

# DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER

TRENT  
CONSERVATION  
COALITION  
SOURCE PROTECTION  
REGION

SOURCE PROTECTION COMMITTEE MEETING

JANUARY 30<sup>TH</sup>, 2012

ASPHODEL-NORWOOD COMMUNITY CENTRE, NORWOOD, ON

MINUTES

## ATTENDEES

SOURCE PROTECTION COMMITTEE MEMBERS	PRESENT	REGRETS	ABSENT	NOTES
Jim Hunt	✓			
Monica Berdin	✓			
Darla Blodgett	✓			
Alanna Boulton		✓		
Dave Burton	✓			
Bill Cornfield	✓			
Edgar Cornish	✓			
Pam Crowe		✓		
Kerry Doughty	✓			Departed at 2:00 p.m.
Bobbie Drew	✓			
Rob Franklin	✓			
Mike Gibbs		✓		
Dave Golem	✓			
Rosemary Kelleher-Maclennan	✓			
Robert Lake	✓			
Gerald McGregor	✓			
Glenn Milne	✓			
Terry Rees	✓			
Mary Smith	✓			
Bev Spencer		✓		
Richard Straka	✓			
Wayne Stiver	✓			
Alix Taylor	✓			
Mae Whetung	✓			
Dave Workman	✓			

SOURCE PROTECTION COMMITTEE LIAISONS	PRESENT	REGRETS	ABSENT	NOTES
Tom Cathcart		✓		
Glenda Rodgers	✓			
Clare Mitchell		✓		

## COMMITTEE SUPPORT STAFF:

- Jennifer Stephens
- Marilyn Bucholtz
- Myriam Genet

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**CONSERVATION AUTHORITY STAFF:**

- Crowe Valley SPA: Vicki Woolfrey, Adam Willis
- Ganaraska Region SPA: Mark Peacock, Pam Lancaster
- Kawartha-Haliburton SPA: Mark Majchrowski, Paul Buckley
- Lower Trent SPA: Kelly Weste
- Otonabee-Peterborough SPA: Meredith Carter, Ron Baker
- TCC Regional Staff: Andrew Doiron, Diana Tyner

**OBSERVERS:**

- Kelly Maloney, Agriculture Development Officer, City of Kawartha Lakes

**1. WELCOME**

Chair Hunt welcomed the Committee, CA Staff, and guests.

Adam Willis, the new GIS Specialist with Crowe Valley CA was welcomed.

Chair Hunt also welcomed Kelly Maloney from the City of Kawartha Lakes.

Chair Hunt announced that the per diem sign in sheet for this meeting was not available, but would be at the February 2<sup>nd</sup> SPC Meeting.

**2. CALL TO ORDER**

The meeting was called to order at 10.05am.

**3. DISCLOSURE OF ANY CONFLICTS OF INTEREST**

There were no conflicts of interest.

**4. APPROVAL OF THE AGENDA**

Chair Hunt asked for any additions. It was agreed that if there was extra time, agenda items from the February 2, 2012 meeting would be discussed. This would assist the Committee in meeting the deadline for decisions by the end of the February 2<sup>nd</sup> meeting.

**SPC 2012-01-30-01**

By consensus, the agenda was approved

**5. DELEGATIONS**

There were no delegations.

