



**Source Protection Committee
Wednesday, June 30th, 9:30 a.m. to 2:00 p.m.
Holmesville Community Centre, Holmesville**

MEMBERS PRESENT

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

LIAISONS PRESENT

Source Protection Authority Liaison, Jim Ginn, MOE Liaison, Tu Van Duong, Kettle and Stony Point First Nations Liaison, Bob Bresette, Health Liaison Bob Worsell

WITH REGRETS

None

DWSP STAFF PRESENT

Cathie Brown, Project Manager; Jenna Bowen, Project Assistant/Recording Secretary; Tim Cumming, Communications Specialist; Donna Clarkson, Source Protection Technician

OTHERS PRESENT

Alec Scott, Water and Planning Manager, ABCA

CALL TO ORDER

Larry Brown, Source Protection Committee Chair, called the meeting to order at 9:34 a.m.

AGENDA

MOTION #SPC: 2010-06-01

Moved by Jim Nelemans
Seconded by Marilyn Miltenburg
Carried by Consensus.

That the agenda be approved.

MINUTES FROM APRIL 28th 2010

MOTION #SPC: 2010-06-02

Moved by Rowena Wallace
Seconded by Mike McElhone

That the SPC minutes from April 28th be approved.

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

The storage of natural gas in Zurich will be discussed later in the agenda.

DECLARATION OF PECUNIARY INTEREST

None

ACCESSIBILITY TRAINING

Project Manager, Cathie Brown provided the Committee with required accessibility training. This training is a new requirement for all Ontario public service providers under the *Accessibility for Ontarians with Disabilities Act* (2008). The *Act* sets standards to achieve accessibility by 2025, and the goal of the training is to provide greater accessibility to persons with disabilities. The *Act* applies to any organization that has employees that interact with the members of the public. Since the SPC holds meetings that the public are invited to, all SPC members must take the required training. Project Manager, Brown gave a presentation and a short video was played. SPC members signed off on training completion certificates.

10 YEARS: IMPLEMENTING O'CONNOR

Project Manager, Cathie Brown repeated a presentation that was given by the Chief Drinking Water Inspector, John Stager at a recent Chairs meeting. The presentation provided an overview about how the multiple barriers fit together, and how Ontario's approach to drinking water protection has changed since the Walkerton tragedy. The events that occurred in Walkerton resulted in a loss of trust in the Province's drinking water. As a result an inquiry was undertaken and part 1 of Justice O'Conner's report had 28 recommendations that included stronger training and certification, better information and data management. Part 2 of the report had 93 recommendations. With the release of these recommendations, the transformation began, with the goal to restore public confidence. In 2006 the implementation stage was born with the introduction of the *Clean Water Act*. With the implementation of the *Act* and other reporting requirements, information capabilities were greatly improved and inspection ratings improved for all systems in the Province.

Source protection is a vital first step in protecting water supplies and Ontario is leading the way with this initiative. All terms of references have now been approved, and threats assessments are well under way. One hundred and seventy million dollars has been invested to date, and the Walkerton Clean Water Centre has provided training for more than 23,000 drinking water professionals. The significant outcomes are that all 121 of the recommendations from the inquiry have been met and source protection planning is well underway. The SPC was interested in how many systems met drinking water standards prior to the Walkerton tragedy.

ACTION: The MOE Liaison agreed to look into this and report back to the Committee at the next meeting.

NATURAL GAS STORAGE

MOE liaison, Tu Van Duong informed the Committee of MOE's response to their request for clarification for leaving natural gas storage off the list of threats. Since natural gas has never, to date been associated with impacting groundwater drinking water sources themselves, it was therefore not identified as a drinking water threat. The Zurich Landowners Association was informed of MOE's response and indicated that they were not satisfied with this response.

SINKHOLE STUDIES PRESENTATION

Alec Scott, Water and Planning Manager, for the Ausable Bayfield Conservation Authority gave a presentation on sinkholes. Sinkholes start with underlying limestone bedrock which slowly dissolves. As the limestone dissolves, voids and cavities are formed. The overlying soil collapses into these voids resulting in visible depressions at the surface. This phenomenon should not be confused with more dramatic sinkhole collapses which do not occur in this area.

In 2001, MOE began undertaking groundwater studies in the region. Funding was received from the municipalities of Huron East and Perth East, Ausable Bayfield Conservation Authority, and MOE to drill a monitoring well and initiate a public awareness campaign. As a result of that, interest was generated, and the Ontario Geological Society funded the next phase of the program. This phase involved drilled rock cores, expanding the survey area to look for features, and initiate the groundwater quality monitoring program. More recently (2006 to present), the drinking water source protection program has been funding the continuation of water sampling. Monthly sampling is conducted at a couple of sinkholes as well as a monitoring well. The Provincial Groundwater Monitoring Network (PGMN) also provides a more comprehensive monitoring program. An automatic probe was put into the PGMN well near the Chisleworth sinkhole which provides hourly data.

