

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: April 1, 2021
Time: 1:00 pm
Location: GRCA Zoom Virtual Meeting

Chair	W. Wright-Cascaden
Members Present	C. Banting, A. Dale, L. Dickson, A. Henry, E. Hodgins, C. Jamieson, R. Krueger, I. Macdonald, T. Nevills, L. Perrin, P. Rider, J. Sepulis, B. Strauss, R. Taylor, B. Ungar,
Members Absent	B. Carberry, P. Emerson, K. Hunsberger, J. Kirchin, G. Schneider, B. Whitwell, P. Wilson
Liaisons	O. Yudina (Provincial Liaison)
Proxy Representatives	E. Hodgins (J. Kirchin; B. Ungar and G. Schneider beginning at 2:35pm), R. Taylor (P. Wilson), B. Ungar (G. Schneider)
Staff	I. Feldmann, E. Hayman, M. Keller

1. Call to Order

Virtual meeting: by using the microphone and web camera, committee members agree to the recording and livestreaming of the meeting.

W. Wright-Cascaden called the meeting to order at 1:05pm.

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 18 members present.

3. Chair's Remarks

W. Wright-Cascaden shared that Susan Ecclestone has been appointed Acting Director of the Conservation and Source Protection Branch. S. Ecclestone was previously with the branch 2019/20 and is familiar with the source protection program.

At the most recent chairs teleconference, source protection regions provided summaries of what they have been working on to achieve program goals and where the program could grow in the future. Information sharing between the chairs and to the ministry during

chair meetings has been missing over the past year. The ministry has made a commitment to have more direct communication with the chairs at least once over the year.

W. Wright-Cascaden also attended the Grand River Conservation Authority's (GRCA) Annual General Meeting (AGM) and felt that a couple of the highlighted programs, including the Wastewater Optimization Program and the Rural Water Quality Program (RWQP), might be of interest to some committee members.

The Guelph-Guelph/Eramosa water quantity policy development study project team continues to work on consensus policies. A report has been included on the agenda that shows that the project team has managed to build consensus on many of the policies.

4. Review of Agenda

W. Wright-Cascaden commented that report 10e will immediately follow presentation 8a. Reports 10g – j will follow the source protection program update, and the name of report 10f has been changed.

M. Keller will make brief remarks about the ministry's recent press release about Ontario strengthening the protection of water resources.

Res. No. 9-21
Moved By C. Banting
Seconded By B. Strauss

THAT the agenda of April 1, 2021 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. 10-21
Moved By L. Dickson
Seconded By L. Perrin

THAT the minutes of the previous meeting on January 21, 2021 be approved as circulated.

Carried

7. Hearing of Delegations

None

8. Presentations

8a. Positive effects of source protection on the Richmond Issue Contributing Area for nitrate, Municipality of Bayham

Presentation by Tiffany Svensson, Risk Management Official for the Municipality of Bayham and the Town of Grand Valley

A. Dale remembered when the committee was first made aware of the issue, it pushed forward with protecting the well and is now happy to see the positive results. A. Dale asked if the results have been shared with the landowner. T. Svensson replied that the trends graph was shared and the landowner was encouraged that their efforts were having positive impacts.

B. Ungar asked T. Svensson to notify the landowner that they can contact Elgin County for funding to plant prairie grass.

10. Reports

10e. SPC-21-04-05 Update to Richmond Community Drinking Water System Nitrate Concentrations – Positive Effects of Source Protection

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-05 – Update to Richmond Community Drinking Water System Nitrate Concentrations – Positive Effects of Source Protection - for information.

Res. No. 16-21

Moved By A. Henry

Seconded By B. Ungar

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-05 – Update to Richmond Community Drinking Water System Nitrate Concentrations – Positive Effects of Source Protection - for information.

Carried

8. Presentations

8b. Overview of the new Lake Erie Source Protection Region SharePoint site

Presentation by Ilona Feldmann, Program Assistant, Lake Erie Source Protection Region

9. Correspondence

9a. RE: Extending deadlines for the establishment of Risk Management Plans in the Halton-Hamilton and CTC Source Protection Regions

Correspondence from Graham Milne, Regional Clerk, Regional Municipality of Halton, to Wendy Wright-Cascaden, Chair, Lake Erie Source Protection Region

Res. No. 11-21

Moved By R. Krueger

Seconded By R. Taylor

THAT the correspondence be received as information.

Carried

10. Reports

10a. SPC-21-04-01 Source Protection Program Update

M. Keller presented report SPC-21-04-01.

Res. No. 12-21
Moved By A. Dale
Seconded By L. Dickson

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-01 – Program Update – for information.

Carried

10g. SPC-21-04-07 Catfish Creek Annual Progress Report

I. Feldmann presented report SPC-21-04-07.

Res. No. 18-21
Moved By B. Strauss
Seconded By A. Henry

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-07 – 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 submission to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with any Source Protection Committee comments, 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

10h. SPC-21-04-08 Kettle Creek Annual Progress Report

I. Feldmann presented report SPC-21-04-08.

Res. No. 19-21
Moved By R. Krueger
Seconded By B. Ungar

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-08 – 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 submission to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with any Source Protection Committee comments, 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

10i. SPC-21-04-09 Long Point Region Annual Progress Report

I. Feldmann presented report SPC-21-04-09.

Res. No. 20-21

Moved By R. Taylor

Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-09 – 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 submission to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with any Source Protection Committee comments, 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

10j. SPC-21-04-10 Grand River Annual Progress Report

I. Feldmann presented report SPC-21-04-10.

J. Sepulis commented that the amount of work that has been done to include threats in column C, question #305, has not been adequately captured. M. Keller replied that column C is part of the calculation to show progress made, but that the percentage reported does not recognize the level of effort by municipalities to confirm that a specific threat activity is no longer a significant drinking water threat. M. Keller commented that Lake Erie Region staff will include language in the annual reports and submission letter to recognize that level of effort.

