

**SOURCE PROTECTION COMMITTEE MEETING MINUTES**  
**May 27, 2020**  
**Electronic Meeting via Zoom**

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

None

**MEMBERS OF THE PUBLIC**

Andrew Henry  
Emily Vandermullen, RMI Wellington

**LIAISONS PRESENT**

Ausable Bayfield Source Protection Authority (SPA) Liaison - Brian Horner  
Maitland Valley Source Protection Authority (SPA) Liaison – Phil Beard  
Ministry Environment, Conservation and Parks Liaison Officer – Tea Pesheva

**LIAISONS ABSENT**

Health Unit Liaison – Lori Holmes

**DWSP STAFF PRESENT**

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

**CALL TO ORDER**

Chair Matt Pearson called the meeting to order at 9:32 a.m. Matt acknowledged that this was the first Source Protection Committee (SPC) meeting to be held virtually due to the social restrictions in place during the current pandemic. He went over a few housekeeping details in relation to voting on motions and discussions. He welcomed our new Source Protection Committee members joining for the first time; Rowland Howe (Industry) and Alyssa Keller (Public-at-Large). He also acknowledged our new provincial liaison Tea Pesheva and welcomed Andrew Henry, Director, of Regional Water Supply, Lake Huron & Elgin Area Water Supply Systems who was presenting later in the meeting.

**AGENDA**

MOTION #SPC: 2020-05-01

**“That the agenda be approved as presented.”**

Carried by Consensus.

**APPROVAL OF MINUTES**

MOTION #SPC: 2020-05-02

Moved by Dave Frayne  
Seconded by Bert Dykstra

**“That the SPC minutes from November 22, 2019 be approved as presented.”**

Carried by Consensus.

**BUSINESS OUT OF THE MINUTES**

None

**DECLARATION OF PECUNIARY INTEREST**

None

**RULES OF PROCEDURE**

Mary Lynn MacDonald, Co-Program Supervisor, presented a new amendment to the Rules of Procedure regarding full electronic meetings in an emergency. She noted that the Rules of Procedure amended in November 2019 only included joining via teleconference call if the weather was inclement. The amendment was required to proceed with the SPC meeting.

MOTION #SPC: 2020-05-03

Moved by David Blaney  
Seconded by Jennette Walker

**“That the amendment to allow for electronic Source Protection Committee meetings in emergencies be added to Governing Rules of Procedures, Code of Conduct and Conflict of Interest document.”**

Carried by Consensus.

**CHAIR’S UPDATE**

Chair Matt Pearson provided an update from the provincial Chair’s Meeting held on May 26, 2020. The Source Protection Information Atlas has been updated and committee members are encouraged to look at the site. Many of the 2019 Annual Progress Reports, which Source Protection Regions must submit by May 1st, have been delayed due to the pandemic. An extension for submission was granted up to July 1, 2020 for some regions including the Ausable Bayfield Maitland Valley Source Protection Region (ABMV SPR). Matt noted that where the various provincial ministries were required to report on Significant Drinking Water Threats, they have completed 99% for this year. Matt highlighted the current pandemics implications for sector engagement but encouraged members to sit in on virtual meetings where possible in order to promote education and outreach for Source Protection. The province is in the process of approving 2020-2021 budgets for all regions. During the update, the Matt was asked by an SPC member about his renewal as Chair, set to expire in August 2020, however at this time, Matt does not have more information on his re-appointment.

## **CORRESPONDENCE**

Quinte Region Source Protection has circulated an information letter drafted by their SPC to Minister Yurek, MECP. A survey had been circulated for the public to provide comments on various aspects of Conservation Authorities and Quinte Region SPC felt that a letter addressing additional concerns was warranted to further highlight the important holistic watershed work that Conservation Authorities do which also source protection efforts. A second letter from Lake Erie Source Protection Region was requesting resolutions of support for the recommendations presented in the report *Winter Maintenance Chemicals: Challenges and Opportunities*. The report provides an overview of the ongoing issues associated with over-application of winter maintenance chemicals, trends in the Lake Erie Source Protection Region, recommended actions, increased requirements for applications to parking lots, liability issues and changes to the Clean Water Act, 2006 framework. The report was missing from the SPC package and committee decided to defer the decision on a resolution until next meeting.

## **PROGRAM UPDATE**

Mary Lynn MacDonald provided a program update for SPC members:

### Source Protection Committee (SPC) Membership

On November 27<sup>th</sup>, 2019 the Joint Management Committee held interviews for the vacant Public-At-Large position. On December 18<sup>th</sup>, 2019 Ausable Bayfield Source Protection Authority (ABSPA) meeting, Alyssa Keller was appointed. The ABSPA appointed Rowland Howe as Industry representative on February 20<sup>th</sup>, 2020. Tea Pesheva is the new MECP liaison.

