



SOURCE PROTECTION COMMITTEE

September 14, 2016

White Carnation, Holmesville

MEMBERS PRESENT

Keith Black, David Blaney, Ian Brebner, Bruce Godkin, John Graham, Don Jones, Mark McKenzie, Myles Murdock, Kerri Ann O'Rourke, Gerry Rupke, Matt Pearson, Rowena Wallace, John VanderBurgt

LIAISONS PRESENT

Ausable Bayfield SPA Liaison, Brian Horner
Maitland Valley SPA Liaison, Phil Beard

MEMBERS ABSENT

Karen Galbraith, Philip Keightly
MOECC Liaison
Health Unit Liaison, Jean-Guy Albert

DWSP STAFF PRESENT

Jenna Allain, Donna Clarkson, Tim Cumming, Mary Lynn MacDonald, Rob Carnegie, Judith Parker

APPOINTMENT OF CHAIR

Jenna Allain, Program Supervisor advised that the ABMV SPC is awaiting correspondence on the formal appointment of Matt Pearson as Source Protection Chair. For this meeting the committee needs to appoint an Acting Chair.

MOTION #SPC: 2016-09-01

Moved by Gerry Rupke
Seconded by Don Jones

That Matt Pearson be appointed Acting Chair for the Source Protection Committee meeting on September 14, 2016.

Carried by Consensus.

CALL TO ORDER

Acting Chair Matt Pearson called the meeting to order at 9:35 a.m. and welcomed everyone attending.

AGENDA

MOTION #SPC: 2016-09-02

Moved by John VanderBurgt
Seconded by David Blaney

That the agenda be approved as presented.

Carried by Consensus.

APPROVAL OF MINUTES

MOTION #SPC: 2016-09-03

Moved by Mark McKenzie
Seconded by Rowena Wallace

That the SPC minutes from March 9, 2016 be approved as presented.

Carried by Consensus.

BUSINESS OUT OF THE MINUTES

None

DECLARATION OF PECUNIARY INTEREST

None

CHAIR'S UPDATE

1. Matt Pearson and Jenna Allain attended the Chairs' Meeting in Toronto. The Province is reviewing the source protection project for moving forward. The Chairs were asked for input on where they envision the program going.
2. Teresa McLennan has received a promotion and will no longer be attending the SPC meetings as MOECC liaison. There are a number of staffing changes going on in MOECC currently. Eight Chairs are being replaced across the regions and the term has been increased from five years to eight.
3. The Chairs continue to encourage MOECC to include schools and public buildings on private well systems in the DWSP program.

PROGRAM UPDATES

Jenna Allain, Program Supervisor provided some updates from the provincial level. MOECC is providing some clarification on DNAPL threats and determined that aerosol is not a DNAPL. A guidance document for Planning Staff has been provided. Donna Clarkson and Jenna have reviewed the document and found it helpful. There has been no response yet on the comments submitted regarding technical rules that were minor.

A Surface Water Working Group was created to look at revisions to the program on a regional basis. A representative from Saugeen-Grey-Bruce is on the regional team. This may evolve into a groundwater working group.

MOECC emailed every municipality asking about fuel storage near municipal well systems. This can be a significant drinking water threat and will need a RMP for the well supply. ABMV has one of these situations and management for the fuel could be incorporated into a permit for the municipal well. Working with the municipality is always an opportunity for education on DWSP.

New Wellhead Protection Area Delineation in Blyth

A new well was drilled in Blyth and is to go into production at the end of 2016. Waterloo Numeric Modelling Corporation completed the model for the new well and re-delineated the WHPA. Consultation will be done with the Blyth residents. In the 2017-2018 work plan/budget, funding will be requested to update the SPP and include the Blyth well. The number of RMPs and significant threats have not changed with the new delineation and assessment of drinking water threats.

John VanderBurgt commented he has had conversations with turbine landowners who have had deep wells go bad with sediment. He questioned whether this will be an issue for current and any future wells around windfarms. It was noted that the province is changing the limit for arsenic from the provincial standard to matching the federal standard.

Varna Wellhead Protection Area Delineation Project

There has been an overall budget decrease across the province of \$2M. This was felt by the ABMV region, however MOECC did fund the Varna wellhead protection area delineation project. Matrix Solutions Inc. had the lowest bid for developing the groundwater flow model in the study area. The final report with the WHPA delineated and the vulnerability scoring is expected by year end. It is hopeful the Municipality of Bluewater will take over the well at the end of 2016.

Source Protection Plan Amendment

A Section 34 amendment to the source protection plan will be undertaken upon completion of the technical work for the new well system in Varna. The Blyth WHPA delineation will also be included in the amendment. Discussion was held on some other items for consideration in the SPP amendment.

1. Benmiller – A former well was decommissioned and the monitoring well is now the primary well. This has shifted the delineation boundary to affect new properties. There is no funding available for remodeling the groundwater.

MOTION #SPC: 2016-09-04

Moved by Gerry Rupke
Seconded by David Blaney

That the Source Protection Committee approve shifting the new delineation boundaries of the WHPA for the primary well in Benmiller and,

Further, That the appropriate consultation be carried out with affected property owners and,

Further, That this revision be included in the Source Protection Plan amendment.

Carried by Consensus.

2. Molesworth – A well was drilled in 2010 which has changed the boundary of the WHPA.

MOTION #SPC: 2016-09-05

Moved by Keith Black
Seconded by Don Jones

That the Source Protection Committee approve shifting the delineation boundaries of the WHPA for the new well in Molesorth and,

Further, That the appropriate consultation be carried out with affected property owners and,

Further, That this revision be included in the Source Protection Plan amendment.

Carried by Consensus.

