



**Source Protection Committee
Tuesday, August 14, 2012
Holmesville Community Centre, Holmesville**

MEMBERS PRESENT

David Blaney, Karen Galbraith, Don Jones, Mike McElhone, Ian Brebner, Keith Black, John Vander Burgt, Matt Pearson, Gib Dow

LIAISONS PRESENT

MOE Liaison-Lisa Ross, Health Liaison-Bob Worsell

WITH REGRETS

SPC Chair Larry Brown; Source Protection Authority, Jim Ginn; SPC Members; Bob Bressette, Al Hamilton, Marilyn Miltenberg, Bill Rowat, Gerry Rupke, Meredith Schneider, Rowena Wallace

DWSP STAFF PRESENT

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

CALL TO ORDER

Acting Chair, Matt Pearson, called the meeting to order at 10:00 a.m.

AGENDA

MOTION #SPC: 2012 -08-01

Moved by Don Jones
Seconded by Karen Galbraith

That the agenda be approved.

Carried by Consensus.

MINUTES FROM JULY 4, 2012

MOTION #SPC: 2012-08-02

Moved by Ian Brebner
Seconded by Mike McElhone

That the SPC minutes from July 4, 2012 be approved as presented.

Carried by Consensus.

MINUTES FROM JULY 12, 2012 TELECONFERENCE

MOTION #SPC: 2012-08-03

Moved by John Vander Burgt

Seconded by Keith Black

That the SPC minutes from July 12, 2012 teleconference be approved as presented.

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

COMMENTS FROM PUBLIC CONSULTATION ON THE PROPOSED SPP'S

Jenna Allain reviewed the written comments received and provided a summary of the concerns. There were eight comments submitted by August 11th as part of the consultation period for the Proposed SPP which was posted on July 13th for an additional 30 days. All of the comments received during this 30 day consultation period are submitted to the Minister of the Environment along with the Plans. The SPC can make no further changes to the plans or policies as a result of these comments. Only minor typographical or editorial changes are permitted prior to the submission of the plans to the Ministry of the Environment.

Joe Lobb, Gerard Boon, P.G. Rawlings, Judy Israels, Richard Israels of Brucefield

Joe Lobb and Gerard Boon indicated that they are not submitting comments, but rather objections to the proposed plans. Their concerns are about being identified as a “threat” due to their proximity to a municipal well, and how policy restrictions could apply to some residents but not to their neighbours. Dropping property values and being absolved of legal actions if there were safety and water quality concerns was also raised in the written comments.

Mr. Rawlings and Judy Israels identified concerns of water rates increasing, due to Source Water Protection policies. Mr. & Mrs Israels also raise concerns over mandatory septic inspections and that rules and regulations are ‘overkill’.

Sandy Edelsward, Public Health Ontario

Ms. Edelsward is the Program Co-coordinator for Drinking Water Testing, Public Health Ontario. Her previous submitted comments had been missed when the SPC reviewed comments. Her suggestion is to change the word *E.coli* to *E.coli O157:H7* and *Campylobacter* in reference to the events that took place in Walkerton. This change was incorporated into the introductory text of the SPP and in the glossary.

Ministry of Environment

The Source Protection Programs Branch, MOE, submitted 8 pages of comments. Most of the recommended changes were minor editorial comments that do not change the intent

of the policies. Because of timeframes in obtaining approval of the submission package, most of the remaining changes recommended by MOE could not be made prior to submission of the plans. It is proposed that the SPC work with MOE to make these changes as an addendum to the plans during the review process.

There was discussion regarding a comment from MOE about when policies related to the application of road salt can be included in a source protection plan. The MOE advised that policies addressing salt application should be removed from the plan since the Assessment Reports do not identify any areas within the ABMV Region where impervious surface is greater than 80%. This is the circumstance needed for salt application to be a significant drinking water threat. Salt application can therefore never be an existing or future threat activity unless amendments to the Assessment Reports are made.

Acting Chairperson, Matt Pearson asked if there was consensus to leave the SPC policies regarding road salt application as they are, and discuss the matter further with MOE during the review process. This was agreed to by consensus.

