

## SOURCE PROTECTION COMMITTEE MEETING AGENDA

**October 28, 2020 – 1:00 pm to 4:00 pm**

### Virtual Meeting

<b>1:00 pm</b>	1. Call to Order, Welcome and Roll Call	Jim Hunt and Keith Taylor
<b>1:05 pm</b>	2. Disclosure of any Pecuniary Interest	Jim Hunt
	3. Approval of the Agenda	SPC
	4. Delegations	Jim Hunt
	5. Approval of minutes from last SPC meeting, held March 31, 2020	SPC
	6. Business arising from the minutes of last meeting	Jim Hunt
<b>1:10</b>	7. Ratification of decisions from the previous meeting	Jim Hunt
<b>1:15</b>	8. Program Update <ul style="list-style-type: none"> <li>- Update from Sept. 10<sup>th</sup>, Chair's Meeting – Jim Hunt</li> <li>- Technical Rule Changes</li> <li>- Other Systems Brought into Source Protection</li> <li>- 2019 Annual Progress Reporting Provincial Summary (Mary Wooding)</li> </ul>	Keith Taylor
<b>1:45</b>	9. Review of Policy Implementation Challenges <ul style="list-style-type: none"> <li>- Policy S-6(1) Sewage</li> <li>- Policy F-1 and F-2 Handling and Storage of Fuel</li> <li>- Policy A-1(1) and A-4(2) Pathogen quantities</li> <li>- Policy D-1 and D-2 DNAPLs exclusions</li> <li>- Policy R-1 Road Salt</li> </ul>	Keith Taylor
<b>3:15</b>	10. Colborne Drinking Water System – Section 34 Amendment <ul style="list-style-type: none"> <li>- Exemption for DNAPL Prohibition</li> <li>- New Well</li> </ul>	Anne Anderson
<b>3:30</b>	11. Round Table	All
<b>4:00</b>	12. Adjourn	

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**SOURCE PROTECTION COMMITTEE MEETING****JULY 23, 2020****VIRTUAL MEETING****DRAFT MINUTES****ATTENDEES**

<b>SOURCE PROTECTION COMMITTEE MEMBERS</b>	<b>PRESENT</b>	<b>REGRETS</b>	<b>NOTES</b>
Jim Hunt	✓		
Alanna Boulton		✓	
Alex Hukowich	✓		
Alix Taylor		✓	
Bev Spencer		✓	
Bonnie Clark	✓		
Cyndy Broughton		✓	
Faye Langmaid	✓		
Darla Blodgett		✓	
Dave Workman	✓		
Doug Elmslie		✓	
Glenn Milne	✓		
Jessica Ferri	✓		
Mike Gibbs	✓		
Rene Gagnon		✓	
Richard Straka		✓	
Rob Franklin	✓		
Robert Lake	✓		

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Rosemary Kelleher-MacLennan	✓		
Terry Rees	✓		
Tracey Taylor	✓		
George Offshack	✓		
Kristin Muskratt		✓	
Lori Burt	✓		
Brent Devolin		✓	

SOURCE PROTECTION COMMITTEE LIAISONS	PRESENT	REGRETS	NOTES
Julie Ingram	✓		
Mary Wooding	✓		
Rhonda Bateman	✓		

**COMMITTEE SUPPORT STAFF:**

Keith Taylor, Trent Bos

**SOURCE PROTECTION AUTHORITY (SPA) STAFF:**

Crowe Valley SPA: Andrew McIntyre

Kawartha-Haliburton SPA: Jenna Stephens

Otonabee-Peterborough SPA: Meredith Carter, Terri Cox;

Ganaraska SPA: Pam Lancaster, Cory Harris, Travis Nimmo

Lower Trent SPA: Anne Anderson

**MUNICIPAL STAFF:**

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## MEET AND GREET

### 1. CALL TO ORDER AND ROLL CALL

- The meeting was called to order at 10:09 AM. A roll call for attendance was performed.

