

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION

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APPROVED MINUTES

**Mississippi-Rideau
Source Protection Committee** **February 2, 2017** **#1/17**

Location: Rideau Valley Conservation Centre
3889 Rideau Valley Drive, Manotick

Present: Scott Berquist
Scott Bryce
Paul Knowles
Randy Malcolm
Bev Millar
George Braithwaite
Michel Kearney
Drew Lampman
Peter McLaren
Eleanor Renaud
Mary Wooding (Ministry of the Environment Liaison)
John Karau (Source Protection Authority Liaison)
Lyle Pederson (Source Protection Authority Liaison)

Guests: Sommer Casgrain-Robertson, RVCA
Tessa Di Iroio, City of Ottawa
Eric Lalande, RVCA
Terry Davidson, RVCA
Ken Graham
Glen McDonald RVCA

Staff: Allison Gibbons
Brian Stratton
Michelle Paton

Regrets: Carol Dillon
Patricia Larkin
Richard Fraser
Kathryn Downey (Medical Officer of Health Liaison)

1.0 Welcome and Introductions

a) Agenda Review

Scott Bryce called the meeting to order at 1:05 pm.

John Karau, Source Protection Authority Liaison for the Mississippi Valley Conservation Authority, welcomed Michel Kearney to the Mississippi-Rideau Source Protection Committee. Mr. Kearney will be filling one of the vacant City of Ottawa seats.

Scott Bryce welcomed everyone and asked for a round of introductions before reviewing the Agenda.

b) Notice of Proxies None

c) Adoption of the Agenda

Motion 1-1/17

Moved by:
Seconded by:

Eleanor Renaud
Bev Millar

That the Agenda be approved as presented.

Carried

d) Declarations of Interest None

e) Approval of Minutes

As business arising from the minutes of October 1, 2017, Mary Wooding confirmed that the Ontario portion of the Ottawa River and its surrounding watershed are included under the *Great Lakes Protection Act, 2014*. Ms. Wooding added that all Act regulations and policies would apply to the portion of the Ottawa River that is captured under the Act.

Motion 2-1/17

Moved by:
Seconded by:

Paul Knowles
Peter McLaren

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of October 1, 2015 be approved as circulated.

Carried

f) Status of Action Items None

g) Correspondence None

2.0 Source Protection Plan Implementation Progress Report

Allison Gibbons gave an update on Source Protection Plan implementation progress to-date. The status of legally binding and non-legally binding policies and their compliance dates or target completion dates were reviewed.

In response to a question from a member, Brian Stratton confirmed that the “Smart About Salt” programs have been promoted regionally by the municipalities with limited uptake. Ms. Gibbons noted that there is an opportunity for increased communication and outreach.

Ms. Gibbons confirmed that the “Living and Working in the Drinking Water Zone” education brochures are available on the website and have been distributed to public buildings including municipal offices and libraries. There is opportunity to better promote this program, especially through municipal social media feeds. Mary Wooding advised that the Ministry is also investigating ways to assist with the promotion of educational programs.

3.0 Presentations from Implementing Bodies

Presentations were received from representatives of four implementing bodies.

Risk Management Official

Terry Davidson, Risk Management Official (RMO), presented the attached report which highlighted the main tasks of the Risk Management Officials required under Part IV of the *Clean Water Act*. Mr. Davidson reported on progress and results relating to these tasks over the past year. Mr. Davidson confirmed that the required risk management plans are generally simple with few, if any, significant actions necessary.

In response to a question from a member, Mr. Davidson and Brian Stratton explained the “dense non-aqueous phase liquids” or DNAPL project being launched. Brian Stratton clarified that the original identification of DNAPL drinking water threats had focused primarily on dry cleaning facilities. The province has since identified additional potential sources e.g. automotive repair shops. Last year, an RVCA student began preliminary identification of these sources. This year’s project aims to confirm the number of DNAPL threats in the watershed through additional screening and potential on-site visits by a Risk Management Official. Outreach materials will be developed and distributed.

In response to a question from a member about common reasons for non-compliance, Mr. Davidson noted that some smaller farm operations (three or four horses) may find it difficult to comply as they do not always have proper manure storage. Mr. Davidson added that the Risk Management Officials are trying to keep solutions cost-effective.

