

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: December 12, 2019
Time: 1:00 pm
Location: Auditorium
Grand River Conservation Authority
400 Clyde Road, Box 729
Cambridge, ON N1R 5W6

Chair W. Wright-Cascaden
Members Present C. Banting, C. Barberry, W. Bomberry, A. Dale, L. Dickson, P. Emerson, E. Hodgins, K. Hunsberger, C. Jamieson, J. Kirchin, R. Krueger, T. Nevills, L. Perrin, J. Sepulis, B. Strauss, R. Taylor, M. Wales
Members Absent A. Henry, I. Macdonald, S. Schneider, P. Rider, B. Ungar, P. Wilson
Liaisons T. Pesheva, E. Forrest (Provincial Liaison)
Staff I. Feldmann, E. Hayman, M. Keller, S. Lawson, S. Strynatka

1. Call to Order

W. Wright-Cascaden called the meeting to order at 1:02pm.

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 21 members present.

3. Chair's Remarks

W. Wright-Cascaden introduced Six Nations representative, Weylin Bomberry, and Provincial Liaison, Tea Pesheva, to the committee. W. Wright-Cascaden also shared that work to develop Guelph-Guelph/Eramosa water quantity policies is ongoing.

4. Review of Agenda

Res. No. 39-19
Moved By B. Strauss
Seconded By M. Wales

THAT the agenda of December 12, 2019 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

Res. No. 40-19
Moved By R. Krueger
Seconded By L. Perrin

THAT the minutes of the previous meeting on October 3, 2019 be approved as circulated.

Carried

7. Hearing of Delegations

None

8. Presentations

None

9. Correspondence

None

10. Reports

10.1 SPC-19-12-01 Source Protection Program Update

M. Keller presented report SPC-19-12-01. P. Emerson asked for clarification regarding proposed Phase II Technical Rule restrictions for local threats. M. Keller provided a local threat example: rehabilitation activities at an aggregate operation that allows ponding of water, and further explained how fuel pipelines, once considered a local threat, have recently been changed to a prescribed threat. It is an approach that allows SPCs to identify any activity on that landscape that is locally relevant. Source protection committees can apply to the Ministry to have a local threat added so that source protection plan polices can be written.

The Ministry's recent proposal under the Phase II Technical Rules Project is that anything already regulated by provincial or federal regulation, cannot be a local threat. P. Emerson asked if the proposal is a good thing. M. Keller commented that a restriction is black and white but some threats may not be adequately addressed through existing provincial or federal regulations.

B. Forrest shared that the Province would not stop SPCs from submitting a local threat request - the question is whether the request would be approved or not. B. Forrest added that early engagement and public consultation comments on the

proposed changes to the Director's Technical Rules would be factored in to the final approval.

Res. No. 41-19
Moved By A. Dale
Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-01 – Source Protection Program Update – for information.

Carried

10.2 SPC-19-12-02 Winter Maintenance Chemicals: Challenges and Opportunities for Change

M. Keller presented report SPC-19-12-02. L. Perrin asked if it would be advantageous to add the phrase, "chloride-based winter maintenance chemicals". M. Keller replied that it could be considered. T. Nevills questioned if sanding units had the technology to adjust the rate of application. M. Keller responded that the technology is available; however, the issue is likely capacity for certain municipalities and the over-arching issue of liability. T. Nevills felt that technology could help municipalities apply the correct amount of salt. L. Perrin commented that the technology is available to adjust the amount of salt applied but that the main driver is still liability. L. Perrin suggested that concerned bodies should urge the Province to re-evaluate the issue of liability - that will assist municipalities to reduce the amount of salt applied; E. Hodgins agreed with L. Perrin's comments.

E. Hodgins reported that the Region of Waterloo has been able to reduce the amount of salt applied by 25% using the latest technology. It will be challenging to reduce another 25% under the current liability framework. E. Hodgins reviewed some of the liability differences between roads and parking lots.

C. Jamieson shared that she is a member of a number of Great Lakes committees and groups, and shared that the topic of salt over-application is being discussed and that the recommendations presented in report SPC-19-12-02 tie into those discussions.

A. Dale added that this topic has been on the agenda of the Lake Erie Region Implementation Working Group (IWG) a number of times, and thanked the authors of report SPC-19-12-02.

L. Dickson commented that liability will not change because public expectations will not change. L. Dickson noticed very little on the topic of public education and awareness in the report.

