



a) **Agenda Review**

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

b) **Notice of Proxies**

None

c) **Adoption of the Agenda**

**Motion 1-06/09**

That the Agenda be adopted.

**Carried**

d) **Declarations of Interest**

None

e) **Approval of Minutes**

**Motion 2-06/09**

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of June 4, 2009 be approved as amended.

**Carried**

f) **Status of Action Items**

Under item 2, Sommer Casgrain-Robertson corrected that she had only received *draft* MFIPPA guidance from Conservation Ontario's working group. The final version is expected shortly and will be distributed to Members.

Patricia Larkin informed Members that she had spoken with Dr. Anne Carter, Medical Officer of Health for Leeds, Grenville and Lanark. Dr. Carter explained that the local health unit had developed a brochure about uranium and drinking water but that Health Canada was now reviewing and adapting it. Once the brochure is completed individual health units will attach a local sheet outlining where people can get water testing done.

**Motion 3-06/09**

That the Mississippi-Rideau Source Protection Committee receive the following report for information.

**Carried**

g) **Correspondence**

There were no questions

## 2.0 Assessment Report Development

Sommer Casgrain-Robertson reported on the Carp, Merrickville and Kemptville public open houses that were held June 8, 10 and 11 respectively. Approximately 40 people attended Carp, 40 attended Merrickville and 50 attended Kemptville. Staff was thrilled with the high turnout relative to past open houses and open houses in other regions. Area residents and business owners provided a lot of valuable local knowledge at the open houses about land uses in their communities and what they are concerned about. There were also many questions. About half the questions were fielded by the study consultants as people were very keen to understand the science (e.g. how the modeling was done, level of certainty in the results, data sources feed into the model). The other half of the questions were fielded by staff and pertained to the overall process (e.g. status of the studies, what the scientific information means and how it will be used to shape land use policies, what this will mean for properties in wellhead protection areas).

Ms. Casgrain-Robertson informed Members that a second round of open houses will be held in July to present draft results for the final four wellhead protection area studies to local residents: Richmond – July 20 (Richmond & Munster studies), Westport – July 21, and Almonte - July 22. A press release and newspaper ads have been issued. Information has also been posted on our web site.

Ms. Casgrain-Robertson informed members that an Intake Protection Zone study technical briefing will be held in late August for interested SPC members and MOE technical staff, municipal staff and the consultants. The purpose of this briefing is to provide members with an opportunity to learn more about, and discuss in more detail, the areas of these studies that some members were concerned with back in May. All five intake protection zone studies will be brought to the MRSPC in October for Committee review and consideration.

Ms. Casgrain-Robertson also reported that Eastern Ontario source water staff has made a lot of progress in developing a shared Assessment Report outline. The four regions hope to have their Assessment Reports as similar as possible across Eastern Ontario, similarities including layout and common text. The goal is to make it as easy as possible for municipal staff to navigate between these documents as they make planning decisions. Staff will present a *preliminary draft* Table of Contents to the MRSPC this fall for review.

Ms. Casgrain-Robertson reminded everyone that *preliminary draft* summaries of technical studies identifying Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) are in the agenda package. Members also received the full technical studies on CD. The full consultant reports are also always available to the public on CD. The study summaries prepared by staff are intended to present study findings in a reader friendly manner and will be used as a communications tool during public consultation. Once the MRSPC approves studies and their summaries as *draft for public consultation* they will be presented to the Source Protection Authorities, municipalities and then the public.

Brian Stratton introduced Brian Byerley, a hydrogeologist from Golder Associates. Together they co-presented the *preliminary draft* findings of the Highly Vulnerable Aquifers study. Mr. Stratton then emphasized that both the HVA and SGRA studies are regional in scale meaning the results cannot be used at an individual property parcel scale.

A Member asked why a map showing elevation above sea level was included in the study summary rather than a map showing depth to the shallow aquifer. Mr. Stratton explained that the elevation map shows the flow direction of the shallow water table and it demonstrates the process to develop the data set to generate the HVA map. Mr. Stratton agreed to replace the elevation map with a map showing depth to the shallow water table.

A Member asked if current water well regulations require casing for private wells to extend a minimum depth. Mr. Byerley explained that it is standard for the casing to extend six metres but there is leeway to go shorter if that is the only source of water. Mr. Byerley highlighted that the focus of the most recent well regulations is effectively sealing and grouting the well casing.