Small Municipalities

Scott Bryce spoke about small municipality implementation and noted the following:

1. There are a variety of sizes of small municipalities in the Mississippi-Rideau Source Protection area and are urban and rural.
2. Small municipalities in the Mississippi-Rideau Source Protection area have delegated authority for enforcement to the conservation authorities and signed enforcement agreements are in place.
3. All municipalities follow a planning and building screening process in their application process to identify potential non-compliance or source protection issues. This process is built directly into their GIS systems.
4. Member municipalities have until 2019 to update their Official Plans and Zoning By-laws.
5. All required sanitary sewer maintenance programs have been initiated.
6. All required road salt management plans are in place.
7. “Living in the Zone” educational outreach materials have been distributed.

Future Work

8. Emergency Response Plans will need to be updated.
9. Improving oversight of geothermal installations.

In response to a question from a member regarding the use of gravity or vacuum sewers, Mary Wooding noted that the MOECC would consider proponent driven systems.

City of Ottawa

Tessa Di Iorio, Risk Management Official for the City of Ottawa, provided an update on activities noting:

1. The City of Ottawa has five municipal well systems, two Wellhead Protection Areas (Almonte and Kemptville), and one large Intake Protection Zone.
2. There are two source protection areas with two different plans located within the City: Mississippi-Rideau and Raisin-South Nation.
3. The City of Ottawa, which is not eligible for Source Protection Municipal Implementation Funding, is trying to establish a Risk Management Office.

Future Threats

4. All *Planning Act* applications within the drinking water protection zones are screened to identify source protection issues.
5. Developing procedures to have all *Planning Act* and *Building Code Act* applications screened.
6. Developing a by-law to screen out applications that are not associated with any significant drinking water threats.

Existing Threats

7. Developing a Risk Management Official database to store threats information as well as future forms and notices.
8. Potential for 101 fuel/heating oil risk management plans and 9 agricultural risk management plans in the Mississippi-Rideau source protection area. The exact numbers are still subject to verification. The City hopes that the Mississippi-Rideau Risk Management Officials will be able to help with some of the inspection work to ensure that compliance deadlines (January 2018) are met.

Official Plan

9. Preliminary drafting of Official Plan updates which MRSPC staff have reviewed.

Outreach and Education

10. 18 bilingual fact sheets have been developed. Source Water Protection website and interactive map will launch at the end of February 2017 at www.ottawa.ca/sourcewater.
11. "Living in the Zone" brochures will be distributed during World Water Week in March to residents and businesses in the wellhead protection areas and a public service announcement (general information about source water protection) within the intake protection zone.

Provincial Ministries

Mary Wooding, MOECC, provided an update on the following:

Prescribed Instrument Conformity

- 1) Primary and secondary screening processes for new applications were completed. Primary screening is completed by the province's Operations Division. If warranted, a secondary screening process is completed by

the Source Protection Programs Branch. If required, terms and conditions would be added to the application.

- 2) 235 non-legally binding policies were reviewed.

Annual Reporting

- 3) February 1 was the due date for implementing body reporting. Information was provided to the Source Protection Authorities.

Program Review

- 4) Review successes and opportunities of progress to-date including
 - a) Committee and governance structure
 - b) Policy development framework
 - c) Technical framework
 - d) Strategies for systems outside the *Clean Water Act*
 - e) First Nations and Source Protection – a separate branch within the division has been established. Funding for source protection planning is available and is being provided to the Ontario First Nations Technical Services Corporation and partners to prepare a source protection training package for First Nations.
- 5) Workplans necessary to update the Source Protection Plan, under Section 36, are due by November 2018 for the Mississippi-Rideau Source Protection Region. Changes to the Source Protection Plans may require early engagement, pre-consultation with implementing bodies, municipal endorsement, public consultation, submission to MOECC and ministerial approval.

Other Ministerial Work

- 6) MMAH – ensuring municipal Official Plans incorporate the language around source protection, significant threats and land use risks. Under the Municipal Class EA process, when proponents wish to undertake a new intake system, there is a recommendation in the *Planning Act* that any proponent should consider source protection technical work early in the planning process.
- 7) NGCS and TSSA – implementing changes to the Fuel Handling Code
- 8) MOECC – applications screening processes.
- 9) MTO – Completion of road sign installation is expected by July 2017.
- 10) MNRF – proposals in the *Aggregate Resources Act* to ensure drinking water and source protection vulnerable areas are being considered. Proposals have been posted to the EBR and comments are being reviewed.

