

**Date:** October 27, 2020  
**Time:** 1 pm  
**Location:** Teleconference  
 1-855-453-6962  
 Conference ID 1105401

<b>Welcome and Introductions</b>		
<b>1.0</b>	a. Agenda Review b. Notice of Proxies c. Adoption of the Agenda (D) d. Declarations of Interest e. Approval of Minutes –April 23, 2020 (D) ▶ draft minutes attached as a separate document f. Correspondence – none	<b>Pg.</b> <i>Chair Graham</i>
<b>Staff Reports, Updates and Presentation</b>		
<b>2.0</b>	<b>Rules and Procedures Document Update</b> —staff report attached (D).....	1-2 <i>Marika Livingston</i>
<b>3.0</b>	<b>Phase II Technical Rule Changes</b> —staff report attached (I).....	3-7 <i>Brian Stratton</i>
<b>4.0</b>	<b>Section 34 Amendments</b> —staff report attached (D).....	8-9 <i>Marika Livingston</i>
<b>5.0</b>	<b>Annual Reporting Update</b> —presentation attached (I).....	10-38 <i>Mary Wooding</i>
<b>Other</b>		
<b>5.0</b>	<b>Other Business</b>	<i>Chair Graham</i>
<b>6.0</b>	<b>Member Inquiries</b>	<i>Chair Graham</i>
<b>7.0</b>	<b>Next Meeting – TBD</b>	<i>Chair Graham</i>
<b>8.0</b>	<b>Adjournment</b>	<i>Chair Graham</i>

**(I) = Information (D) = Decision**

**Delegations:** If you wish to speak to an item on the Agenda please contact Marika Livingston before the meeting ([marika.livingston@mrsourcewater.ca](mailto:marika.livingston@mrsourcewater.ca) or 1-800-267-3504 x 1148)

**If you are a member of the public and would like to join the teleconference please contact the above for remote meeting details.**

## 2.0 Rules and Procedures Document Update

**Date:** October 27, 2020  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Marika Livingston, Project Manager  
Mississippi-Rideau Source Protection Region

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### **Recommendation:**

That the Mississippi-Rideau Source Protection Committee approve the revised Governing Policies;

And further that the Mississippi-Rideau Source Protection Committee share the Governing Policies with the Source Protection Authorities for their review and approval.

### **Background**

Under the *Clean Water Act* every Source Protection Committee in Ontario must prepare Rules of Procedure, Code of Conduct and Conflict of Interest Policies.

On January 30, 2008 the Mississippi-Rideau Source Protection Committee adopted Governing Policies and the Source Protection Authorities approved them shortly after.

In 2019, staff recommended a review of the existing Governing Policies to be consistent with changes to our Source Protection Committee size and operation. A revised copy of the Governing Policies was approved at Source Protection Authority meetings in 2019 and 2020.

### **Purpose**

To amend the SPC's Governing Policies to enable electronic participation outside of a declared state of emergency when deemed appropriate.

### **Proposed Update**

In March, new restrictions surrounding in-person meetings required quick thinking and creativity for many committees. Fortunately, we were able to host virtual meetings in accordance with our existing Governing Policies where an emergency has been declared under the *Emergency Management and Civil Protection Act*.

However, it would be prudent to update the virtual meetings policy to permit virtual meetings should other emergency scenarios arise. An example of this could include

severe or threatening weather that could restrict committee members and staff from safely attending.

**Separate Attachments**

Governing rules of procedure, Code of conduct and conflict of interest

### **3.0 Phase II Technical Rule Changes**

**Date:** October 27, 2020  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Marika Livingston, Project Manager  
Mississippi-Rideau Source Protection Region

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**Recommendation:**

That the Mississippi-Rideau Source Protection Committee receive for information this update on the Phase II Technical Rule changes;

And further that the Mississippi-Rideau Source Protection Committee direct staff to proceed with contributing comments and participating in the workshop hosted by MECP in late October.

The Source Protection Programs Branch (SPPB) initiated a project to propose amendments to the Director's Technical Rules (Rules) in 2014/15 after the first round of planning. This project was divided into two phases, with the first phase of amendments in effect March 2017.

