

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER

TRENT
CONSERVATION
COALITION
SOURCE PROTECTION
REGION

SOURCE PROTECTION COMMITTEE MEETING
FEBRUARY 15, 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	✓			
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

Ganaraska Region SPA: Mark Peacock, Pam Lancaster

Kawartha-Haliburton SPA: Mark Majchrowski, Paul Buckley

Otonabee-Peterborough SPA: Meredith Carter, Ron Baker, Bev Hurford

TCC Regional Staff: Shan Mugalingam, Andrew Doiron, Diana Tyner

1. WELCOME

Chair Hunt welcomed the Committee.

In celebration of Valentine's Day, treats and cupcakes were shared compliments of Jennifer Stephens, and Chair Hunt gave a rose to everyone in attendance.

2. CALL TO ORDER

The meeting was called to order at 10:05 am.

3. DISCLOSURE OF ANY CONFLICTS OF INTEREST

There were no conflicts of interest.

4. APPROVAL OF THE AGENDA

Chair Hunt asked for any revisions.

Item 10 was amended to exclude the comparison with other SPR policies since two of the three adjacent regions are still in the process of finalizing their policies following the pre-consultation period. Instead, this presentation would focus on reviewing the outstanding policies that will be included in the source protection plans, but were not circulated for pre-consultation (*i.e.*, optional policies, Lake Ontario policies, etc.). Minor clerical errors were identified and will be corrected.

SPC 2012-02-15-01

By consensus, the Committee approved the agenda with the amendments.

5. DELEGATIONS

There were no delegations.

6. APPROVAL OF MINUTES FROM LAST MEETINGS – JANUARY 30, 2012 AND FEBRUARY 2, 2012

Chair Hunt asked for any revisions.

SPC 2012-02-15-02

By consensus, the Committee approved the minutes of the January 30th and February 2nd 2012 meetings.

7. BUSINESS ARISING FROM MINUTES OF LAST MEETING

Clare Mitchell was asked whether she received further details from MOE Operations Division pertaining to the feedback obtained through pre-consultation that the timeline for review of approvals be "several years". Clare confirmed that she received no additional clarification, and that MOE Operations encourages longer timelines in order to comply with SPP policies.

8. CORRESPONDENCE

- a. John Williamson, Chair, Cataraqui SPC to Mary Anne Covelli, Director – Source Protection Programs Branch, Ministry of the Environment, re: Source Protection Plans – Provincial Implementation Funding – January 26th, 2012
- b. Allison Denby, Manager, Regulatory Affairs, Trans-Northern Pipelines Inc. to J. Stephens, TCC SPR Project Manager, re: Comments on TCC SPC *Draft* Source Protection Policies – January 28th, 2012
- c. Stephen Hoyle, Environmental Coordinator, TSSA to M. Christie, Quinte Region SPC Chair, re: TSSA Participation in SPP – January 30th, 2012
- d. Mike Traynor, Chair, Saugeen – Grey Sauble – Northern Grey Bruce SPC to Mary Anne Covelli, Director – Source Protection Programs Branch, Ministry of the Environment, re: Source Protection Plans – Provincial Implementation Funding – February 3rd, 2012

SPC 2012-02-15-03

By consensus, the Committee accepted the correspondence received for information.

9. REVISIONS TO LOCAL THREAT POLICIES AND ORPHAN POLICIES, POLICY COMPARISON WITH ADJACENT SOURCE PROTECTION REGIONS AND REVIEW OF OPTIONAL SPP POLICIES

Policy	Discussion	Decisions
L-1: Landscaping that promotes the congregation of waterfowl		
L-1	<p>Suggested Amendments</p> <p>1. Messaging of Signage (Staff Comment): Required signage should indicate that congregation of waterfowl can have a negative impact on water quality</p> <p>Wording Change (RE Req. 2 – Implemented by Municipality): “Post signage at any areas frequently used by the public to feed waterfowl that indicate that the feeding of waterfowl is prohibited can have a negative impact on water quality.”</p>	<p>Consensus to ACCEPT the wording change, but to keep the reference to the prohibition.</p>
L-1 (2)	<p>Suggested Amendments:</p> <p>2. Waterfowl Feeding By-Law (Staff Comment): The bylaw should refer specifically to municipally owned parks and mown areas (<i>i.e.</i>, exclude private properties from the bylaw)</p> <p>Wording Change (RE Req. 4 – Implemented by Municipality): “Establish a bylaw to prohibit the feeding of waterfowl at municipally owned parks and mown areas”</p>	<p>Consensus to ACCEPT the wording change.</p>

