

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date:	July 6, 2017
Time:	1:00 pm
Location:	Auditorium Grand River Conservation Authority 400 Clyde Road, Box 729 Cambridge, ON N1R 5W6
Members Present	W. Wright-Cascaden (Chair), H. Cornwell, A. Dale, K. Davis, P. General, R. Haggart, K. Hunsberger, R. Krueger, I. Macdonald, T. Nevills, J. Oliver, P. Rider, G. Schneider, B. Strauss, B. Ungar, M. Wales, P. Wilson, D. Woolcot
Members Absent	A. Henry, C. Hill, E. Hodgins, C. Jonathan, J. Kirchin, L. Perrin,
Liaisons	K. Baker (Provincial Liaison), H. Jowett (SPA Liaison), C. Komorowski (Public Health Liaison)
Region Management	C. Evanitski (LPRCA), N. Haydt (LPRCA Chair), K. Smale (CCCA)
Proxy Representatives	A. Henry (B. Ungar), C. Hill (P. General), E. Hodgins (P. Rider), J. Kirchin (R. Haggart)
Staff	A. Best, I. Feldmann, M. Keller, S. Strynatka

1. **Call to Order**

W. Wright-Cascaden called the meeting to order at 1:00pm.

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

The Recording Secretary called the roll and certified a quorum with 19 members present.

3. **Chair's Remarks**

W. Wright-Cascaden introduced the Source Protection Committee's (SPC) new public interest member, Tom Nevills. Introduction of SPC members followed. W. Wright-Cascaden noted that E. Forrest was absent and that K. Baker would be representing the Ministry of the Environment and Climate Change at the committee table.

J. Oliver acknowledged N. Haydt - recently elected Chair of the Long Point Region Conservation Authority Board.

W. Wright-Cascaden explained the role of the attending conservation authority liaison members and introductions followed.

W. Wright-Cascaden commented that there were still two vacant SPC seats; the goal is to have them filled by fall 2017. At a recent program manager and chairs meeting, the Ministry provided a very useful presentation/orientation about the source protection program. W. Wright-Cascaden felt that sharing a similar presentation with the committee at the September 2017 meeting would be beneficial for all members.

W. Wright-Cascaden noted changes to the content and structure of the source protection program update report and requested member feedback on the new approach.

4. Review of Agenda

Res. No. 10-17

Moved By B. Ungar

Seconded By B. Strauss

THAT the agenda of July 6, 2017 be approved as distributed.

Carried

5. Declarations of Pecuniary Interest

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

6. Minutes of the Previous Meeting - April 6, 2017

Res. No. 11-17

Moved By M. Wales

Seconded By J. Oliver

THAT the minutes of the previous meeting on April 6, 2017 be approved as circulated.

Carried

7. Hearing of Delegations

None

8. Presentations

E. Ammentorp provided a presentation about actions to protect drinking water in Ontario with a focus on the water bottling moratorium.

P. Rider commented that the list of provincial objectives outlined in the presentation was lengthy and asked how many full time staff are working on the initiative. E. Ammentorp replied that several divisions are involved. Within water policy specifically, there are three or four people, however they are also working on other projects. P. Rider felt that it was a tall order to achieve all the objectives. E. Ammentorp commented that the Ministry hopes to have a plan of what needs to be done within two years, e.g., what should replace high use watersheds.

B. Ungar questioned how the Ministry will monitor and audit industry water takings. E. Ammentorp replied that industries already track their takings and privately report to the Ministry - now that reporting will be public. E. Ammentorp added that the comment on how industries will be audited will be brought back to the Ministry's enforcement group.

A. Dale commented that the moratorium only applies to water bottlers that use their own wells, not municipal wells; E. Ammentorp replied that the statement was correct. A. Dale provided an example of a municipality that encouraged residents to conserve water and as a result revenues decreased, then a private water company asked to buy the municipality's water. A. Dale found that example interesting and questioned if a water bottling company that uses municipal sources is still considered a consumptive taking.

J. Oliver commented that in 2005/2006, the Ministry imposed a High Water Use designation in the Long Point Region watershed. However, at the end of the Tier 3 process, only one municipal supply in Simcoe was identified as having a significant water quantity risk. Despite the Tier 3 results, the Ministry has not removed the High Water Use designation. J. Oliver asked if removal of the designation had been discussed at the provincial level. E. Ammentorp commented that it has been discussed, specifically how to analyze updated data and policy aspects. J. Oliver reiterated the need for the Ministry to acknowledge that the science is updated and that the designation should be removed.

K. Davis asked for more detail regarding ongoing engagement on activities during the moratorium. E. Ammentorp shared that during the review process letters will be going out to several municipalities to ask to be involved, including Wellington County and the City of Guelph.

