



Source Protection Committee
Wednesday, May 16th, 2012
Holmesville Community Centre, Holmesville

MEMBERS PRESENT

SPC Chair Larry Brown; SPC Members; David Blaney, Don Jones, Bill Rowat, Mike McElhone, Ian Brebner, Keith Black, John Vander Burgt, Al Hamilton, Marilyn Miltenburg, Matt Pearson, Rowena Wallace, Gib Dow

LIAISONS PRESENT

MOE Liaison, Lisa Ross, Health Liaison Bob Worsell,

WITH REGRETS

SPC Members; Mert Schneider, Karen Galbraith, Gerry Rupke, Source Protection Authority Liaison, Jim Ginn

DWSP STAFF PRESENT

Cathie Brown, Project Manager; Jenna Allain, Project Assistant/Recording Secretary; Tim Cumming, Communications Specialist

CALL TO ORDER

Larry Brown, Source Protection Committee Chair, called the meeting to order at 9:34a.m. The Chair thanked the Project Manager, Cathie Brown for her hard work and leadership on the project as she Cathie is leaving her role as Project Manager at the end of the month. She will be back to attend the SPC meeting in August.

AGENDA

MOTION #SPC: 2012-05-01

Moved by Don Jones
Seconded by Mike McElhone

That the agenda be approved.

Carried by Consensus.

MINUTES FROM APRIL 25TH, 2012

MOTION #SPC: 2012-04-02

Moved by Matt Pearson
Seconded by Marilyn Miltenburg

That the SPC minutes from April 25th be approved as amended.

Carried by Consensus.

The minutes should be amended to read five thousand tons of salt rather than five, under comments from the Salt Institute.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

REVIEW OF APRIL POLICY CHANGES

The Project Assistant reviewed the changes in the SP Plans made based on the SPC recommendations from the April meeting. The coding system for the policies has changed and a guide to these changes was included in SPC meeting materials. Staff identified that no fertilizer policies existed in the residential section of the plan. Therefore, the policies regarding storage and application of fertilizer were added to this section. The lists in Appendix B regarding legal effect were updated to reflect all policy changes. The draft Explanatory Document was also updated in keeping with the above noted changes and the inclusion of the required climate change discussion. The SPC had a brief discussion about nutrient units per acre versus hectares.

ADDITIONAL PRE-CONSULTATION FEEDBACK

The Project Assistant reviewed the contents of pre-consultation comments received since the last meeting. Additional pre-consultation feedback was received from both the Ministry of the Environment and the Municipality of Bluewater. The Municipality of Bluewater added support for references to using existing legislation as part of Risk Management Plans, as well as concerns over the financial impacts for municipalities to implement the policies.

The MOE comments were sorted into three different categories. The first category was technical and administrative suggestions that staff have already incorporated into the plan pending SPC approval. The second category was comments that the SPC has already addressed but the MOE would like the SPC to further consider, and the third category was new comments which required SPC discussion. The items identified as technical housekeeping matters were approved. A summary of the comment discussion from the second category is provided below.

There was discussion about the relationship of the RMO to the municipality in terms of what influences the RMO decisions on plans. It was clarified that the RMO is bound by the SP Plan even though they are hired by a municipality, similarly to a building official. A similar discussion took place about the required annual reports from the RMO. There was also discussion about the language for RMP's relating to agricultural threats that are "expected to be based on nutrient management plans". MOE suggests that the wording should be changed to "may be based". The SPC is very clear that this language is not to limit the RMO but provide the basis.

Report #14 was introduced regarding septic system policies that were amended based on April recommendations to require hydrogeological reports for new or replacement septic systems. Comments from MOE indicated that the *Building Code Act* does not permit a

requirement for a hydrogeological report for lots of record as the *Act* does not cover nitrates. MOE recommended revising the policy to match wording that was provided.

The items identified as having been previously dealt with by the SPC were not further revised, with the exception of the action items below. For the comments where no further revisions were directed, the SPC believe they have dealt with these issues in a manner which is fair and best reflects the needs of the local area. ***Additional rationale will be provided in the consultation record and if need be in the Explanatory Document.***

Action: The nutrient management strategy or plan is intended as a starting basis for the plan, and is not intended to limit the RMO; this explanation will be expanded upon in the Explanatory Document.

Action: **For the version of the plan that goes to public consultation:** Education and Outreach policies should be clarified so that, “in cooperation with” be changed to “in collaboration with” the lead SPA. Both the municipality and the lead SPA will be identified as implementers in the policy database.

Action: **For the version of the plan that goes to public consultation:** The introductory clause of policy C.5.6 shall be changed to read “As of August 20, 2012” prescribed instruments for waste shall be prohibited.

