

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION
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MINUTES

**Mississippi-Rideau
Source Protection Committee** **June 5, 2008** **#7/08**

- Present:**
- | | |
|--------------------|------------------------|
| George Braithwaite | Scott Bryce |
| Alex Cullen | Carol Dillon |
| Richard Fraser | Domenic Idone |
| Patricia Larkin | Christine Leadman |
| Randy Malcolm | Peter McLaren |
| Beverly Millar | Eleanor Renaud |
| Jim Riopelle | Janet Stavinga (Chair) |
| Mary Trudeau | |
- Mark Burnham (SPA (Source Protection Authority) Liaison)
Katie Fairman (MOE (Minister of Environment) Liaison)
- Regrets:** Paul Knowles
- Staff:**
- | | |
|-----------------------------|-----------------|
| Brad Carew (City of Ottawa) | Karyn Cornfield |
| Sommer Casgrain-Robertson | Brian Stratton |

1. Welcome

Chair Stavinga welcomed everyone to the Merrickville Community Centre and asked the M-R SPC (Mississippi-Rideau Source Protection Committee) members to introduce themselves. Brian Stratton introduced the M-R SP Region staff.

a) Agenda Review

Chair Stavinga went over the purpose of the meeting and the agenda.

b) Notice of Proxies

Paul Knowles provided his notice of proxy to Scott Bryce by email.

c) Adoption of the Agenda

Motion 1-06/08

That the Agenda of the Mississippi-Rideau Source Protection Committee meeting of June 5, 2008 be adopted.

Carried

d) Declarations of Interest

None

e) Approval of Minutes

Motion 2-06/08

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of May 1, 2008 be approved as amended.

Carried

f) Status of Action Items

Status updates of each action item were provided in the agenda.

g) Correspondence

Five pieces of correspondence were included in the agenda as follows:

- i. Letter from Raisin-South Nation SPC Re: Proxies
- ii. Letter from Quinte SPC Re: Timelines
- iii. FAQ from CELA (Canadian Environmental Law Association) Re: Compensation
- iv. Letter from MOE Re: Compensation
- v. Memo from OFEC (Ontario Farm Environmental Coalition) Re: Compensation

Members commented that they liked the OFEC memo (item v. above). One member was concerned that compensation may be extended too broadly beyond farmers. Another member noted that the precautionary principle, being raised twice in the correspondence, is a sign of its importance as a guiding principle.

Mr. Stratton provided an update of staff changes. Brad Carew has left his position with M-R SP Region for a position with the City of Ottawa. Mr. Stratton will assume Mr. Carew's engineering responsibilities. Sommer Casgrain-Robertson will also assume a portion of Mr. Stratton's SPC responsibilities as Co-Project Manager.

2. Community Outreach

Updates of past and upcoming events and activities were provided in the agenda.

Members and staff reported on activities during the month of June.

Sommer Casgrain-Robertson reported on the status of the municipal public open houses. Open houses were held in Almonte (June 3) and Perth (June 4). Thirteen people attended the open house in Almonte. Twenty people attended the open house in Perth. Eight more open houses will be held in June. The purpose of the open houses is to

inform the public about their municipal drinking water systems with respect to the *CWA (Clean Water Act)*, to provide opportunity for the public to comment on the Draft Terms of Reference, and to provide information about financial and technical assistance that is available for stewardship programs and projects. Several members attended the open houses and were encouraged to attend more where possible.

Carol Dillon reported that the Tay Watershed Management Plan Implementation Meeting held on May 6 was well attended. Kent Novakowski from Queen's University presented his Tay River research.

Richard Fraser reported on an OFEC conference call held on May 21 with Mississippi-Rideau and Cataraqui SP Regions. There was discussion of the need for ecological impact assessments with recommendations and funding assistance. Mr. Fraser will provide the Committee with updates of upcoming calls.

Chair Stavinga reported on the SPA meetings held at MVC (Mississippi Valley Conservation) and RVCA (Rideau Valley Conservation Authority). Discussion topics included uranium exploration, highly vulnerable aquifers, and significant groundwater recharge areas. In addition, the SPA asked for clarity on M-R's role in emergency response on the Ottawa River. Wording regarding emergency response will be made clearer in the Terms of Reference.

Chair Stavinga and Brian Stratton reported the following updates from the SP Project Managers/SPC Chairs Meeting (June 2 & 3, Toronto):

- Release of Draft Assessment Report Regulation and Director's Rules

MOE are planning to post the Draft Assessment Report Regulation and the Director's Rules on the EBR (Environmental Bill of Rights) on June 16 (or the following week). A comment period on the EBR will follow. M-R staff will circulate a notice to members after it is posted.