J. Sepulis suggested that the report could include a recommendation to ask the Province request that the federal government update the Environment and Climate Change Canada Code of Practice for the Environmental Management of Road Salts. M. Keller replied that the report could include such a recommendation. E. Hodgins agreed, and added that the federal government conducts five-year reviews. E. Hodgins emphasized that the root of the problem is that Risk Management officials cannot tell, for example, a private contractor, how much salt he or she can apply. Businesses respond to legislation, not Best Management Practices. E. Hodgins proposed that the report include a recommendation that directs Lake Erie Region staff to forward the report on to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation,

Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario, and also brings the report to the attention of municipalities in Lake Erie Source Protection Region. L. Dickson was supportive of the recommendation. M. Keller drafted two additional SPC recommendations for report SPC-19-12-02 with the Chair's and committee's guidance.

A. Dale shared a story reiterating the importance of public awareness. R. Taylor commented that municipalities could promote the issue of over-application of salt on social media. E. Hodgins shared that the Region of Waterloo has a lot of education and outreach material on their website and have implemented a number of public education initiatives; however, the public may be less inclined to listen to messages that come from a municipality. W. Wright-Cascaden suggested that one of the new recommendations could include a phrase about education and outreach options. L Perrin proposed that the SPC could re-purpose the Region of Waterloo's education and outreach material so that the message comes from the SPC rather than the municipality.

R. Taylor suggested that the new SPC recommendations include that the report be sent to the Association of Municipalities of Ontario and Rural Ontario Municipal Association, for support. J. Sepulis suggested that the Ontario Good Roads Association also be added to the recommendation.

Res. No. 42-19

Moved By L. Perrin

Seconded By R. Taylor

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-02 – Winter Maintenance Chemicals: Challenges and Opportunities for Change – for information.

AND THAT the Lake Erie Region Source Protection Committee receives the Recommended Actions to Address the Over-Application of Winter Maintenance Chemicals for consideration and action.

AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario, for their consideration and action of the outlined recommendations regarding changes to the liability framework, increased requirements for winter maintenance of parking lots and changes to the Clean Water Act, 2006 framework to proactively protect municipal drinking water supplies from winter maintenance activities.

AND THAT the Lake Erie Region Source Protection Committee direct staff to forward report SPC-19-12-02 to the Councils of the single, upper and lower-tier municipalities within the Lake Erie Source Protection Region, all Source Protection Committees, Ontario Good Roads Association, Association of Municipalities of Ontario, and Rural Ontario Municipal Association, to request resolutions in support of the report's recommended actions and forward the resolutions to the Ontario Minister of the Environment, Conservation and Parks, Ontario Minister of Transportation, Ontario Minister of Municipal Affairs and Housing and Attorney General of Ontario.

Carried

10.3 SPC-19-12-03 Centre Wellington Tier 3 Water Quantity Risk Assessment Results

S. Strynatka presented report SPC-19-12-03. P. Emerson left the meeting at 2:45pm.

Res. No. 43-19
Moved By B. Strauss
Seconded By M. Wales

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-03 – Centre Wellington Tier 3 Water Quantity Risk Assessment Results – for information.

Carried

10.4 SPC-19-12-04 S.34 Draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan

E. Hayman presented report SPC-19-12-04. J. Sepulis shared that the Wellington chapter of the Grand River Source Protection Plan included committee comments on the DNAPL 25 L threshold, and that the Wellington County Risk Management Official (RMO) addressed the comments as part of the pre-consultation period.

Res. No. 44-19
Moved By R. Krueger
Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-04 – S.34 Draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan – for information;

AND THAT the Lake Erie Region Source Protection Committee direct staff to release the draft Updated “Wellington / Brant” Grand River Assessment Report and Source Protection Plan for a 45-day public consultation period from January 13 to February 26, 2020.

Carried

10.5 SPC-19-12-05 S.34 Revised Updated “Otterville” Long Point Region Assessment Report and Source Protection Plan

E. Hayman presented report SPC-19-12-05. A. Dale shared that there is currently a subdivision proposal for the southern end of the village of Otterville, and is hopeful that the change of land use from agricultural to residential will decrease nitrate levels.

Res. No. 45-19
Moved By Ryan Taylor
Seconded By L. Perrin

THAT the Lake Erie Region Source Protection Committee receives report SPC-19-12-05 – S.34 Revised Updated “Otterville” Long Point Region Assessment Report and Source Protection Plan – for information;

AND THAT the Lake Erie Region Source Protection Committee releases the revised Updated "Otterville" Long Point Region Assessment Report and Source Protection Plan to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with the municipal council resolutions endorsing the changes, and the comments as presented in this report.

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.

No update provided.

12. Other Business

12.1 Question and Answer Period

13. Closed Meeting

Not applicable

14. Next SPC Meeting

April 2, 2020 at 1:00pm, Grand River Conservation Authority, 400 Clyde Road, Cambridge ON

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of December 12, 2019 adjourned at 3:04pm.

Res. No. 45-19

Moved By B. Strauss

Seconded By L. Perrin

THAT the Lake Erie Source Protection Committee meeting of December 12, 2019 be adjourned.

Carried

Chair

Recording Secretary