

SOURCE PROTECTION COMMITTEE MEETING MINUTES

May 2, 2018

White Carnation, Holmesville

MEMBERS PRESENT

Bruce Godkin, Karen Galbraith, Kerri Ann O'Rourke, Keith Black, Mary Ellen Foran, Ian Brebner, Jennette Walker, Matt Pearson, Don Jones, John Graham, Bert Dykstra

LIAISONS PRESENT

Ausable Bayfield SPA Liaison - Brian Horner
MOECC Liaison Officer – Olga Yudina

MEMBERS ABSENT

Gerry Rupke, Philip Keightley, David Blaney, Mark MacKenzie, Myles Murdock

LIAISONS ABSENT

Maitland Valley SPA Liaison – Phil Beard
Health Unit Liaison – Jean-Guy Albert

DWSP STAFF PRESENT

Donna Clarkson, Tim Cumming, Mary Lynn MacDonald, Elizabeth Hawkins

CALL TO ORDER

Chair Matt Pearson welcomed everyone to the meeting and called the meeting to order at 9:03 a.m.

AGENDA

The agenda for May 2, 2018 was approved by Consensus.

APPROVAL OF MINUTES

MOTION #SPC: 2018-05-01

Moved by Don Jones
Seconded by Jennette Walker

“That the SPC minutes from March 28, 2018 be approved as presented.”

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

Belgrave well Update - Donna attended a public meeting for the rezoning of a property in Belgrave which falls within the Belgrave WHPA. Council deferred the rezoning decision until more information was available and the concerns of the community had been addressed. Council's decision was based in part upon a recommendation by a County planner.

DECLARATION OF PECUNIARY INTEREST

None

CORRESPONDENCE

- a) Copy of the correspondence received from Heather Malcolmson, Director of the Source Protection Programs Branch, to SPC Chairs, Project Managers and Conservation Ontario stating that two regulatory Decision Notices were posted to the Environmental Registry. Decisions will take effect July 1, 2018 which will require new or expanding municipal systems to have source protection plans in place before providing water to the public, and that hydrocarbon pipelines be assessed and policies developed if needed.
- b) Copy of the Hydrocarbon Pipeline Table of Circumstance from the Regulatory Decision.
- c) Questions and Answers for EBR Decision Notices April 5, 2018. Additional information received in a Question and Answers format in regards to the Amendment to the *Clean Water Act, 2006* and new regulation under the *Safe Drinking Water Act, 2002*.
- d) Minister's reply to SPC engagement funds – Copy of email correspondence from Chris Ballard, Minister to Matt Pearson, Chair thanking the Ausable Bayfield Maitland Valley Source Protection Region for its letter regarding ongoing support, and acknowledging that funding will continue in order to support source protection authorities.
- e) Acknowledgement receipt of Annual Report – Copy of correspondence from Heather Malcolmson, Director of the Source Protection Programs Branch to Donna Clarkson acknowledging that the 2017 annual progress report was received by MOECC.

SECTION 36 REVIEW WORKPLAN DISCUSSIONS

Mary Lynn opened the workplan discussions by providing information on the Source Protection Plan review process. Review of the SPP is required after 5 years as part of the Approval of the Plan. The review process will take up to 2 years and require and require approval from MOECC. Contents of the workplan such as a list of items that the SPC would like to review/modify are to be submitted to MOECC by November 30th 2018. The SPC will meet again on May 30th (9am-12pm), and again on September 26th. As part of the consultation for the workplan, Mary Lynn and Donna will be meeting with municipal staff and water operators at two municipal meetings: May 16th in Clinton and May 17th in Listowel. Mary Lynn and Donna will engage MVCA and ABCA staff during a technical meeting in May, and in June they will meet with Huron County planners. Meetings with the various stakeholders/sectors will occur between June and September. SPC reps can attend these meetings at their discretion. SPA staff will contact municipalities in our region that do not currently provide municipal water to determine if there are any plans for new municipal wells or intakes, which would require inclusion in the SPP. Discussions will largely focus around gaps in SPP policies, new technical work, and new threats to be addressed. Once the workplan is approved in 2019 then budget and timelines will be determined.

Topics that could be addressed under a Section 36 review: Results of Environmental Monitoring Programs, Growth and Infrastructure Changes, Council Resolutions (New Systems), Policy Effectiveness, Prohibition Policies of Agricultural Activities, Implementation Challenges, Technical Rule and Regulation Changes.

Results of Environmental Monitoring Programs

1. Trends in Water Quality Parameters – water quality at wells may need to be looked into to determine if there are ongoing trends such as increases in nitrate or sodium. Elevated nitrate and sodium levels may require policies to deal with the increasing trend. Health Unit may need to be contacted to determine if policies around pathogens such as E. coli are warranted.