Action: **For the version of the plan that goes to public consultation:** The title for Part III of the plan is to have the word Policy added, not just sub section 9.0.

Action: **For the version of the plan that goes to public consultation:** Add a definition for Commercial Fertilizer to clarify this is fertilizer that could not be used by residential property owners.

Action: **For the version of the plan that goes to public consultation:** The policies requiring hydrogeological reports for new or replacement septic systems be changed to read “In the area where on-site sewage systems (future) would be a significant drinking water threat, the lot size for any proposed development on “lots of record” that would include a small on-site sewage system shall be based at a minimum on the most current version of the Ministry of the Environment’s Guidelines for Individual On-site Sewage Systems. The hydrogeological assessment to determine appropriate development density shall be conducted by a professional, licensed to carry out that work (P.Geo. or P.Eng with training in hydrogeology).”

The Project Manager reviewed the remaining new comments from MOE and advised the Committee what their options were. The SPC could receive full staff reports about these comments at the next SPC meeting in June, they could approve the changes recommend

by MOE, or they could decide to take no action. Cathie reviewed the remaining comments. The following directions were provided by the Committee:

- Action:** **For the version of the plan that goes to public consultation:** Remove the word holding tanks from septic system policies.
- Action:** **For the version of the plan that goes to public consultation:** Change RMP policies to say “the RMP is to contain, at a minimum, the following requirements.....” Include additional explanation into the explanatory document to explain this change.
- Action:** **For the version of the plan that goes to public consultation:** Do not change details included in fuel RMP’s regarding fuel decommissioning.
- Action:** **For the version of the plan that goes to public consultation:** Recommend that policy R.4.3 (and the corresponding commercial policy) be changed to read “It is recommended that the MOE include the following terms and conditions: the proponents have a camera inspection every 5 years.
- Action:** **For the version of the plan that goes to public consultation:** Remove the forced main recommendation out of policy R.4.3 (and the corresponding commercial policy) and create a new specific action policy stating that they should be located wherever feasible outside of areas where the score is 10.
- Action:** **For the version of the plan that goes to public consultation:** Make sewage RMP and Section 57 policies clear that they are only applicable where an ECA is not required and it is not regulated under the Building Code.

APPROVAL OF DRAFT PROPOSED SPP AND DRAFT EXPLANATORY DOCUMENT

The plan and explanatory document will go out with the changes that have already been approved along with the changes that were recommended today. Staff will spend the balance of the week making the recommended changes. On Wednesday, May 23rd, staff will be posting the revised plan on the website for public consultation. A notice letter will also go out to all municipalities, implementing bodies and landowners identified as having a significant threat activity on their property

The next meeting on June 13th is a public delegation meeting at the White Carnation. Currently there is one individual that has requested a delegation. Additionally someone from MVCA may provide a delegation. After the delegation meeting there are more casual public open houses. On July 4th, recommendations will come forward based on the comments received during public consultation. If there are substantial changes to the plan required, another SPC meeting will be scheduled. At the June meeting the SPC will

receive a summary of the comments received so far. There is also an option to hold a teleconference to direct staff on what changes to make based on public comments. The SPC requested that a copy of the letter to landowners and municipalities be sent to the Committee.

MOTION #SPC: 2012-04-02

Moved by Bill Rowat

Seconded by Don Jones

That the draft proposed plans be approved as amended for circulation to the public.

Carried by Consensus.

CORRESPONDENCE AND DELEGATIONS

None

LIAISON UPDATES AND OTHER BUSINESS

The MOE Liaison would like to thank the Project Manager for all of her efforts on the project.

Project Manager, Cathie Brown addressed her departure as Project Manager. The lead SPA and the Project Manager have been considering staffing changes for some time. Earlier, it was anticipated that the public consultation phase would be completed, and this would be a good time to transition out. However, delays in the timing of consultation mean that Cathie will be leaving at the end of the month, slightly before completion of the public consultation phase. Cathie thanked the SPC for their support and for letting staff take risks, and indicated that the Committee should be proud of the work that was done with working groups. She appreciates the SPC's understanding and patience when frustrations in the process were evident. She wished the SPC and staff the best of luck as they move forward into plan submission and policy implementation.

AGENDA ITEMS FOR NEXT MEETING – JUNE 13TH, 2012

- Receive public delegations at the White Carnation from 6:30 to 8:30 p.m.

ADJOURNMENT

Chair Brown adjourned the meeting at 1:51 p.m.

Larry Brown
Chair

Jenna Allain
Recording Secretary