The following are the minutes of the Lake Erie Region Source Protection Committee meeting held on Thursday, February 5, 2009 at the Grand River Conservation Authority Administration Office, 400 Clyde Road, Cambridge, Ontario.


Members Regrets: P. General, B. LaForme, C. Martin

Proxy Representatives: None

Liaisons: P. Emerson, Source Protection Authority Liaison; L. Ross, Provincial Liaison, Doug Quibell, Public Health Liaison

Region Management Committee: A. Dale, GRCA; C. Evanitski, LPRCA; T. Marks, KCCA, B. Sloat, LPRCA, K. Smale, CCCA


Also Present: R. Bromley, Region of Waterloo Public Health; A. Davidson, County of Brant; B. Davidson, Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Committee Member; J. Godby, Norfolk County; D. Goudreau, County of Oxford; E. Hodgins, Region of Waterloo; S. Kurl, Halton Region; D. Molnar, MOE; L. Stafford, City of St. Thomas; P. Wilson, Haldimand County

1. Call to Order

C. Ashbaugh called the meeting to order at 1:00 p.m.

2. Roll Call and Certification of Quorum – 17 Members Constitute a Quorum (2/3 of members)

The Recording Secretary called the roll and certified quorum.
3. Chairman’s Remarks

C. Ashbaugh welcomed members, staff and guests and noted the following:

- Buck Sloat is the newly elected Chair of Long Point Region Conservation Authority, C. Ashbaugh welcomed and congratulated Buck.

- Lisa Ross is the newly appointed Provincial Liaison Officer for the Lake Erie Region. C. Ashbaugh provided a summary of L. Ross’s background and welcomed her.

- January 8, 2009 the Ministry of the Environment held a Chair’s teleconference regarding the Ontario Drinking Water Stewardship Program. More information on this is provided in Report SPC-02-09-04 Ontario Drinking Water Stewardship Program Review.

- C. Ashbaugh summarized the first year for the Lake Erie Region Source Protection Committee. He stated that the qualifications and experiential background of the members have been contributing factors to the success of the committee. He praised the committee for their effectiveness with collaboration. He thanked both municipal and Conservation Authority staff for their expertise and support. As the program develops, the committee can expect more engagement by the public in the process. C. Ashbaugh suggested that Source Protection Committee consider different formats for meetings, including opportunities for tours and site visits.

4. Review of Agenda

Moved by: D. Parker  
Seconded by: A. Henry  
THAT the agenda for the Lake Erie Region Source Protection Committee Meeting of February 5, 2009 be approved.

5. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest made in relation to the matters to be dealt with.

6. Minutes of Previous Meeting – November 6, 2008

Moved by: B. Ungar  
Seconded by: M. Wales  
THAT the minutes of the previous meeting of November 6, 2008 be approved as circulated.
7. Hearing of Delegations

None

8. Presentations

a) Bruce Davidson, Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Committee Member

C. Ashbaugh introduced Bruce Davidson, Source Protection Committee member in Saugeen, Grey Sauble, North Bruce Peninsula Region. Mr. Davidson is a long time resident of Walkerton. His presentation provided insight into the basis of Source Protection Planning in Ontario and reiterated its importance moving forward.

B. Davidson spoke regarding the importance of well maintenance, water testing, well location, cross municipal cooperation, and cooperation between the municipalities, the Ministry of the Environment and the Health Units to protect drinking water. He provided an overview of the illnesses suffered by those who were exposed to the contaminated water. He summarized by emphasizing the importance of balancing economics with water protection.

D. Parker asked if B. Davidson continues to reside in Walkerton. B. Davidson replied affirmatively stating there is no guarantee that any other small town would be any safer, and he feels his community is worth fighting for.

M. Cecshi-Smith asked if there is a need for improved training for staff responsible for water treatment in small towns. B. Davidson replied that training for municipal water staff has improved tremendously, and he expects it will continue to evolve.

M. Goldberg thanked B. Davidson for his actions and advocating for the need for a public inquiry. B. Davidson expressed thanks to the Canadian Environmental Law Association and Justice O'Connor for their involvement in the promotion and development of the Source Protection Planning program.

9. Correspondence

a) Copied

i) Correspondence from Denise B. Holmes, CAO/Clerk-Treasurer, The Corporation of the Township of Melancthon to Craig Ashbaugh, Chair, Lake Erie Region Source Protection Committee Re: Compensation for Land Use Restrictions due to Source Protection Initiatives

ii) Correspondence from Denise B. Holmes, CAO/Clerk-Treasurer, The Corporation of the Township of Melancthon to Craig Ashbaugh, Chair, Lake Erie Region Source Protection Committee Re: Lake Erie Region Source Protection Committee Position on Compensation
b) Not Copied

None

Res. No. 01-09   Moved by: M. Cecshi-Smith
Seconded by: W. Wright-Cascaden carried unanimously

THAT the correspondence be received as information.

