

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

MEETING MINUTES

Date: April 30, 2020
Time: 1:00 pm
Location: GRCA Virtual Meeting
Zoom
Site provided by email

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

1. Call to Order

W. Wright-Cascaden called the meeting to order at 1:07pm.

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 23 members present.

3. Chair's Remarks

W. Wright-Cascaden shared that report SPC-20-04-07 will be presented before the review of the agenda. M. Keller reminded Source Protection Committee (SPC) members how to ask questions, move and second motions, and vote using the Zoom platform.

10. Reports

10.1 SPC-20-04-07 Proposed Amendments to the Rules of Procedure

M. Keller presented report SPC-20-04-07.

Res. No. 1-20
Moved By B. Strauss
Seconded By M. Wales

THAT the Lake Erie Region Source Protection Committee endorses the proposed amendments to the Committee's Rules of Procedures, as outlined in report SPC-20-04-07.

Carried

4. Review of Agenda

Res. No. 2-20
Moved By A. Henry
Seconded By L. Perrin

THAT the agenda of April 30, 2020 be approved as distributed.

Carried

5. Declarations of Pecuniary Interest

I. MacDonald had a conflict of interest with agenda item number 12a.

6. Minutes of the Previous Meeting

Res. No. 3-20
Moved By J. Kirchin
Seconded By T. Nevills

THAT the minutes of the previous meeting on December 12, 2019 be approved as circulated.

Carried

7. Hearing of Delegations

None

8. Presentations

8.1 Guelph-Guelph/Eramosa Water Quantity Policy Development Update

M. Keller presented the Guelph-Guelph/Eramosa Water Quantity Policy Development Update.

Res. No. 4-20
Moved By R. Krueger
Seconded By B. Ungar

THAT the Lake Erie Region Source Protection Committee receives presentation - Guelph-Guelph/Eramosa Water Quantity Policy Development Update - for information.

Carried

9. Correspondence

None

10. Reports

10.2 SPC-20-04-08 Source Protection Program Update

M. Keller presented report SPC-20-04-01.

Res. No. 5-20

Moved By A. Henry

Seconded By B. Strauss

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-08 - Program Update - for information.

Carried

10.3 SPC-20-04-09 S.34 Revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant

M. Keller presented report SPC-20-04-09. J. Sepulis asked the SPC if Table 1, public comment #11, response #6, should be highlighted to elicit a separate response from the Ministry. M. Keller responded by first describing a Significant Groundwater Recharge Area (SGRA) and explained that the Ministry recently changed the Director's Technical Rules to remove vulnerable scoring from SGRA areas. Municipalities through their Official Plans can provide protection to SGRAs. M. Keller reiterated that all pre-consultation and public consultation comments and responses will be included in the plan submission package to the Ministry; however, Lake Erie Region could also highlight specific comments in the submission letter to the Ministry. J. Sepulis was supportive of M. Keller's suggestion. J. Sepulis put forward a new motion.

T. Pesheva wanted to confirm with M. Keller that Lake Erie Region will not be writing any SGRA policies. M. Keller's understanding was that the removal of vulnerable scoring from SGRAs would not allow for any policies. T. Pesheva responded that one could still write low and moderate policies but would confirm the rules with Ministry colleagues.

W. Wright- Cascaden suggested that Lake Erie Region highlight public comment response #6 regarding SGRAs, in the plan submission cover letter.

J. Sepulis also asked the SPC if Table 2, pre-consultation comment and response #6, should be highlighted to elicit a separate response from the Ministry. M. Keller commented that the addition of this new policy fills a gap for stormwater management facilities (SWMFs) that do not have an Environmental Compliance Approval (ECA). The response to the pre-consultation comment highlights the lack of consistency and clarity regarding which facilities require an ECA and which do not. M. Keller suggested that Lake Erie Region could highlight pre-consultation response #6 regarding SWMFs and ECAs, in the submission cover letter. J. Sepulis put forward a new motion.

Res. No. 6-20
Moved By J. Sepulis
Seconded By J. Kirchin

THAT the Lake Erie Region Source Protection Committee request MECP provide clarity regarding Significant Groundwater Recharge Areas (SGRAs) and how they can be addressed under the Clean Water Act, 2006 and within the Source Protection Plan framework.

Carried (one opposed)

Res. No. 7-20
Moved By J. Sepulis
Seconded By B. Ungar

THAT the Lake Erie Region Source Protection Committee request that the MECP provide clarity regarding Stormwater Management Facilities (SWMFs) and the conditions which would require Environmental Compliance Approvals (ECAs).

Carried

Res. No. 8-20
Moved By R. Krueger
Seconded By L. Perrin

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-09 – S.34 Revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant – for information;

AND THAT the Lake Erie Region Source Protection Committee releases the revised Updated Grand River Assessment Report and Source Protection Plan for Wellington County and the County of Brant to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with the municipal council resolutions received, and the comments as presented in this report.