A Member explained that while she was pleased to see the HVA and SGRA studies presented results for the shallow aquifer which supplies most private wells in the region, she was confused by the apparent contradiction since the province has repeatedly stressed that the focus of the *Clean Water Act* is the protection of municipal source water, not private wells. Mr. Stratton explained that the focus is municipal source water, but not to the exclusion of private wells. He outlined that the Clean Water Act requires the identification of four vulnerable areas. The first two are Intake Protection Zones (IPZ) and Wellhead Protection Areas (WHPA) which assess the vulnerability of municipal source water. The other two are Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas which assess the vulnerability of the shallow aquifer. The important distinction is HVA and SGRA areas cannot generate vulnerability scores high enough to produce a “significant threat” which is the only situation under which the new mandatory land use policies granted under the *Clean Water Act* (e.g. risk management plans, prohibition) can be applied. This means that the new mandatory land use policies under the *Clean Water Act* can only be applied inside IPZs and WHPAs where the vulnerability score is 8 or 10. Chair Stavinga reminded Members that this has been a concern of the Committee’s since the beginning and a motion regarding this concern will be presented at the end of the presentation for the Committee’s consideration.

A Member asked hypothetically if water supplying the municipal well in Carp became contaminated could the well be deepened to draw from a deeper aquifer. Mr. Stratton responded that the municipal wells in Carp draw water from a sand and gravel overburden aquifer, there are not two distinct aquifers above bedrock like others parts of our region (e.g. shallower Oxford aquifer and deeper Nepean aquifer). Mr. Byerley stated that it is unknown if a deeper aquifer located below the sand and gravel aquifer could provide water to the Carp wells.

A Member noted that all around the Kemptville and Merrickville wellhead protection areas are HVAs with vulnerability scores of 6. In the Kemptville and Merrickville wellhead protection area studies, much of the area is scored a 2 out in the 5 and 25 year time-of-travel areas. A member asked why the vulnerability score drops from 6 to 2 once you enter the municipal wellhead protection areas. Mr. Stratton responded that most of the Kemptville and Merrickville wellhead protection area draws from the deeper Nepean aquifer which is well protected beneath layers of protective soil and rock. The vulnerability score is therefore very low (2 and 4). The HVA study identifies vulnerability scores for the shallow Oxford aquifer which is highly vulnerable given it's proximity to surface which produces the vulnerability score of 6, the highest allowed in an HVA. Chair Stavinga asked staff to follow up with MOE to seek rationale exempting wellhead protection areas from the HVA mapping which means many of our wellhead protection area vulnerability scores will be low due to the fact the municipal wells are drawing from the deeper Nepean aquifer while other parts of the region captured by the HVA map end up with higher vulnerability scores because that is based on the shallow aquifer.

A Member recommended that the wording on Page 29 of the summaries be amended to read "No activities can be [scored or labeled] a significant threat within an HVA".

A Member recommended that wellhead protection areas, areas currently left blank on the HVA map should be colored in where the shallow aquifer is highly vulnerable. Mr. Stratton indicated that staff could color in parts of these 'exempted' areas where the shallow aquifer is highly vulnerable. He explained that staff were thinking about how to present vulnerability scores in wellhead protection areas where there is a difference between the score for the deep aquifer (scores produced through the WHPA study) and scores for the shallow aquifer (scores produced through the HVA study). The map in the summary is what the Technical Rules require in the Assessment Report. The Committee will be able to include additional maps and text to clarify this situation.

A Member asked if MOE or the Technical Rules provided a rationale for why vulnerability scores cannot be higher than six in HVA areas. Chair Stavinga reiterated to Members that the Committee has had an ongoing concern that vulnerability scores cannot be high enough in HVA and SGRAs areas to produce significant threats. This means where there are HVAs and SGRAs only existing land use planning policies and softer tools under the Clean Water Act like incentives and public education will be permitted to address threats. A member directed colleagues to the Source Protection Plan Discussion Paper, specifically the table on pages 8, 9, 10 which outlines different potential source protection plan policy approaches.

Mr. Stratton introduced Dru Heagle and Sean Sterling, hydrogeologists from Intera Engineering. Mr. Stratton and Mr Heagle co-presented the *preliminary draft* findings of the SGRA study. Mr. Stratton again emphasized that the SGRA study is regional in scale meaning the results cannot be used at an individual property parcel scale.

A Member asked if our SGRA mapping would match up with Raisin-South Nation's SGRA mapping along our shared watershed boundary. Mr. Heagle explained that Michel Robin from the University of Ottawa is currently undertaking a numerical model to map Raisin-South Nation's SGRAs, the model also looks at our shared watershed boundary. Sean Stirling explained the model could show shallower aquifers cut off at watershed boundaries and SGRAs do not cross watershed divides, however deeper aquifers flow across watershed boundaries as they reflect regional groundwater flow. Mr. Heagle acknowledged that while neighboring SPC regions like Quinte, Cataraqui and Mississippi-Rideau start their analysis from the same place and use the same method, they could produce different results because each will introduce different local inputs. An example is average regional water surpluses which are different between regions and when applied will result in different regional recharge values. Mr. Stratton noted that Michel Robin is on Mississippi-Rideau's peer review team for SGRAs so the issue is being looked at.