H. Cornwell asked if bottled water was an export commodity, i.e., sold out of the country. E. Ammentorp could not speak to that question. I. Macdonald asked why some water takers were singled out by the Ministry as opposed to others. E. Ammentorp replied that the technical guidance that will be developed would apply to all water bottlers and large bottling companies, like Nestle Waters Canada, would be used as a guideline for others.

9. Correspondence

9.1 RE: Rehabilitation Activities at an Aggregate Operation

Correspondence from Peter Rider, Risk Management Official, City of Guelph and Dave Belanger, Water Supply Program Manager, City of Guelph to Wendy Wright-Cascaden, Lake Erie Source Protection Region Committee Chair.

P. Rider outlined the details of the correspondence. G. Schneider was supportive of the correspondence and request for a response from the Ministry. K. Davis noted that in the original 2011 letter to the Province, Wellington County municipalities were not in the list of municipalities in which the local threat would apply. M. Keller replied that at the time Wellington County systems were not considered; they were not relevant.

Res. No. 12-17

Moved By P. Rider

Seconded By R. Haggart

THAT the correspondence be received as information.

AND THAT the Lake Erie Region Source Protection Committee direct staff to write a letter to the Ministry of the Environment and Climate Change to ask the Ministry to

provide the Committee an update at its September meeting on the Committee's request under Technical Rule 119, from February 3, 2011, regarding rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system that allows ponding of water in light of the amendments to the Aggregate Resources Act and how the Ministry will be responding to the February 3, 2011 request.

Carried

10. Reports

10.1 SPC-17-07-01 Source Protection Program Update

M. Keller presented report SPC-17-07-01.

Res. No. 13-17

Moved By R. Krueger

Seconded By B. Ungar

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-01 – Source Protection Program Update – for information.

Carried

10.2 SPC-17-07-02 Progress Report Long Point Region AR and SPP Update

M. Keller presented report SPC-17-07-02. J. Oliver asked for Lake Erie Region feedback regarding public involvement at the June 26, 2017 Simcoe public open house. M. Keller responded that Councillor Peter Black and journalist Jeff Tribe attended as well as three additional public members.

Res. No. 14-17

Moved By J. Oliver

Seconded By P. Rider

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-02 – Progress Report Long Point Region Assessment Report and Source Protection Plan Update – for information

Carried

10.3 SPC-17-07-03 Delhi Water Quality Technical Study

S. Strynatka presented report SPC-17-07-03. A. Dale commented that the vulnerability of Lehman Reservoir was a concern several years ago and that with the addition of new wells, they are planning to phase it out; J. Oliver confirmed A. Dale's assessment.

Res. No. 15-17

Moved By I. Macdonald

Seconded By T. Nevills

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-03 – Delhi Water Quality Technical Study - for information.

Carried

10.4 SPC-17-07-04 Norfolk County Draft Water Quantity Policy Approaches

M. Keller presented report SPC-17-07-04. M. Wales raised concern regarding the Permit To Take Water (PTTW) for livestock farms. M. Keller responded that there are no agricultural lands in the Simcoe WHPA-Q but will bring back the comment to the policy development team for consideration. K. Baker commented that if a PTTW were required, that there would be discussions with the Ministry ahead of the permit approval. M. Keller added that water quantity policies developed for Simcoe would not add additional requirements.

J. Oliver thought M. Wales made a good point and stated that the Simcoe WHPA-Q area is mostly residential. J. Oliver asked how water takings from private shallows wells are addressed and if the Ministry would be able to regulate those takings if requested through Simcoe water quantity policies. M. Keller responded that as part of the Risk Management Measures Evaluation Process (RMMEP) it was determined that private shallow wells, as a potential threat, fell to the bottom of the risk ranking, i.e., shallow wells were not considered a driver of the significant risk assigned to the Simcoe WHPA-Q. K. Baker added that although it is good to technically evaluate the impact of private wells on supplies, the Province does not have the ability to prohibit private takings. Under the Municipal Act, the municipality has legal authority to enact by-laws to prohibit private takings in serviced areas. J. Oliver asked if there were any known municipal examples where incentives had been used successfully to decrease consumption. M. Keller was unaware of any examples and added that the policy development team will work with Norfolk County when drafting water quantity policies to see if incentives would be valuable.

B. Strauss shared that the Region of Waterloo has rain barrel incentives. H. Jowett added that the Region has strategic water initiatives. P. Rider commented that the City of Guelph also offers incentives for reducing water consumption and changing public behaviour.

Res. No. 16-17

Moved By B. Strauss

Seconded By M. Wales

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-04 –Draft Water Quantity Policy Approaches for Simcoe (Norfolk County) – for information.