L-1 (3)	<p>Suggested Amendments:</p> <p>3. Timeline (<i>Staff Comment</i>): Compliance date for the waterfowl management plan should clarify the meaning of “initiated” and “completed”</p> <p><i>Wording Change</i> (for consistency with G-3) Initiated within one year and completed within three years. <i>Provisions implemented within five years.</i></p>	<p>Consensus to ACCEPT the following timelines:</p> <ul style="list-style-type: none"> • 1 year to install signs • 5 years to implement waterfowl management plan
L-2: Conveyance of oil by way of a pipeline		
L-2 (1)	<p>Suggested Amendments</p> <p>1. Municipal Role: <i>RE Clause 7 (Implemented by Municipality):</i> Review their relevant ERPs or procedures to ensure that they are adequate to respond to a pipeline rupture in an area where the pipeline crosses a body of open water. The ERP must include, at minimum:</p> <p>a) Specific procedures <i>at the related water treatment plant</i> for responding to a pipeline rupture.</p> <p>b) A communications protocol; and</p> <p>c) The location of available spill response materials <i>available to the related water treatment plant.</i></p> <p>Decision: Limit the emergency response role of the municipality to activities at the affected intakes and water treatment plant(s)</p>	<p>Consensus to ACCEPT amendments.</p>
L-2(2)	<p>Suggested Amendments</p> <p>2. Specify Area for Practice / Exercises / Scenarios (<i>Staff Comment based on meeting with TNPI</i>):</p> <p>Decision: Approve the following change (<i>Re req. 5 – Implemented by Pipeline Owner</i>): “Conduct practice exercises and/or emergency response scenarios related to the emergency response plan <i>in areas along the length of the pipeline.</i>”</p>	<p>Consensus to ACCEPT the change.</p>

Review of Policies Previously Discussed		
P-1: Prohibition of Future Aircraft De-Icing		
P-1	<p>Suggested Approach</p> <ul style="list-style-type: none"> • Risk Management Plan <ul style="list-style-type: none"> - Would specify <u>restrictions</u> on the way the airport manages the activity • Transport Canada, in their consideration of any future airport facilities, are requested to include appropriate design standards and management practices • Municipalities where an airport is being considered work with transport Canada, the airport operator, the de-icing service provider, etc. To ensure that the required Glycol Management Plan recognizes and addresses concerns related to the drinking water supply. 	<p>Consensus to ACCEPT approach. The explanatory document should state that the SPC wanted prohibition, but chose the RMP approach, since prohibition was not an option</p> <p>Staff will revisit the policy heading (since the word prohibition remains in the title).</p>
G-3: Education		
G-3	<p>Implementer: Municipality Conservation Authority</p> <p>Option for Alternate Implementing Body (formerly policy G-7)</p> <p>3. [The municipality may enter into an agreement with a Conservation Authority or other third party that identifies the third party as the implementing body for the education and outreach program required by (1) and/or any related reporting.]</p> <p>Further discussion on G-2: Support for Incentive Programs.</p> <ul style="list-style-type: none"> • It was suggested that the implementing body be changed to Conservation Authority from the Source Protection Authority. The SPA is a board and does not have staff to be able to implement work. The argument was not accepted, because the Conservation Authority is not an implementing body under the <i>Clean Water Act</i>. Therefore, changing the implementing body to Conservation Authority would impact the legal effect of the policy. The Committee chose to maintain the legal effect of the policy as “must comply with”. • It was also suggested that CA jurisdiction versus SPA jurisdiction varies. 	<p>Consensus to DENY change of implementer to Conservation Authority from Municipality.</p> <p>Consensus to maintain the implementing body for Policy G-2 as the Source Protection Authority.</p>

New Policies		
Road Signage		
RS-1	<p>The Ministry of Transportation....</p> <p><i>In collaboration with Working Group will design a standardized source protection road sign; be responsible for the manufacture and installation of any signs to be placed on provincial highways.</i></p> <p>The Municipality will...</p> <p><i>Be responsible for manufacturing signs (to the design standard) and installing them on their roadways in keeping with local circumstances.</i></p> <p>Discussion:</p> <ul style="list-style-type: none"> • Clarification that a new sign would be installed with a new design sign when the old signs are removed or damaged. 	<p><u>Consensus</u> to ACCEPT new policy. Additional clause would allow existing road signs to stay up until they need replacement. At that time, new signs would be installed with the common branding.</p>
Road Salt – Storage		
R-1	<p>Area & Activity: Where the storage of road salt is a significant drinking water threat</p> <p><i>Negotiate and establish a Risk Management Plan as defined in Section 58 of the Clean Water Act, 2006 with the person engaging in the activity.</i></p>	<p><u>Consensus</u> to ACCEPT new policy</p>
Aquaculture		
AQ-1	<p>Area & Activity: Where management of Agricultural Source Material (Aquaculture) is a significant drinking water threat</p> <p><i>Negotiate and establish a Risk Management Plan as defined in Section 58 of the Clean Water Act, 2006 with the person engaging in the activity.</i></p>	<p><u>Consensus</u> to ACCEPT new policy</p>
Aircraft De-icing		
P-2	<p>Area & Activity: Where management of runoff as a result of aircraft de-icing is a significant drinking water threat</p> <p><i>Negotiate and establish a Risk Management Plan as defined in Section 58 of the Clean Water Act, 2006 with the person engaging in the activity.</i></p>	<p><u>Consensus</u> to ACCEPT new policy</p>