10. Reports

a) SPC-02-09-01  Terms of Reference Update

S. Glauser provided an overview of the Terms of Reference update and invited D. Molnar to provide a status report for the Terms of Reference approval. D. Molnar advised that she has reviewed one Terms of Reference for the Lake Erie Region and anticipates reviewing the remaining three in the coming weeks. After she has completed her review, the Terms of Reference will begin to move up through the various levels of review within the Ministry before being submitted to the Minister with a recommendation. Depending on the complexity of the document, the approval process can take from 1 to 3 months.

Res. No. 02-09   Moved by: D. Murray
Seconded by: J. Harrison carried unanimously

THAT Report SPC-02-09-01 Terms of Reference Update be received as information.

b) SPC-02-09-02  Assessment Report Work Plans

Municipal and conservation authority staff have revisited the technical work plans and timelines since the technical guidance was released. The threats assessment has been completed by the Ministry and is attached to the technical rules in the form of tables. Because the list of threats is 480 pages in its entirety, staff have summarized the significant threats into a document of about 50 pages. These will be posted to the members’ site for reference. Once the vulnerability mapping and scoring is available, the tables will enable staff and landowners to identify whether activities are significant threats.

Consultants are being asked to provide the technical reports in two stages with delivery of the vulnerable area scoring and delineation in their first submission. Staff will arrange for the vulnerable area scoring and delineation to be presented to the Source Protection Committee with background technical reports made available if the committee wishes to review them. It is then proposed the maps will be made available to the public and landowners in the vulnerable areas. This provides the public with additional time to self-identify and ask questions about whether activities on their land represent significant threats.
L. Minshall discussed revised assessment report timelines. MOE staff have clarified that peer review is now only required for vulnerable area delineation and scoring, and is no longer required for the risk assessment. Much of the vulnerability mapping peer review has already been completed. This reduces the time required to review the technical work, and may allow for earlier submission of the assessment reports. L. Minshall proposed to continue having the Conservation Authority technical staff peer review the work. This will allow the work to be presented to the committee as it is completed, and will reduce the amount of time required to assemble and review the complete assessment report. Municipal water services project managers agreed to work towards a June 16, 2010 submission. If the Catfish Creek (Brownsville studies) could be completed early, the Catfish Creek Assessment Report could be submitted ahead of the proposed submission date.

L. Minshall referred to the proposed meeting schedule and suggested that meetings could include tours of local wellhead protection areas, intake protection zones, treatment plants, etc. This may provide some insightful information for members.

D. Parker asked how the timeline is affected if the Ministry doesn't approve the Terms of Reference. L. Minshall responded that the technical studies can proceed without approval of the Terms of Reference. If the Terms of Reference is not approved, it will be sent back for revisions. If the approval of the Terms of Reference is delayed, the deadline for the submission of the Assessment Report will be moved as well, since the deadline is one year after the approval of the Terms of Reference.

D. Parker inquired if there remains an opportunity for inclusion of local knowledge once the technical work is completed. L. Minshall suggested that because many of the studies are being administered by the senior municipal staff there will already be some local knowledge applied throughout the technical work. Further insights, however, would be welcomed. The reports can be made available to members if they would like to review them and provide information back to staff.

J. Oliver asked if the additional technical work resulting from the technical rules is expected to cause further delay. L. Minshall responded that the additional work was already anticipated in the work plans. The core requirements have not changed considerably, just the details. This timeline still proposes an initial submission of an assessment report followed by a later, more detailed submission.

M. Goldberg cautioned against removing the peer review process on the risk assessment. L. Minshall responded that the Ministry of the Environment has already completed the risk assessment for all prescribed drinking water threats in the release of the new technical rules. The 460 pages of tables that accompany the Technical Rules list all of the circumstances under which a prescribed drinking water threat is or would be a significant, moderate or low threat. The tables are part of the Technical Rules, and are law. However, the Committee could add threats that are not listed in the tables, based on the results of the technical studies. For these additional threats, there will be a risk assessment completed and peer reviewed. However, the additional threat will need to be approved by the MOE Director. M. Golberg suggested that because there is professional judgment involved, he still feels peer review is justified.
Res. No. 03-09
Moved by: J. Laird
Seconded by: A. Henry carried unanimously

THAT Report SPC-02-09-02 Assessment Report Work Plans be received as information.

c) SPC-02-09-03 Ontario Drinking Water Stewardship Program Update

T. Ryan provided an update regarding the Ontario Drinking Water Stewardship Program. The Stewardship Program can be delivered in areas where municipalities have either passed a resolution supporting the two-year time-of-travel and Intake Protection Zone 1 for the purpose of program delivery, or if the area is in the municipal official plan. She provided an overview of eligible projects and current funding available. Details are still forthcoming regarding eligibility of items such as tree planting and fuel storage. Only a few council resolutions to define the eligible area are still outstanding.