Since November 2019, MECP has been reengaging with source protection stakeholders on the Phase II proposed amendments to the Director's Technical Rules, including the Tables of Drinking Water Threats. These proposed updates would help ensure that source protection efforts are supported by current science and that the quality of Ontario's drinking water continues to be protected, as committed to in the Made-in-Ontario Environment Plan.

August 2020, the proposed Phase II Rules were posted on the Environmental Registry of Ontario (ERO) for a 90-day comment period, the deadline for comments is November 9, 2020.

On August 31, 2020 Brian Stratton, co-project Manager, shared the ERO posting with SPC members.

#### **Next Steps**

Mississippi-Rideau Source Protection staff and Chair Graham are participating in a MECP led virtual workshop in late October addressing preliminary comments received from Source Protection Regions/Areas in advance of the ERO comment submission deadline of November 9, 2020. Any outstanding comments not addressed at the workshop will be submitted.

## **Attachments**

Proposed Amendments to the Director's Technical Rules under the *Clean Water Act*  
Summary Table

## **Separate Attachments**

2020 Proposed Amendments to Technical Rules: Assessment Report

**Appendix 3: Proposed Amendments to the Director's Technical Rules under the *Clean Water Act***

Technical Topic	Type of Change	Goal of Change	Proposed Change	Technical Experts Consulted	Interested Stakeholders and Ministries
1. Surface water vulnerability	Amendment to existing wording	Local flexibility and consistency	Use local information to refine surface water protection zones to capture features such as transport pathways (e.g. ditches) that concentrate and convey contaminants to drinking water sources.	Source Protection Authorities (SPAs), Municipalities and MECP	Municipalities and SPAs
2. Director's approval of technical requests	Amendment to existing wording	Local flexibility and burden reduction	Given that the Director of the Source Protection Programs Branch reviews and approves the assessment reports, including the approaches and methods used to perform technical tasks, it is proposed to remove the requirement for municipalities and source protection authorities to seek Director's approval of the technical approaches that will be used prior to updating the assessment report.	MECP	Municipalities and SPAs
3. Climate change risk assessment	Introduction of new rule	Address local source protection authorities' requests	Currently, there are no requirements in the Director's Technical Rules to conduct a climate change risk assessment as part of the assessment report. However, if a climate change risk assessment is conducted the proposed amendments to the Director's Technical Rules will specify what must be included in the assessment report (e.g. description of the approach, data sources and assessment of the outcome in terms of climate change impacts on the quality of drinking water sources).	Conservation Ontario, Ontario Climate Consortium, SPAs, academics, MECP	Municipalities, SPAs and MECP
4. Local activities to be designated as local threats	Amendment to existing wording	Avoid duplication of provincial efforts	The <i>Clean Water Act</i> enables local drinking water threats to be added to the provincial list of drinking water threats in an assessment report and source protection plan. The proposed amendments would limit the addition of local drinking water threats to only those activities that are not currently regulated by the provincial or federal government. Where the province or federal government already regulate activities that may pose a risk to drinking water, there is no added benefit for source protection plan policies to duplicate this effort.	MECP	Municipalities and SPAs
5. Cumulative impacts on water quality	Amendment to existing wording	Improved scientific approach	Proposed amendments to the Director's Technical Rules will allow for the delineation of geographic areas where activities are accumulatively impacting the quality of drinking water (i.e., cumulative effects). The current rules do not specify how to delineate these areas and as a result the areas delineated are unnecessarily large and not supported by science.	MECP	Municipalities, MTO, OMAFRA, and MECP
6. Application of road salt	Amendment to existing wording	Improved scientific approach and address local SPAs' requests	Use an improved scientific approach to identify areas where the application of road salt may cause impairments to the quality of drinking water sources. This will help municipalities capture areas in their source protection plans that contribute road salt to drinking water sources, such as parking lots and sidewalks, and ensure risks are better managed.	SPAs, municipalities, MTO and MECP	Municipalities, SPAs, MTO, MECP
7. Storage and Handling of road salt	Amendment to existing wording	Improved scientific approach and address local SPAs' requests	Proposed amendments will better identify the type of storage of road salt and its associated stored volume that may cause impairments to the quality of drinking water sources. This will help ensure risks are better managed.	SPAs, municipalities, MTO, the Ontario Good Roads Association and MECP	Municipalities, SPAs, MTO, MECP
8. Dense non-aqueous phase liquids (DNAPLs), e.g. Vinyl Chloride	Amendment to existing wording	Address implementation challenges and align with provincial regulations	DNAPLs are liquid chemicals that are highly toxic to human health if they present in drinking water sources as they do not dilute easily in water. The proposed amendments will provide greater specificity about how to identify activities that use/handle/store DNAPLs, which can be a complex, technical task. This will assist in the improved identification of these activities in practice and the preparation of risk management plans to manage related risks. The amendments also enhance the consistency of the approach across the province.	SPAs, municipalities, risk management officials, Conservation Ontario and MECP	Municipalities and SPAs
9. Stormwater and wastewater	Amendment to existing wording	Align with provincial regulations	Adopt definitions under the <i>Ontario Water Resources Act</i> to identify risk associated with stormwater facilities and wastewater works, such as overflow, bypass, and pumping stations, that contribute contaminants to drinking water sources. Alignment with provincial definitions will help identify the actual risk associated with these works and address	SPAs, municipalities, and MECP	Municipalities, SPAs and MECP

