



**SOURCE PROTECTION COMMITTEE (SPC) MEETING MINUTES
May 26, 2021
VIA VIDEO CONFERENCE**

MEMBERS PRESENT

Ian Brebner, Bert Dykstra, Mary Ellen Foran, Dave Frayne, John Graham, Paul Heffer, Rowland Howe, Philip Keightley, Alyssa Keller, Matt Pearson, Allan Rothwell, Jennette Walker

MEMBERS ABSENT

Myles Murdock

MEMBERS OF THE PUBLIC

Kyle Davis – Risk Management Official Wellington
Evan Davis – Student (Wellington)

LIAISONS PRESENT

Ausable Bayfield Source Protection Authority (SPA) Liaison – Brian Horner
Maitland Valley SPA Liaison – Phil Beard
Ministry of Environment, Conservation and Parks (MECP) Liaison Officer – Olga Yudina

LIAISONS ABSENT

Huron Perth Public Health Liaison – Lori Holmes

DWSP STAFF PRESENT

Aaron Clarke, Donna Clarkson, Abigail Gutteridge, Mary Lynn MacDonald

CALL TO ORDER

Chair Matt Pearson called the meeting to order at 9:30 a.m., and welcomed the committee members and guests to the meeting. He noted that it was the 69th meeting of the SPC since its inception in October of 2007.

AGENDA

MOTION #SPC: 2021-05-01

“That the agenda for the May 26, 2021 meeting be approved as presented.”

Carried by Consensus.

APPROVAL OF MINUTES

MOTION #SPC: 2021-05-02

“That the SPC minutes from March 24, 2021 be approved as presented.”

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

CORRESPONDENCE

None

CHAIR'S UPDATE

Chair Matt Pearson gave the committee a brief update from the most recent virtual meeting for the SPC Chairs and Project Managers. He noted that the Phase II Director's Technical Rules were still under review by the province, as were 2021-2022 budgets for all regions. Chair Pearson reported that Keley Katona stepped down as director for the Conservation and Source Protection Branch of the MECP, and that Susan Ecclestone will act as interim director. Once a new director is in place Source Protection Committee Chairs will present again on their various regions.

A fifth video has been produced featuring another member of the SPC, Dave Frayne. This video explains the 'Drinking Water Protection Zone' signage delineating the wellhead protection zones and drinking water intake zones and was premiered to the SPC members. This video is scheduled to be released to social media platforms today after the meeting. Chair Pearson encouraged other SPC members to use this video platform for engagement, as well.

REPORT ON ROAD SALT STORAGE AND APPLICATION

Donna Clarkson provided a review of the policies for road salt storage and application. Road salt can cause serious contamination to drinking water, as well as damage to infrastructure, ecological functions, aquatic habitat and crops. Overall, there is an awareness by the public that road salt application can cause problems; however, businesses are often concerned with liability and are hesitant to reduce salt usage.

At present, there are no significant salt application and storage threats to drinking water in the Ausable Bayfield Maitland Valley (ABMV) Region. However, the proposed amendments to the Director's Technical Rules will result in significant threats for both. The proposed Rules change impervious surface area calculations where salt application would be a significant drinking water threat from 80 percent to 30 percent. The proposed change for salt storage changes the threshold

for a significant drinking water threat from 500 tonnes to 20 kg uncovered, or 100 kg covered. These changes will result in many Risk Management Plans (RMPs) to address the threats per current policies, so a policy review is recommended.

Some considerations for policy review include financial impacts, effectiveness and appropriateness of the policy. Staff have looked at other Regions who are already implementing salt policies for some direction. For example, as the threat circumstances to salt application do not include the amounts that are applied, the SPC may want to consider exempting residential driveways or very small parking lots, and instead use education and outreach tools to reach these property owners. Rowland Howe asked if the Province was considering liability to property owners. Olga Yudina reported that the MECP was working on ways to address impacts, such as alternate training, but that liability is a more difficult issue and there are ongoing discussions on this topic.

Staff provided two RMP policy options for discussion, based on other Source Protection Regions. The first notes that the salt application area must be greater or equal to 200 square meters or 8 parking spots, and exempts residential parking areas of four units or less. The second notes a salt application area threshold to be 500 square meters or less, also exempting residential parking areas of four units or less. In addition, a Salt Management Plan may be used by municipalities in lieu of a Risk Management Plan.

There was some discussion that the SPC should focus on the total impervious area where parking lots are co-joined rather than individual lots, however, different property owners would need separate Risk Management Plans. Overall, members thought that the policy should reflect a larger area threshold and focus on education and outreach for small lots.

MOTION #SPC: 2021-05-03

**Moved by Bert Dykstra
Seconded by Philip Keightley**

“That Policy R.A.C.8.1 – *Risk Management Plan for Existing and Future Road Salt Handling, Storage and Application* be replaced with separate policies for application and storage,

“Further, that Policy C.8.2 – *Best Management Practices for Existing and Future Road Salt Handling, Storage and Application (Moderate and Low Threat Policy)* be deleted,

“Further, that Option B: R.A.C.8.4, RMP Policy be approved with an SPC recommendation of a 1000 square meter target threshold for salt application on parking lots, and

“Further, that Policy R.A.C.8.5 Salt Management Plan be approved.”

Carried.

Rowland Howe left the meeting at 10:33.

