

SOURCE PROTECTION COMMITTEE (SPC) MEETING SUMMARY

OCTOBER 4, 2022– VIRTUAL MEETING/TELECONFERENCE

CHAIRS REPORT

The Acting Chair, G. Offshack, asked Jim Hunt if he had anything to report. J. Hunt noted there has been no chairs meeting since the last SPC meeting, and that there are still several Chair positions not filled in other Source Protection Committees, so it is assumed there will be a blanket announcement regarding filling all of these positions to come soon. J. Hunt also commented on his appreciation of the new Septic Smart publication circulated to the committee members.

PROGRAM UPDATE

Other Systems Project

- Program Assistant, T. Bos, provided an oral overview of the new Other Systems project, concerning bringing the Ministry of the Environment, Conservation and Parks best practices and guidance regarding Source Protection to non-municipal drinking water systems. T. Bos noted Curve Lake First Nation has recently been approved for a pilot project related to best practices for Indigenous Communities.

Section 34 and 36 Amendments

- Blackstock – Section 34 Amendment Package was submitted to the Ministry on August 19th, for final approval
- King’s Bay – Staff have had preliminary meetings with municipality, developers and concerned citizens regarding development.
- Conservation Ontario Activities
 - i. Program Managers Meeting September
 1. Update on Chair Appointment
 2. Conservation Authorities going to MNRF
 3. Source Protection stays with MECP
 - ii. A campaign called “Back to Basics” is being launched this fall with simple source protection messaging.
 - iii. Salt Storage Stickers are being produced to be placed on outdoor salt storage bins with source protection messaging, the Trent Conservation Coalition will be putting in an order for these.

LEADS UPDATE

- Each Source Protection Authority (SPA) Lead Staff member provided a verbal report on the status of their local source protection implementation (Lower Trent Conservation CAO Rhonda Bateman filled in for the absent Anne Anderson), including:
 - a. Update on above ground fuel tank threat identification;
 - b. Update on municipal working groups;
 - c. Update on staffing changes, new RMOs;
 - d. Update on risk management plans progress;
 - e. Current issues or challenges, including S.34 amendments;
 - f. Positive progress news;
 - g. Update on education and outreach.

SOURCE PROTECTION PLAN AMENDMENTS

- Prescribed Instrument Policy
 - K. Taylor provided an overview of threats managed by Prescribed Instruments, noting these are often managed through Environmental Compliance Approvals, including waste, agricultural source material, non-agricultural source material and sewage. K. Taylor expressed concern that these compliance approvals are supposed to have measures specific to drinking water source protection, and the only reassurance the Committee has that these threats are being managed is through Annual Reporting from the Ministry of the Environment, Conservation and Parks, and Ontario Ministry of Agriculture, Food and Rural Affairs, which does not go into significant detail.
 - K. Taylor suggested a potential solution would be to add a minimum requirement to Environmental Compliance Approvals through Prescribed Instrument Policies. This could include adding the clause “At a minimum, the Prescribed Instrument shall include reference to the applicable source protection vulnerable area and protocols for emergency responses related to protecting the drinking water source.”
 - A. Hukowich inquired where our authority comes from to direct the Ministry to do anything. K. Taylor noted the *Clean Water Act* gives Committees the power to create ‘must conform’ policies that Ministries must adhere to.
- Sewage Policies
 - K. Taylor noted that because of the technical rule changes there are a number of amendments to the Source Protection Plan that should be done. These include;
 - all references to “septic systems” have to be changed to “onsite sewage works”,
 - threat sub-categories and circumstances have changed so that should be reflected in the plan
 - consideration of the new Consolidated Linear Infrastructure Approval process should be added.