### 2020-2021 DWSP Workplan and Budget

The draft 2020-2021 Workplan and Budget was submitted and reviewed by the province. MECP did not agree to support a staff increase to deal with the anticipated changes and workload for the Director's Technical rules. A revised budget for 2 FTE (full time equivalent) staff members plus other adjustments was submitted. MECP sent a draft Transfer Payment Agreement (TPA) in April for 1.95 FTE staff and other non-staff budgets. The final agreement from MECP is pending.

### Phase II Technical Rules Update

On November 29<sup>th</sup>, the Source Protection Branch of the MECP met with stakeholders to discuss proposed amendments to Phase II of the Director's Technical Rules. DWSP staff plus SPC members Allan Rothwell, Jennette Walker, and Matt Pearson attended the meeting. The proposed changes most likely to have an impact on the local policies for ABMV SPR are: surface water vulnerability, an alternative approach to determining impervious surface percentages for salt application, climate change risk assessment, and threat circumstance changes. It is anticipated that the Phase II Technical Rule changes will be posted for up to a 90-day comment period later in the summer.

### SWP Guidance for Non-Municipal Systems

In 2019, the Canadian Environmental Law Association (CELA) wrote a letter to MECP requesting that non-municipal water systems be covered in the Clean Water Act.

MECP is developing a guidance document for non-municipal drinking water systems to provide guidance for these systems.

#### Climate Change Tool Training

DWSP staff and municipal staff from Huron East used the Seaforth well in a pilot project with Conservation Ontario to test a newly developed Climate Change Tool. Following revision to the tool to include recommended changes from the pilot studies, training for other DWSP staff, municipal staff, local consultants, and water operators was offered on January 24<sup>th</sup>, 2020. It is anticipated that the tool will be used for assessing climate change vulnerability of municipal wells. Municipal staff and water operators thought the tool would also be useful for MECP required risk assessments as well as planning for future infrastructure.

#### Risk Management Activities

Threat assessments for properties added from the Section 34 amendment in 2019 have been completed. Since April 2015, 99 RMPs have been completed. As per the Source Protection Plan timeline policy, all RMPs were to be completed by April 1<sup>st</sup>, 2020. However, MECP has indicated that an extension can be requested due to COVID-19 restrictions. Most RMPs that were not completed were those that addressed DNAPLs. One RMP may require an Order, however, this cannot be issued until the Provincial Declaration of Emergency has been lifted.

#### Municipal Meetings

Staff were able to meet with most municipalities for their annual program update prior to COVID-19, and met new municipal staff, answered questions, and discussed potential well changes. Some municipalities indicated that they would not meet the policy requirement of incorporating source protection in their official plans by the April 1<sup>st</sup>, 2020 deadline.

#### Policy Timeline Challenges

The emergency measures enacted by the province during this pandemic have delayed the completion of a few RMPs and open houses necessary for Official Plan reviews and updates. DWSP staff will be asking for an extension on policy implementation deadlines from MECP.

MOTION #SPC: 2020-05-04

Moved by Philip Keightley  
Seconded by John Graham

**“That the ABMV SPC endorses staff to request an extension of one year from MECP for some policy deadlines to allow municipalities and Risk Management Officials time to complete their work, particularly in light of the global pandemic.”**

Carried by Consensus

#### **SPP IMPLEMENTATION MONITORING SUMMARY REPORT/RMO REPORT**

Donna Clarkson, Co-Supervisor, provided a summary on the implementation of Source Protection Plans (SPPs) for the 2019 reporting period. For each significant threat policy in the Source Protection Plans, there is a corresponding monitoring policy. Municipalities, provincial

ministries, conservation authorities and source protection authorities must submit progress reports relating to policy implementation every year.

#### Implementation of Part IV Policies, Risk Management Services

The Town of Minto continues to retain their Part IV authorities and delivers its risk management services through their Risk Management Officials. In 2019, Minto issued nine development review notices under Section 59, completed four RMPs with 11 in progress, and no orders were issued. For Ausable Bayfield CA, which offers Part IV services on behalf of 8 municipalities in the ABMV region, 50 development review notices under Section 59 were issued in 2019, 16 RMPs were established, and no orders were issued.

#### Education and Outreach Policies

Education and Outreach policies were successfully completed in the first year of SPP implementation. Staff continue to promote source water protection via news releases, social media, print and broadcast media, as well as websites. In 2019, the sourcewaterinfo website received 8,600 page views and 6,800 unique views. Numerous social media posts were used throughout the year to raise awareness. Conservation Educators from the Ausable Bayfield SPA have incorporated drinking water source protection messaging into their Grade 8 water systems program.