3. Palmerston – A backup well was drilled in 2013 which expands the delineation boundary. The SPC decided to leave this item for now.

Tier 3 Water Budget

The Tier 3 Water Budget local area risk assessment for Century Heights Municipal Drinking Water System has been an ongoing issue for years. Efforts to complete the modelling components of the assessment were continually delayed and never completed. The Director of the Source Protection Programs Branch granted approval in July 2015 for an alternate approach to completing the assessment. A final technical report could be prepared by SPA technical staff detailing all of the available data, information, and rationale for why a low water quantity risk is assumed. SPA staff worked on completing the final report for approval from the project peer review committee and final submission to the Province. However, staff recently learned that under the *Clean Water Act's* Technical rules the report must be authored by a Professional Geoscientist. Matrix Solutions Inc. agreed to author the report and are preparing a quote for the work. MOECC have agreed to cover the additional cost.

Implementation Funding

DWSP staff have been working closely with municipal staff to support them with their implementation responsibilities. The funding must be spent by March 2017. There is consideration being given to including drinking water threats in municipal emergency response plans. Municipal meetings are scheduled for September and October to discuss implementation progress, challenges and successes.

Stewardship Funding Survey

The province is considering reinstating the stewardship program. The Source Water Protection Joint Advisory Committee has been tasked to develop a strong rationale for a targeted stewardship program. In a January 2016 survey, conservation authorities identified that programs vary widely across the Province. A subsequent survey in September will be sent to nineteen SWP project managers for participation on a region basis. The purpose of the survey is to confirm priority activities to be addressed locally; inform a stewardship program gap analysis and identify barriers to landowners implementing best management measures to address priority activities.

RISK MANAGEMENT OFFICIAL REPORT

Mary Lynn McDonald, RMO calculated there are 150 properties needing a Risk Management Plan and after the first year there are 35 signed RMP and 15 prohibition agreements. She is providing support to other Source Protection Regions that have been approved and in the implementation phase. A working group has been set up for RMOs to meet. There isn't a large quantity of DNPLs in the ABMV region.

A property owner with a Nutrient Management Strategy was considering a new building so met with RMO to discuss a RMP or an exemption because of the NMS. OMAFRA is not prepared with answers for this type of consideration under the DWSP program. There is no training for Certified Crop Advisors so Saugeen is initiating training. It is a struggle to get training for individuals responsible for on-the-ground delivery.

Staff attended a fertilizer program where a new standard was promoted to the ag industry. Surface water contamination and source water protection were included.

Real estate agents and lawyers are calling for source protection information. New aerial mapping is being sent out to municipalities and signage will be pushed when visiting the municipalities this fall.

Lunch was served at 12:10 p.m. and the meeting reconvened at 1:00 p.m.

SECTION 59 REPORT

Jenna Allain gave background on Section 59 which is the restricted land use tool for municipalities to assist with the implementation of the other Part IV tools (s. 57 prohibition and s.58 risk management plans). Section 59 ties the source water protection policies to the planning approvals process. Applications are screened by municipalities to determine if they require review by the RMO. At the last SPC meeting the committee endorsed an approach allowing a regulation under clause 55(1) of the *Clean Water Act* describing the types of applications that the RMO would review. To date, no regulations or by-laws have been made in the ABMV region. Minto has not moved forward with a by-law because of legality concerns and would rather see the SPP policy amended first. It was recommended the SPC revise Section 59 when amending the SPP.

The current Section 59 policy wording is:

In accordance with Section 59(1) of the *Clean Water Act*, ll land uses set out within the official plans or zoning by-laws for the municipalities where this Source Protection Plan is in effect, are designated as restricted land uses in all areas where designated threats are or would be significant. In effect, a person shall not construct or change the use of a building in any location, or make an application under the *Planning Act* or *Condominium Act* where Section 57 (Prohibition) or Section 58 (Risk Management Plan) applies unless the risk management official issues a notice under s.59 to the person.

MOTION #SPC: 2016-09-06

Moved by David Blaney
Seconded by Kerri-Ann O'Rourke

That the Source Protection Committee approve the recommendation to review the existing section 59 policy and add the following wording: Despite the current policy, a Risk Management Official may issue written direction specifying the circumstances under which a planning authority or building official may be permitted to make the determination that a site specific land use is not designated for the purposes of Section 59. Where such direction has been issued, a site-specific land use that is the subject of an application for approval under the *Planning Act* or for a permit under the *Building Code Act* is not designated for the purposes of Section 59, provided that the planning authority or building official, as the case may be, is satisfied that: (i) the application complies with the circumstances specified in the written direction from the Risk Management Official; and (ii) the applicant has demonstrated that a significant drinking water threat activity designated for the purposes of Section 57 or 58 will not be engaged in, or will not be affected by the application."

Carried by Consensus.

EDUCATION & OUTREACH CURRICULUM UPDATE

Tim Cumming reviewed the various education and outreach tools used to compliment the policy tools in support of risk management.

- Spills prevention kits to management fuel storage threats
- Education in the school curriculum
- www.protectwater.ca has been created along with an online exam
- The video for the industry sector is 95% done

CORRESPONDENCE

None

LIAISON UPDATES

None

NEXT MEETING

The next meeting will be in March 2017.

ACKNOWLEDGEMENT

Jenna Allain made a presentation to retiring Chair Larry Brown who was appointed nine years ago when the DWSP program began and Source Protection Committee formed. He has attended countless SPC meetings, open houses and Chairs' meetings. Larry responded that he has enjoyed working with the committee and is proud to be a part of the progress made and the success of the plan moving forward.

ADJOURNMENT

The meeting was adjourned at 2:05 p.m.

Matt Pearson
Acting Chair

Judith Parker
Recording Secretary