

SOURCE PROTECTION COMMITTEE MEETING

FEBRUARY 26, 2014

APPROVED MINUTES

ASPHODEL-NORWOOD TOWN HALL, 2357 COUNTY ROAD 45, NORWOOD, ON

ATTENDEES

SOURCE PROTECTION COMMITTEE MEMBERS	PRESENT	REGRETS	NOTES
Jim Hunt	✓		
Monica Berdin		✓	
Darla Blodgett	✓		
Alanna Boulton	✓		
Dave Burton			
Bill Cornfield	✓		
Edgar Cornish	✓		
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	NOTES
Glenda Rodgers	✓		
Wendy Lavender	✓		
Atul Jain	✓		

COMMITTEE SUPPORT STAFF:

Andrea Hicks
Andrew Doiron

CONSERVATION AUTHORITY STAFF:

Crowe Valley SPA: Vicki Woolfrey, Tim Pidduck
 Ganaraska Region SPA: Pam Lancaster
 Kawartha-Haliburton SPA: Mark Majchrowski, Stacy Porter
 Lower Trent SPA: Anne Anderson
 Otonabee-Peterborough SPA: Meredith Carter, Terri Cox

OTHER:**1. WELCOME**

Chair Hunt welcomed the Committee.

2. CALL TO ORDER

The meeting was called to order at 10:10 AM

3. DISCLOSURE OF ANY CONFLICTS OF INTEREST

No conflicts of interest were declared.

4. APPROVAL OF THE AGENDA**SPC 2014-02-26-01**

By consensus, the TCC SPC approved the agenda.

5. DELEGATIONS

There were no delegations.

6. APPROVAL OF MINUTES FROM LAST MEETING**SPC 2014-02-26-02**

By consensus, the TCC SPC approved the minutes of the meeting held December 3, 2013.

7. BUSINESS ARISING FROM MINUTES OF LAST MEETING

- a) 2013-12-03-06: Andrea sent a draft letter to the SPC members prior to the meeting, regarding notification requirements for municipalities undertaking new wells, intakes, or systems. There were no comments or edits provided by the members at this meeting; therefore, Andrea will finalize the letter and send to municipalities within the TCC. An altered version of the letter will also be sent to well drillers/contractors in the area for information purposes.

8. CORRESPONDENCE

Ganaraska AR Update

- a) W. Lavender to A. Hicks re: MOE comments on Draft Ganaraska AR Update – November 19, 2013
 b) B. Peebles to SPC re: Town of Cobourg comments on Draft Ganaraska AR Update – November 27, 2013
 c) G. Lymer to SPC re: Durham Region comments on Draft Ganaraska AR Update – December 18, 2013

Trent AR Update

- a) E. Rath to J. Hunt and T. Low re: Township of Otonabee-South Monaghan comments on Draft Trent AR Update – February 5, 2014

Revisions to Proposed SPP

- a) T. Low to SPC re: OPSPA Comment on proposed revision to TCC Source Protection Plans (first batch of MOE Comments) – November 29, 2013
- b) S. Senis to SPC re: OPSPA Comments on proposed revision to TCC Source Protection Plans (second batch of MOE Comments) – January 17, 2014
- c) E. Rath to J. Hunt and T. Low re: Township of Otonabee-South Monaghan comments on revisions to proposed SPP – February 10, 2014
- d) B. Weir to SPC re: County of Peterborough comments on revisions to proposed SPP – February 10, 2014
- e) R. Lamarre to SPC re: Township of Selwyn comments on revisions to proposed SPP – February 12, 2014
- f) F. Rowden to SPC re: Ganaraska Region Conservation Authority and Source Protection Authority comments on revisions to proposed SPP – February 12, 2014

Other

- a) R. McGee to SPC re: Prohibition of NASM – November 28, 2013
- b) R. Messervey to MOE re: Minden oil spill – November 29, 2013
- c) A. Hicks to Y. Hurley re: Former Millbrook Correctional Facility DWSP technical review – December 19, 2014
- d) A. Hicks to S. Desautels and J. Simmonds re: Municipal Class EA DWSP Amendments – January 13, 2014
- e) Durham Region to SPC re: Decommissioning Blackstock well number 1 – January 24, 2014
- f) Durham Region to A. Hicks re: RMO Annual Report 2013 – January 24, 2014

Andrea reviewed the above items of correspondence with the Committee.