- Climate Change

The Province will be asking each SP Region to provide a general discussion about climate change in the Assessment Report. The Province will provide further details within the Draft Assessment Report Regulation. At that point, the SPC can comment on the scope of work.

A member commented on the importance of climate change and its implications to the water budget, particularly given the risk and uncertainty. The climate change piece should not just be "tacked on".

A member commented that climate change modelling can be used to affect conservation policies.

- Compensation

The Province has stated that compensation is not permissible within the *CWA*. Financial assistance and incentives can be explored; however, the word "compensation" is not permitted within the Terms of Reference.

- Elevated Systems

The Province is planning to provide guidance on the implications of elevating a drinking water system.

- OFEC Presentation

John Fitzgibbon (Chair, OFEC) presented a summary of what OFEC is doing related to the CWA.

- Ontario Drinking Water Stewardship Program

Several comments on the Ontario Drinking Water Stewardship Program were received on the EBR. These comments are being reviewed by MOE. Approval of the regulation is expected in late June. Release of the 2008-2009 program details is expected in early July.

- Primacy

A member asked if primacy of the CWA was mentioned at the Chair's meeting. Chair Stavinga responded that it is understood that primacy will be given to the Act which gives the greatest protection.

Katie Fairman (MOE) noted that her presentation to the M-R SPC in April had included a section on conformance and conflict provisions.

3. **Draft Technical Reports**

Brad Carew provided a presentation on (i) water quality and (ii) issues and threats, from Chapters 2 & 4 respectively of the *Preliminary Draft Watershed Characterization Report (March 2008)*.

Comments were provided by Hal MacGregor (Director, Lanark Landowner's Associations) as a public delegation. Mr. MacGregor spoke about the water quality in the Rideau River. He believes that raw sewage is being discharged from the Smiths Falls sewage treatment plant. He urged MOE to report the overflows to the public and to clean up the Rideau River. He said overflows from the Town of Perth that have occurred in the past have not been reported.

Jim Beeler (Township of North Grenville) responded that the sewage discharges from combined sewer overflows, not the sewage treatment plant.

Mr. MacGregor asked for clarification about M-R SP Region's position on sewage treatment plants. Ms. Casgrain-Robertson clarified that sewage treatment plants are considered potential threats.

A member asked if combined sewer overflows are included in the list of potential threats. Mr. Carew responded that combined sewer overflows were not included in the list of potential threats. The SPC can comment on the list once the Regulations are posted on the EBR.

- Constance Bay

There was a discussion about water quality results from Constance Bay. The City of Ottawa has studied the issue and provided water quality data

to the M-R SP Region. Elevated levels of nitrate were found in the groundwater. Affected landowners were notified of the results. Members agreed that a process was needed to ensure they are kept apprised of the issue. The wells could be elevated as a cluster under the CWA. Further guidance will be required regarding the implications of doing so.

Katie Fairman (MOE) will find out whether Constance Bay is an issue at MOE.

A member commented on how important it was to educate local authorities, landowners, and health units on water quality issues.

- Crotch Lake

A member asked how Crotch Lake was related to the threats work. Mr. Carew responded that the uranium found at Crotch Lake is considered a potential threat. If uranium is naturally occurring it is not an issue under the CWA. If the uranium was from an anthropogenic source (e.g. mine tailings), then it would be an issue.

Mark Burnham (SPA) commented that Crotch Lake, a reservoir lake, is maintains flows in the Mississippi River. Contamination of Crotch Lake could become an issue for users downstream.

Mr. Carew said that the uranium at Crotch Lake is not an issue with respect to surface water; rather, it's more of a local groundwater issue therefore, it would affect private wells, not the municipal drinking water plant in Carleton Place.

- List of Threats

A member asked if abandoned mines and waste disposal sites are included on the list of threats. Mr. Carew responded in the affirmative.

A member asked why only one wrecking yard was shown on the maps. Staff responded that the databases used for the threats inventory contained only licensed facilities. Unlicensed facilities are a data gap and therefore are not shown. Unlicensed facilities may be identified in the future during windshield surveys in well-head protection areas.

- Data Gaps

A member asked how long it would take to fill data gaps considering that there is only 4 ½ years left in the process and if one year of data was collected it wouldn't really help the science. Mr. Carew responded that, depending on the size of the task, and the time remaining in the process, data gaps may not be filled however the best available data will be used.

