



Source Protection Committee

**Wednesday, February 25, 2009, 9:30 a.m. to 12:00 p.m.
Holmesville Community Centre, Holmesville**

MEMBERS PRESENT

SPC Chair Larry Brown; SPC Members; Gerry Rupke, Rowena Wallace, Karen Galbraith, Don Jones, Keith Black, Marilyn Miltenburg, Ian Brebner, John Vander Burgt, Al Hamilton, Jim Nelemans, Mike McElhone, Bill Rowat, Matt Pearson

LIAISONS PRESENT

Chippewas of Kettle and Stony Point First Nation Liaison Bob Bresette; Health Liaison Bob Worsell, Source Protection Authority Liaison, Jim Ginn, MOE Liaison, Teresa McLellan

WITH REGRETS

SPC Members; Gib Dow, Mert Schneider, Walpole Island First Nation Liaison, Kennon Johnson

DWSP STAFF PRESENT

Cathie Brown, Project Manager; Tim Cumming, Communications Specialist
Jenna Bowen, Project Assistant/Recording Secretary, Mary-Lynn MacDonald, Group Facilitator, Derek Matheson, Source Protection Technician, Darrell Innes, GIS Specialist

OTHERS PRESENT

Brian Luinstra, Hydrogeologist, Luinstra Earth Sciences
Geoff Cade, Supervisor of Water and Planning, Ausable Bayfield Conservation Authority

CALL TO ORDER

Larry Brown, Source Protection Committee Chair, called the meeting to order at 9:37 a.m. Chairman Brown welcomed Teresa McLellan as the acting MOE Liaison due to Lisa Ross being absent because of illness. Chairman Brown also welcomed the new SPC member representing Agriculture, John Vander Burgt.

AGENDA

It was noted by Chairman Brown that item 9 on the agenda should be for approval rather than for information.

MOTION #SPC: 2009-02-01

Moved by Gerry Rupke
Seconded by Don Jones

That the agenda be approved as amended.

Carried by Consensus.

MINUTES FROM NOVEMBER 26TH, 2008

The date under Agenda items for next meeting will be changed from October 29, 2008 to November 25, 2009.

MOTION #SPC: 2009-02-02

Moved by Ian Brebner

Seconded by Rowena Wallace

That the SPC minutes from November 26th, 2009 be approved as amended.

Carried by Consensus.

BUSINESS ARISING FROM THE MINUTES

The appointment of Vice-Chair will be set as a one-year term. The Vice-Chair for 2008 was Gerry Rupke. Rowena Wallace nominated Gerry Rupke to be Vice-Chair for 2009.

MOTION #SPC: 2009-02-03

Moved by Ian Brebner

Seconded by Matt Pearson

That the nomination is approved and Gerry Rupke be appointed as the Vice-Chair to the SPC for 2009.

Carried by Consensus

DECLARATION OF PECUNIARY INTEREST

None

CHAIRS REPORT

Chair of the SPC, Larry Brown informed the Committee that there was nothing new to report. Chairman Brown and Project Manager, Cathie Brown recently attended the ROMA meeting in Toronto and gave a presentation to promote the stewardship program.

STEWARDSHIP FUND

Project Manager, Cathie Brown presented information on the ODWSP. This is a program that has been running since September of 2006. However, there has not been very much uptake of the funding by the public. This is probably due to the fact that the program was announced at a time when work could not be done combined with the fact that it takes awhile to get the information out to the public. Staff has mailed out packages to everyone that is eligible for stewardship funding with details of the program and why they are eligible for funds. MOE has prepared a questionnaire on the stewardship fund in order to receive feedback on how to improve the program. MOE is reaching out to all sorts of groups in order to receive as much feedback as possible but is really interested in feedback from Source

Protection Committees. The questionnaires need to be completed and submitted to MOE by March 31st, 2009.

Questionnaire: *Are there other ways in which a landowner might be affected by clean water act?*

SPC Comments/Questions:

- Are landowners going to have the assurance that stewardship activity will be adequate for SP plans or is further work going to be required? If future work is going to be required, landowners should be compensated for this work.
- What about residential and commercial properties under funding? Funding seems to be geared to residential and farm properties. A problem may not be able to be solved on site if it is a commercial property.
- What kind of options are there for industry under stewardship funding?
- What about municipal changes? Are these changes eligible for funds?