### 2. DISCLOSURE OF ANY CONFLICTS OF INTEREST

- No conflicts of interest were declared.

### 3. APPROVAL OF THE AGENDA

#### SPC 2020-07-23-01

BY CONSENSUS THAT Trent Conservation Coalition Source Protection Committee approved the agenda.

### 4. DELEGATIONS

- There were no delegations.

### 5. APPROVAL OF MINUTES FROM LAST MEETING

#### SPC 2020-07-23-02

BY CONSENSUS THAT the Trent Conservation Coalition Source Protection Committee approved the minutes for the March 31, 2020 Trent Conservation Coalition Source Protection Committee meeting.

### 6. BUSINESS ARISING FROM MINUTES OF LAST MEETING

- Re: Road Salt, Program Coordinator, K. Taylor sent a letter to W. Lavender of the Ministry of the Environment, Conservation and Parks (MECP) and is awaiting a response. Additional business carried over from last meeting is presented as part of this meeting's agenda.
- Was noted that the 2020 International Plowing Match scheduled to be held in Lindsay, mentioned in the previous meeting has been postponed until 2021.

### 7. CORRESPONDENCE

- There was no correspondence attached.

### 8. UPDATED COMMITTEE HANDBOOK – RULES AND PROCEDURES

- K. Taylor addressed updates to the Source Protection Committee Member's Handbook. Some of these updates involved updating names, titles, and events that have now taken place. Clauses were added to give the chair discretion regarding requests for delegations

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and for allowing for remote/virtual meetings under chair's discretion. An additional clause was added to allow for email/phone polls of the Source Protection Committee to achieve consensus if necessary.

- B. Lake noted that Bill 197 was added to allow for municipal councils to have virtual/remote meetings.
- F. Langmaid noted some clerical errors needing fixing (repeated words)

### SPC 2020-07-23-03

BY CONSENSUS THAT Trent Conservation Coalition Source Protection Committee approved the updates to the Committee Handbook.

## 9. PROGRAM UPDATE

- Managing in COVID-19 era
  - K. Taylor noted DWSP work has continued despite conditions. Noted Risk Management Officials have been unable to conduct site inspections/visits and person to person meetings.
- Trust the Tap Campaign
  - K. Taylor provided update on TTT campaign – joint campaign between TCC and Quinte Conservation with support from Conservation Ontario and the MECP DWSP program to raise awareness of source protection efforts, and improvements in the safety of municipal drinking water and knowledge gained since the Walkerton tragedy. Noted the program has been well received and widely spread within the province.
- Stirling, Pinewood, Canadiana Shores Updates
  - K. Taylor provided update on the Stirling, Pinewood and Canadiana Shores drinking water system amendments. Stirling and Pinewood have been approved with EBR posting, and Canadiana Shores updates were submitted to the ministry.
- Education and Outreach
  - K. Taylor noted continued importance of E&O and further commitment to reach current and new target audiences, such as real estate, oil delivery companies, property management companies, the geothermal industry, and the agricultural community.
- Opportunity to Comment on Changes to Bottle Water Industry
  - K. Taylor noted the province is performing review of bottled water industry and is open to public comments. Things being looked at include a review of the water taking permit process. Establishing priorities for water use, looking at cumulative effect of bottled water industry, intent to make data around water bottle use more transparent.

**SPC 2020-07-23-04**

BY CONSENSUS THAT the Program Update was received as information.

**10. RISK MANAGEMENT PLAN – EXTENSION REQUEST UPDATE**

- Status – K. Taylor noted there are some outstanding RMP's waiting to be negotiated, some of these due to non-cooperation from the public. Noted delays due to Covid-19. The Lead Source Protection Authority requested an extension of compliance date for RMPs to January 1, 2023, though intention is to have these completed well before this. Extension is in the approval process by MECP currently. R. Franklin expressed concern of letting inspections slide until 2023, noting understanding of concern around COVID-19.
- K. Taylor suggested leaving extension at 3 years, but adding internal policy or protocol to set targets for January 1, 2022.
- M. Wooding suggested other Source Protection Regions have included requests for several year extensions, and to keep the three year extension in as altering this will further delay the approval time.