W. Wendy commented that the annual reports do not explain what columns A, B, C and D represented. I. Feldmann replied that staff will revise the question to be more descriptive for the 2021 annual reporting year.

Res. No. 21-21

Moved By P. Rider

Seconded By E. Hodgins

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-10 – 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 submission to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, along with any Source Protection Committee comments, 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

10b. SPC-21-04-02 S.34 Draft Updated Grand River Assessment Report and Source Protection Plan: Town of Grand Valley

E. Hayman presented report SPC-21-04-02.

Res. No. 13-21

Moved By A. Dale

Seconded By R. Taylor

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-02 – S.34 Draft Updated Grand River Assessment Report and Source Protection Plan: Town of Grand Valley – for information.

AND THAT the Lake Erie Region Source Protection Committee release the draft Updated Grand River Assessment Report and Source Protection Plan for pre-consultation and direct staff to commence a 36-day pre-consultation period.

Carried

10c. SPC-21-04-03 Guelph-Guelph/Eramosa Water Quantity Policy Development Progress Update

M. Keller presented report SPC-21-04-03.

Res. No. 14-21
Moved By B. Strauss
Seconded By J. Sepulis

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-03 – Guelph-Guelph/Eramosa Water Quantity Policy Development Progress Update – for information.

Carried

10d. SPC-21-04-04 Growing the Greenbelt - Provincial Consultation (ERO-019-3136)

M. Keller presented SPC report 21-04-04.

Res. No. 15-21
Moved By L. Dickson
Seconded By R. Krueger

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-04 – Growing the Greenbelt – Provincial Consultation (ERO-019-3136) – for information.

AND THAT report SPC-21-04-01 Growing the Greenbelt – Provincial Consultation (ERO-019-3136) be provided to the Ministry of Municipal Affairs and Housing through the Environmental Registry.

Carried

10f. SPC 21-04-06 Aggregate Extraction and Drinking Water Source Protection

M. Keller presented SPC-21-04-06.

A. Henry commented that when the topic first came up he tried to broaden the discussions to proactively consider activities or circumstances that would involve changing the vulnerability. More recently, A. Henry submitted a letter to the committee chair and Grand River Source Protection Authority regarding this matter. A. Henry added that the letter was intended to be submitted to the ministry during an ERO comment period and asked if the comments are being considered. M. Keller confirmed that staff included A. Henry's comments in the submission to the ministry. M. Keller was supportive of those broader discussions and committed to following up with the ministry to find out if they would be considered. The current framework is reactive in addressing a change in vulnerability.

O. Yudina replied that the ministry is actively reviewing the request and that the branch is very aware of the committee's concerns. The ministry is hoping to provide a final response in the coming months. The challenge in part is that a post closure pit with a connection to a municipal well would function as a transport pathway, not unlike other natural water bodies. The *Clean Water Act, 2006* does

provide some ways to address that type of risk, which includes delineating a WHPA-E or potentially increasing the vulnerability score in that area. Part of the conversation is how to reconcile how one would assign a hazard rating to the pond given that it functions as a transport pathway, more so than other land-based activities under the framework that are activities that are introducing a chemical or pathogen to the water source. O. Yudina reiterated the ministry's commitment to provide a response to the committee and the Grand River Source Protection Authority.

B. Ungar left at 2:35pm. Eric Hodgins acted as proxy for B. Ungar and G. Schneider.

Res. No. 17-21
Moved By B. Strauss
Seconded By R. Krueger

THAT the Lake Erie Region Source Protection Committee receives report SPC-21-04-06 – Aggregate Extraction and Drinking Water Source Protection – for information.

Carried

11. Business Arising from Previous Meetings

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

11a. 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

M. Keller shared that April 1, 2021 the provincial water-bottling moratorium expired. On March 31, 2021, the ministry posted a number of decisions on the Environmental Registry of Ontario (ERO), including:

- new sections in the regulation under the Ontario Water Resources Act with regards to municipal support for water-bottling; and
- changes to the water taking and transfer regulation, specifically proposals to include priority of water use in the framework and how permits are being managed in areas with water stress;
- new implementation guidelines for stressed areas and how the consultation and work would occur and how the priority of water use would be implemented; and
- changes to Environmental Activity Sector Registry (EASR) regulations.

The changes are based on consultation over the last few months. Lake Erie Region staff will review the final decisions and provide an update at the next committee meeting.

E. Hodgins commented that the final regulation regarding how the province might implement approaches to stressed water taking areas, has clarified that a water budget analysis by and of itself would not be sufficient to indicate that it is a stressed area under the provincial water quantity management framework.

14. Next SPC Meeting

June 17, 2021, 1:00pm, virtual meeting

The next meeting is scheduled for June 17, 2021. The revised updated “Wellington/Region of Waterloo” Grand River Source Protection Plan will be presented to the committee for release to the Grand River Source Protection Authority at the end of June.

15. Adjourn

Res. No. 22-21
Moved By A. Henry
Seconded By E. Hodgins

THAT the Lake Erie Source Protection Committee meeting of April 1, 2021 be adjourned.

Carried

Chair

Recording Secretary