## 6. REVISIONS TO AGRICULTURE POLICIES

Policy	Discussion	Decisions
<b>A-1: Existing Agricultural Activities <u>not</u> Subject to Prescribed Instruments</b>		
<b>A-1 (1a)</b>	<p><i>Suggested Amendments</i></p> <p><b>1) Role of Nutrient Management Act</b></p> <p>a) Require RMPs for <u>applicable</u> agri. activities to mirror the requirements of prescribed instruments under the NMA.</p> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- How close of a reflection of an NMA do you see the RMP being? It depends on the scope of the threat itself.</li> <li>- For the RMP, we have the option to only cover the portion of property where it is located.</li> <li>- "As appropriate" wording suggested.</li> </ul>	<p><i>Consensus on mirroring NMA Plans and Strategies as appropriate.</i></p>
<b>A-1(2)</b>	<p><i>Suggested Amendments</i></p> <p><b>2) RMO Access to NMA Instruments</b></p> <p>Require landowner <i>or</i> OMAFRA to provide approved Nutrient Mgmt. Plans/Strategies for activities within SDWT areas to the RMO.</p> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- Disclosure makes sense.</li> <li>- No trigger to ensure the landowner provides the RMP</li> <li>- OMAFRA has a shapefile indicating where the plans are in place.</li> <li>- RMO is doing QA/QC to ensure there isn't something already in place.</li> </ul>	<p><i>Consensus to ask OMAFRA to provide the TCC SPR with a shapefile where there are plans, and</i></p> <p><i>Any Prescribed Instrument be provided by the landowner to the RMO</i></p>
<b>A-1(3)</b>	<p><i>Suggested Amendments</i></p> <p><b>3) Emergency Response Requirement</b></p> <ul style="list-style-type: none"> <li>• Remove specific requirement for emergency response planning (re: fertilizer)</li> <li>• Add emergency response to general requirements for Risk Management Plans.</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- Appropriate</li> <li>- Envision it as a checkbox in the RMP</li> </ul>	<p><i>Consensus with accepting Suggested Amendments so that policy remains consistent with other policies that rely on this tool.</i></p>

A-1(4)	<p><i>Suggested Amendments</i></p> <p><b>4) Handling &amp; Storage of Pesticides</b> Require Risk Management Plans for the handling &amp; storage of pesticides for:</p> <ul style="list-style-type: none"> <li>• All instances of the threat; or</li> <li>• Only those not within AWSA mandate</li> </ul>	<p><u>Consensus on accepting Suggested Amendment:</u></p> <ul style="list-style-type: none"> <li>• Only those not within AWSA mandate</li> </ul>
<b>A-2: Existing Agricultural Activities Subject to Prescribed Instruments</b>		
A-2(1)	<p><i>Opposition to Policy</i></p> <p><b>1) OMAFRA – Recommend RMPs instead</b> Use Risk Management Plans instead of <i>Nutrient Management Act</i> instruments to manage agricultural threats that require these instruments.</p>	<p><u>Consensus</u> to <b>not</b> accept recommendation and continue to use the NMA but <b>require</b> MOE to review them all within three years.</p>
A-2(2)	<p><i>Suggested Amendments</i></p> <p><b>2) Clarify implementing body</b></p>	<p><u>Consensus</u> to separate Policy A-2 into two separate policies:</p> <ul style="list-style-type: none"> <li>• Activities regulated by NMA instruments (implemented by OMAFRA)</li> <li>• Pesticide application (implemented by MOE)</li> </ul>
A-2(5)	<p><i>Suggested Amendments</i></p> <p><b>3) Role of Risk Management Official</b></p> <ul style="list-style-type: none"> <li>• Make RMO implementer for instrument review</li> <li>• Require OMAFRA to review all NMA instruments in SDWT areas</li> </ul> <p><i>Discussion</i></p> <ul style="list-style-type: none"> <li>- Would this be the place to direct OMAFRA?</li> <li>- Ensure that the RMO has communication with OMAFRA to ensure the right things are being reviewed.</li> <li>- There is too much reliance on the NMA for something it was not designed for.</li> <li>- NMP covers large properties</li> <li>- Once the Review is done by OMAFRA – have the RMO review the comments</li> </ul>	<p><u>Consensus</u> to have MOE inspect properties and then communicate with the RMO (prioritize within one year and complete within three)</p>
<b>A-3: Prohibition of Future Ag. Activities</b>		
A-3(1)	<p><i>Opposition to Policy</i></p> <p><b>1) Applicable Area</b></p> <ul style="list-style-type: none"> <li>• Restrict prohibition to WHPA-A &amp; IPZ-1</li> <li>• Consider other approaches outside these areas (RMPs?)</li> </ul> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- Why is OMAFRA disputing the science?</li> <li>- A farmer with an existing agricultural activity would be restricted from changing the nature of their operation (<i>i.e.</i>, to another agricultural activity) if prohibition in place.</li> </ul>	<p><u>Consensus</u> to keep policy as is. (See A-3(3))</p>