Lake Ontario Policies		
LO-G1	The MOE shall provide mapping of IPZ threats and the locations of known significant threats to the Spills Action Centre, and shall modify procedures to ensure that the operators of all water treatment plants that could be affected by a spill are notified.	<u>Consensus</u> to MAINTAIN policy for inclusion in SPP.
LO-G3	The MOE, in consultation with Emergency Measures Ontario, other regulators, municipal water treatment plant operators and industry, shall: <ul style="list-style-type: none"> a. Ensure contingency plans are incorporated into municipal emergency preparedness plans; and b. Conduct testing of contingency response plans commencing within 3 years of SPP approval, followed by regular (frequency and priority to be determined in consultation) emergency response preparedness exercises which address the drinking water threats identified through the spill scenarios. 	<u>Consensus</u> to MAINTAIN policy for inclusion in SPP.
LO-SA2	To raise the profile of the importance of Lake Ontario as a source of drinking water for the residents of Ontario and to encourage collaboration on protecting our shared drinking water sources, the MOE is requested to reach out to EC, NY State, and the US government agencies to discuss the findings and policies arising from source protection planning.	<u>Consensus</u> to MAINTAIN policy for inclusion in SPP.
Optional Policies		
Education and Outreach for Non-TOR Systems		
	<ul style="list-style-type: none"> • Policy to extend education and outreach programs into First Nations communities • Policy Text: “Source Protection Authorities in the Trent Conservation Coalition Source Protection Region are encouraged to extend existing education and outreach programs related to significant drinking water threats into First Nations communities.” 	<u>Consensus</u> to MAINTAIN policy for inclusion in SPP with the following amendments: <ul style="list-style-type: none"> • Change implementing body from Source Protection Authority to <i>Municipality</i>. • Remove the word “existing”.

Transportation Corridors		
	<p>“Where a transportation corridor passes through a vulnerable area where a spill could impact a municipal drinking water system:”</p> <p>The Municipality will:</p> <ol style="list-style-type: none"> (1) Incorporate information regarding the location of the vulnerable area into their local emergency response plans and/or spill contingency plans. (2) Update their emergency response plans to address a potential spill along a transportation corridor. Emergency response plans must include <ol style="list-style-type: none"> (a) Specific procedures for responding to a spill related to these transport corridors; (b) A communications protocol; and (c) The location of available spill response materials 	<p><u>Consensus</u> to MAINTAIN policy for inclusion in SPP.</p>
	<p>Provide a summary to the Source Protection Authority of any updates to emergency response plans and/or spill contingency plans within one year.</p> <p>The Source Protection Authority will:</p> <ol style="list-style-type: none"> (1) Provide mapping of vulnerable areas to the Spills Action Centre to assist in spill response. 	<p><u>Consensus</u> to MAINTAIN policy for inclusion in SPP.</p>
Transport Pathways		
	<p>In the IPZ-1 and/or WHPA-A:</p> <p>The Municipality will:</p> <ol style="list-style-type: none"> (1) Confirm the location and nature of transport pathways that may endanger the raw water supply for the municipality, and report on any results that differ from the contents of the Assessment Report to the Source Protection Authority. (2) Ensure that any new and existing transport pathways that may endanger the municipal water supply are constructed in accordance with best management practices that minimize the potential for impacts to the water supply. (3) Establish a by-law prohibiting new transport pathways (including geothermal heating systems) within 100 metres of a municipal well. 	<p><u>Consensus</u> to MAINTAIN policy for inclusion in SPP with the following amendments:</p> <ul style="list-style-type: none"> • Change text from 100m to WHPA –A • Add IPZ-1 • In a WHPA-B, WHPA-C, WHPA-D, or IPZ-2: Ensure that all new wells are constructed in accordance with the guidelines provided in O. Reg. 903 (Wells) made under the <i>Ontario Water Resources Act</i>.