PROGRAM UPDATE

Mary Lynn MacDonald, Co-Program Supervisor, provided a program update for SPC members. Information from her update is as follows:

2021-2022 Drinking Water Source Protection Work plan and Budget

The MECP has not yet sent through the final Transfer Payment Agreement for signature.

Phase II Director's Technical Rules Change

Approval for the Phase II Director's Technical Rules Changes is still anticipated in spring or summer 2021.

Annual Implementation Report

The Ausable Bayfield Source Protection Authority approved the Fourth Annual Implementation Report reviewed by the Source Protection Committee and it was submitted to the Province by May 1, 2021.

Huron County Road Supervisors Association

Staff presented to the Huron County Road Supervisors Association on April 14, 2021. This presentation focused on the anticipated changes to the Directors Technical Rules for salt and snow.

Water Wednesday Social Media Campaign

The ABMV SP Region has joined Conservation Ontario on a public information social media campaign focusing on protecting municipal drinking water sources. The posts began on May 12 and will run through most of the summer.

Section 36 SPP AMENDMENT - WORKPLAN

Donna Clarkson presented a progress report on the proposed Section 36 Source Protection Plan amendments. Amendments are required under Section 36 of the Clean Water Act, and with the changes to the Directors Technical Rules to be released soon, it seems wise to incorporate those changes, as well. For the Source Protection Plans there will be significant policy revisions. Triplicate policies (repeated for each of three land uses) will be removed, and new threat policy tables will be added for ease of use.

Assessment Reports will also be amended at this time. Included in these amendments will be the results of the Tier III Water Budget for Maitland Valley in Chapter 3, and updating Chapter 4 on Threats and Vulnerable Areas. Finally, in Chapter 8, the threats table will either be updated or removed completely (with reference to Chapter 4). Maps in both the Assessment Reports and Source Protection Plans will also be revised, as will the Explanatory Document.

To this end, staff are still working on a number of items identified through the S.36 review. A number of changes will also need to wait until the release of the Phase II Directors Technical

Rules. If the Director's Technical Rules are approved by July 1st, 2021, staff aim to have final amendments made and submitted by the end of March 2022.

MOTION #SPC: 2021-05-04

Moved by Jennette Walker

Seconded by Alyssa Keller

“That Report 10 regarding the workplan for SPP amendment be received for information, and

“Further, that staff be directed to continue with the revisions as outlined in the report.”

Carried.

REPORT ON OMAFRA PRESCRIBED INSTRUMENT REPORTING

Mary Lynn MacDonald presented a report and draft policy requiring OMAFRA to report on prescribed instruments. It was noted in the S.36 Source Protection Plan Review that there is no policy requiring the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to review and report on Nutrient Management Strategies and Non-Agricultural Source Material (NASM) Plans, which are Prescribed Instruments under the Nutrient Management Act. Approvals of these plans and strategies in areas where ASM or NASM is a significant threat to drinking water need to comply with Source Protection Plan policies. A draft Policy A.C.9.10 was provided for Committee consideration.

MOTION #SPC: 2021-05-05

Moved by Mary Ellen

Seconded by Philip Keightley

“That the SPC approves in draft format Policy A.C.9.10 Prescribed Instruments Regulated under the Nutrient Management Act, Existing and Future.

Carried.

POLICY REVIEW: EFFECTIVE DATE AND TRANSITION POLICIES

Staff presented a report to review the Effective Date policies in the Source Protection Plans (SPP) and acquire SPC direction regarding policy revision. There are several policies in Source Protection Plans (SPPs) that refer to the effective date of the policy as being the date that the SPP comes into effect. Staff would like to revise these policies to clarify that the implementation timelines for new threats and wellhead protection areas is based on the effective date of the most recent SPP amendment. Proposed revisions to policies P.12.2, P.12.3, P.12.4, P.12.5, P.12.6 and P.12.13 were included in the report.

MOTION #SPC: 2021-05-06

Moved by Dave Frayne

Seconded by Bert Dykstra

“That the SPC approved the proposed revisions to the Effective Date and Transition policies, and

“Further, that staff be directed to incorporate the revised policy text as part of the forthcoming amendment to the Source Protection Plan, under Section 36 of the Clean Water Act.”

Carried.

LIAISON UPDATES

Olga Yudina, MECP Liaison Officer, provided a brief update to the committee. She noted that there has been a change of leadership at the MECP Conservation and Source Protection Branch. Keley Katona has moved to Municipal Affairs and Housing, and Susan Ecklestone has stepped in as interim Director as of April 1, 2021. She also reported that Phase I Regulations for the Conservation Authorities Act amendments, which includes Source Protection Authorities, have been posted to the Environmental Registry of Ontario (ERO)for public comment. Finally, the Directors Technical Rules are still being finalized.

Phil Beard, liaison for Maitland Valley Conservation Authority, also made note of the comment period for the Phase I Regulations of the Conservation Authorities Act amendment. He made particular note that watershed stewardship activities are not considered a mandatory service.

Abigail Gutteridge, on behalf of Brian Horner, liaison for Ausable Bayfield Conservation Authority, also noted the ERO posting and that the ABCA Board of Directors would be submitting comments.

NEXT MEETING

The next meeting is scheduled for Wednesday, July 28, 2021, but may be deferred until September if the Directors Technical Rules are not approved prior to July 1st.

ADJOURNMENT

The meeting was adjourned at 11:19 a.m.

Matt Pearson
Chair

Abigail Gutteridge
Recording Secretary