R. Seibel asked if all landowners contacted in the first round of outreach were within the 100 metre zone. T. Ryan replied that in most cases the outreach was done to the two-year time-of-travel or beyond.

A. Henry asked if, in order to receive funding the activity has to be in the Intake Protection Zone-1. T. Ryan replied that the land has to touch the IPZ 1 or 2-yr time of travel, but that the project on that land could actually be outside of the boundary.

J. Oliver requested clarification regarding the range of grant rates for erosion measures. T. Ryan advised that she is still waiting for guidance for the erosion module. J. Oliver asked if any tree planting projects have been completed. T. Ryan replied that there were some completed in the 100 metre zone, the two-year time-of-travel modules are still being developed, so she is awaiting guidance. J. Oliver inquired if she is expecting to have the guidance in time for the spring planting season. T. Ryan stated that she is hopeful that the guidance will be provided in time for the spring planting season.

I. Macdonald asked if pollution prevention reviews were available in rural areas only. T. Ryan replied that the reviews are available to urban businesses also, if they are in an eligible area.

D. Parker asked if dead stock facilities and manure hauling have been taken into consideration for the Stewardship Program. T. Ryan advised that she is unsure if composting is part of the program.

T. Schmidt inquired if the Conservation Authority staff are aware of what projects the Ontario Soil and Crop Association are administering. T. Ryan replied that neither the conservation authority staff nor municipal staff are advised of the projects the Ontario Soil and Crop Association are administering. T. Schmidt suggested that the committee should ask OSCIA to share the information with conservation authority and municipal staff.
D. Murray requested confirmation that septic pumping is eligible. T. Ryan replied affirmatively. D. Murray asked if holding tanks are included in this eligibility. T. Ryan suggested she would need to investigate the eligibility of holding tanks.

B. Ungar reiterated T. Schmidt's concern that the committee should have open communication with Ontario Soil and Crop Association. J. Oliver concurred, stating it will ensure efforts are not duplicated.

H. Cornwell proposed a friendly amendment that communication should be shared both ways between the Ontario Soil and Crop Association and the Conservation Authority.

**Res. No. 04-09**

*Moved by: B. Ungar  
Seconded by: T. Schmidt  carried unanimously*

THAT a letter be sent to the Ministry of the Environment requesting that Ontario Soil and Crop Improvement Association and the Grand River Conservation Authority share information with each other on Stewardship Program projects administered by each organization, and that this information be shared with municipalities in which the projects are being undertaken.

R. Haggart expressed frustration that the funding is available to deliver the Stewardship Program, but staff do not have sufficient guidance to be able to deliver. He suggested communicating to the province the need to move forward with guidance in a timely manner so the Conservation Authorities can deliver the Stewardship Program.

**Res. No. 05-09**

*Moved by: R. Haggart  
Seconded by: M. Ceschi-Smith  carried unanimously*

THAT a letter be sent to the Minister of the Environment requesting that the Province provide guidance for the Ontario Drinking Water Stewardship Program to the delivery agents in an accurate and timely manner so that the programs can be delivered.

**Res. No.06 -09**

*Moved by: G. Rae  
Seconded by: B. Ungar  carried unanimously*

THAT Report SPC-02-09-03 Ontario Drinking Water Stewardship Program Update be received as information.

d) **SPC-02-09-04** Ontario Drinking Water Stewardship Program Review

The Minister of the Environment is concerned about the lack of funding being delivered to landowners under the Ontario Drinking Water Stewardship Program. As
a result, they are considering redesigning its framework beyond 2009. The Ministry has requested the source protection committee Chairs to undertake voluntary stakeholder consultations. The Ministry will also concurrently be undertaking consultation initiatives at the provincial level.

Staff do not intend to hold formal consultations; they recently requested the public to complete a survey in their first round of education and outreach. Chair and members can consult locally if they wish, and staff will provide support if they choose to undertake that consultation.

If members would like to fill out a survey or provide information, and put together a response, we will need responses back by the last week of March so we can prepare a summary and submit it to the Ministry by their March 31 deadline. Responses will be provided for members’ review at the Source Protection Committee meeting on April 2, 2009.