#### Municipal Reporting

SPA staff provided a template to all member municipalities to report on policies by Feb. 2020 where they are named the implementing body:

#### *SPP Planning Policies*

Several municipalities have updated their zoning by-laws and official plans to include source protection policies with the remaining municipalities indicating that updates to planning documents should be completed in 2020 or 2021.

#### *Mandatory Sewage Inspection Program*

Across the ABMV region, 215 on-site septic systems require inspection. This includes the additional Varna properties that were added to the SPP via the 2019 Section 34 amendment. To date, 212 inspections have been completed. Two systems did not pass the Phase 1 inspection and required replacement, and five systems required minor repairs.

#### *Other Policies (Non-Significant Threat Policies)*

None of the member municipalities have indicated their intent to implement the non-binding policy, “Best Management Practices for Road Salt Handling, Storage and Application”. Several municipalities have updated their emergency preparedness plans to include information on source protection. A total of 88 Drinking Water Protection signs have been installed.

#### Provincial Implementation: Prescribed Instrument Policies

Prescribed Instrument policies use provincially issued documents to address potential significant drinking water threats through their licensing and approval process. Ministries use these approvals and permits to screen for significant drinking water threats.

The MECP reports that zero new waste disposal site approvals or wastewater/sewage works applications were required to be screened for drinking water threats. A review of all previously existing ECAs is complete with nine being identified as significant drinking water threats.

Although not named as an implementing body for any ABMV policies, OMAFRA has indicated that they are screening for vulnerable areas when reviewing Nutrient Management Strategies and NASM plans (not Nutrient Management Plans) and adding conditions if necessary.

There were no policies where MMAH; MTO or MNRF were named as the implementing bodies.

### **3<sup>rd</sup> ANNUAL PROGRESS REPORT**

Donna Clarkson presented the draft annual progress report (Jan. 1 – Dec. 31<sup>st</sup> 2019) for the ABMV SPR. As per the Clean Water Act, SPAs provide standardized annual reports to the MECP on the success of the source protection program and the implementation of local Source Protection Plans. The SPC must provide written comment to the SPA about the extent to which the committee feels the objectives are being met which are included in the annual report. A summary of the progress thus far:

*Policy Implementation* – 93% of Significant Drinking Water Threat policies implemented

*Municipal Progress* – 8 of 13 municipalities official plan updates complete

*Septic Inspections* – 99% completed

*Risk Management Plans* – 20 RMPs completed in 2019; 99 RMPs completed since 2015

*Provincial Progress* – No change from last year's annual report

*SWP Awareness* – No change; Education efforts are ongoing

Overall progress was rated as 'Progressing Well'.

By consensus, the following comments from the SPC members will be included in the annual report.

*The Source Protection Committee (SPC) worked diligently for several years to develop the Source Protection Plans for our region. Following approval of these plans in 2015, the SPC has focused on tasks related to Plan implementation and future amendments. This includes assessing progress made by stakeholders in implementing the Plan policies, identifying areas of improvement, and overseeing technical updates and amendments.*

*The SPC for the ABMV Source Protection Region reviewed the implementation results, noting that significant progress has been made since the Plans came into effect in 2015. As the majority of the source protection plan policies have been implemented, the SPC decided that the objectives of the SPP are "Progressing Well/On Target"*

MOTION #SPC: 2020-05-05

Moved by Ian Brebner

Seconded by Myles Murdock

**“That the SPC endorses the Annual Progress Report as presented, with ranking score of ‘P: Progressing well - On target’. Further, the SPC approves the SPC comments on the annual report as drafted, and direct staff to submit those comments to the Source Protection Authorities for inclusion in the ABMV Annual Progress Report submission.”**

Carried by Consensus.

## **DUNGANNON AND GODERICH MUNICIPAL WATER SUPPLY UPDATE**

### Dungannon Municipal Well

John Graham, Regional Manager, Veolia and SPC Environment representative, provided an update on the Dugannon municipal well which Veolia operates. Naturally occurring arsenic levels in Dugannon water supply have been over the drinking water standards since a provincial lowering of allowable concentrations. One well in Dugannon had already been decommissioned due to high arsenic. ACW and Veolia have looked at various options for water supply to the community including working with the Walkerton Clean Water Centre on a pilot project to use chlorine to precipitate iron, and therefore arsenic, out of the water. The precipitate is collected using various filters. Filters are costly so a holding reservoir and the slow pumping of water is an option. Meetings with consultants and the Huron Perth Health Unit will happen shortly to decide how to proceed. The municipality will reapply for regulatory relief on the high arsenic levels.