**SPC 2020-07-23-05**

- BY CONSENSUS THAT The Trent Conservation Coalition Source Protection Committee confirm and support the TCC staff approach to addressing the current outstanding Risk Management Plans, **but that staff develop protocols for RMO's to conduct their work within COVID-19 conditions and to develop an internal policy to complete the RMPs by January 1<sup>st</sup>, 2022.**

**11. OVERVIEW OF S.36 AND S.51 AMENDMENTS**

- What has been completed –
  - K. Taylor mentioned Policies G-1, G-3, G-7, OT-1 have been addressed, and added Aquaculture policy with attached monitoring policy
- Timing for submission
  - Staff noted submission planned for early 2021, though was originally suggested to be for 2023.
- Addressing Phase I Technical Rules Changes
  - Phase I technical rule changes have now been approved – K. Taylor noted one of concern is above grade fuel storage which under certain conditions can now be a significant threat. Staff considering a threats inventory to determine new or updated threats and if our existing policy can address this.
- Getting ready for Phase II Technical Rule Changes
  - Staff suggested phase II technical rule changes are likely to be released later this summer, with 90-day commentary period.

- K. Taylor noted likely changes include those addressing above grade fuel storage in WHPAs, and updates to the calculation of road salt significant threats. K. Taylor suggested that potential raw water monitoring of salt content in drinking water with analysis of trends by municipalities would be advisable. It was suggested that this analysis could be used as part of education and outreach to the public and contractors. Staff also noted a coming update to list of DNAPLs/organic solids and the method of determining DNAPL threats.
- Section 51 list to date
  - K. Taylor gave overview of planned s.51 updates – including updates to terminology, the AR preface, missing water quantity maps, corrections to abbreviations and legal effects, update to the preamble of policy I-2, and an update to the applicable area map index for water quantity policies.

**SPC 2020-07-23-06**

BY CONSENSUS THAT the Source Protection Committee receive the report on S.51 amendments for information.

**12. REVIEW OF POLICY IMPLEMENTATION CHALLENGES**

- OT-2 Transport Pathways
  - Staff reiterated issue of using a by-law to address transport pathways (TPs), and complications with prohibiting geothermal proposals based on the existing policy. Staff reviewed other regions policies addressing TPs noting TCC's is the most restrictive in the province.
  - Staff presented a draft policy that captures the intent of the original policy but provides more details including – prohibiting new geothermal projects in WHPA-A and specific requirements for new transport pathways in the other vulnerable areas.
  - A guidance document will be developed to help municipalities with transport pathways.
  - R. Franklin noted that everywhere in Cobourg is an IPZ-2 due to storm sewers – therefore prohibition on TP everywhere in Cobourg. Noted this should remain as optional policy.
  - K. Taylor said that the policy text be should adjusted to indicate the IPZ-2 zones are only impacted by transport pathway when the vulnerability score is 8 or higher.
  - Staff noted local conditions and differences are to be addressed in guidance documents.

**SPC 2020-07-23-07**

BY CONSENSUS THAT the Source Protection Committee approve the staff recommended changes to OT-2 Transport Pathways as per the transport pathways policy update document with the suggested amendment regarding IPZ-2 vulnerability score.

- Road Salt – Decision on the Road Salt Policy will be on hold until such time that we’ve received amendments to technical rules from MECP.
- Pipeline Policy Update
  - Policies updated in consultation with relevant stakeholders. Staff reminded the committee that a new significant threat to Trenton intake has been identified. Intent is for new policies to be consistent for Trenton and in Ganaraska. Staff noted a low-threat in Creighton Heights WHPA, and need for potential moderate-low threat policies to other drinking water systems in the future.
  - Intent for pipeline components to be aware of WHPAs/IPZ, and drinking water system locations added to their mapping and mock exercises.
  - If approved, policy to be added to s.36 package, and undergo consultation.