AND THAT the Lake Erie Region Source Protection Committee direct staff to develop draft water quantity policies for Norfolk County.

Carried

10.5 SPC-17-07-05 Progress Report Grand River AR and SPP Update

M. Keller presented report SPC-17-07-05. D. Woolcot commented on the length of time that is required for a Tier 3 study to be completed and how development cannot occur during that time. M. Keller replied that a Tier 3 study does not

restrict development from occurring while the study is taking place. W. Wright-Cascaden added that municipal growth management plans plan for growth for about 20 years, therefore it would be unusual to come up against a single development project. D. Woolcot commented that waiting four years before a water budget study is complete is not appealing to developers.

H. Jowett asked if Lake Erie Region was coordinating and monitoring data among municipalities evaluating their water supply that have different timelines. M. Keller replied that Tier 3 studies are complex and not always completed quickly, particularly in an area such as Lake Erie Source Protection Region which has one of the greatest growth pressures in the Province.

K. Baker commented that the Province hopes that source protection information can be used to better inform water resource challenges more broadly. Moving forward, model management should help the addition of new wells to be much faster and more transparent. Also, there are a number of efforts to build on a coordinated land review to provide better linkages between growth and water supply. Growth in the Lake Erie Region was one of the triggers that led to the water bottling moratorium.

K. Davis shared that the Grand River Tier 2 study identified Centre Wellington as having a moderate potential for hydrologic stress. This classification triggered the Tier 3 process for the Township of Centre Wellington. K. Davis noted that although the Minister's Grand River Source Protection Plan approval letter outlined December 31, 2017 as the deadline for completing new updates to the Assessment Report and Source Protection Plan, Lake Erie Region had not sent the Ministry an official request for an extension. M. Keller replied that an official extension had not been requested nor will it be as Lake Erie Region received funding for technical work beyond the submission deadline. K. Baker added that the deadline in the approval letter was a strongly worded request but not legally required, and hoped that technical work would be completed by the end of this fiscal. Given work on the moratorium, the Province is interested in adhering to the planned timeline. K. Baker was aware that Centre Wellington Tier 3 study would not be completed and included in the updated Assessment Report and Source Protection Plan by the December 2017 deadline, but that funding for technical work would be finished by the end of the fiscal.

Res. No. 17-17

Moved By M. Wales

Seconded By A. Dale

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-05 – Progress Report Grand River Assessment Report and Source Protection Plan – for information.

Carried

10.6 SPC-17-07-06 Airport Water Quality Technical Study

S. Strynatka presented report SPC-17-07-06.

Res. No. 18-17
Moved By B. Strauss
Seconded By R. Haggart

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-06 – Airport Water Quality Technical Study - for information.

Carried

10.7 SPC-17-07-07 Draft Lake Erie Source Protection Region Annual Report

I. Feldmann presented report SPC-17-07-07. J. Oliver liked the layout and visuals of the draft annual report and asked if there were any attempt across the Province to develop something similar. M. Keller responded that right now the draft annual report is purely Lake Erie Region-specific and is complimentary to provincial annual progress reporting requirements. The eight-page, public facing annual progress report produced by the Ministry will however be consistent and used across the Province by other Source Protection Regions.

Res. No. 19-17
Moved By A. Dale
Seconded By R. Krueger

THAT the Lake Erie Region Source Protection Committee receives report SPC-17-07-07 – Draft Lake Erie Source Protection Region Annual Report - for information.

Carried

10.8 SPC-17-07-08 EBR Comments - Record of Site Condition

M. Keller presented report SPC-17-07-08.

Res. No. 20-17
Moved By G. Schneider
Seconded By B. Strauss

THAT the Lake Erie Region Source Protection Committee direct staff to submit a letter to the Ministry of the Environment and Climate Change with respect to EBR Registry Number 013-0299 Excess Soil Management Regulatory Proposal in support of staff comments sent June 23, 2017 to include source protection matters in Ontario Regulation 153/04

Carried

11. Business Arising from Previous Meetings

There was no business arising from the minutes of the previous meeting.

- 11.1 Lake Erie Region Source Protection Committee request under Technical Rule 119, from February 3, 2011, Re: rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system that allows ponding of water.**

12. Other Business

12.1 Question and Answer Period

None

13. Closed Meeting

Not applicable

14. Next SPC Meeting

September 7, 2017 at 1:00pm, Grand River Conservation Authority, 400 Clyde Road, Cambridge, ON

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of July 6, 2017 adjourned at 3:45pm.

Res. No. 21-17

Moved By B. Ungar

Seconded By M. Wales

THAT the Lake Erie Source Protection Committee meeting of July 6, 2017 be adjourned.

Carried

Chair

Recording Secretary