### Goderich Intake

Myles Murdock, Town of Goderich Deputy Mayor and SPC municipal representative, provided an update on the actions being taken along the Goderich shoreline and the water intake. A severe storm in the fall of 2019 and record high lake levels caused severe beach-front damage and threatened the water intake. The storm pushed water over the shoreline reinforcement in front of the water treatment plant, flooding the parking lot, and almost compromising the generator. Goderich initiated an emergency \$1 million remediation plan to create new breakwaters for the water treatment plant and reinforce the surrounding seawalls. Stabilization has been a challenge in front of the water treatment plant due to the lack of land remaining in the area. Storm surges and consistently high levels will continue to be an issue.

### Lake Huron Water Supply

Andrew Henry, Director of Regional Water Supply, Lake Huron & Elgin Area Water Supply Systems, provided an update on the Port Blake intake. Record high lake levels and wave action has caused increased erosion at the toe of the slope in front of the plant. An exposed chamber on the beach was of special concern over the 2019-2020 winter as shoreline ice had the potential to collapse the chamber. In November 2019, armour stone was installed to help alleviate the damage from ice. The chamber did not collapse but more sand and soil were removed further exposing the chamber and the chlorine line to the intake. Approvals are currently being sought from all necessary agencies to implement a protection plan for the chamber, chlorine line and front of the plant, which will include more armour stone and riprap. The cost is estimated at \$1.3 million and they are hoping work can commence this summer before the 2020-2021 winter.

## **POLICY REVIEW: EDUCATION AND OUTREACH**

Donna Clarkson provided an update on the draft policy options for ongoing Education and Outreach (E & O). The committee discussed two wording options presented. Option B was more straightforward, and the 5 year timeline for implementation was preferred. The original E&O policies focused on the first year of implementation would remain in effect.

MOTION #SPC: 2020-05-06

Moved by Allan Rothwell  
Seconded by Philip Keightley

**“That the draft Education and Outreach policy wording, presented as Option B in the report Item 11a – Education and Outreach Policies, be accepted as presented.”**

Carried by Consensus.

### **POLICY REVIEW: ASM POLICY**

Mary Lynn MacDonald provided a review of the agricultural policies. She have noted changes within the agricultural industry and implementation challenges with the policy wording:

- Referencing Prescribed Instruments (PI) for Nutrient Management Plans and Strategies is confusing for landowners and not applicable in many cases especially grazing.
- The original intent of referencing PI’s was to ensure that Risk Management Plans were in line with farm operations that fall under the Nutrient management Act.
- Adverse weather conditions over the last 2 years have seen an increase in temporary field nutrient site. Temporary ASM storage should be specified in the current policy.
- E & O policy for “large” animals is vague and needs more clarification
- The province recently removed the mandatory 5 year renewal of Nutrient Management Strategies. Staff recommend a new policy that requests a 5 year review of any strategies in Wellhead Protection Areas.

Mary Lynn reviewed the nine affected agricultural policies and presented revised wording. Mary Lynn also presented draft wording for a new policy that would require OMAFRA to continue to review, every 5 years, Nutrient Management Strategies in ABMV’s wellhead protection areas.

MOTION #SPC: 2020-05-07

Moved by Bert Dykstra  
Seconded by Mary Ellen Foran

**“That the draft Agricultural policies presented in the report Item 11b – Amendments to Agricultural Policies be accepted as presented.”**

Carried by Consensus.

### **LIAISON UPDATES**



Tea Pesheva (MECP) commented on the Climate Change Tool and anticipates more training will be available in the future. She thanked the SPC for their open discussion and noted that the information is helpful at the Branch level for providing direction on the program's future.

Brian Horner (ABCA) shared that the Conservation Authorities Act review is on hold due to the pandemic. He highlighted a letter undersigned by 100 organizations supporting CA programs that was sent to the province. The letter can be circulated to those who are interested.

Phil Beard (MVCA) also commented on the review of the Conservation Authorities Act and that a provincial update regarding stewardship as a mandatory program was still not forthcoming.

**AGENDA ITEMS FOR NEXT MEETING**

Agenda items can be sent to Mary Lynn before the meeting in September 2020.

**NEXT MEETING**

Tentative ½ day meeting dates for the 2020 fiscal year are: September 30<sup>th</sup>, November 25<sup>th</sup>, and March 24<sup>th</sup> 2021. In-person or electronic meeting format to be determined.

**ADJOURNMENT**

The meeting was adjourned at 11:57 a.m.

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Matt Pearson  
Chair

Elizabeth Balfour  
Alternate Recording Secretary