Rob Franklin commented on the letter submitted by the Mayor of the City of Kawartha Lakes, and indicated that a response should be sent to indicate that the policies of the Source Protection Plan are supportive of local governments.

SPC 2014-02-26-03

By consensus, the TCC SPC received the items of correspondence as information; and further, a response will be sent to the City of Kawartha Lakes regarding the non-agricultural source material policy.

9. PUBLIC CONSULTATION: GANARASKA AR UPDATE

Pam Lancaster gave a presentation summarizing the comments received during the public consultation period, as provided in the correspondence received by the committee. Changes were made to the documents and maps following the public consultation and the final updates to the Ganaraska Assessment Report were presented.

SPC 2014-02-26-04

By consensus, the TCC SPC approved the changes to the Ganaraska Assessment report as presented.

10. PUBLIC CONSULTATION: TRENT AR UPDATE

Andrea Hicks gave a presentation summarizing the notices, letters, and public meeting completed as part of the public consultation on the updates to the Trent Assessment Report. There were no changes made to the documents and maps as a result of comments received.

SPC 2014-02-26-05

By consensus, the TCC SPC approved the changes to the Trent Assessment report as presented.

11. PUBLIC CONSULTATION: REVISIONS TO PROPOSED SOURCE PROTECTION PLAN

Andrea Hicks delivered a presentation covering the revisions and final edits to the Source Protection Plan made as a result of comments received during the latest consultation period.

Policy No.	Comment / Proposed Changes	SPC Decision
Source Protection Plan Consultation Comments		
G-1(2)a	Removing “in the opinion of” makes it less clear about who decides when a threat is existing; how do you prove it has happened within the last 10 years?	Remove “in the opinion of” (With the understanding that the Clean Water Act sufficiently sets out the responsibilities and powers of the Risk Management Official)
G-1(2)b	Comment that including the 2-year timeline for planning applications would give municipalities the authority to re-review older, approved applications, which had not yet been developed.	No changes (i.e. leave out the “2-year timeline” statement)
G-1(3)	Support for MOE comment to remove list of planning applications	No changes (i.e. leave the list in)
G-8(1)	Comment that timeline for initiating the provisions of the RMP should be at the RMO’s discretion; part of the negotiation process	No changes (i.e. leave in 2-year timeline to initiate the provisions of the RMP)
S-4(3)	Support for MOE comment to remove the requirement for a planning policy for existing septic systems.	No changes (i.e. leave in the planning policy)
S-7	Comment to remove planning policy addressing construction standards for future wastewater collection facilities.	No changes (i.e. leave in the planning policy) SPC noted importance of having the flagging process for future facilities remain beyond potential future staffing and council changes.
A-2	Comment regarding harmonization of timelines for prioritizing updates to prescribed instruments and inspection of properties with prescribed instruments (e.g. by removing 3-year timeline from policy A-2(5)).	Change policy A-2(5) to make the requirement for inspections to be “initiated” within 3 years. (Given other changes, this comment now refers to policy A-2(4)).
A-5	Comment that the requirement for AWSA certification should be replaced with an education and outreach approach (i.e. to make affected landowners aware of the certification)	Leave in the requirement for certification where it is applicable, but make it a requirement of the Risk Management Plan required by Policy A-1 rather than a stand-alone requirement.
F-2	Suggestion to exempt residential properties and small businesses from requirement for a Risk Management Plan for fuel storage (i.e. these should instead be addressed through education and outreach).	No changes (i.e. leave the requirement for a Risk Management Plan for fuel storage at residential properties and small businesses – understanding that these can be addressed with a standardized Risk Management Plan).