A member commented on how important it was to build an extensive database and a maximum amount of information at this stage.

Chair Stavinga commented that information collection is powerful, particularly when it comes to seeking resolutions at the political level.

4. **Proposed Changes to the Ontario Building Code**

Katie Fairman (MOE) gave a presentation on proposed Building Code amendments regarding inspections of existing on-site sewage systems.

Required Programs would be applied in “prescribed areas” identified within a source protection plan. Discretionary Programs could be applied in areas within the jurisdiction of a principal authority not covered by Required Programs.

Within Required Programs, sewage systems would be inspected where a building permit has been issued since January 1, 1998 or it has been previously inspected under a Discretionary Program. Initial inspections would need to take place within five years of the source protection plan. For permits issued prior to January 1, 1998, inspections would be required within three years of the source protection plan. Subsequent inspections would need to take place once within each five-year period following the initial inspection.

Discretionary inspections would need to take place within five years of establishing the program. Subsequent inspections would need to take place once within each five-year period following the initial inspection.

Building Code requirements related to Discretionary Programs would come into force on January 1, 2009. Required Programs will not be in force until a source protection plan for a given area is in effect. Source protection plans are required under the CWA, and it is anticipated that they will be submitted to the MOE by 2012.

A Consultation Paper released by the Ministry of Municipal Affairs and Housing on February 15, 2008 is available on the Building Code website at www.ontario.ca/buildingcode.

5. **Draft Terms of Reference from Neighbouring Committees**

Sommer Casgrain-Robertson presented comments prepared by M-R staff on *Terms of Reference* for the Raisin-South Nation, Cataraqui, and Quinte Source Protection Regions.

Motion 3-06/08:

That the Mississippi-Rideau Source Protection Committee submit the following comments to neighbouring Source Protection Committees on their draft Terms of Reference:

Comments to the Raisin-South Nation Source Protection Committee:

We support the inclusion of the following five matters and have also included them in our draft Terms of Reference for the Mississippi Valley and Rideau Valley Source Protection Areas:

1. Shared Municipalities
2. Information Management

3. Regional Groundwater Flow and Vulnerability Mapping
4. Surface Water Modeling
5. Quebec-Ontario Agreements

We request that you add two additional matters that are of mutual interest to the Raisin-South Nation Source Protection Region and the Mississippi-Rideau Source Protection Region (both these matters are listed in our draft Terms of Reference):

1. Coordinated Approach to Plan / Policy Development
2. Emergency Response on the Ottawa River

Comments to the Cataraqui & Quinte Source Protection Committees:

We support the inclusion of the following four matters and have also included them in our draft Terms of Reference for the Mississippi Valley and Rideau Valley Source Protection Areas:

1. Shared Municipalities
2. Information Management
3. Regional Groundwater Flow, Significant Recharge Areas, and Vulnerability Mapping
4. Coordinated Approach to Plan / Policy Development

Carried

6. Other Business

Upcoming MOE Consultation Sessions on Draft Assessment Report Regulation and Director's Rules

MOE has requested participation from SP Regions in training consultation sessions on the Draft Assessment Report Regulation and Director's Rules. Sessions dates are yet to be confirmed but will likely take place at the end of June/early July. Members were asked if they were interested in participating in a half day (general) session or a full day (technical) session (or both). Both sessions will be held in Kingston.

7. Member Inquiries

- Information Sharing

Peter McLaren will forward temperature data from the Ottawa River.

Mark Burnham (SPA) noted that MVC is looking at climate change with flow data and temperature data.

Patricia Larkin will provide links to Queen's research in the Tay Valley.

- Academic Partners

Chair Stavinga introduced Sean Beingessner, a Water/Wastewater Coordinator from Algonquin College. Mr. Beingessner attended the meeting to help identify partnership opportunities with the M-R SP

Region.

Chair Stavinga provided updates on reaching out to other academic partners. Staff have had informal gatherings with professors from Queen's University. The meeting with Scott Findlay about Chelsea water quality data was to be rescheduled for June. Chair Stavinga noted that we are making in-roads into academia in terms of sharing of information.

8. Next Meeting

Date: Thursday, July 3, 2008

Time: 5:00 pm - light refreshments

6:00 pm - "meet and greet" with the public

7:00 pm - meeting starts

Location: Rideau Vista Public School, 9921 County Road 42,
Westport (corner of Perth Road and County Road 42)

9. Adjournment

The meeting was adjourned at 4:15 pm.

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Janet Stavinga
Chair

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Karyn Cornfield
Recording Secretary