A Member noted a correction to be made on page 33, "municipal well" needs to be changed to "municipal intake". Mr. Heagle acknowledged the error and indicated that staff has made the correction.

A Member expressed concern about ground source heat pumps as a potential threat depending on the type of coolant in the pipes. Mr. Stratton indicated that this concern had been raised at a number of the open houses and the Municipality of North Grenville has introduced by-laws restricting the location of such systems. Mr. Stratton stated that this is an item that needs to be flagged and looked into further. Mr. Stratton responded that this concern was raised at many of the open houses as a potential threat. Mr. Stratton agreed that this concern should be looked into further.

A Member asked about the village of Lanark and why the east side of the village is considered a SGRA while the west side is not. Mr. Stratton responded that the areas shown as SGRAs in the staff report are areas where the Nepean Aquifer is exposed at surface. Mr. Heagle added that consideration was given to areas of snow melt and heavy rainfall, where there is no chance for runoff.

A Member asked what the process would be to assess a threat not listed in the provincial table. Mr. Stratton explained that if the Committee identifies a chemical they would like to assess as a potential threat, there is a process by which an SPC can ask MOE to add that chemical to the prescribed drinking water threats list. The Member clarified that the Committee can only add chemicals to the list and Mr. Stratton confirmed that the threats assessment was limited to the storage and/or use of chemical substances.

Chair Stavinga reminded Members that they have repeatedly raised concerns about the fact that under the Technical Rules no land use activity can be identified as a significant threat in HVAs and SGRAs. Chair Stavinga circulated a proposed motion that would direct staff to investigate the resources and time it would take to do a targeted inventory of land use activities in HVAs and SGRAs that have a high risk of releasing contaminants into groundwater. This work is currently outside the scope of the *Clean Water*

Act.

A Member suggested that limitations be placed on this additional work as staff is busy trying to complete the required Assessment Reports. Chair Stavinga clarified that the scope was simply for staff to identify the pros and cons of undertaking a targeted inventory of land uses in HVAs and SGRAs and recommending to the Committee whether or not they should pursue this additional work. Staff confirmed they could prepare a recommendation by spring/summer 2010, once the Assessment Report was well underway.

A Member asked why a significant threat cannot be identified in areas with a vulnerability score of 6. Mr. Stratton reiterated that under Provincial Rules a significant threat is a land use activity that scores 80 or higher when its threat score is combined with the vulnerability score of an area. Since the highest threat score is a 10, an area must have a vulnerability score of 8 or higher to have the opportunity to producing any significant threats.

A Member recommended that the regional insert map be made larger so it could be read more easily. The Member also asked that a statement such as "maps for this area are available in [insert name or location] study" be added to the HVA map where there are blank white spaces left for wellhead protection areas.

**Motion 4-06/09**

That the Mississippi-Rideau Source Protection Committee approve the following studies and their summaries for *Draft* for public consultation, as amended:

- Highly Vulnerable Aquifers;
- Significant Ground Recharge Areas;

**Carried**

**Motion 5-06/09**

Moved by: Paul Knowles  
Seconded by: Eleanor Renaud

Whereas, Ontario's *Clean Water Act* and the associated technical rules guiding the development of the Assessment Reports is focused on minimizing risks to municipal drinking water sources;

And whereas, where municipal drinking water sources face significant threats, mandatory actions can be required within the Source Protection Planning process;

And whereas, over 90% of the Mississippi-Rideau Source Protection Region is comprised of highly vulnerable aquifers (HVA's) and the location of these HVAs is most important for those supplied by private wells;

And whereas, the technical rules for those areas designated as HVA's or Significant Groundwater Recharge Areas (SGRAs) do provide the ability to

identify issues within these areas, and for non-municipal wells, are limited to chemical or nuclear contaminants;

And whereas, the maximum vulnerability score that can be applied for HVAs or SGRAs (excluding those areas that overlap with a WHPA) is 6, and land use activities within these areas are categorized as low or moderate threats, and in essence precludes the identification of significant threats;

Therefore be it resolved that as part of the source protection planning process, Staff be directed to explore the merits and resource requirements to complete an inventory of land uses within HVAs and SGRAs targeted to specific activities that may have a high potential to release contaminants into groundwater;

And, that a report be brought back to Committee for further consideration.