Questionnaire: *How should the minister set priorities?*

SPC Comments/Questions:

- Is there a threat analysis system? Work should start at the top. The problems with the greatest threat/risk should be corrected first.
- Will there be ongoing funds for this? Ie. What if a system needs to be pumped every two months will there be funding for this?
- What about salting? If it is going to be a rule that salting can't be done, municipalities may need to raise taxes for something like this. These types of policies should be made by the province. Common problems throughout the province should be managed provincially.

Questionnaire: *Should there be specific kinds of eligibility or should anything be eligible?*

SPC Comments/Questions:

- MOE should leave it open for people to come up with different solutions. Innovation is always good. There are always circumstances that you can't predict.
- If you have poor management practices then you need to come up with solutions.
- If municipalities are doing something they shouldn't be, then they may be eligible for funding to fix problems that shouldn't have been there in the first place. If someone is already doing something that they shouldn't be, are we really going to give them money to fix this?
- Why should municipalities get any of this money at all?
- We have to remember that provincial money has already been put into some municipalities.
- There seems to be a misunderstanding about municipalities' ability to raise taxes. MOE has a policy that only people with wells will have to bear these costs. If there is an issue affecting a municipal well that has very few users, the costs that those users would have to bear would be very expensive.

Questionnaire:

Should the program continue the existing funding categories?

Who should deliver program? – It is currently a partnership with the provincial government and conservation authorities. CA's are dealing with properties close to wells and Ontario Soil and Crop are dealing with properties in the 2 year time of travel.

What should the application evaluation process consist of?

What funding projects exist that could be leveraged?

If and when should municipalities provide matching funding?

Should the government consider tax incentives?

Should there be a reverse auction approach where the public bids for funding?

SPC Comments/Questions:

- Funding should continue for multiple years until all projects get funding.
- Engineers and the province tell municipalities where to put a well. Municipalities don't just get to put in wells wherever they want.
- Where projects can't be implemented, maybe there should be money for testing.
- There should be money available until all the work that needs to be done gets completed.
- It makes sense to relocate a well rather than fix all the problems around a well if it will be less expensive.

Any additional comments can be emailed to Teresa McLellan (acting MOE liaison) up until the deadline of March 31st. There are also opportunities to provide feedback at outreach sessions that are coming up around the region.

TERMS OF REFERENCE

Project Manager, Cathie Brown informed the committee that the TOR has been reviewed by the MOE but no formal feedback has been received from the Minister. Informal feedback has been received about missing information. For example, local council resolutions regarding the status of municipal wells must be advertised in local newspapers and included in the Terms of Reference. This has now been completed and included. With regards to the elevation of Kettle Point and Stony Point into the Ausable Bayfield Maitland Valley Source Protection Region, a conference call regarding this matter will be taking place shortly with MOE. Should Kettle Point and Stony Point be elevated into this Source Protection Region, the description of the geography of this area within the TOR will have to be amended to include this. It has also been suggested that we make some formatting changes to make the document more reader friendly. We were also requested to separate the TOR into two distinct reports, one for Ausable Bayfield and the other for Maitland Valley. Once formal recommendations have been received and the amount of time to make amendments has been determined, decisions regarding whether to hold special SPC meetings to discuss that work will be made.

OVERVIEW OF 2009-2010 WORK PLAN

The SPC was given 3 documents that cover the work plan. The first is a Gantt chart providing timelines which will be used to complete the project. The second document is a description of the activities that are in the Gantt chart. The Ministry of the Environment expects that the Assessment Report to be completed within the timelines given, after which

revisions may be made. A new methodology for modeling GUDI wells has been developed. Consultants are currently working on the threats inventory by assessing risks on individual properties. Once this is completed, staff will be visiting properties to verify these risks. Plans include preparing a chapter on climate change for the Assessment Report. The timeline indicates that staff will present the Assessment Report in draft to the SPC by September so that we will be ready in late fall to do the formal consultation on properties. Certain work has been highlighted in grey because they are not yet confirmed (e.g. First Nations). Financing for cluster studies is proposed but funding for this is uncertain. The work plan was submitted to MOE last week. The third document describes staffing for the project. Everyone on the staffing strategy is in attendance at the meeting today. The inclusion of Municipal planners is encouraged and we are working to develop a planning committee.