EBR updates

- 11) Drinking Water Standards have been revised.
- 12) The comment period on the proposed water bottling regulation has closed and comments are being considered.

Regulation 903 - Wells

- 13) The Canadian Environmental Law Association asked for a review of Reg 903 Wells. Different sections were reviewed. Recommendations for enhancing key areas have gone forward.

End of Life Vehicle Processing Facilities

- 14) For the exemption of Derelict Motor Vehicles, the End of Life Vehicle Processing Facilities have not typically been obtaining waste approvals under the EPA. MOECC has put in new regulations to increase

regulatory oversight.

In response to a question from a member regarding about the process to change Source Protection Plans, Mary Wooding explained that the requirement to seek municipal endorsement is a requirement in regulation to ensure engagement at different levels.

In response to a question from a member regarding high aquifer use, Mary Wooding clarified that the moratorium on bottled water did not apply to other water permit taking activities. High aquifer use for other activities would still be monitored. Scott Bryce noted that water taking pricing is related to volume of use and not specific activities. Ms. Wooding stressed that the research was centred around the watersheds and not the practice of water taking. Allison Gibbons offered to send relevant information out to members.

In response to a question from a member on the protection of cluster development under the source protection umbrella, Ms. Wooding advised that the issue is still on the table but there hasn't been any uptake by municipalities. Michel Kearney noted that the City of Ottawa has both clusters and communal private systems. Mary Wooding was unaware of any guideline for municipalities but would look into it.

In response to a question from a member about monitoring groundwater following the drought situation in 2016, Ms. Wooding stated that ground and surface water monitoring was the purview of conservation authorities. Brian Stratton explained that the water budget work done early in the Source Protection Plan process assumed that the reservoirs would be full. The water budget work should probably be revisited which might result in new policies. Ms. Wooding suggested that the effects of climate change may be another area to be considered during the Source Water Program review.

The ability to access monitoring data was raised by a member. Mary Wooding noted that there is a big push in the province to make open data more available to the general public. Brian Stratton noted that the Provincial Groundwater Monitoring Network typically monitors deep aquifers and would like to build the program but is hindered by the lack of available funding.

4.0 Presentation about Source Protection Across Ontario

Allison Gibbons gave a presentation on the promotion of source protection across Ontario which highlighted the following:

1. Allison Gibbons participated in a World Water Day event panel in Ottawa.
2. Spill Response Training was provided to local fire departments.
3. School and community presentations were delivered by staff and committee members.
4. Live interviews by source protection staff on Lake 88.5 (local radio station)
5. Print media / press release relating to the new road signs

6. Raisin-South Nation produced a boater awareness postcard.
7. Quinte Conservation produces weekly enviro-minutes (short pod-casts) on environmental issues including source water protection.
8. Some source protection regions produce videos relating to source protection and drinking water risks.
9. Better Farming, an online magazine produced an articles on “Cultivating Clean Water”.
10. York Region Water Resources produced a video on Part IV enforcement activities.
11. A video by Ausable/Bayfield-Maitland Valley highlighting activities by local businesses.

5.0 Source Protection Program Update

Brian Stratton gave a Source Protection Program update (Attachment #3).

Annual Reporting

1. Implementing bodies report to the SPAs by February 1 (annually).
2. SPAs produce Annual Progress Report and complete Supplemental Form to submit to MOECC (due May 1, 2018). The Annual Report has to be public facing and posted on the website.
3. MOECC summarizes Annual Progress Report and Supplemental Form to include in Ministers Report.

Allison Gibbons directed members to the templates that have been designed to aid the implementers with the reporting process.

Technical Changes

Mr. Stratton reviewed the purpose, process and timeline associated with any required technical changes and gave examples for both Phase 1 and Phase 2 processes. Mary Wooding clarified that the example outlining the new rules that would allow road salt approach to better determine the threshold quantities of salt application to identify significant threats has been moved out of Phase 1 and into Phase 2.

Allison Gibbons noted that cumulative effects assessment (included in Phase 2) is very important.

Committee Membership

Mr. Stratton noted that in the absence of Janet Stavinga, Carol Dillon has been acting as the Chair and attending the Chairs’ meetings in Toronto. Mr. Stratton expressed his thanks to Ms. Dillon for assuming this role.

