



**Source Protection Committee  
Wednesday, July 4, 2012  
Holmesville Community Centre, Holmesville**

**MEMBERS PRESENT**

SPC Chair Larry Brown; SPC Members: David Blaney, Karen Galbraith, Bill Rowat, Mike McElhone, Mert Schneider, Ian Brebner, Keith Black, John Vander Burgt, Al Hamilton, Matt Pearson, Gib Dow, Rowena Wallace, Gerry Rupke

**LIAISONS PRESENT**

MOE Liaison, Lisa Ross, Health Liaison Bob Worsell

**WITH REGRETS**

SPC Members; Don Jones, Marilyn Miltenberg; Source Protection Authority Liaison, Jim Ginn

**DWSP STAFF PRESENT**

Jenna Allain, Program Supervisor; Tim Cumming, Communications Specialist; Mary Lynn MacDonald, Group Facilitator; Judith Parker, Recording Secretary

**CALL TO ORDER**

Larry Brown, Source Protection Committee Chair, called the meeting to order at 9:38 a.m.

**AGENDA**

**MOTION #SPC: 2012 -07-01**

Moved by Karen Galbraith  
Seconded by Keith Black

**That the agenda be approved.**

Carried by Consensus.

**MINUTES FROM JUNE 13, 2012**

**MOTION #SPC: 2012-07-02**

Moved by Gerry Rupke  
Seconded by Ian Brebner

**That the SPC minutes from June 13, 2012 be approved, and staff be directed to respond to those who provided verbal comments.**

Carried by Consensus.

## **BUSINESS OUT OF THE MINUTES**

### Transitional Policy

Jenna Allain, Program Supervisor provided, for review, the transition policies developed by Oxford County for pending activities. Gerry Rupke inquired what further amendments Oxford County has made to their policies since the last meeting. Ontario Ministry of the Environment Liaison Lisa Ross commented that the project team from Oxford County has used their municipal expertise and is looking at different scenarios to have a thorough transitional policy for lower tier and upper tier municipalities. David Blaney remarked that the more detailed the policies become, the more they become open to loopholes. Karen Galbraith agreed and didn't want the SPC to appear as if they were dictating the municipalities' responsibilities.

John Vanden Burgt asked if a general policy is more open to appeal. SPC Chair Larry Brown responded that the Source Protection Plan is not a policy open to the appeal process. While Oxford County is creating a transitional policy for their own use, the SPC is creating a transition policy for all the municipalities in the Region.

Clarification on communication between the RMO, MOE, county councils and municipal planning staff regarding compliance was discussed. Larry Brown asked the committee how they wanted to address the recommendation.

By consensus, it was agreed that 'Risk Management Official' be replaced with 'implementing body, in consultation with other applicable authorities'.

## **DECLARATION OF PECUNIARY INTEREST**

None

## **COMMENTS FROM PUBLIC CONSULTATION**

Jenna Allain reviewed the written comments received during the public consultation period on the draft source protection policies.

### OMAFRA and Huron and Perth County Federations of Agriculture

Report #1, included in SPC meeting materials, summarizes comments received regarding addressing certain agricultural threats through management rather than prohibition. The SPC has taken the general approach of prohibiting future agricultural threats and managing existing threats wherever the score is 10. Some exceptions to this include prohibition of existing application and storage of ASM and NASM in WHPA-A, and prohibition of outdoor confinement areas in WHPA-A.

By consensus, the SPC agreed that based on the limited amount of farm property in the 100 metre zone, the policies that apply to WHPA-A will remain as is, and additional detail will be added to the explanatory document.

The SPC discussed the comments from Huron and Perth County Federations of agriculture and the staff recommendation that the SPC reconsider the prohibition of future application of ASM, NASM, pesticides, and particularly fertilizer in WHPA-B where the score is 10.

Chair Larry Brown called for a break at 11:15 a.m. and the meeting reconvened at 11:25 a.m.

The Committee agreed by consensus to manage future application of commercial fertilizer and pesticides, as well as application of ASM and NASM in WHPA-B.

Don Nicholson - Chief Water Operator in North Huron (Comment #10-11)

Comments are in regards to aging wells in a barnyard or beside a septic tank as a major threat. Transport pathways (aging wells) are not one of the 21 drinking water threats, but were assessed for the purposes of the assessment report. Where wells were found that were not in compliance with current regulations, buffer zones were delineated around those wells and the vulnerability score was elevated. Through this method, 25 new properties were identified with the potential for having significant drinking water threats. Jenna Allain has prepared a response letter for the commenter.

Hazel & Elvin Parker (Comment #12)

Landowners were unable to attend public meetings and requested that a copy of the plan be mailed to them. They would expect compensation if policies affect their property rights. Staff telephoned landowners and confirmed that there were no existing threats currently on the property. A copy of the plan was mailed out. No further action necessary at this time.

Cathy Boon, Rick Burdge, Florence Martin, Gerard Boon, Cathy Boon, William Klomps, Dennis Hallam, Patrick & Linda Nagle, Shawn Drennan, Lenus Yeo, Peter Uyl, Richard & Judy Israels, Judy Hargreaves, Dave Hemingway (Comment #13-27)

Comments submitted were objections to the source protection planning process, concerns about restrictions on properties, and issues regarding compensation. A general letter has been drafted in response to these objections. The letter will be modified to address any specific issues raised by individuals who provided written comments. Gib Dow noted that the SPC has received many comments regarding compensation and wondered if this will be acknowledged in the plans. Jenna Allain suggested that the SPC acknowledge the concern for compensation within the covering letter that will accompany the submission of the SPP policies to the Minister of Environment. This was agreed to by consensus.

The SPC broke for lunch break at noon and reconvened at 12:45 p.m.

