



SOURCE PROTECTION COMMITTEE MEETING MINUTES

September 30, 2020

VIA VIDEO CONFERENCE

MEMBERS PRESENT

David Blaney, Ian Brebner, Bert Dykstra, Mary Ellen Foran, Dave Frayne, John Graham, Rowland Howe, Philip Keightley, Alyssa Keller, Myles Murdock, Matt Pearson, Allan Rothwell, Jennette Walker.

MEMBERS ABSENT

None

MEMBERS OF THE PUBLIC

Ryan DeVries – BM Ross and Associates Ltd.
Bill Wilson
Scott Brookes
Emily Vandermeulen, RMI Wellington
Conservation Ontario Liaison – Deborah Balika

LIAISONS PRESENT

Ausable Bayfield Source Protection Authority (SPA) Liaison – Brian Horner
Maitland Valley SPA Liaison – Phil Beard
Ministry of the Environment, Conservation and Parks (MECP) Liaison Officer – Olga Yudina
Huron Perth Health Unit Liaison – Lori Holmes

LIAISONS ABSENT

None

DWSP STAFF PRESENT

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

CALL TO ORDER

Chair Matt Pearson called the meeting to order at 9:31 a.m.

AGENDA

MOTION #SPC: 2020-09-01

“That the revised agenda be approved as presented.”

Carried by Consensus.

APPROVAL OF MINUTES

MOTION #SPC: 2019-09-02

“That the SPC minutes from May 27, 2020 be approved as presented.”

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

CHAIR’S UPDATE

Chair Matt Pearson provided an update on the provincial Chairs’ Meeting held on September 10, 2020. He expressed his disappointment that the poor technology made the meeting difficult for participants, and that the meeting was comprised of updates, with very little discussion. One of the main topics addressed was the proposed changes to the Director’s Technical Rules. These changes have been posted on the Environmental Registry and comments can be submitted. Additionally, the MECP reappointed Matt Pearson as Chair of the Source Protection Committee on August 19, 2020 for two-year term.

It was also noted that long-time member of the SPC, David Blaney is leaving the Committee. David has worked with Drinking Water Source Protection for many years, and his input will be missed. We wish him all the best in his future endeavors in Pembroke.

CORRESPONDENCE

Lake Erie Region Source Protection Committee has circulated a letter regarding the report “SPC-19-12-02 Winter Maintenance Chemicals: Challenges and Opportunities.” The Lake Erie Region SPC passed a resolution to forward the report the councils of single, upper and lower-tier municipalities within their region, as well as all Source Protection Committees and a number of other associations, requesting resolutions in support of the report’s recommended actions. The report provides an overview of the issues surrounding over-application of winter maintenance chemicals, highlights trends in the Lake Erie Source Protection Region, and includes recommended actions, increased requirements for winter maintenance of parking lots and changes to the *Clean Water Act, 2006* framework. These recommendations would impact some businesses in the region. Bert Dykstra raised the question of cost associated with training needed by municipal staff. The cost of \$375 per person was not considered prohibitive. Rowland Howe noted that this will be an education process, and that some procedures from the recommendations are already in place.

MOTION #SPC: 2020-09-03

**Moved by Allan Rothwell
Seconded by Philip Keightley**

“That ABMV SPC support the recommended actions in the report ‘SPC 19-12-02 Winter Maintenance Chemicals: Challenges and Opportunities’ received by the Lake Erie Region Source Protection Committee.”

Carried by Consensus.

Other correspondence included an email from Keley Katona, on behalf of the MECP Source Protection Programs Branch, acknowledging the receipt of the ABMV Source Protection Region’s Annual Progress Report for 2019. Additionally, the Source Protection Programs Branch also sent notice on August 11, 2020 about the proposed update to the Phase II Director’s Rules, indicating that they have been posted to the Environmental Registry Board for a 90-day public consultation period, closing on Monday November 9, 2020. Finally, Debbie Scanlon, Source Protection Programs Branch, sent a letter acknowledging the request from the Ausable Bayfield SPA to extend the policy timeline for implementing source protection plan policies due to the declaration of emergency related to COVID-19, and granted the request for an extension to July 31, 2021.

PROGRAM UPDATE

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

SPC Membership

With regret, David Blaney, Central Municipal Region Representative, will be leaving the Source Protection Committee. David has been part of the SPC since February 2011, and has always been keen to contribute to the meetings, and stepping in as Interim Chair when needed. The Committee wishes David well on his move to Pembroke, Ontario. Olga Yudina is the renewed MECP Liaison.