Policy No.	Comment / Proposed Changes	SPC Decision
R-2	<p>Comment to change implementing body for the reporting requirement to be the Source Protection Authority, who would request the report from the Ministry of Transportation (MTO).</p> <p>An earlier comment from MTO (April 25, 2012) indicated that they would appreciate an annual reminder for the report; they did not request a change in the implementing body.</p>	<p>No changes (i.e. leave MTO as implementing body – understanding that TCC SPA’s will be providing reminders to all implementing bodies regarding upcoming deadlines to ensure compliance and to offer support)</p> <ul style="list-style-type: none"> As an outcome of this decision, Andrea indicated that she would respond to MTO and indicate that this reminder would be provided to ensure their compliance with the policy.
R-4(2)	Comment to remove the requirement to report every 5 years on the consideration of vulnerable areas during planning processes for new roads and other impervious land surfaces used for vehicular traffic, parking, and pedestrian paths.	No changes (i.e. leave in the requirement for reporting every five years).
R-6(2)	Support for MOE comment to remove the requirement to create a planning policy that prohibits road salt storage structures.	No changes (i.e. leave in the planning policy).
N-2	Support for MOE comment to make NASM prohibition consistent with other agricultural policies (i.e. prohibit in WHPA-A and IPZ-1 only)	No changes (i.e. leave prohibition for all areas where NASM is a significant threat)
P-1(2)	Suggestion to use “and/or” instead of “and”	No changes (i.e. leave as “and”)
OT-2	Comment that wells within vulnerable areas should be inspected by MOE (i.e. consider adding this as a requirement to policy OT-2(5).	<p>No changes to the policy.</p> <p>Add a clarification to the Explanatory Document that the intent is to have wells in the vulnerable areas inspected (including abandoned wells).</p>
Final Edits to Proposed Source Protection Plan		
G-2(2)	Consolidate monitoring policies into one place. Leave additional, specific reporting requirements with the relevant policies. Implementer of the consolidated policy is “MOE and OMAFRA”.	No comments. Make changes as presented.
G-5(1)	Change the policy wording to clearly indicate that the education and outreach program will be an “ongoing” program.	<p>Change the policy wording to require an “<u>ongoing</u> education and outreach program”.</p> <p>It was agreed by the SPC that public consultation would not be required for this change, since the municipalities understood this to be an ongoing program.</p>
A-1 & A-5	Move the requirement for AWSA certification (required per A-5) into policy A-1.	Combine policies A-1 and A-5 as noted (i.e. the requirements of A-5 will be incorporated into A-1; Policy A-5 will be deleted).

Policy No.	Comment / Proposed Changes	SPC Decision
OT-2	Staff comment that enforcement of a bylaw that prohibits transport pathways would be challenging.	Change the policy wording to require the bylaw to prohibit transport pathways where the municipality is aware of them. Make the wording consistent with the O. Reg. 287/07 requirement to notify the SPA of the creation of new transport pathways.
Blackstock	Addition of new text to reflect Durham Region's plans to decommission Blackstock well #1	Add the new text as presented.

SPC 2014-02-26-06

By consensus, the TCC SPC approved the changes to the Source Protection Plans as given in the above table; and further, a response will be sent to the Ministry of Transportation indicating that an annual reminder of reporting requirements will be provided.

12. PLAIN LANGUAGE GUIDE TO TCC SOURCE PROTECTION PLANS FOR MUNICIPALITIES

Andrew Doiron gave a presentation on the plain language guide, which will be customized for each municipality within the TCC region. A generic version will be available on the website upon completion.

13. RISK MANAGEMENT RESPONSIBILITIES

Victoria Woolfrey gave a presentation on risk management responsibilities, including appointment of Risk Management Officials and options for municipalities to delegate the Part IV powers of the Clean Water Act.

14. REPORTS / UPDATES

- Jim Hunt reviewed the list of reports from municipal working group meetings.
- Terry Rees pointed out an update to the Environmental Bill of Rights and opportunity to comment.
- Mary Smith attended an Ontario Municipal Association/Good Roads Conference.
- Jim Hunt indicated that the Office of the Auditor General of Ontario is auditing the drinking water source protection program. Andrea provided an overview of what the audit process may include.
- Wayne Stiver attended a meeting regarding fluoridation of drinking water.
- Wayne Stiver indicated that he had nominated Justice O'Connor for the The Dr. John L. Leal Award, an award presented by the American Water Works Association.

15. QUESTIONS/COMMENTS FROM THE PUBLIC

There were no questions or comments from the public.

16. OTHER BUSINESS

There was no other business.

17. NEXT MEETING

The next meeting will be scheduled at the Chair's discretion.

18. ADJOURNMENT

Meeting adjourned at 1:45 PM.