<p><b>A-3(3)</b></p>	<p><i>Suggested Amendments</i></p> <p><b>3) Changes to Operation</b></p> <p>Options:</p> <ol style="list-style-type: none"> <li>Leave as is</li> <li>Exclude existing agricultural properties</li> <li>Exclude specific agricultural threats</li> </ol> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>Committee in favour of discussing options for existing operations;</li> <li>Suggest discretion when considering land use zone to define “existing”</li> <li>A change in operation <i>could</i> result in a decreased threat</li> <li>Add a list of acceptable threats?</li> </ul>	<p><u>Consensus</u> to continue to prohibit where agricultural activity would be a SDWT, with the following additional considerations:</p> <ul style="list-style-type: none"> <li>All agricultural activities to be prohibited in the WHPA – A and IPZ-1;</li> <li>Outside of the WHPA-A and IPZ-1, where an already <u>existing agricultural activity</u> is in place; allow changes to the operation – even if this means a new SDWT. Landowner would already have a RMP from existing SDWT. Allow RMO to make the decision to allow changes to the operation <b>as long as the change in activity doesn’t create a greater risk.</b></li> <li>Outside of the WHPA-A and IPZ-1, where an already existing agricultural activity is not in place; prohibit.</li> </ul>
<p><b>A-4: AWSA Certification (Pesticide H&amp;S)</b></p>		
<p><b>A-4(1)</b></p>	<p><i>Suggested Amendments</i></p> <p><b>1) Implementing Body for Reporting</b></p> <p>Change implementing body for reporting from Conservation Authority to RMO</p>	<p><u>Consensus</u> to accept suggested amendment.</p>
<p><b>A-4(3)</b></p>	<p><i>Suggested Amendment</i></p> <p><b>3) OMAFRA Comment: Clarify if policy applies to farms (if so, they suggest use of BMPs)</b></p> <p>Wording changed to clarify</p>	<p><u>Consensus</u> to accept wording change to clarify: “pesticide storage within the mandate of the Agrichemical Warehousing Standards Assoc”</p>

## 7. REVISIONS TO FUEL POLICIES

Policy	Discussion	Decisions
<p><b>F-1: Support of Existing TSSA Requirements</b></p>		
<p><b>F-1(1-3)</b></p>	<p><i>Opposition to Policies</i></p> <ol style="list-style-type: none"> <li>Insufficient TSSA Resources</li> <li>TSSA Inspections Sufficient</li> <li>Reporting Policy is too vague to ensure that policy is having a positive effect</li> </ol> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>What is the current inspection frequency? <ul style="list-style-type: none"> <li>Ten years</li> <li>Committee felt this timeline was far too long.</li> </ul> </li> <li>The message from TSSA is that the organization does not have the resources.</li> <li>Dialogue is continuing between MOE and TSSA</li> <li>Ministry of Consumer Services needs to be further engaged</li> <li>SPC agreed to keep TSSA as implementer, since they are most informed.</li> <li>Is there an alternate implementer?</li> <li>Issue with lack of cooperation</li> </ul>	<p><u>Consensus</u> to keep the policy but <b>ADD</b> requirement for inspection every three years, reporting annually.</p> <p>(same requirement as the RMPs)</p>

<b>F-1(4)</b>	<p><i>Suggested Amendments</i></p> <p><b>1) Implementer for Reporting</b></p> <ul style="list-style-type: none"> <li>Require TSSA to forward info directly to municipality and SPA</li> <li>Remove requirement for municipality to report to SPA</li> </ul>	<u>Consensus to accept suggested amendments.</u>
<b>F-1(5)</b>	<p><i>Suggested Amendments</i> (only applicable if previous decision not adopted)</p>	<u>Not applicable given adoption of 4-1(4)</u>
<b>F-1(6)</b>	<p><i>Suggested Amendments</i></p> <p><b>6) RMO Follow-up</b></p> <p>Require RMO to follow up with landowner on any inspections found to be deficient based on a TSSA inspection.</p>	<u>Consensus to accept suggested amendment.</u>
<b>F-2: Prohibition of Future Fuel Storage</b>		
<b>F-2(1)</b>	<p><i>Suggested Amendments</i></p> <p><b>1) Proposed Exemptions for Emergency Fuel</b></p> <ul style="list-style-type: none"> <li>Backup generators at well sites/WTPs/STP/PS</li> <li>Heating oil systems at municipal buildings (e.g. at the above sites)</li> </ul> <p>Exclude all or part of the above from the prohibition</p> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- Open to exemptions, but should include other emergency needs</li> <li>- Other alternatives should be looked at (solar, fuel, cell).</li> <li>- Why would we exempt municipal – not consistent with other approaches.</li> </ul>	<u>Consensus to accept the exemption for back-up generators; not for heating oil systems.</u>
<b>F-2(2)</b>	<p><i>Suggested Amendments</i></p> <p><b>2) Replacement Tanks</b></p> <p>Add specific provisions regarding replacement of existing tanks (<i>i.e.</i>, specify in policy if tank replacement is allowed)</p> <p><i>Discussion:</i></p> <ul style="list-style-type: none"> <li>- Could they get around this by installing multiple tanks?</li> </ul>	<u>Consensus to accept suggested amendment</u>