Carried

10.4 SPC-20-04-10 2019 Catfish Creek Annual Progress Report

M. Keller presented report SPC-20-04-10.

Res. No. 9-20
Moved By J. Kirchin
Seconded By M. Wales

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-10 – Catfish Creek Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Catfish Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Catfish Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

Carried

10.5 SPC-20-04-11 2019 Kettle Creek Annual Progress Report

M. Keller presented SPC-20-04-11.

Res. No. 10-20

Moved By B. Ungar

Seconded By A. Dale

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-11 – Kettle Creek Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Kettle Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Kettle Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

Carried

10.6 SPC-20-04-12 2019 Long Point Region Annual Progress Report

M. Keller presented report SPC-20-04-12.

Res. No. 11-20

Moved By L. Perrin

Seconded By J. Kirchin

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-12 – Long Point Region Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Long Point Region Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Long Point Region Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

Carried

10.7 SPC-20-04-13 Grand River Annual Progress Report

M. Keller presented SPC-20-04-13.

Res. No. 12-20

Moved By B. Strauss

Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-13 – Grand River Annual Progress Report – for information.

THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Grand River Source Protection Plan has progressed well and is on target towards achieving the plan objectives.

AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Grand River Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.

Carried

10.8 SPC-20-04-14 Proposal to amend O.Reg.244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act (EBR 019-1303)

M. Keller presented report SPC-20-04-14. P. Emerson asked if this report and the SPC's subsequent resolution should be forwarded to the local Source Protection Authorities (SPAs). M. Keller responded that the report's appendix was presented to the GRCA Board on April 24, 2020, and was passed.

A. Henry asked if there ever would be a circumstance where a new or expanded aggregate extraction operation could impact the vulnerability of an existing well. M. Keller replied that source water protection staff have the ability to adjust vulnerability in response to changes on the landscape, including a new aggregate extraction operation. A. Henry responded that adjusting vulnerability is a reactive response to an approval under different legislation; M. Keller agreed. Any response under the *Clean Water Act, 2006* to adjust the vulnerability score of an area as a result of an activity is reactive. The preventative approach to ensure the vulnerability of a municipal drinking water well is not impacted by a new aggregate extraction operation needs to be dealt with under the *Aggregate Resources Act, 1990*, hence the strong emphasis on providing comments to the Ministry.

Res. No. 13-20

Moved By R. Krueger

Seconded By I. Macdonald

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-14 – Proposals to amend O.Reg.244/97 and the Aggregate Resources of

*Ontario Provincial Standards under the Aggregate Resources Act (EBR 019-1303)
– for information;*

AND THAT this report be forwarded to the Ministry of Natural Resources and Forestry through Environmental Registry Number 019-1303.

Carried

10.9 SPC-20-04-15 Lake Erie Region Source Protection Program - Past and Future Outlook

M. Keller presented report SPC-20-04-15. A. Henry questioned how municipal levies to fund the source protection program would work, if for example, an intake is located in one municipality but supplies water to municipalities outside of the Intake Protection Zone (IPZ) and / or outside of Lake Erie Source Protection Region. M. Keller responded that the Province has not yet thought through those details. Lake Erie Region has made comments to the Ministry that those are significant challenges should the Ministry direct municipalities to fund the program.

T. Pesheva added that the 2020/21 funding agreements are moving forward and should be signed and finalized shortly.

**Res. No. 14-20
Moved By T. Nevills
Seconded By C. Jamieson**

THAT the Lake Erie Region Source Protection Committee receives report SPC-20-04-15 – Lake Erie Region Source Protection Program – Past and Future Outlook – for information.

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.

T. Pesheva commented that the Ministry did not have any updates.

12. Other Business

12.1 RE: Formal request for copies of reports prepared by BluMetric Environmental Inc. to assist the City of Guelph in preparation of the Source Protection Plan and the development of water quantity policies

Correspondence from Peter Rider, Program Manager, Source Water Protection, City of Guelph to Heather Brodie-Brown, Project Manager, Water Quantity Environmental Monitoring and Reporting Branch, Ministry of the Environment, Conservation and Parks.

W. Wright-Cascaden shared the correspondence from the City of Guelph to the Ministry. P. Rider summarized the rationale for writing the letter.

13. Closed Meeting

Not applicable

14. Next SPC Meeting

June 25, 2020 at 1:00pm, virtual meeting

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of April 30, 2020 adjourned at 2:50pm.

Res. No. 15-20

Moved By B. Strauss

Seconded By A. Henry

THAT the Lake Erie Source Protection Committee meeting of April 30, 2020 be adjourned.

Carried

Chair

Recording Secretary