#### SPC 2020-07-23-08

BY CONSENSUS THAT the Trent Conservation Coalition Source Protection Committee approved the staff recommendation to amend the Ganaraska Pipeline Policies, add the Pipeline Policies to the Trent Source Protection Plan and add a Moderate and Low Threat Pipeline Policy to both plans.

#### 13. ROUND TABLE

- K. Taylor noted email to be sent out to the absent SPC members confirming consensus or ratification due to lack of quorum in meeting.

#### 14. NEXT MEETING

- Staff indicated no certainty of next meeting, but likely in October.

#### 15. ADJOURNMENT

- *Meeting adjourned at 12:04 AM.*

**Chair Meeting - Jim Hunt**

**STAFF REPORT – Program Update  
2020****File No. SPC Report – #1 – Oct 28,**

Date: October 28, 2020  
To: Source Protection Committee  
From: Keith Taylor, Program Coordinator

**1) Technical Rule Changes****Background**

See attached PowerPoint and report.

The Phase II Technical Rule Changes have been posted on the Environmental Registry. They could be approved late this year or early next year. They are voluntary but most represent a better approach to protecting drinking water.

There are minor changes that could just mean editorial changes to our Plan. There are some substantial changes that will result in more significant threats. The Chairs from Eastern Ontario compiled comments to send to the Ministry.

**Recommendation**

Staff recommendations are included in the Policy Challenges Section.

**2) Other Systems Brought into Source Protection****Background**

The Ministry is working on guidance to bring other drinking water systems into Source Protection. There was always the option to bring in clusters of wells (6 or more houses on wells, small hamlets on private services). Nobody has done that because of cost. A few First Nations have come into the program in the province. This initiative will likely require a totally different approach from a policy point of view, such as using softer tools and more education and outreach.

**Recommendation**

By Consensus the Trent Source Protection Committee approve staff to monitor the progress as the Ministry develops this guidance and keep the Committee apprised of the developments.

**3) Annual Reporting - Mary Wooding (PowerPoint presentation)**

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**STAFF REPORT****– Review of Policy Implementation Challenges****File No. SPC Report – #2 – Oct 28, 2020**

To: Source Protection Committee

From: Keith Taylor, Program Coordinator

**1) Policy S-6(1) Sewage****Background**

This is a minor challenge. The main issue with this policy is that the text of the policy should identify pumping stations as a component of the system that could fail and lead to a release of pathogens. This issue can be fixed by adding **(i.e. pumping station failure)** to the policy text.

**Staff recommendation:**

By Consensus the Trent Source Protection Committee approve that the policy text for Policy-S- 6(1) should read, “Within two years, ensure that there is an emergency response plan in place that is suitable to respond to a system failure **(i.e. pumping station failure)** that could result in the introduction of pathogens into surface water or groundwater.”

**2) Policy F-1 and F-2 Handling and Storage of Fuel (Two Parts)****Background - Part I (Policy F-2)**

In our Source Protection Plan, the applicable activities statement for Risk Management Plan fuel policies includes storage of fuel but does not include handling of fuel. The circumstances that make both the handling and storage of fuel significant threats is related to the amount stored and whether the tank is above, below or partially below grade.

We have a policy prohibiting future tanks and two policies for risk management plans for existing significant fuel threats. The problem is that the Applicable Activities statement only refers to the storage of fuel, not the handling. A storage threat would typically be caused by a leak or rupture of fuel tank. A handling threat would involve filling or pumping out fuel and can cover fuel infrastructure other than the tank (pipes, nozzles etc.) It would not be possible to apply Risk Management Plan policies to individual members of the public filling a vehicle at a self-serve station.

Handling of fuel is not an issue for Policy F-1 because that policy prohibits future tanks so there would be no handling involved.

Policy F-2 currently requires a risk management plan of storage of fuel when there is a significant threat. Those risk management plans would include things like:

- i. Spill kits
- ii. Emergency plans
- iii. Staff training
- iv. Spills Action Centre phone number posted prominently

All those measures would also address any spills as a result of handling of fuel on the site.