2020-2021 Drinking Water Source Protection Work plan and Budget

The DWSP work plan was approved with a slight reduction in budget and staffing from 2 full time equivalent to 1.95 full time equivalent. The MECP also approved four half-day SPC meetings and one half-day of SPC engagement time with travel for each SPC member.

Phase II Technical Rules Change

In August the MECP posted the proposed Phase II Technical Rules on the Environmental Registry Board with a comment period until November 9, 2020.

Risk Management Activities

Staff have been busy with Section 59 Restricted Land Use notices since the last SPC meeting in May 2020, as property owners undertook renovation projects with spare time and money. While unable to do site visits for a several months, Risk Management Officials were still inspecting Wellhead Protection Areas for activity and business changes. The few remaining Risk Management Plans are now being finalized.

Policy Timeline Extension

The DWSP Branch Director granted an extension of policy implementation deadlines for some policies not fully implemented by the April 1, 2020 deadline. The timeline has been extended to July 1, 2021. There were several outstanding Risk Management Plans and Official Plans that have not yet included Source Protection Policies. Delays were attributed, in part, to COVID-19.

Communications

A newsletter was sent to municipalities in September to update them on Source Protection.

The July-August issue of *Water Canada* had two articles related to source water protection (<https://www.watercanada.net/issues/>):

- Ontario's *Clean Water Act*: Has the legislation, introduced following the Walkerton tragedy, really protected the province's drinking water supply?
- Essential Watershed Management: Twenty years after Walkerton, work being done to protect Ontario's drinking water.

Environmental Science & Engineering Magazine article shows ways Ontario's drinking water has been protected in the 20 years since the Walkerton water tragedy. The article featured several different source protection regions, including Ausable Bayfield Maitland Valley Region (https://issuu.com/esemag/docs/ese_magazine-2020-june-july/40).

PROVINCIAL DWSP 2019 ANNUAL PROGRESS REPORT

Olga Yudina, MECP Liaison, presented highlights from the 2019 Annual Progress Report from the Province. Of particular note was that, on average across the province, 98 per cent of legally-binding policies have been or are being implemented. On average across the province, 83 percent of existing significant drinking water threats are being addressed. These existing threats can be fluid as updates and amendments are made to Risk Management Plans (RMPs).

Under Part IV Implementation, more than 1100 RMPs are in place across the province, which are addressing more than 2600 significant drinking water threats. This is a 35 percent increase from 2018. Overall, Part IV Inspections record a 94 percent compliance rate; however, compliance with RMP policies is 100 percent.

Also of note is that any future prescribed instruments are now screened for source water protection, such as nutrient management strategies, sewage works or waste disposal sites. Additionally, regarding Environmental Monitoring of Drinking Water Issues, 48 issues were identified across the province. Of these issues, 15 percent showed an improvement, 37 percent showed an increasing trend, and 27 percent showed no change. In total, all but two source protection regions are on target.

DUNGANNON PILOT STUDY UPDATE

Ryan DeVries, from BM Ross and Associates Ltd., provided an update on the Dungannon well pilot study. In January 2018 the standard for arsenic in drinking water changed to 10 µg/L down from 25 µg/L. In the Dungannon well, arsenic is naturally occurring and exceeds the new

standard. Options to bring this number down without using treatment have been explored, but have been found to be unfeasible. There are some treatment options available, such as a filter system. However, the maintenance for this option is demanding. At the end of 2019, the study explored the option of cartridge filters, which were used by Walkerton Clean Water with some good success (50% to 70% reductions). In 2020, the study found more information on maintenance for the filters and provided the information to the Township of Ashfield-Colborne-Wawanosh. The township has agreed to use this filter cartridge system, and have applied for an ISIP Grant. This grant would allow them to add a reservoir for storage. As yet, they have not received confirmation of the grant.