- K. Taylor also presented the new table format for displaying the summary of sewage system threats, and noted that the preamble for these threats has been rewritten to reflect the new rule changes and to explain the threat subcategories.
- **Sewage Policy S-3**
- Consolidated Linear Infrastructure Permissions Approach
 - K. Taylor provided an overview of the new Consolidated Linear Infrastructure permissions approach, which will change the current permissions framework for low-risk sewage works by consolidating approvals for linear infrastructure (e.g. sanitary collection, stormwater works). Each municipality will receive one Consolidated Linear Infrastructure-Environmental Compliance Approval (CLI-ECA) for Municipal Sewage Collection System, and one CLI-ECA for their Municipal Stormwater Management System. Industrial, commercial, and higher risk works will still require a separate ECA.
- To adjust to this new situation, the Proposed S-3(1) Policy Text is:
 - *Except for low-risk systems that qualify for Consolidated Linear Infrastructure preauthorization, all other future occurrences of the activity shall only be permitted when:*
 - *a) The proposed activity is intended to replace an existing activity or activities and the instrument for the proposed activity contains conditions that ensure that it does not become a significant drinking water threat.; and*
 - *b) The proposed activity would be more protective of drinking water.*
- For Policy S-3(3)
 - K. Taylor recommended to keep the same existing policy text for MECP monitoring as S-3(3a) and add S-3(3b) for the Municipal reporting with the following text:
 - *Where a proposed future activity is preauthorized for a Consolidated Linear Infrastructure Approval, the municipality shall prepare, by February 1 each year, a report a summary of terms and conditions in any Consolidated Linear Infrastructure Approvals that are protecting drinking water and make that report available to the applicable Source Protection Authority.*
 - Policy S-3 would still prohibit Industrial Effluent Discharges, Onsite Sewage Works (large), any overflow or bypass systems and Waste Water Treatment facilities. It would allow low risk stormwater management facilities including infiltration systems.
- Addition to Policy S-6(2) and Policy S-8(3) – Existing Works
 - K. Taylor suggested a new clause could be added to these two policies that would require municipalities using the Consolidated Linear Infrastructure Permission Approach to include in their Annual Reporting a summary of

terms and conditions in any Consolidated Linear Infrastructure Approvals that are protection drinking water.

- Removal of Policy S-8(1)
 - K. Taylor noted that after the new threat subcategories were applied to our existing policies, Policy S-8(1) became redundant. This was a Prescribed Instrument Policy for existing works, but it is already covered by Policy S-2.
 - The policy text for S-8(1) should be removed and replaced with “This policy was removed because it was redundant. Policy S-2 achieves the same result.”
 - The policy text for S-8(2) would ensure a sewage works facility maintenance program is in place.
- Waste Policies
 - K. Taylor noted that similar to the Sewage Policies, some adjustments the Waste Policy preamble needs to be done to reflect the new Technical Rules.
 - At the previous Source Protection Committee Meeting, the committee approved removing Policy W-4(2) because the small quantity exemption waste are no longer significant threats.
 - The preamble to the policies has been rewritten to align with the rule changes.
- Climate Change Policy
 - K. Taylor provided an overview of Technical Rule 15.3, which addressed the inclusion of climate change risk assessments in Source Protection Assessment Reports, and what needs to be included in the Assessment Report if that risk assessment is done. K. Taylor noted we currently have a Specified Action policy in our plan with the following text:
 - *Environment Canada; the Ministry of the Environment, Conservation and Parks; the Ministry of Natural Resources and Forestry, municipalities, and conservation authorities are encouraged to collect climate change data on an ongoing basis with a focus on the potential impact of climate change on vulnerable areas and on the drinking water supplies within those areas.*
 - In order to meet the intent of Technical Rule 15.3, K. Taylor suggested adding to the existing policy the following:
 - *“For Municipalities, this can be accomplished by using the Conservation Ontario Climate Change Vulnerability Assessment Tool and/or developing a Climate Action Plan. Municipalities should share the completed assessment results with the Source Protection Authority to aid in future amendments to the Source Protection Plan and Assessment Report and meet the requirements of the technical rules on climate change.”*
- Road Salt Storage
 - K. Taylor shared that a meeting was held on October 3, 2022, in which Ministry staff indicated that the Ministry would not support the prohibition approach suggested

by the Trent Conservation Coalition for improperly stored road salt, that was previously approved by the Committee in July 2022.

- During the meeting an alternative was developed that would accomplish the same result. This would be to use a Specified Action Policy asking the Municipalities to set and enforce standards for road salt storage that would prevent the exposure or potential exposure of road salt to precipitation, or runoff from precipitation or snow melt.

ASSESSMENT REPORT AMENDMENTS

- K. Taylor went over a list of amendments being made to the Trent Source Protection Region Assessment Report.

TIMING FOR S.36 AMENDMENTS

- K. Taylor shared that the aim is for the Section 36 Amendment package to be ready by November. The lead Source Protection Authority will need to approve the submission at their meeting on November 10th.

OTHER ITEMS

- K. Taylor noted how the upcoming municipal elections may impact municipal representatives within the Source Protection Committee. Rosemary Kelleher-MacLennan announced her planned retirement and plans for stepping down from the Committee following the election.
- J. Hunt and other Committee members reflected on the loss of former Committee member Edgar Cornish, who passed away recently.
- T. Rees shared that the recent State of the Great Lakes drinking water report has been completed, which includes grading of the drinking water in the Great Lakes through a collaborative approach from the governments of Canada and the United States.

NEXT MEETING

- Staff indicated the next meeting will depend on other factors such as the Chair re-appointment, and the status of the Section 36 Amendment, but will likely be before the end of 2022.