**Staff Recommendation:**

By Consensus the Trent Source Protection Committee approve that for Policies F-2(1) and F-2(2) change the Applicable Activities to read “The **Handling and** Storage of fuel that is an existing significant drinking water threat” and in Policy F-2(2) add “**and infrastructure**” after the word “tank”.

*Policy Text: The risk management plan required by (1) must, at a minimum, specify the requirement to have the fuel tank **and infrastructure** inspected by a TSSA-certified technician at a frequency of no less than every 5 years or at discretion of the Risk Management Official.*

**Background Part II (Policies F-1 and F-2)**

While we are thinking about fuel, we need to consider that the Phase I and II Technical Rules are adding above grade fuel tanks greater than 250 Litres in IPZ 1 with a vulnerability score of 9 or higher and in WHPAs with a vulnerability score of 10 as significant threats. The committee needs to confirm that the existing policies including prohibition for future and risk management plans for existing, will apply to these new threats.

**Staff Recommendation:**

By Consensus the Trent Source Protection Committee approve that Policies F-1, F-2(1) and F-2(2) also apply to above grade fuel tanks greater than 250 Litres in IPZ 1 with a vulnerability score of 9 or higher and WHPAs with a vulnerability score of 10 and that the applicable circumstance text for the fuel policies be amended to reflect the changes to fuel handling and storage significant threats.

### 3) Policy A-1(1) and A-4(2) Pathogen quantities

#### Background

In many vulnerable areas, the threat circumstance tables determine that pathogens from one or more animals is a significant threat. This includes one chicken. There are a lot of people wanting to have backyard chickens. Technically a risk management plan for existing pathogen threats is required and prohibition in the WHPA A or IPZ 1 for future threats including backyard chickens and livestock.

Also Risk Management Plans are required for backyard chickens in WHPA B with a vulnerability score of 10 and all IPZs and WHPA Es with a vulnerability score 8 or greater. This is not a very practical solution. Staff have researched and consulted on this topic and developed to set of recommendations to address this issue.

#### Staff Recommendation

By Consensus the Trent Source Protection Committee approve the following policy approach:

- i. Keep current Risk Management Plan and Prohibition policies for agricultural and rural properties including hobby farms.
- ii. Create a Strategic (non-binding), Specified Action policy asking municipalities to adopt a bylaw for urban residential properties:
  1. Prohibiting livestock including chickens in the WHPA A and IPZ 1.
  2. Prohibiting livestock except for personal use chickens (up to 6 chickens per household) in the WHPA B with a vulnerability score of 10 and WHPA E or IPZ 2 and 3 with a vulnerability score of 8 or higher.
  3. Include comprehensive education and outreach related to pathogen threats.

### 4) Policy D-1 and D-2 DNAPLs exclusions

#### Background

Policy D1 requires Risk Management Plans for existing DNAPL threats and Policy D-2 is a Prohibition Policy for future threats. DNAPLs in any quantity are considered significant threats in WHPA A-C as well as IPZ 1 and WHPA E with a vulnerability score of 10.

The Threat Summary section of the Source Protection plan states “...for practical reasons, DNAPLs present in very small quantities (e.g. Household cosmetics) were not considered significant drinking water threats.” DNAPLs can likely be found in most homes and the committee decided that it would not be practical to have RMPs for these situations.

However, the current policy text does not make that distinction.

### **Staff Recommendation**

By Consensus the Trent Source Protection Committee approve adding for Policy D-1 and D-2 “for commercial or industrial use” in the Applicable Activities after “The handling and storage of a dense non-aqueous phase liquid”

- For example “The handling and storage of a dense non-aqueous phase liquids **for commercial or industrial use** and/or the handling and storage of an organic solvent is an existing significant drinking water threat.”

## **5) Policy R-1 Road Salt**

### **Background**

There will be more Road Salt significant threats based on the new technical rule changes that are coming.

