which is defined into several categories including Natural hazards, Conservation and Management of CA owned lands and the roles of the CAs in their capacity of Source Protection Authorities, under the CWA. The proposed regulations to support the CA amendments are being worked on and will include details on the mandatory programs and services that CAs will be required to provide, how to transition to a new funding model with new requirements for agreements with municipalities for delivery of non-mandatory programs and how local members of the community can participate in their CAs through advisory boards.

The province has created a new working group consisting of representatives from CAs, Conservation Ontario, Association Municipalities Ontario, MNR and MECP. The intent of the group is to provide input to the government regarding the proposed regulations and it will be posted on EBR soon. The CA changes do not impact to Source Water Program, as SPAs under the CWA. Transfer payment agreements are being worked on for the next fiscal 2021/2022 year.

A guidance document is being created by the ministry for non-municipal drinking water systems to give people tools from existing information to use best management practices to manage risk and protect water. MECP consulted with SPAs and municipalities to review the guidance. 7 municipalities reviewed the document and feedback has been received and being reviewed with the hope of having it released in the spring.

The question was asked about whether CA funding in general has been reduced? Brian McDougall reported a 50% reduction in funding from the province under natural hazards, to include flood control, erosion control.

12) Members Report

No reports were given by members.

13) Adjournment

There being no further business, the meeting was adjourned **at 12:20 p.m.**

Moved by Brent Clutterbuck-seconded by George Marr

“RESOLVED that the meeting be adjourned.”

CARRIED.

PLEASE NOTE: The next SPC meeting will be scheduled in June.