Questions from the SPC:

- *If the TOR is not approved does this throw off the timeline?*
Delay of TOR approval is good because it gives us more time to complete the AR.
- *At a recent meeting for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region, the issue of compensation was really being pushed. If one region receives compensation, shouldn't all regions receive compensation?*
Compensation will not be given but if financial assistance is given it should be provided to everyone equally.
- *Why does everyone have to have a different TOR then?*
This is because of our geography and because of our capacity to deal with different issues and staffing. Every region has different issues (i.e. our region has sinkholes but other regions do not).
- *Will the reference to financial assistance in the TOR be left in?*
Project Manager has been asked to change this terminology.

ASSESSMENT REPORT EXERCISE

Project Manager, Cathie Brown gave a presentation which provided an historical perspective on Source Protection. The Committee was then divided into groups of two to work on an exercise to determine risk of a property and come up with strategies to manage those risks. Interest in obtaining a copy of the master threats table was indicated by the Committee. The threats table is about 500 pages in length and is available online. There is also a trimmed down version of the threats table that was prepared by staff at the Grand River Conservation Authority that has only the significant risks identified. This document is 35 pages in length.

Action item #1: Send the trimmed down version of the threats table to all SPC members.

ASSESSMENT REPORT DISCUSSION

Hydrogeologist, Brian Luinstra led a discussion regarding the development of water quality thresholds for the evaluation of issues in the Ausable Bayfield Maitland Valley Source Protection Region. One of the key components of the Water Quality Risk Assessment for the purpose of the Assessment Report is the development of an issues evaluation for each municipal drinking water supply. According to the new Director's Rules, it is the responsibility of the Source Protection Committee to develop the water quality thresholds

that are to be used for the issues evaluation. The Director's Rules stipulate the use of Ontario Drinking Water Standards as a basis on which to define thresholds. Proposed thresholds for the ABMV Region are outlined in a document included in the package materials for SPC members. These recommendations are:

1. That a threshold of 0 cfu/100 ml Total Coliforms and *E. coli* be adopted as a raw water quality threshold for non-GUDI groundwater supplies.
2. That a threshold of 100 cfu/100ml *E. coli* be adopted as a raw water quality standard for surface and GUDI groundwater supplies.
3. That a threshold of 50% of the Maximum Acceptable Concentration be adopted as a raw water quality threshold for Chemical and Radionuclide Parameters defined in Table 2 and 3 of O. Reg. 169/03. It is important to remember that most water treatment facilities do not treat for these standards because it is not cost effective.
4. That Table 4 O. Reg. 169/03 is adopted as a raw water quality threshold. Table 4 represents Aesthetic Objectives (i.e. temperature, iron). These parameters have the ability to alter taste, smell or colour of the water but no one has to shut down a water supply if these standards are exceeded.

Questions from the SPC:

- *Have data from Goderich and Grand Bend storms been looked at?*
Yes this data has been looked at but we do not know if that will apply in affecting risk scores.
- *Why wouldn't MOE put out the threshold numbers?*
There are no raw water quality standards for the province.
- *The 100 cfu/100ml for E. coli is an important recreational standard but how often is this threshold allowed to be reached?*
To a large degree this depends on the operators feelings. The recreational standards across the world have been researched and there is quite a lot of variability but this is the standard for Ontario. It speaks to a multi-barrier approach because we are essentially saying that that is our goal.
- *You talk about recreational standards but are there other types of standards?*
No.
- *Are you only using the 0 cfu/100 ml threshold for municipal water supplies?*
This threshold is for groundwater supplies only. We are suggesting 0 because groundwater aquifers should not have *E. coli* in it. The standard is based on how much it would take in a population of 100,000 for people to get sick. It is not perfect but it is an acceptable standard.
- *If we set this as a standard, does this have real implications because we could end up spending multi-millions in implementation costs?*
In the case of Grand Bend, there are very few properties that would be impacted if an issue was to be identified. In Goderich, all those properties are going to be affected anyways because they are already located in a vulnerable area.
- *It would be terrible to pick up a newspaper and see that the intake in Grand Bend, which serves a lot of people, is above the 100 cfu standard. By using a very low standard, we don't want to end up raising a big red flag.*

We just need to use something as a standard. This has been the standard for swimming areas so if this was going to raise red flags it would have already done so. The hydrogeologist only needs this standard as a threshold to do his job. It is not going to be a drinking water standard. 0 cfu/100ml for groundwater is non-contentious. If we don't seek issues in other areas, but if we have a highly vulnerable aquifer that we have data for, it becomes an issue.

Action item #2 – Send out tables 2 and 3 of O. Reg. 169/03 to Committee.