We have discussed the issues and problems with risk management plans for road salt including;

- i. Dealing with different contractors every year
- ii. Because the municipality appoints the Risk Management Official, the municipality is technically writing a Risk Management Plan for themselves for municipal roads.
- iii. Many large parking lots use sand with only a small salt percentage to keep it from freezing
- iv. Addressing residential properties is problematic

Staff have researched and consulted on a new policy direction.

### **Staff Recommendation**

By Consensus the Trent Source Protection Committee approve the following policy approach:

- Exempt municipal roads from needing Risk Management Plans if municipalities have a salt management plan that meets or exceeds Environment and Climate Change Canada's Code and if they train staff in the appropriate use of road salt.
- Encourage all municipalities to have a salt management plan that recognizes the vulnerable zones for drinking water systems (maps of Wellhead Protection Areas and Intake Protection Zones where significant road salt threats can occur).
- Exempt parking lots that use sand (allow a small percentage of salt in the sand to keep it from freezing – less than 10% salt)
- Exempt small parking lots (based on size less than 1500 square metres or the number of parking spaces less than 50 parking spaces)
- Exempt residential properties (excluding condos or apartments with larger parking lots)
- Keep Risk Management Plans for larger parking lots that use salt.
- Add a new policy (Specify Action – Strategic (Non binding) Policy recommending municipalities to monitor trends in raw water for sodium and chloride during runoff periods and use the results to help promote community wide education and outreach when results are trending up or really bad). - this could possibly also lead to an Issues Contributing Area being established in the future.
- Provide broad education and outreach annually in the fall

**Note:**

The exemptions listed above would still require the Risk Management Official to issue an exemption letter. The exemption letter process accomplishes two things:

- provides an opportunity to deliver education and outreach
- notifies the person if the situation changes a risk management plan may be necessary in the future

**STAFF REPORT – Colborne System**

**File No. File No. SPC Report – #3 – Oct 28, 2020**

To: Source Protection Committee

From: Anne Anderson, LTSPA Lead

RE: DNPAL Prohibition Colborne Industrial Park

**Background**

The Colborne industrial park is located in the WHPA B and C where DNAPLs are prohibited. The Municipality has lands available for purchase within the industrial park, however, the prohibition of any amount of DNAPL handling and storage in *future* have limited the scope for industrial and/or commercial use of these properties.

