The following are the minutes of the Lake Erie Region Source Protection Committee meeting held on Thursday, April 2, 2009 at the Grand River Conservation Authority Administration Office, 400 Clyde Road, Cambridge, Ontario.


Members Regrets: M. Ceschi-Smith, B. LaForme, I. Macdonald, C. Martin, W. Wright-Cascaden

Proxy Representatives: A. Henry (I. Macdonald)

Liaisons: A. Dale, Source Protection Authority Liaison; D. Molnar, Provincial Liaison

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

Staff: S. Cooke, GRCA; J. Etienne, GRCA; S. Glauser, GRCA; C. Metherall, GRCA; L. Minshall, GRCA; T. Ryan, GRCA; D. Schultz, GRCA; T. Seguin, GRCA; E. Vanhooren, KCCA; G. Zwiers, GRCA

Also Present: B. Fields, County of Norfolk; E. Hodgins, Region of Waterloo; S. Kurli, Halton Region; L. Stafford, City of St. Thomas; P. Wilson, Haldimand County; A. Zeitsma, County of Oxford

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:

- The four partner conservation authorities for the Lake Erie Region held their Annual General Meetings throughout February. C. Ashbaugh was impressed by the environmental commitment, energy, and enthusiasm of staff and members. He praised conservation authorities for the effectiveness and efficiency of their programs under a limited budget. They have received no increase in provincial funding in 13 years; yet they continue to move ahead and provide exceptional programs. He suggested that each of the Lake Erie Region partner conservation authorities provide their Annual Reports for distribution to the members when available. The Annual Report for Catfish Creek Conservation Authority was distributed.

- C. Ashbaugh attended an open house in St. Thomas regarding the Port Stanley harbour. The information session was very informative and helpful.

* J. Laird joined the meeting at 1:05 p.m.

- The Lake Erie Region Management Committee meeting was on March 5, 2009. Three of the four conservation authorities in the Lake Erie Region have elected new Chairs. Buck Sloat, new Chair for Long Point Region Conservation Authority was introduced at the meeting on February 5. Sally Martyn is the new Chair for Catfish Creek Conservation Authority, and Heather Chapman is now the Chair for Kettle Creek Conservation Authority. Member Tom Marks, however, will continue to represent Kettle Creek for the Source Protection program.

- Federal funding has been provided for the Six Nations of the Grand River to build a new drinking water treatment plant on the Grand River. This is an excellent step forward for the people of Six Nations and the watershed.

4. Review of Agenda

Moved by: M. Wales
Seconded by: L. Perrin carried unanimously

THAT the agenda for the Lake Erie Region Source Protection Committee Meeting of April 2, 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 – February 5, 2009

Moved by: B. Ungar
Seconded by: D. Murray carried unanimously

THAT the minutes of the previous meeting of February 5, 2009 be approved as circulated.
7. Hearing of Delegations

None

8. Presentations

a) Update on Lake Erie Region Water Budgets

J. Etienne provided an update regarding the status of the Water Budget studies.

M. Wales asked if the Norfolk "High Use Designation" is expected to be removed as a result of the report. J. Etienne responded that smaller areas within Norfolk County may still warrant the designation; however, the entire county does not appear to fall under this category. M. Wales stated that the county-wide high use designation has been very problematic for farmers renewing their permits to take water.

J. Oliver concurred that the high use designation has been problematic, and identified that it includes all of Long Point Region and Catfish Creek. He expressed appreciation to those undertaking the water budget work and encouraged them to continue with the same quality and efficiency. J. Etienne added that the peer reviewers were impressed with the consultants' work and identified the studies as 'leading edge'.

D. Parker asked if the outcome of the significant groundwater recharge area study for the Orangeville moraine is expected to affect the content of the water budget studies. L. Minshall clarified that significant groundwater recharge areas are a result of surface water modelling, not groundwater modelling. However, water budget studies are ongoing, and will require updating as more information becomes available. The foundational information in the water budget studies is not expected to be affected; additional studies will provide refinement and further identification of key areas.

J. Harrison asked which consulting firm is overseeing the water budget studies. J. Etienne replied that the prime consultant is AquaResource. J. Harrison further inquired what terms of reference are being developed regarding Tier 3 municipal studies for the Kettle Creek, Long Point Region and Catfish Creek water budget studies. J. Etienne responded that background information is being collected to start developing the terms of reference and identify data needs. L. Minshall elaborated that the Tier 2 stress assessments are complete, and have gone to the peer review committee. From the stress assessment, it is clear that the communities of Waterford, Delhi and Simcoe will require Tier 3 studies. It must be recognized that Provincial thresholds of potential stresses are very conservative. Given the uncertainty regarding future supplies and conditions, the peer review committee has been asked for an expert recommendation regarding whether Tier 3 stress assessment studies need to be done for Tillsonburg as well, or if further consideration of the stress assessment can be undertaken after more work has been completed on the long term water supply needs of the town. Once the peer
review committee has provided their advice, staff will bring this information to the committee.