Technical Topic	Type of Change	Goal of Change	Proposed Change	Technical Experts Consulted	Interested Stakeholders and Ministries
works			implementation challenges associated with the design and operating standards necessary to manage the risk for both the province and municipalities.		
10. Storage of snow	Amendment to existing wording	Align with provincial regulations and address implementation gap	The storage of snow is identified as a drinking water threat under the Clean Water Act because associated snow melt contains chemicals such as chloride, sodium and petroleum hydrocarbons that can impact water quality. The current Director's Technical Rules do not specify the types of snow storage activities that are relevant. At the same time, some activities related to the storage of snow are managed under the <i>Ontario Water Resources Act</i> (OWRA) through Environmental Compliance Approvals (ECAs) or the Environmental Activity Sector Registry (EASR). The proposed amendments to the Director's Technical Rules will provide greater clarity by making it explicit that relevant snow storage activities include those regulated under the OWRA. The amendments will also help ensure that the review of approvals under the OWRA for these activities includes consideration of drinking water source protection.	SPAs and MECP	Municipalities, SPAs and MECP
11. Non-agriculture source material (NASM)	Amendment to existing wording	Align with provincial regulations	Align the Director's Technical Rules with definitions under the <i>Nutrient Management Act</i> and remove Category 1 Non-Agricultural Source Material (NASM) from the Table of Drinking Water Threats. NASM is treated and recycled material from non-agricultural sources, like leaf and yard waste, fruit and vegetable peels, food processing waste, pulp and paper biosolids and sewage biosolids, that is applied to agricultural land to provide a beneficial use. NASM is classified under one of three categories and can be applied to agricultural land: <ul style="list-style-type: none"> <li>• Category 1: e.g., leaf and yard waste that has not been composted</li> <li>• Category 2: e.g., organic waste matter that contains no meat or fish and is derived from food processing at a bakery</li> <li>• Category 3: e.g., pulp and paper biosolids, paunch manure and sewage biosolids</li> </ul> The proposed change will address implementation challenges with source protection plan policies associated with the definition of NASM and will focus on the activities that pose the highest risk (Categories 2 and 3 NASM, and manure from non-farm herbivorous animals) that may contribute chemicals and pathogens to drinking water sources.	Municipalities, OMAFRA and MECP	Municipalities, SPAs and OMAFRA
12. Waste	Amendment to existing wording	Align with provincial regulations and address implementation challenge	Align the Director's Technical Rules with definitions under the <i>Environmental Protection Act</i> for different types of waste (e.g., hazardous waste, municipal waste, liquid industrial waste and hauled sewage) to ease the implementation of source protection plan policies.	Municipalities, Risk Management Officials, and MECP	Municipalities, SPAs and MECP
13. Handling and Storage of Fuel	Amendment to existing wording	Improved approach	Currently, the Director's Technical Rules differentiate between the risks of a spill from handling and storage activities relevant to fuel separately despite the fact that handling is always associated with storage on same property or facility. The proposed change will combine handling and storage activities under one category of risk.	MECP	Municipalities, SPAs and MGCS (TSSA)
14. Handling and Storage of Commercial Fertilizer	Amendment to existing wording	Improved scientific approach and address local SPAs' requests	The current Director's Technical Rules recognise the risks of a spill from the storage of fertilizer by assessing the total mass of fertilizer stored on the property. When fertilizer is stored in multiple sites on the property, it is not likely to spill from all sites at the same time, thus "total mass" is not an appropriate basis to determine risk. The proposed amendments will focus on risks related to individual storage versus the total mass. In addition, proposed amendments will change the rules to focus on fertilizer in a liquid form, as fertilizer in solid form is not associated with spills.	MECP, OMAFRA	Municipalities and SPAs
15. Administrative Changes	Administrative	Reduce the repetitiveness and improve the formatting of the Tables of Drinking	Currently, under the Director's Technical Rules, threats and their circumstances are listed in a numbering system that differs from the numbering system (for the same threats) under the O. Reg. 287/07 of the Clean Water Act, which creates confusion when referencing threats or circumstances in source protection plans and assessment reports. Also, the threats and their circumstances are prescribed by listing the scientific names and symbols of all associating chemicals which make it difficult for non-technical readers to understand the threats. The proposed change is to use the same numbering	MECP	Municipalities and SPAs