MOE Source Protection Programs Branch (Comment #36-71)

Staff recommendation for Comments #36-40 in the comment summary table provided in SPC meeting materials were agreed to. To address Comment #41, Program Supervisor Jenna Allain referred the committee to Report # 2 regarding threat circumstances listed in the policies. As background, current ABMV policies list threat circumstance details in each policy (e.g. below grade fuel storage of 250 L or more). Other SPC's simply state "where the threat is significant" rather than listing all of the circumstance details. MOE's concern is about potential errors and omissions by listing all of the threat circumstances in each policy. It is recommended that the statement "where these activities are significant" be added to plan policies and that the circumstances listed in the policies be referenced as examples. MOE Liaison, Lisa Ross suggested that the word 'examples' be replaced with the statement "including, for example, but

not limited to.” This was agreed to by consensus.

Comment #42 refers to the organization of policies within the SPP by land use. After discussion it was agreed to retain land use categories A, R, C (Agricultural, Residential & Other) with the following:

- add sewage (outside of septic systems) to Agricultural land use section.
- add salt handling, storage and application to Residential and Agricultural land use sections.
- SPC revisit waste threat subcategories to ensure no policy gap for other waste activities that could take place on agricultural properties
- add grazing, pasturing and confinement to C- other land uses
- add aircraft de-icing and snow storage to Residential and Agricultural land uses
- do not add pesticide, ASM and NASM handling, storage and application to Residential land uses as the SPC felt the issue could be addressed adequately with education and outreach.

The staff recommendations for comments #43, 45, 46, 48-57, 59, 60, 62, 66-71 were agreed to by SPC.

Comment #44 recommends moving acronyms and definitions to the back of the plan. This was agreed to by the SPC.

Comment #47 requests that the SPC add “or such other date as the Director determines based on a prioritized review of ECA’s that govern these significant threat activities...” to the 3 year timeframe given for PI policies. The SPC discussed the request and agreed to retain the wording “Within three years of the Plan coming into effect...” since the suggested wording would provide flexibility that is not offered in any other policies in the plans.

Comment #58 refers to the collection of environmental monitoring information which is out of scope for the purposes of threat policies. Lisa Ross suggested that the SPC request the local MOE office to alert the SPA of any concerns or problems with waste disposal sites in HVA’s and SGRA’s on an annual basis. This was agreed to by consensus.

Comment #61 requests clarification about how frequently the SPC would like municipalities to review the spills response documents. Staff recommended that the review correspond with local emergency plan updates. This was agreed to by the SPC.

Comment #63 states that policy O.11.5 does not fit within one of the permissible policy options provided by the legislation. MOE suggests that the policy be revised to present it as a general incentive policy allowed under Section 22(7) of the CWA. This was agreed to by the SPC.

Comment #64 identifies that some of the policies contained within Part 3 of the Plan do not fit within one of the permissible policy options. MOE recommends that these sections be removed from the actual policies and kept as information in the plan. This was agreed to by the SPC.

Comment #65 recommends that the SPC change the conformity dates for official plans and zoning to within five years of the effective date of the SPP. This was agreed to by the SPC.

**MOTION #SPC: 2012-07-03**

Moved by Matt Pearson  
Seconded by Mike McElhone

**That the SPC direct staff to make the revisions as discussed and agreed upon, and further, that responses be forwarded to all the individuals who provided written comments.**

Carried by Consensus.

### **PROPOSED SOURCE PROTECTION PLAN**

Jenna Allain advised that the draft proposed Source Protection Plan was updated after the public consultation as per changes in Report 7(a). Based on the recommendations discussed and agreed upon at this meeting, the amended Source Protection Plans will be revised and emailed to the SPC (with changes identified in red), by the afternoon of Tuesday, July 10<sup>th</sup>. The SPC will meet via teleconference on Thursday, July 12<sup>th</sup> at 7 p.m. to endorse the second round of revisions from the public consultation for the Proposed Source Protection Plans. The final copy will be reprinted and available for the SPC meeting on August 14, 2012.

### **CORRESPONDENCE**

Two pieces of correspondence were included in SPC meeting materials. The first was a copy of a resolution from Town of Minto which was distributed to all municipalities across Ontario, neighbouring source protection regions, Premier Dalton McGuinty, Hon. Kathleen Wynne, Minister of Municipal Affairs & Housing and Randy Pettapiece, MPP Perth Wellington. The resolution requests that the Minister of Environment consider integrating the source protection plans into the Provincial Policy Statement and assist municipalities in implementation by streamlining risk management plans to protect vulnerable areas around municipal water systems. The second piece of correspondence was a resolution from the Municipality of North Perth supporting the resolution passed by the Town of Minto.

**MOTION #SPC: 2012-07-04**

Moved by Gerry Rupke  
Seconded by Meredith Schneider

**That the correspondence be received, noted and filed.**

Carried by Consensus.

### **LIAISON UPDATES**

None

### **OTHER BUSINESS**

Mike McElhone questioned whether the Ministry of Environment has kept the insurance industry informed about drinking water source protection and policy implications to landowners who are located in or near vulnerable areas.

**MOTION #SPC: 2012-07-05**

Moved by Mike McElhone  
Seconded by David Blaney

**That SPC recommend the Ministry of Environment notify and request to meet with the representatives of the insurance industry to advise and discuss the implementation of the source protection plans and to determine the impacts on homeowner liability and insurance premiums to address concerns resulting from public consultation.**

Carried by Consensus.

**NEXT MEETING**

The next meeting will be Thursday, July 12<sup>th</sup> at 7 p.m. via teleconference.

**ADJOURNMENT**

Chair Brown adjourned the meeting at 2:32 p.m.

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Larry Brown  
Chair

Judith Parker  
Recording Secretary