A. Henry wondered if consideration is being given to the *Safeguarding and Sustaining Ontario's Water Act (SSOWA)* in terms of intra-basin transfers. He advised that there is some concern regarding what influence this Act may have on the development of a Source Protection Plan. L. Minshall responded that, at present, water budget studies do not look at drinking water uses from Great Lakes; and there is no current discussion pertaining to Great Lakes takings, discharges or intra-basin transfer. A. Henry pointed out that the guidelines for the Assessment Report requires consideration of intra-basin transfer for groundwater and surface water, as well as discharge of sewage, particularly for straddling communities for Tier 2 or 3 water quantity. L. Minshall responded that this is a subject that will require more discussion; it may require a larger consideration in the Assessment Report than originally anticipated.

T. Schmidt asked if all recharge areas are considered significant. J. Etienne replied that all recharge areas will not be considered significant; the peer review team has been discussing how to approach identification of the significant recharge areas.

T. Schmidt asked if the Grand River Conservation Authority (GRCA) intends to use the information from the Water Budget studies to comment on applications for Permits to Take Water. T. Schmidt expressed concern regarding using the Water Budget for this purpose. L. Minshall responded that the stress assessment provides a classification of high, medium or low water use. This information is not sufficiently detailed to use as the sole source for commenting on water takings. Staff are seeking clarification from the Ministry of the Environment on how they intend to use the water budget information and stress assessment maps.

9. **Correspondence**

   a) Copied

      i) Correspondence from Ian Smith, Director, Source Protection Programs Branch, Ministry of the Environment to Source Protection Committee Chairs Re: Source Protection TOR Work Plan Tasks Regarding Financial Implications to Landowners

   b) Not Copied

      None

**Res. No. 09-09**

*Moved by: R. Krueger*

*Seconded by: G. Rae* carried unanimously

THAT the correspondence be received as information.
10. Reports

a) SPC-04-09-01 Terms of Reference Approval Update

Ministry staff has recommended that the Kettle Creek Terms of Reference and Catfish Creek Terms of Reference be approved as submitted; however, they have recommended that the Grand River Terms of Reference and Long Point Region Terms of Reference be returned for minor corrections relating to the interpretation of the definition of a planned system. This delay in approval will also delay the deadline for submission of the assessment reports.

D. Molnar stated that she was very pleased with the Lake Erie Region Terms of Reference documents.

Res. No. 10-09 Moved by: A. Henry
Seconded by: B. Ungar carried unanimously
THAT Report SPC-04-09-01 Terms of Reference Approval Update be received as information.

b) SPC-04-09-02 Draft Assessment Report Framework


J. Oliver asked why non-municipal systems are proposed to be listed in the Assessment Report. S. Glauser responded that the technical rules, as released in November, require that the watershed characterization section of the Assessment Report identify and list all known drinking water systems. J. Oliver cautioned that this may create the expectation that these private systems be included in the Source Protection Planning process. S. Glauser replied that staff will take precautions when listing these systems to minimize any misconceptions.

A. Henry referred to Map 19: Location of Known Monitoring Wells, and asked if this related only to active drinking water systems. S. Glauser replied that staff have interpreted the Technical Rules as such, but recognize that it is not clearly stated.

Res. No. 11-09 Moved by: A. Henry
Seconded by: J. Harrison carried unanimously
THAT Report SPC-04-09-02 Draft Assessment Report Framework be received as information.

c) SPC-04-09-03 Communications Plan Update

D. Schultz provided an overview of the Communications activities and reviewed the communications materials distributed to members.

J. Harrison asked if staff know how many of the 65,000 properties in the Wellhead Protection Areas and Intake Protection Zones in the Lake Erie Region are on
private wells or septic systems. D. Schultz advised that staff do have a rough estimate, although he doesn't have the total at hand.

J. Oliver asked if members could be notified when the mail-outs are distributed in their municipalities. D. Schultz responded that when the mailings are sent, staff will issue a media release targeted to each community. All of the packages will be sent in the next week to ten days.

D. Murray asked for clarification regarding the eligibility of Stewardship Program funding for pumping out sewage holding tanks. T. Ryan replied that pumping holding tanks is not eligible for funding.