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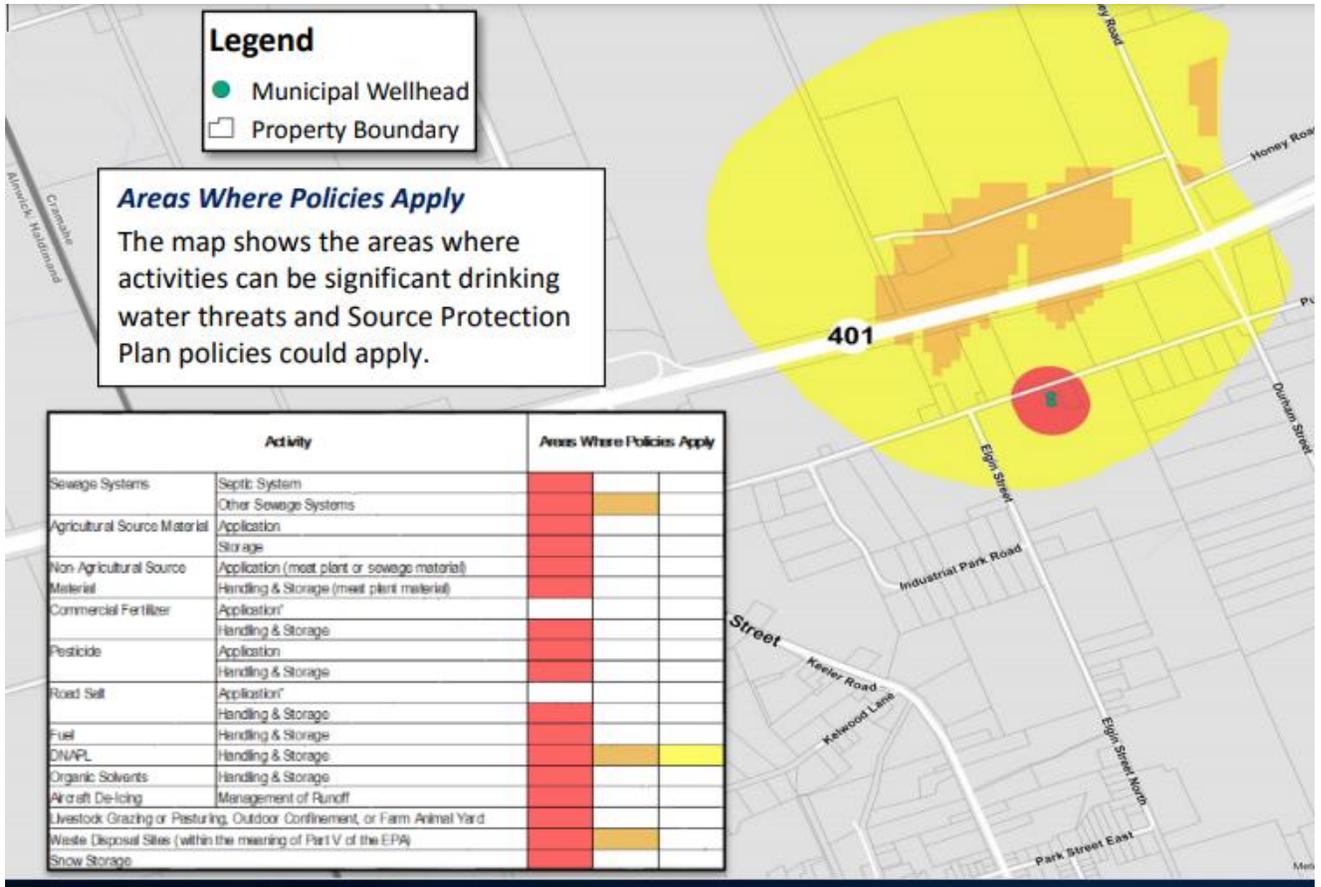
Policy D-3 which is applicable to the Havelock WHPA B and C, permits DNAPL significant threats to be managed through Risk Management Plans rather than prohibition. Based on economic considerations raised through one on one municipal consultations, the municipality has requested that, Policy D-3 be applied to the industrial park in Colborne in place of the DNAPL prohibition policy.

With the vulnerability score of the lands in question being mostly 6 staff believe that there is an ability to allow for activities that involve DNAPL use under the conditions of a Risk Management Plan. There is an opportunity to work with potential owners to develop some excellent protocols to address DNAPLs to a very high standard from the initial development stages.

