



Source Protection Committee
Wednesday, November 30th, 2011
Holmesville Community Centre, Holmesville

MEMBERS PRESENT

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

LIAISONS PRESENT

Health Liaison Bob Worsell, MOE Liaison, Lisa Ross

WITH REGRETS

SPC Members; Mert Schneider, Gib Dow, Source Protection Authority Liaison, Jim Ginn, Kettle and Stony Point First Nations Liaison; Bob Bresette

DWSP STAFF PRESENT

Cathie Brown, Project Manager; Jenna Allain, Project Assistant/Recording Secretary; Mary Lynn MacDonald, Group Facilitator; Aaron Clark, GIS Specialist

OTHERS PRESENT

Geoff Cade, Supervisor of Water and Planning, ABCA

CALL TO ORDER

Larry Brown, Source Protection Committee Chair, called the meeting to order at 9:39a.m.

AGENDA

MOTION #SPC: 2011-11-01

Moved by Matt Pearson
Seconded by David Blaney

That the agenda be approved.

Carried by Consensus.

MINUTES FROM OCTOBER 25TH and 26TH, 2011

MOTION #SPC: 2011-11-02

Moved by Gerry Rupke
Seconded by Marilyn Miltenburg

That the SPC minutes from October 25th and 26th be approved.

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

OVERVIEW OF THE PLAN

Project Manager, Cathie Brown provided an overview of the draft plan which was provided in SPC meeting materials. Since the policies are the same for both source protection areas, each SPC member received a full draft of the Maitland Valley plan and just a copy of the schedules for the Ausable Bayfield Plan to reduce the amount of printing. The Project Manager summarized each section of the draft plan.

In summarizing the policy approach, planning tools were used first and foremost for all future threats. All existing threats were managed using risk management plans or prescribed instruments where available. There were limited exceptions to this where Section 57 prohibition was used for some things. Additionally, education and outreach was used to accompany all other policies. The policies are written such that education starts immediately upon plan approval, and then there is a lag before other policies come into effect (e.g. RMP's and PI's). Appendix C of the draft plan provides details about how education and outreach should be delivered. The idea is to provide education that is so comprehensive that the landowner will take the appropriate risk management measures prior to risk management plans being required on their property.

SPC members were provided with an additional policy for inclusion in the draft plan regarding road signage in vulnerable areas. The policy was an initiative that came from the Chairs meetings. The idea is to have the Ontario Ministry of Transportation (MTO) provide signage for vulnerable areas to let drivers know that they are entering a sensitive area. Since the draft policy only applies to Provincial highways (of which there are very few in the ABMV Region), the SPC requested that the policy be rewritten to include county and local roads, and add municipalities as an implementing body. The policy would require MTO to pay for signs on Provincial highways and municipalities to pay for signs on local and county roads. This type of policy could become a considerable expense for some municipalities and may contribute to sign clutter. However, since the policy has no legal effect, it will be at the discretion of the municipality to determine where and when to put up signs.

MOTION #SPC: 2011-11-03

Moved by Marilyn Miltenburg

Seconded by Matt

That the policy be amended, and included in the Plan, to add upper and lower tier municipalities as an additional implementing body to install signs on county and local roads.

Carried by Consensus

Action Item: Add IPZ maps to draft plan document.

There are two municipalities within ABMV that have wellheads in another source protection region: Huron Kinloss and Minto. These municipalities will be reviewing policies between regions, and have expressed concerns about implementing different sets of policies. Since all SPC's have the same job to do, in theory, ABMV policies and the policies of other SPR's should equally address the threats. It has been suggested therefore, that those municipalities pick one plan and implement it across the entire

municipality. The Ministry of the Environment is currently seeking legal advice on whether this is possible. The alternative is to change policies within the ABMV plan to match the neighbouring regions policies for specific wellheads where there are cross-regional issues. This is what Lake Erie Region has decided to do for some wellheads. If policies will need to be changed for specific wellheads, it will add complexity to the plan. However, this is one of the problems that came with the decision to have a local process.