GODERICH INTAKE UPDATE

Myles Murdock provided a brief update on the Goderich Intake where the town has added significant protection for the water treatment plant as well as several shoreline restoration projects needed along the road for the intake. In spring 2020 \$1,400,000 had been spent on these projects, and approximately \$100,000 more will be needed to complete the work. John Graham noted that some of the issue may be from water running down over the banks and flooding along the road. There was some discussion regarding the high lake levels and the possibility of it affecting the intake and surrounding infrastructure. It was noted that the deeper water does help the raw intake pumps. Additionally, the harbour break walls are still functioning well and calming the water, even though they look too low. However, if high lake levels continue, it might be necessary to add extra height onto the break walls in the next 10 years

PROPOSED AMENDMENTS TO DIRECTOR'S TECHNICAL RULES

Donna Clarkson, Mary Lynn MacDonald and Aaron Clarke presented the updates to the Director's Technical Rules. The MECP is proposing to update the technical rules for assessing source protection vulnerability and risks under *the Clean Water Act, 2006*. The updates have been posted on the Environmental Registry Board of Ontario for a 90-day comment period, ending November 9, 2020. The purpose of the proposed amendments is to provide more consistency with other Provincial Regulations, to reduce administrative burden and allow flexibility to do technical work while maintaining rigour, to support the draft Ontario Environment Plan, and to support the source protection plan updates under Section 36.

Drinking Water Source Protection staff members highlighted the proposed changes that were most likely to affect the Ausable Bayfield Maitland Valley region. A number of changes fall under the Technical Rules regarding the delineation of vulnerable areas and methodology. Under surface water vulnerability, proposed changes may refine the Intake Protection Zone 1 (IPZ-1) to capture surface water features, such as ditches, and allowing for multiple threat scores in IPZ-2. However, as our scores are low, they are unlikely to be affected. There is also a proposed option to change the methodology for calculating impervious surface. This value can be assessed in a vulnerable area as a whole, or in a sub-area within the vulnerable area. The original methodology used a grid system. This could be a relevant change, as the threshold to identify salt application threats is proposed to drop from 80% down to 30%. Staff are not proposing a change in methodology at present. Finally, there is a change to the methodology to Issue Contributing Areas (ICA). As there is no ICA in our region, no impact is anticipated.

Other proposed amendments to the Technical Rules apply to the threat circumstances. These changes propose to align the definitions of prescribed drinking water threats with other provincial regulations. For threats related to salt application and storage, fuel and snow storage, the hazard ratings are lowered. To address implementation challenges for DNAPL threats, they are proposing to use a list of land use activities that may use, handle or store DNAPLs.

Some discussion points regarding the proposed amendments included that there needs to be some clarification as to whether some of the amendments are optional or mandatory. If optional, there is some concern that this will create inconsistencies across the province and within the Source Protection Regions. If the amendments are approved, there will be substantial changes to the Ausable Bayfield Maitland Valley Source Protection Region. Additionally, the proposed new Rules will result in additional policy review under the Section 36 work plans. Additional clarification of the proposed threat circumstances is needed to fully realize their impact, as some thresholds have been reduced significantly and may be difficult to implement (*i.e.* salt storage and snow storage).

The proposed amendments will identify a greater number of significant threats to drinking water, which will result in additional Risk Management Plans. This could create a financial burden for some municipalities. Timelines for compliance with the new Technical Rules are unclear at present. As these changes come into effect, there will be a need for additional work within the source protection regions. Source Protection Regions will need ongoing funding from the province to maintain the program.

Staff provided information on making comments on the EBR, and noted that staff will be commenting through Conservation Ontario. The SPC agreed that they would let staff make comments on their behalf.

LIAISON UPDATES

Brian Horner, liaison for Ausable Bayfield Conservation Authority, informed the Committee that Judith Parker, Corporate Services Coordinator for the ABCA, retired after 32 years with the ABCA. Abigail Gutteridge is the new Corporate Services Coordinator, and Recording Secretary for the Committee.

Lori Holmes, liaison for the Huron Perth Health Unit, noted that the Health Unit has been very busy dealing with the effects of the current health pandemic. She also informed the Committee that the HPHU has lifted the weekly raw water sampling program at the Dungannon Well.

Chair Pearson welcomed Deborah Balika to the meeting who is replacing Chitra Gowdra as Source Protection liaison for Conservation Ontario. She noted that when the proposed amendments to the Technical Rules are approved, there will be discussions regarding the financial implication of the changes.

NEXT MEETING

The next meeting is scheduled for Wednesday, November 25, 2020. This meeting will be held in the afternoon. The final meeting for the fiscal year is planned for March 24, 2021.

30 September 2020 Source Protection Committee Minutes

ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Matt Pearson
Chair

Abigail Gutteridge
Recording Secretary