Climate Change	
	<p>Environment Canada, the Ontario Ministry of the Environment, and the Ontario Ministry of Natural Resources are encouraged to collect climate change data on an ongoing basis with a focus on the potential impact on vulnerable areas as defined in Section 2(1) of the Clean Water Act and on the drinking water supplies within those areas.</p>
	<p>Consensus to MAINTAIN policy for inclusion in SPP with the following change:</p> <ul style="list-style-type: none"> - Add Conservation Authorities and Municipalities to the list.

When discussing the general Lake Ontario policies, Jennifer Stephens informed the Committee that the Ministry of the Environment has voiced some concerns with the use of two policies previously approved for inclusion in the Ganaraska Source Protection Plan. These policies are entitled:

- Lake Ontario Circulation and Water Quality Monitoring, to support the Lake Ontario Collaborative model
- Lake Ontario 3-D Hydrodynamic Circulation and Water Quality Simulation Model

Discussions are continuing with MOE staff to determine whether such policies can be included in the Plan. If not, MOE staff have recommended that the Committee submit a letter to the Source Protection Program Branch Director in August 2012, with the Plan, requesting support for this model.

SPC 2012-02-15-04

By consensus, the Committee directed staff to prepare such a letter for submission with the Plan if it is determined that these policies cannot be included in the Ganaraska Source Protection Plan.

10. REVIEW OF DRAFT SOURCE PROTECTION PLAN CONSULTATION LETTER

Jennifer Stephens presented the *draft* SPP Consultation Letter which had been prepared for landowners identified as having significant drinking water threats (SDWT). The circulation of this letter is a requirement under the *Act*, and therefore, will be sent to approximately 1000 landowners. The Committee provided some feedback on the *draft* letter.

SPC 2012-02-15-05

By consensus, the Committee approved the circulation of the letter once revised. It was agreed that the letter could be circulated without being brought back to the Committee.

Action: The letter will be circulated to the Committee electronically, once revised.

11. REVIEW OF PRELIMINARY SOURCE PROTECTION PLAN

Jennifer Stephens and Andrew Doiron presented an overview of the Source Protection Plan based on the Table of Contents approved at the November 2011 meeting. The document distributed was not a full Plan; but was provided so that members could comment on the format. The Committee suggested that the presentation of information in tabular format would be helpful. In addition, members felt that organizing policies by *threat* would be the best approach, although a summary of the policies by implementer in tabular format was also supported.

SPC 2012-02-15-06

By consensus, the Committee approved the format and direction of the Source Protection Plan.

Committee Members will be couriered the final version on the 29th of February. Jennifer asked that members read the plan and be prepared to discuss the document at the March 7, 2012 SPC Meeting.

12. REPORTS/UPDATES

- **Staff**

- ❖ Attendance at *Draft* SPP Public Meetings

Information is being gathered to confirm who is able to attend the *Draft* SPP Public Meetings during the first consultation period. Myriam Genet will summarize the information and a schedule will be generated with the results.

- ❖ SPC Committee Member Biographies

Members were encouraged to review their biographies that are posted on the TCC website, as well as, provided to each member in writing at this meeting, and advise Myriam if there are any changes or updates. The intent is to have the biographies updated prior to the consultation period as we expect there to be greater access to the TCC SPR website during this time.

- **Municipal Working Groups**

- ❖ Minutes of Kawartha Haliburton SPA Municipal Working Group Meeting – January 26, 2012

Gerald McGregor reported on the January 26, 2012 MWG meeting.

Jennifer Stephens added that there will be 5 MWG meetings in March. She reminded municipal representatives that any feedback from members of their MWG on the policies should be submitted during the consultation period. Then, their comments will be incorporated into the consultation record and submitted with the Plan to the Province.

- **Committee Members (updates on public engagement/conferences)**

Glenn Milne reported that the Source Protection Committee Agriculture Representatives from across the Province had recently met. Many of the issues facing the TCC SPC are also being encountered by other Committees.

13. QUESTIONS/COMMENTS FROM THE PUBLIC

There were no questions from the public.

14. OTHER BUSINESS

Bob Lake wondered if the Committee should anticipate questions on provincial funding cuts at the public meetings being held during the Consultation Period. In particular, the concern for adequate funds to support the implementation of the Plan will likely be raised.

Jennifer Stephens confirmed that the explanatory document would provide a summary of how financial implications were addressed during policy development. Further, staff are continuing to develop a business case summary based on the feedback obtained from municipalities on the potential costs to implement the Committee's policies. This business case will be helpful as a reference.

It was agreed that a Frequently Asked Questions document would be prepared in advance of the public meetings.

15. NEXT MEETING –MARCH 7, 2012 - ASPHODEL-NORWOOD COMMUNITY CENTRE, NORWOOD, ON

Next meeting date and location was noted. Attendance is critical. If you cannot attend, please advise Myriam.

16. ADJOURNMENT

Meeting adjourned at 1.42 pm.