Pre-consultation notices will go out by the 9th of December. The timelines for providing feedback will be different depending on who the implementing body is. Provincial Ministries and other interested parties will have a deadline of mid-February. Other interested bodies include a list of industries and associations that have expressed an interest in reviewing draft policies. The deadline for municipalities and conservation authorities will be mid-March. This delay in feedback was requested by municipalities at an early engagement meeting. The pre-consultation package will contain the draft plan but also a reviewer's guide to help implementers understand the policies and the source protection process. A list of questions will also be provided to aid implementers in providing feedback. County-wide pre-consultation meetings will be held in January for both municipal staff and councilors. Perth and Wellington County meetings will be held in conjunction with neighbouring source protection regions. Costing information will also be provided in pre-consultation packages.

A summary of pre-consultation feedback will be provided at both the February and March SPC meetings. The second phase of consultation (public consultation) will begin in April. During that time a series of public open houses will be held and SPC members will provide a very positive role at those meetings. The third phase of consultation requires the plan to sit with the Source Protection Authorities and wait for any further comments to be submitted.

A policy database has been developed by the MOE that ABMV policies will soon be entered into. SPC members can be provided with read-only access to the database to review policies from other regions. SPC members were instructed to let the Project Assistant know if they were interested in read-only access to the database.

POLICY RATIONALE

The Project Assistant, Jenna Allain provided information on the policy rationale document that was included in SPC meeting materials. Rationale was developed for each policy in the draft plan, and was based on the decision-making process as recorded in SPC meeting minutes. For each policy, there is information in the rationale about the threat that the policy addresses, which tool was chosen and why. This rationale document will be included in all pre-consultation packages. It will eventually form the basis of the explanatory document. Recent guidance from the Province on the explanatory document has provided clarity on the contents. The early draft version of the explanatory document that was provided at the SPC summit will be rewritten and based on the policy rationale document

POLICY DISCUSSION

ABCA Planner, Geoff Cade, led a discussion on the draft policies for pre-consultation approval. It was requested that wording regarding "enhanced inspections" for risk

management plans be included in some of the agricultural policies. The idea of enhanced inspections was raised at the October meeting. The committee discussed the details of what an enhanced inspection should be. The Committee decided that enhanced inspections should be considered additional inspections during periods of higher risk, such as during the spring when runoff from manure can be higher.

***Action Item:** Amend agricultural policies to include information about enhance inspections.*

A comment was made about the redundancy of circumstances listed in policy **C.4.1** and **C.4.3**, specifically that circumstance (c) is not possible if you already have (b). Staff will look into this and make changes based on the Table of Circumstances.

MOE Liaison, Lisa Ross informed the Committee that changes to environmental legislation mean that Certificates of Approval will now be referred to as Environmental Compliance Approvals. This should not affect the current draft policies, but the name change will likely need to be made in source protection policies prior to plan submission.

Several terms were raised as requiring a definition in the definitions section of the plan such as: impervious surface and managed lands. This information will be added as well as the other changes noted prior to sending the draft out for pre-consultation.

MOTION #SPC: 2011-11-04

Moved by Gerry Rupke

Seconded by Mike McElhone

That the draft source protection plan be approved, as discussed, for the purposes of pre-consultation

Carried by consensus.

CORRESPONDENCE AND DELEGATIONS

One piece of correspondence was included in SPC meeting materials. This was a newsletter that was provided to municipalities for their council members. The newsletter provides an update about the source protection program and a timeline for consultation on the draft source protection plans.

LIAISON UPDATES AND OTHER BUSINESS

MOE Liaison, Lisa Ross thanked the Committee for all of the time and effort they have committed towards the development of source protection plans.

AGENDA ITEMS FOR NEXT MEETING – FEBRUARY 29TH, 2012

- Feedback from pre-consultation.

ADJOURNMENT

Chair Brown adjourned the meeting at 1:15 p.m.

Larry Brown
Chair

Jenna Allain/Cathie Brown
Recording Secretary