The Ministry of Environment previously recommended including a prescribed instrument policy for the application and handling/storage of NASM where an Environment Compliance Approval may be required, and therefore Part IV powers cannot be applied. However, this was a mistake. Part IV powers can always be used for these activities and therefore the prescribed instrument policy is redundant. By consensus, it was agreed that the prescribed instrument policies A.9.5 and C.9.5 will be removed through an addendum to the plan.

There were some comments from MOE that have been previously discussed at length by the SPC during prior rounds of consultation. It was concluded that the SPC would not make the recommended amendments.

Ministry of Agriculture, Food & Rural Affairs

OMAFRA has provided comments throughout the pre-consultation and consultation process. They would like to see prescribed instruments used to manage significant threats, where applicable, instead of Risk Management Plans (RMP). For any activities that are not regulated under the *Nutrient Management Act, 2002*, (NMA) such as pesticide application, OMAFRA supports the use of Risk Management Plans. After discussion, the SPC decided to retain the RMP approach since not all NMA prescribed instruments require approval. The SPC chose to manage or prohibit sewage related threats and waste disposal site threats through prescribed instruments, where they are regulated under the *Environmental Protection Act*, since they always require approval.

Submission of Proposed Source Protection Plan Package

Jenna Allain reviewed the covering letter that will be sent to the Ausable Bayfield and Maitland Valley SPAs, with the additional comments that cannot be included in policies.

MOTION #SPC: 2012-08-04

Moved by Don Jones

Seconded by Karen Galbraith

That the proposed Source Protection Plans be submitted to the Ausable Bayfield Source Protection Authority and the Maitland Valley Source Protection Authority for approval and submission to the Minister of Environment prior to the August 20, 2012 deadline.

Carried by Consensus.

FUTURE OF SPC

Jenna Allain gave a presentation on “where do we go from here” for the Source Protection Committee to consider. Currently there are 15 members, 1 chair, and 3 liaisons on the Committee, and a quorum of 10 members is required at all meetings. Once the plans are approved, and every year thereafter, one third of the committee must turnover. In the first year, two members from each sector must turnover, and each year after that only one member from each sector will turnover. Jenna reviewed the roles and responsibilities of source protection committees once the plans are approved. During implementation it is anticipated that the SPC will meet two to four times per year. The Source Protection Authorities must prepare an annual progress report which is reviewed by the Source Protection Committee and subsequently submitted to the Ministry of the Environment. The first report is due May 1, 2016. Scheduled reviews of the Terms of Reference, Assessment Reports and Source Protection Plans will also occur, as set out by the Minister upon approval of the Plans.

While waiting for approval in 2013 from the Minister on the Source Protection Plan, staff will be providing support to municipalities for undertaking implementation. Other implementing agencies and sectors will also be assisted where applicable.

STEWARDSHIP UPDATE

Donna Clarkson, ABMV SPR Source Protection Technician provided an update on the Ontario Drinking Water Stewardship Program. To date there is approximately \$140,500 unallocated Early Actions funding remaining and \$261,000 of the Early Response funding remaining. Efforts to promote the ODWSP to eligible landowners are ongoing. In June 2012 an information package was sent to all eligible landowners within wellhead protection areas. There have been 264 projects completed to date, and the majority of projects were septic systems and well decommissioning and upgrading.

CORRESPONDENCE

None

LIAISON UPDATES

Health Liaison, Bob Worsell announced that Huron County Council recently approved the county-wide septic system re-inspection program. Further details are not known at this time.

OTHER BUSINESS

Mike McElhone announced that the *Great Lakes Protection Act* is about to be approved and informed the Committee that there is an upcoming workshop in Goderich where more information about the *Act* will be provided. The SPC has been named as a public body within the *Act*.

As this was the final meeting of the SPC prior to submission of the SPP, a round of applause was generated to recognize getting this far as a committee.

ADJOURNMENT

Acting Chairperson, Matt Pearson adjourned the meeting at 12:05 p.m.

Matt Pearson
Chair

Judith Parker
Recording Secretary