Growth and Infrastructure Changes (eg new wells)

1. New or expanding water systems – Palmerston drilled a new well and a new WHPA delineation is required. Funding availability for future delineations is unclear.
2. Communal systems to become municipal systems – a discussion with Central Huron may be warranted in regards to Bluewater Beach (not currently a municipal well).
3. Impact of Growth – new subdivisions in Listowel, Blyth, Atwood, and Clinton could affect WHPA delineations if new pumping wells are to come online.

Council Resolutions (New Systems)

None

Policy Effectiveness

Policy gaps

1. Pipeline policy – Required. Hydrocarbon pipelines are a new threat activity as per the CWA. Policy could focus on emergency response and spills planning.
2. ASM, NASM policies – The current SPP does not have a policy that requires OMAFRA to submit a report. ASM and NASM information within WHPAs are unavailable due to this reporting gap. A policy that requires reporting from MOECC and OMAFRA may be required. Some SPRs have reporting policies such as this, and a look into their policy wording may be warranted.
3. Education and Outreach in IPZ – There is limited engagement with people in an IPZ because no policies apply (due to low vulnerability score) despite the large number of households supplied by water from Lake Huron. Further policies for IPZs may be warranted (see Technical Rules – Goderich Intake).
4. Education and Outreach policies – A long term E & O policy, one that occurs every 5 years, could be beneficial.

Effectiveness of current policies

5. Salt policy – Under C. 8.2 municipalities ask commercial businesses to develop and/or have salt management plans. This policy warrants review to determine if it is effective.
6. Fuel – Revisit residential and commercial policy.
7. Septic Systems – Review policies that apply to septic systems in a WHPA A.

8. Prohibition vs RMP – Prohibition may not be the best course of action in regards to DNAPLs. Risk Management Plans require owners to work with RMOs which in turn allows RMOs to do some E & O. Revisit the prohibition of DNAPLs out to WHPA-C.

Prohibition Policies of Agricultural Activities

1. Prohibition of ASM in WHPA-B – A review is required as per request from OMAFRA.
2. Prohibition of existing storage in WHPA-A– Revisit existing storage in WHPA-A's for new wellheads.
3. Prohibition of future storage in WHPA-B – Similar to above in that future storage in WHPA-B's should be revisited for new wellheads.
4. RMP of ASM application in WHPA B – No change required.
5. Consider new policy for temporary manure storage in vulnerable areas – Possible restrictions on spreading manure in the winter on frozen ground could lead to more temporary storage in the future.

Implementation Challenges

1. Consult with municipalities and other stakeholders
2. Section 59 (Restricted Land Use) – Some are being missed.
3. RMP policy for fuel – Consider policy change to reflect differences in residential and commercial situations.
4. Monitoring – Need NASM information from MOECC.
5. Training for provincially licensed operations – Need more training for nutrient and pesticide applicators
6. Timeline of policies – This was addressed under the Section 34 amendment which changed the timeline from 3 years to 5 years.

Technical Rule and Regulation Changes

1. New threat liquid hydrocarbon pipeline – Addressed earlier.
2. Exemption for future policies – Consider removing airport policy as it is unlikely there will be any international airports coming to this area.
3. Surface water vulnerability – Revisit the Goderich Intake.
4. Local climate change vulnerability – New tool being developed.
5. Delineating private vulnerable population wells – Information on the number of and location of private wells used by vulnerable populations is needed.
6. Goderich Intake – There is the potential to revisit the Goderich Intake due to some changes in the Technical Rules, as well as conduct some E & O. Other SPRs are looking into determining new vulnerability scores. The salt mine in the Goderich IPZ could pose a fuel threat rather than a salt threat.

Other

1. Re-organize SPP – SPP can be consolidated in size by removing triplication in threat policies that are the same for residential, commercial, and industrial.
2. Tier 3 Water Budget – Peer Review member Alec Scott from ABCA recommended that SPAs be notified of Permits to Take Water.
3. Update of AR: Sinkholes and HVAs – It may be worth pursuing and updating HVAs.

4. Effective Porosity for Varna and Ripley – More work needs to be done to determine the influence of the porosity value when delineating WHPAs. This needs to be done with help from MOECC in terms of technical information.

OTHER BUSINESS

Articles from the Ontario Farmer and Rural Voice were distributed as they discuss Source Water Protection. This was for the members' information only.

Liaison Updates

Brian Horner – No report.

Olga Yudina – Regulatory decisions will come in effect July 1 2018.

NEXT MEETINGS

- May 30, 2018 at 9:00 am - s.36 SPP Review Work Plan workshops
 - Next meeting has been extended by 1 hour and will go until 12pm to discuss the items/policies that will be included in the workplan.
- September 26, 2018 – SPC meeting

All meetings will be at the White Carnation, Holmvesville.

ADJOURNMENT

The meeting was adjourned at 11:02a.m.

Matt Pearson
Chair

Elizabeth Hawkins
Recording Secretary