Annual variation in water levels at the Chiselhurst sinkhole is in the order of 4-5 meters a year. Over the last few years, there has been a general increase in the water table level. Water levels in monitoring wells respond quickly to snowmelts or large rainfall events. The drinking water standard for nitrate levels is 10. The PGMN well is running at about 7-8 for the nitrate level. One of the private wells is running in the same range but slightly lower. By travelling a bit further in the same direction, the nitrate levels drop to a range of 1 to 2. This suggests a connection between the sinkhole and nitrate levels in the surrounding wells. However, the exact link is still being determined. It should be noted that no *e. coli* or fecal coliform was detected in any of the samples taken. Fast flow and conduits (fractures in rock), can move a lot of water very quickly and can have large effects in a small period of time. However, there is a very small chance that one of these conduits intersects with an individual well. The probability is low but since the area is so extensive, it is likely that someone will be affected.

It is anticipated that funding from DWSP for sinkhole monitoring will not be approved in this year's budget. Therefore, sampling will be cut back to quarterly with the hope that

municipalities will assist with funding. The cost is in the order of \$6000 which is mostly lab monitoring costs. The ABCA board of directors has indicated that they are willing to cost share. The SPC discussed how a drinking water issue would be dealt with, if a link was indeed found between sinkholes and well water quality.

UPDATED AR PROCESS

Project Manager, Cathie Brown gave an update on the Assessment Report (AR) process. The ABMV Assessment Reports were received by MOE on time, and several staff members from different ministries will be reviewing the reports. The *Clean Water Act* provides that the SPC should continue to refine work and include it in an updated version of the AR. The ABMV updated AR will address data gaps and items for which guidance is pending. The deadline for completing the updated AR will be in the next 12 months at which time, a less strenuous consultation period will take place.

The tasks to be undertaken for the update were all outlined in the addressing limitations chapter of the Assessment Report. 100 year storm conditions need to be modeled for both intakes in order to define an IPZ-3's. The purpose of an IPZ-3 is to identify threats that may exist in extreme conditions.

A Tier 3 Water Budget will also take place around the Century Heights well system and the Sifto evaporation plant. The peer review committee will be reconstituted to reflect more local knowledge and expertise for the Tier 3. Results will be based on very local conditions.

Another piece in the updated AR will be the results from field verification of threats. The business surveys are almost complete but the residential surveys will require a bit more innovation. At this point, around 40 percent of the residential surveys have been returned and staff are not expecting to receive any more than this. DWSP staff are currently working on other mechanisms to determine if there are threats on these properties.

An additional item that the updated AR will address is issues and conditions. The nitrate trend in the sinkholes could be identified as an issue as well as the radionuclides in Seaforth. If the SPC identifies them as issues, it opens the door for the potential to use planning tools and stewardship funding in these areas. There are also some conditions, such as properties that used to be gas stations that could still be contaminated or have underground fuel storage. Depending on the circumstances, this could be considered a condition.

The peer review of the well head protection areas has been completed, and the feedback was that the delineations are solid and defensible. However, it was felt that the vulnerability scoring would be more robust if transport pathways were considered. There is also one GUDI well in the region for which the modeling was not completed in time for the peer reviewer to review it. This will be done for the updated AR.

The Committee discussed the inclusion of the Kettle Point intake as part of the DWSP process. It was explained that an agreement between Kettle Point and the Province, as

well as an agreement between the Province and the Conservation Authority must be received before any work can take place. The Band Administrator is currently working on putting that agreement through band council. The band council has recently gone through an election period, which has delayed the process. As well, a new Band Administrator has recently taken up office. The SPC was introduced to William McCallum who was recently hired to do some of the threats verification at Kettle Point. Staff are preparing to begin work as soon as the agreements are received so that the threats assessment for Kettle Point could coincide with the updated AR as a companion document. It should be noted that the budget for these First Nations activities are completely separate from the AR budget.

The Committee had a discussion about cluster systems and the need to include these systems in the DWSP program. It was explained that sinkholes are being further investigated since there is data to suggest that they are a possible issue. This type of data does not exist for clusters well systems.

ACTION: Bob Worsell, Health Unit liaison offered to try and help provide some well result data for cluster systems in the region. Staff will pursue this interest.