## 8. REVISION TO NASM POLICIES

<b>Policy</b>	<b>Discussion</b>	<b>Decisions</b>
<b>N-1: Existing NASM Activities Subject to Prescribed Instruments</b>		
<b>N-1(1)</b>	<p><i>Opposition to Policies</i></p> <p><b>1) OMAFRA – Recommend RMPs instead</b></p> <p>Use Risk management Plans instead of NASM plans &amp; Certificates of Approval to manage NASM activities.</p>	<u>Consensus to keep the policy and <b>NOT</b> accept OMAFRA recommendation.</u>
<b>N-2: Prohibition of Future Fuel Storage</b>		
<b>N-2(1)</b>	<p><i>Opposition to Policy</i></p> <p><b>1) Applicable Area</b></p> <ul style="list-style-type: none"> <li>Restrict prohibition to WHPA-A &amp; 1PZ-1</li> <li>Consider other approaches outside these areas (Risk Management?)</li> </ul>	<u>Consensus to keep the policy as originally written to decrease the potential for new SDWT.</u>

## 9. NEXT STEPS – NEW AGENDA ITEMS

### SPC 2012-01-30-02

By consensus, the Committee agreed to add the following items to the agenda:

- Revisions to Aircraft De-icing
- Revisions to Snow Storage; and

THAT the Agenda for February 2, 2012 be amended to reflect this change.

## 10. REVISION TO AIRCRAFT DE-ICING POLICIES

Policy	Discussion	Decisions
<b>P-1: Prohibition of Future Aircraft De-Icing</b>		
P-1(3)	<p><i>Requests for Clarification/Suggested Amendment</i></p> <p><b>3) Proponent for the development of an airport should contact the municipality to check where such a facility is permitted</b></p> <p><b>Decision:</b> Adopt the following amendment: <b>Consult</b> with the municipality during the planning phase of an airport to determine where the activity would be a significant drinking water threat.</p>	<p><u>Consensus</u> to accept suggested amendment</p>

## 11. REVISION TO AIRCRAFT DE-ICING POLICIES

Policy	Discussion	Decisions
<b>O-1: Existing Snow Storage</b>		
O-1(1)	<p><i>Suggested Recommendation</i></p> <p><b>4) Clarify the definition of “snow storage Facility”</b> Suggested amendment (below) is intended to more clearly specify what is excluded.</p> <p><b>Replace:</b> “and the snow is stored at a snow storage facility” <b>with</b> “and the snow <b>is not</b> stored along the side of a road as a result of snow plowing”</p> <p><i>Discussion:</i></p> <p>- Parking lot plowing may have the same concern.</p>	<p><u>Consensus</u> to accept recommended recommendation for clarification, but that it be compared against the assumptions made by the consultants and consider parking lots.</p>
O-2(1)	<p><i>Suggested Recommendation</i></p> <p><i>Same change as O-1(1) above (for consistency)</i></p> <p><b>Replace:</b> “and the snow is stored at a snow storage facility” <b>with</b> “and the snow <b>is not</b> stored along the side of a road as a result of snow plowing”</p>	<p><u>Consensus</u> to accept recommendation.</p>

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**SPC 2012-01-30-03**

By consensus, the Committee agreed to update the policies with the changes identified above.

**12. QUESTIONS/COMMENTS FROM THE PUBLIC**

There were no questions.

**13. OTHER BUSINESS**

There was no other business.

**14. NEXT MEETING –FEBRUARY 2,2012- ASPHODEL-NORWOOD COMMUNITY CENTRE, NORWOOD, ON**

Next meeting date and location was noted.

**15. ADJOURNMENT**

Meeting adjourned at 2:24 p.m.