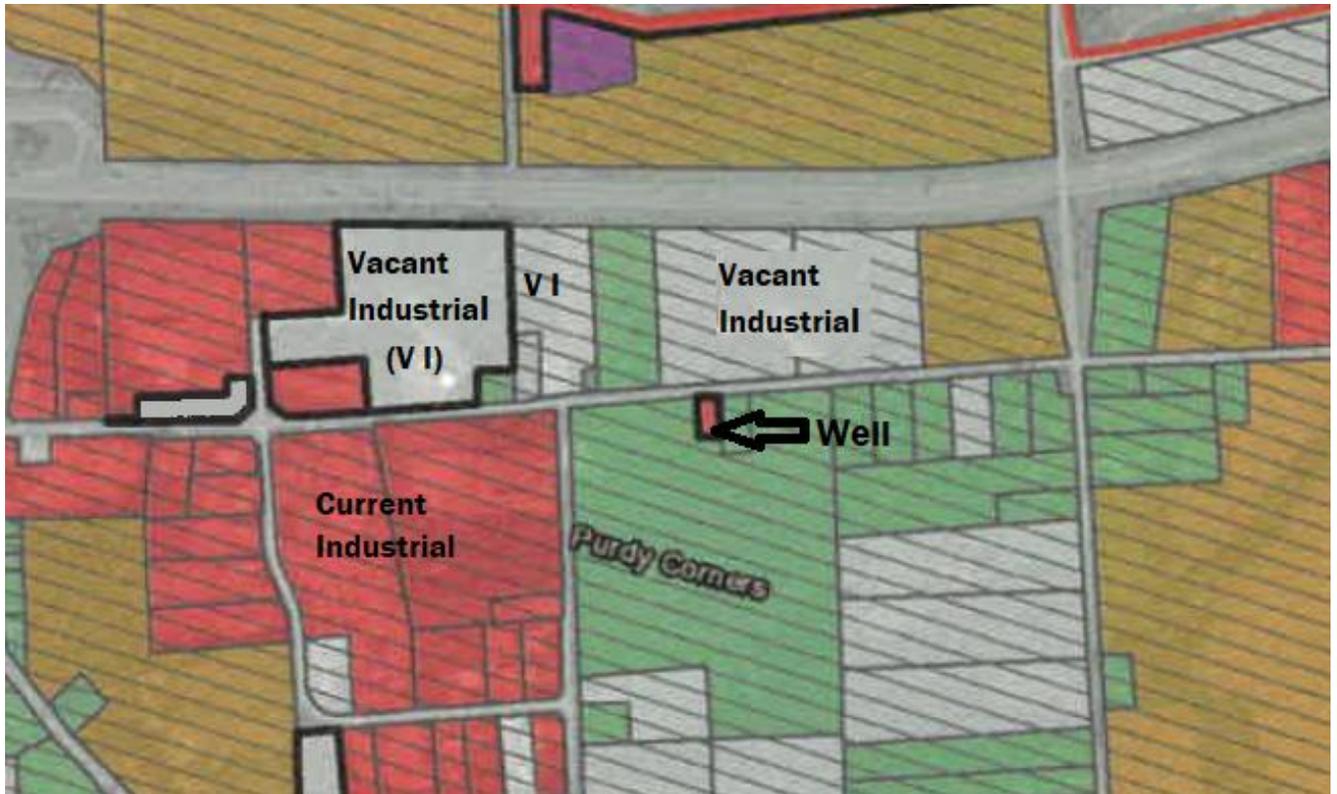
As there is currently some interest in the lands if DNAPLs can be managed through Risk Management Plans rather than prohibition, the municipality would like to move quickly on the amendment and staff is recommending a Section 34 amendment. This policy challenge and approach is included in the approved Section 36 Work Plan.

### **Recommendation**

By Consensus the Trent Source Protection Committee approve staff proceeding with a Section 34 amendment to the Trent Source Protection Plan to include lands within the Colborne industrial park in the applicable area for Policy D-3.



POLICY APPLICABILITY MAP



COLBORNE INDUSTRIAL PARK

**Applicable Activities:** The handling and storage of a dense non-aqueous phase liquid and/or the handling and storage of an organic solvent would be a future significant drinking water threat (see Table 4.8).

Policy No.	Tool	Legal Effect	Implementer	E/F	Policy Text	Monitoring Policy
D-3(1)	RMP	MC	RMO	F	The activity is designated for the purpose of section 58 of the <i>Clean Water Act, 2006</i> . The risk management plan will be prepared in accordance with the general provisions given in policy G-8.	G-8(4)
D-3(2)	RMP	MC	RMO	F	The risk management plan required by (1) must, at a minimum: <ol style="list-style-type: none"> <li>1) Establish adequate measures for storage safety including proper storage facilities, leak detection and containment;</li> <li>2) Include an emergency contingency plan;</li> <li>3) Specify appropriate training of personnel; and</li> <li>4) Require any other measure deemed necessary to reduce the risk of a release to the environment.</li> </ol>	G-8(4)

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**TRENT CONSERVATION COALITION SOURCE PROTECTION REGION**  
Crowe Valley, Canaraska Region, Kawartha-Haliburton, Lower Trent & Otonabee-Peterborough Source Protection Areas