**Carried**

### **3.0 Community Outreach**

Chair Stavinga reported on her June 1 and 2 Quarterly Chairs Meeting. The highlight of the meeting was a request from MOE that Committees review the Source Protection Plan Discussion Paper by conducting a dry run. This means using the framework laid out in the Discussion Paper to develop mock source protection plan policies to see if the framework needs revising. Staff will also conduct a dry run with municipal and conservation authority planning staff. Staff will use the dry run results to develop proposed EBR comments that will be presented to the Committee in October for their consideration.

Chair Stavinga acknowledged the excellent work done by Ms. Casgrain-Robertson at the Open Houses held in Carp, Merrickville and Kemptville in late June. Chair Stavinga also thanked those Members who attended. Chair Stavinga noted that participants were very positive and welcoming of the information presented.

A Member asked if there was merit in all members trying to attend the open houses. Chair Stavinga reiterated that it is important to have a couple of Members at each open house and that Members need only attend those open houses that are in their area or pertain to their sector.

Ms. Casgrain-Robertson informed Members that she had participated in a conference call on June 17 with MOE regarding the Ontario Drinking Water Stewardship Program. MOE indicated that they received very consistent feedback from Committees, conservation authorities and the public during the public review of the program this winter. MOE confirmed that they would be making many of the recommended changes for the 2009/2010 program which would be released later this month. Another conference call has been scheduled for July 10 to indicate whether funding will be provided for small municipal infrastructure and for land conservation measures.

Ms. Casgrain-Robertson informed Members that the next round of open houses would be held July 20 in Richmond, July 21 in Westport and July 22 in

Almonte. The start time for Westport is 5:30 with a staff presentation at 6:30 while the other two open houses begin at 6pm with a staff presentation at 7pm.

Peter McLaren asked if Ms. Casgrain-Robertson would present to an upcoming meeting of the Lanark Federation of Agriculture. Ms. Casgrain-Robertson indicated she would be happy to.

Mary Trudeau informed Members that the Ottawa Riverkeeper's Annual General Meeting was well attended on June 23. Riverkeeper Meredith Brown gave an update on the MRSPC's activities.

Alex Cullen indicated that the Association of Municipalities of Ontario is holding their annual conference in Ottawa August 16 to 19. This would be a good opportunity to bring questions to Cabinet Ministers, all of whom are scheduled to be in attendance.

Mr. Stratton informed Members that he attended a MOE consultation session in Kingston on June 24 regarding the risk management catalogue. This is a list of best management practices that can be used to mitigate the land use activities listed as drinking water threats under the Act. This tool will aid Committees in developing their Source Protection Plan policies.

#### **Motion 6-06/09**

That the Mississippi-Rideau Source Protection Committee receive the following report for information.

**Carried**

#### **4.0 SPC Meeting Schedule**

Ms. Casgrain-Robertson informed members that in order to continue making progress on the Assessment Report and have time to deal with other items such as EBR comments on the Discussion Paper, agendas will need to be heavier starting in October when meetings switch back to the afternoon. Staff recommended starting meetings to 10am rather than 1pm if members are concerned about meetings running too late. Members discussed the pros and cons of starting the meetings earlier. After much discussion it was decided to keep the 1pm start time. Chair Stavinga asked Members to expect those meetings to go until 6 or 6:30 pm when required, Members agreed.

Ms. Casgrain-Robertson advised the Committee that their next meeting on September 3, will have a change in location. Details will be sent to Members.

#### **Motion 7-06/09**

Moved by: Alex Cullen  
Seconded by: Randy Malcolm

That the Mississippi-Rideau Source Protection Committee keep their current 2009

meeting schedule with meetings scheduled for October 1, November 5, and December 3 starting at 1pm.

**Carried**

**5.0 Other Business**

Chair Stavinga informed Members that a Masters student from Oxford University had developed a questionnaire for SPC members. The questionnaire had been vetted by MOE and so far 14 of the 19 Committees had participated. Chair Stavinga encouraged members to take the time to complete the survey online as the results would benefit other regions or other Ministries looking at the source water protection model being used in Ontario. The results are confidential and no individual Committee will be identified.

On behalf of the Town of Mississippi Mills, Mayor Lunney thanked the Committee for their hard work and dedication to source water protection.

**6.0 Member Inquiries**

None

**7.0 Next Meeting**

Date: Thursday, Sep 3, 2009

Time: 7:00 pm (“meet and greet” at 6pm)

Location: Smith Falls area – location to be confirmed

**7.0 Adjournment**

The meeting was adjourned at 9.28pm.

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**Janet Stavinga**  
**Chair**

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**Rosalind Kee**  
**Recording Secretary**