SOURCE PROTECTION PLANNING FRAMEWORK

Project Manager, Cathie Brown gave a presentation on developing a framework for source protection planning. Within the AR, vulnerable areas were identified where activities are, or would be a significant threat. These are the threats for which the SPC is required to create policies for. The *Clean Water Act* identifies specific tools that can be used for source protection planning. One tool is education and outreach; these are very discretionary and non-mandatory in nature. Another tool is to use existing provincial instruments which are identified in the legislation. Incentives are another tool that can be used anywhere. Another option is to use planning tools such as the *Condominium Act* or the *Planning Act*. Risk management plans are agreements between a landowner and the risk management official that could also be used as a tool. This could be like an environmental farm plan. Finally, prohibitions could be used as a last resort type of tool.

A province wide planning committee has been instituted consisting of the chairs and project managers from each SP region to discuss how to conceptualize a plan. There are currently no examples or specific guidance, although this has been requested of the Province. This Committee is just in its initial stages but should prove to be quite beneficial in the tools it will generate.

The SPC needs to consider how to organize planning policies. The options are to organize by threat (21 policy groups), organize by CWA tool (7 policy groups), or organize by land use (5-10 policies).

Project Manager Brown gave an overview of the risk management catalogue which has been released as an interface by MOE. There are three types of measure discussed in the document: structural, operational, and land management. Structural measures have to do

with a building or storage unit. Operational measures speak to how you do something which is very similar to land management. Land management measures are something you do to manage land. Since the catalogue is in an electronic format it allows for easy searching, but it is still under development and being added to all the time. It is a useful guide for most CWA tools. The effectiveness of each measure will be added to the catalogue in time, and provincial instruments are still to be added as well.

THE FUTURE SPC

Project Assistant, Jenna Bowen presented information on the future roles of the Source Protection Committee. Once the source protection plans are approved, the Minister of the Environment will specify a date by which a review of the plan must begin. The SPC will be required to undertake this review. Additionally, the Source Protection Authorities are required to submit a progress report to the SPC annually which describes:

- The measures taken to implement the plan and ensure activities cease to be a significant threat
- The results of any monitoring programs
- The extent to which objectives set out in the plans are being achieved.

The SPC shall review the report and provide written comments back to the SPA. If these comments are submitted prior to the report going to the director, a copy of SPC comments shall be included. The Project Assistant addressed questions raised at the previous meeting regarding the process for filling vacancies. The SPC expressed their interest in sustaining continuity beyond the upcoming municipal election and the submission of the first Source Protection Plan.

In terms of vacancies on the SPC, if a member resigns before their term is up, their replaces completes the term which expires on the same date as the original members term would have. Once the plans are approved, the terms of two members from each SPC sector will expire (6 total). One year after the plan is approved, the terms of two more members from each sector will expire (6 total). Two years after the plan is approved, the terms of the remaining members will expire (1 from each sector, 3 total). The SPA is responsible for filling vacancies and it will be up to them to decide whether current members can apply for another term.

CORRESPONDENCE AND DELEGATIONS

Correspondence included two letters from MOE to each SPA informing the chairs and general managers that the Assessment Reports had been received. Additionally a copy of an email was included as correspondence from Jack Powell stating his concerns with the Assessment Report document and process. Staff have already responded to his email and the chair of the SPC is also planning to email Mr. Powell and offer to meet with him in person.

ACTION: SPC requests that the Chair attempt to contact Mr. Powell by phone.

LIAISON UPDATES AND OTHER BUSINESS

Health Liaison, Bob Worsell informed the Committee that the Huron County Health Unit and planning department were given permission from county council to develop a septic inspection program. He further indicated that there may be an opportunity to link this program with individual well results should grant funding become available.

Kettle and Stony Point First Nations Liaison, Bob Bresette informed the Committee that he had been re-elected to band council.

MOE Liaison, Tu Van Duong informed the Committee that amendments to the general regulation were coming into effect on July 1st. The liaison is hoping to get some time at the next meeting to discuss the regulation with the Committee which will include a high level overview of the regulation and regulation contents. Additionally, MOE is planning training opportunities for the chairs and project managers about how to move on to the next phase of the program.

Source Protection Authority Liaison, Jim Ginn informed the Committee that both conservation authorities are pleased that the Assessment Reports have been submitted. Mr. Ginn reminded the SPC that his term as the chair of the CA will end in February 2012 at the latest. At that time he will no longer be chair of the Joint Management Committee of the Conservation Authorities which guide the vacancy process for the SPC.

On behalf of the Stewardship Program staff, the Project Manager reminded the SPC that they need to promote this program in the well head areas. The funding is dwindling to less than 5.8 million to be applied across the province. The future program will be more targeted to higher threat activities and the remedies listed in the Risk Management Catalogue.

AGENDA ITEMS FOR NEXT MEETING – August 25th, 2010

- Stewardship Presentation
- Issues Presentation
- Update on Planning Process

ADJOURNMENT

Chair Brown declared the meeting adjourned at 2:11 p.m.

Larry Brown
Chair

Jenna Bowen
Recording Secretary