MOTION #SPC: 2009-02-04

Moved by Mike McElhone

Seconded by Marilyn Miltenburg

That the adopted recommendations for water quality thresholds be approved but are subject to future decisions of the Committee.

Carried by Consensus

Project Manager, Cathie Brown referred the Committee to the draft table of contents for the Assessment Report that was part of the SPC package materials. The Province will be going through the table of contents that staff have created and creating a checklist of requirements necessary for the submission of the Assessment Report.

FRAMEWORK FOR A SOURCE PROTECTION PLAN

Supervisor of Water and Planning for the Ausable Bayfield Conservation Authority, Geoff Cade presented a draft proposal and table of contents for the Source Protection Plan. It was emphasized that the proposal was based on early thoughts in order to receive feedback and is very preliminary in nature. It is intended to spur deliberation and future discussion. In the future, the MOE will be providing rules for developing the Source Protection Plan. The SPC Chair, Larry Brown informed the Committee that he has volunteered to sit on a working group dedicated to helping MOE develop these rules but that no meetings have taken place yet.

WORKING GROUP UPDATE

There were a number of conflicts in November that required the rescheduling of several Working Group meetings and attendance at these meetings was slightly lower than average with 52% of members attending. Jim Graham, from Waterloo Numeric Inc. was the guest speaker at this series and he presented information on Vulnerable Areas. The January round of working group meetings had an overall attendance of 63%. Scott Allen of B.M. Ross was the guest speaker and presented information on Threats. In addition, Bob Worsell and Pam Scharfe of the Huron County Health Unit shared the duties of presenting information on the Mandatory Septic Inspection Program. Questions and comments for the SPC from working group members are highlighted in a table that is part of the package materials for SPC members. Responses to these questions/comments have been developed and were reviewed by the Committee. These questions and responses will be posted on the DWSP website.

CORRESPONDENCE AND DELEGATIONS

Two pieces of correspondence were received from residents living within the Source Protection Region regarding snow dumps in Listowel and various water issues within the ABMV Region. SPC Chair, Larry Brown would like to send a letter back to these residents to let them know that their comments have been received and addressed by the Committee.

MOTION #SPC: 2009-02-05

Moved by Jim Ginn

Seconded by Karen Galbraith

That the pieces of correspondence be received, responded to and filed.

Carried by consensus

In addition, a new letter was recently received by the Chair from the Source Protection Authority (SPA) regarding a new policy on SPC attendance. The SPA Liaison, Jim Ginn explained that when the Committee was originally formed there was a lot of interest from the community to be a part of the SPC. The SPA has formed this new policy on attendance so that if there is disinterest from current SPC members, then other members of the community should be given the opportunity to take their place.

Action item #3 – Send out SPA letter regarding SPC attendance to all SPC members.

LIAISON UPDATES AND OTHER BUSINESS

Health Liaison Bob Worsell informed the Committee that Pam Scharfe of the Huron County Health Unit announced her retirement yesterday.

Chippewas of Kettle and Stony Point First Nation Liaison Bob Bresette commented to the Committee that the MOE decision regarding the elevation of the Kettle and Stony Point intake into the ABMV Source Protection Region is still being awaited.

AGENDA ITEMS FOR NEXT MEETING ON APRIL 29, 2009

- Draft AR – status of field work
- PTTW presentation
- FN Traditional Knowledge
- TOR Update

Project Manager Brown raised the possibility of switching SPC meetings to every other month until there is a need to resume monthly meetings again. The meeting scheduled on March 25th would therefore be cancelled and the next meeting would instead take place on April 29th, 2009. The next meeting following that would take place at the end of June 2009. The Committee was informed that the Working Groups will be wrapping up in June and therefore an event has been planned to thank members for their participation. This event will be combined with the June SPC meeting by having Working Group members present their ideas on Source Protection Planning to the Committee. Mr. Bob McDonald and the Minister of the Environment have both been invited to speak at this event which will be held in

Goderich at the Nights of Columbus Hall in the afternoon of June 23, 2009. Further details will be provided soon.

Chair Brown asked if there were any objections to switching to every other month meetings and then declared the March meeting cancelled.

Future Meeting Schedule

April 29, 2009

June 23, 2009

July 29, 2009

August 26, 2009

ADJOURNMENT

Chair Brown declared the meeting adjourned at 12:02 p.m.

Larry Brown
Chair

Jenna Bowen
Recording Secretary