D. Schultz thanked the communications staff for their efforts; C. Ashbaugh thanked staff and municipal partners for their collaboration.

Res. No. 12-09 Moved by: D. Murray
Seconded by: L. Perrin carried unanimously

THAT Report SPC-04-09-03 Communications Plan Update be received as information.

d) SPC-04-09-04 Stewardship Program Review (Verbal)

T. Ryan provided a summary of the Ontario Drinking Water Stewardship Program (ODWSP) review responses. She advised that there is still time to provide input before she submits the responses to the MOE.

D. Parker reiterated that projects should be reimbursed in installments rather than at the end of project completion.

A. Henry asked if a water treatment plant outfall in an Intake Protection Zone 1 would qualify for Stewardship Program funding. T. Ryan replied that municipalities are eligible for funding for certain Early Actions projects, including pollution prevention reviews. Municipalities are also eligible for funding under the Special Projects funding of the Stewardship Program, which can be used for projects that don't necessarily fit into the categories of projects eligible under Early Actions.

Res. No. 13-09 Moved by: B. Ungar
Seconded by: R. Seibel carried unanimously

THAT Report SPC-04-09-04 Stewardship Program Review be received as information.

e) SPC-04-09-05 Summer Committee Meeting Locations and Tours

Region of Waterloo staff have volunteered to lead the Committee on a tour of the drinking water supplies and wellhead protection areas in the area surrounding the GRCA on May 7, 2009. Option 2, with the tour starting at the GRCA at 11:00 am
was the preferred option. Members were asked to advise S. Glauser or T. Seguin if they plan to attend the tour.

J. Harrison referred to the tour of the Guelph Wastewater Treatment Plant and asked why a wastewater treatment plant would be relevant to this committee. L. Minshall stated that the City of Guelph uses innovative operational procedures for their Wastewater Treatment Plant, and that wastewater discharges are significant to drinking water quality for downstream communities.

A. Henry advised that the tour of the Elgin Area Primary Intake IPZ and Port Stanley could be in July or August.

R. Seibel indicated that a tour of an aggregate site is possible in August or September. If members or staff have a suggestion for a preferred location to tour, please advise him.

L. Minshall asked the members whether there was enough interest by the committee for the tours to continue. R. Haggart expressed that adding morning tours could be problematic for some members. L. Minshall suggested that tours do not necessarily have to be in the morning, and could follow the afternoon meetings.

L. Minshall asked that members be conscientious about letting staff know whether they will be in attendance or absent for meetings during the summer, and in particular, for the meetings off-site. If it appears that quorum may be difficult to meet, it may be necessary for absent members to appoint proxies. It was also noted that the committee’s agendas will become more time-critical as the Assessment Reports are developed, so achieving quorum will be important.

Res. No. 14-09
Moved by: D. Murray
Seconded by: J. Laird carried unanimously

THAT Report SPC-04-09-05 Summer Committee Meeting Locations and Tours be received as information.

11. Business Arising from Previous Meetings

B. Ungar asked if there has been any response in regards to the information sharing between Stewardship Program delivery partners. T. Ryan advised that there has been no response; however, the ministry is considering the best approach for delivery of the program through the ODWSP review.

12. Other Business

a) Question and Answer Period

M. Wales provided members with an overview of a circumstance in the Barrie area where a future county landfill site is proposed to be located where three aquifers meet. The landfill installation will require pumping out substantial amounts of water. Members of the public who are opposed to the site had hoped that the permit to take water application would be denied; however, the permit was approved. He
stated that there appears to be a conflict with the Permit to Take Water program and Source Protection.

M. Goldberg advised that over 8,200 concerned members of the public expressed opposition through the Environmental Bill of Rights Registry to Nestles' permit to take water. The ministry, however, approved the permit. He suggested that the Environmental Registry is meant to be a method for citizens to provide input, but that comments submitted do not appear to have much influence on decision making. He recommended that the permit to take water process be reviewed to ensure that comments submitted through the Environmental Registry are taken into consideration. D. Molnar advised that while she cannot comment on approaches for reviewing comments on the Environmental Registry used by her colleagues' from other ministry divisions, she assured members that the Source Protection Programs Branch takes the public comments process very seriously.

13. Closed Meeting

Not applicable

14. Next Meeting – Thursday, May 7, 2009, 1:00 pm,
Grand River Conservation Authority, 400 Clyde Road, Cambridge, ON

15. Adjourn

Moved by:  D. Parker
Seconded by: L. Perrin carried unanimously

THAT the Lake Erie Region Source Protection Committee meeting of April 2, 2009 be adjourned. The meeting adjourned at 3:00 p.m.