D. Parker advised that he would like to provide several recommendations. He suggested that the Ontario Drinking Water Stewardship Program should allow reimbursement for in-kind labour. T. Ryan advised that the Ministry is using the Environmental Farm Plan guidelines, and the Environmental Farm Plan uses in-kind labour to a maximum of $5,000. He suggested that the program should be fair and equitable throughout the province. T. Ryan advised that the program is consistent throughout the province; the only exception is if there is a municipal program that tops up the limit on what the province is offering. D. Parker suggested that the reimbursement should be available in stages so those implementing projects can be reimbursed throughout the development of the project, rather than at the end. He further suggested that the grant rates should be increased.

T. Ryan encouraged members to think broadly for all land uses when considering consultation and feedback, to be sure we are representing all interests.

**Res. No. 07-09**

Moved by: D. Murray

Seconded by: A. Henry carried unanimously

THAT Report SPC-02-09-04 Ontario Drinking Water Stewardship Program Review be received as information.

e) SPC-02-09-05 Lake Erie Region Communications Plan 2009-10

D. Schultz provided a summary of the report including an overview of spills workshops, public meetings, and assessment report consultation. More information will be provided at the SPC Meeting March 5, 2009.

A. Henry asked if there any spills workshops planned for Elgin. D. Schultz responded that workshops for this year have not been considered for the Elgin area, since they are focusing the workshops in areas where there are concentrations of businesses to begin with.

M. Ceschi-Smith asked if there are any plans to address training issues in the smaller municipalities that could help prevent bypasses and spills. D. Schultz
responded that the Municipal Water Managers group, facilitated by the GRCA, are currently working to address this issue. D. Parker asked if members could be notified of spills workshops so they can attend if they wish. D. Schultz replied affirmatively.

M. Wales suggested including a reference to the questionnaire in the Source Protection newsletter. D. Schultz replied that there would be a rolling release of the brochures and newsletters, some will not be sent out until April. By that time, the print material may be out of date. However, a cover letter could be included which could make reference to the survey.

L. Minshall reminded members that the revised Ontario Drinking Water Stewardship Program will be posted on the Environmental Bill of Rights (EBR) Registry, and comments can also be submitted at that time. M. Wales pointed out that the farm community has time to provide feedback now rather than in the spring or summer. B. Ungar stated that a lot of people are not aware of the EBR Registry.

L. Perrin asked if there has been any consideration at the provincial level to create a standard message regarding source protection, rather than a duplication of efforts throughout the regions. He noted provincial messages and public service announcements are done for other provincial programs to create a unified public awareness. He asked if this has been discussed at Chair’s meetings. L. Minshall responded that there is continuous discussion at the Chair’s meetings regarding appropriate province-wide Source Protection communication.

D. Schultz stated that the Ministry of the Environment and Conservation Ontario work together to prepare province-wide print materials. Conservation Ontario develops the materials, the province approves them and the conservation authorities distribute the materials. The Lake Erie Region is developing its own materials, in addition to the provincial information, because we have such unique situations in our watershed. L. Perrin suggested that only the farming community has any level of awareness regarding Source Protection Planning, and that there appears to be a knowledge gap with the general public. D. Schultz concurred, stating that businesses also seem to lack Source Protection Planning awareness.

L. Ross suggested she can present the option of standardized provincial communication to the Ministry. D. Molnar advised that the province has held meetings and presentations for industries when requested to do so. A. Henry emphasized that it is important to have a larger scale consistent message, rather than just ad hoc presentations. D. Schultz replied that some regions have done local Source Protection television or radio broadcasts, but it becomes a question of budget. Because the Lake Erie Region has so many landowners to contact, the budget is depleted quickly with landowner contact. A. Henry suggested that this approach still lacks the necessary province-wide consistency.

Res. No. 08-09 Moved by: A. Henry Seconded by: R. Krueger carried unanimously
THAT Report SPC-02-09-05 Lake Erie Region Communications Plan 2009-10 be received as information.

11. Business Arising from Previous Meetings

None

12. Other Business

a) Question and Answer Period

i) Any Outstanding Questions on the Assessment Report Regulations and Rules Resulting from the Training Sessions

None.

ii) Other Items

R. Krueger asked if Bruce's Davidson's presentation could be posted to the members' site.

I. Macdonald noted that the meeting scheduled for July 10 should be July 9.

M. Goldberg requested committee attendance be entered separately as public meetings, committee meetings and training sessions.

13. Closed Meeting

Not applicable

14. Next Meeting – Thursday, March 5, 2009, 1:00 pm, Grand River Conservation Authority, 400 Clyde Road, Cambridge, ON

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of February 5, 2009 adjourned at 3:55 pm.