Mr. Stratton also welcomed Michel Kearney to the Committee.

Funding

Mr. Stratton advised that a funding application for the period April 1, 2017 to March 31, 2018 has been submitted and is hoping for approval.

Mr. Stratton noted that the deadline to use Source Protection Municipal Implementation Funding (SPMIF) has been extended for another year. This funding can now be put towards the development of Risk Management Plans and hopefully Phase 2 of the DNAPL project which will confirm the number of DNAPL threats in the watershed through additional screening.

In the past, stewardship programs have been funded by the province and although this funding has ended, there may be an opportunity for the development of more stewardship programs and funding in the future.

In response to a question from a member regarding the potential revision of the technical rule document, Mary Wooding confirmed that the Phase 2 change process would likely result in regulatory changes and changes to the technical rules. These changes would not be retroactive and would only apply to future work. Mr. Stratton noted that there may be new threats identified which might require changes to risk management plans.

6.0 Source Protection Plan Amendment - New Municipal Wells

Brian Stratton explained that a new residential well system which will serve the Western Development Lands in Richmond is in the final stages of approval. The Municipality of North Grenville has also added a new well in Kemptville. The new wells will have a mapped Wellhead Protection Area (WHPA) surrounding them that will identify where and to what extent the groundwater is vulnerable to contamination. Technical studies are underway but incomplete at this time.

An amendment to the Mississippi-Rideau Source Protection Plan will be needed so that the polices to protect drinking water set out in the Plan can apply to these new WHPAs. In October 2016, both Source Protection Authorities have approved the proposed work. Stakeholder consultations will follow. Mr. Stratton noted these types of amendments will occur with development. Costs for technical studies relating to the Richmond well will be borne by the developer while technical costs for the Kemptville well have been paid by the Municipality of North Grenville.

Mr. Stratton confirmed that the proposed Source Protection Plan Amendment will be brought back to the Committee before being submitted to the province. Allison Gibbons noted that there is a regulatory requirement under Section 34 for the Committee to start the amendment process.

In response to questions from members, Mr. Stratton noted that changes to the landscape around municipal systems (e.g. the Intake Protection Zone in Carleton Place) will be brought before the Committee so that WHPAs and IPZs can be adjusted accordingly. Wellhead studies may also have to be revisited (e.g. Lanark

Village).

Motion 3-1/17

Moved by:

George Braithwaite

Seconded by:

Paul Knowles

That the Mississippi-Rideau Source Protection Committee approve the initiation of an amendment to the Source Protection Plan to add the new municipal wells and associated Wellhead Protection Areas in Kemptville and Richmond.

Carried

7.0 Source Protection Committee Membership

Allison Gibbons reviewed that Ontario Regulation 228/07 which sets out the requirements for the size, appointment and operation of Source Protection Committees. Ms. Gibbons clarified that the permissible sizes for the Mississippi-Rideau Source Protection Committee (MRSPC) are 15 (5 members per sector, 12 (4 members per sector, 9 (3 members per sector, or 6 (2 members per sector. Currently, the MRSPC has 13 members with one vacant seat in the Municipal Sector and one vacant seat in the Environment/Health/Public Sector. To come into compliance, the MRSPC would have to bring in two new members or reduce the size of the current committee. Ms. Gibbons suggested that members consider whether they want to commit to another five years on the Committee. She added that there will probably be a minimum of two annual meetings.

Members discussed the current Committee structure including the importance of sector representation and range of expertise.

Ms. Gibbons outlined staff's plan which was drafted in consultation with Source Protection Authority General Managers. In 2017, endorsement by the source Protection Authorities and Committee would be sought. In 2018, the plan would address expiries and even out sector numbers to four per sector reducing the size of the Committee from 13 to 12. Delaying expiries until mid-2018 would allow members that were involved in the preparation of the Source Protection Plan to remain on the Committee until after the first annual report to the Ministry of Environment and Climate Change. In 2019, more expiries would be addressed and a decision to further the reduce the size of the Committee could be considered.

Motion 4-1/17

Moved by:

Paul Knowles

Seconded by:

Eleanor Renaud

That the Mississippi-Rideau Source Protection Committee endorse a draft plan to meet Ontario Regulation 288/07 requirements.

Carried