Technical Topic	Type of Change	Goal of Change	Proposed Change	Technical Experts Consulted	Interested Stakeholders and Ministries
		Water Threats to allow for easier searching capabilities	system in both instances and use simple language to describe the threats, their circumstances and their risks to drinking water sources.		



## 4.0 Section 34 Amendments

**Date:** October 27, 2020  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Marika Livingston, Project Manager  
Mississippi-Rideau Source Protection Region

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### **Recommendation:**

That the Mississippi-Rideau Source Protection Committee receive this update about the upcoming amendments;

And further that the Mississippi-Rideau Source Protection Committee direct staff to proceed with presenting the amendments to the Source Protection Authority.

### **Background**

On May 21, 2020 the Ministry of Environment, Conservation and Parks (MECP) approved an amendment to the Mississippi-Rideau Source Protection Plan and the Rideau Valley Assessment Report. The approved amendment took effect on May 21, 2020. This amendment included the well system in Kemptville and the Dense Non-Aqueous Phase Liquid (DNAPL) policy revision.

When we completed our Section 36 workplan last year, we were made aware of some potential up and coming amendments to our Source Protection Plan and Assessment Report. The following items are proposed:

#### **Lemieux Island Intake Improvement Project**

The Lemieux Island intake improvement project was initiated as an amendment in April 2019. This project was put on hold last year but City of Ottawa staff have informed us this project is now moving forward. A timeline has been discussed; submission of this Section 34 is anticipated in Spring 2021.

#### **New Well in North Grenville**

When consulting with municipalities last year regarding the Section 36 Workplan, we were notified about the potential of a developer driven well in Kemptville. This Summer, we were advised that this project is proceeding. The developer and municipality have retained a consultant and have begun work. A timeline has been discussed; submission of this Section 34 Amendment is anticipated in Fall 2021.

#### **Fuel Oil Policy Revision**

Risk Management staff each year report on difficulties implementing FUEL-1-LB-S58, staff are recommending a policy revision. Source Protection staff suggest a bulk submission of this policy revision with the Kemptville well amendment.

Risk Management staff are encountering significant challenges communicating with homeowners, obtaining access to the fuel oil tanks, and maintaining homeowner compliance with reporting requirements. The tank replacement timeline for fuel oil tanks outlined in our Source Protection Plan also differs from the timeline of insurance companies. As such, Risk Management staff recommend considering the removal of the Risk Management Plan requirement for fuel oil storage and focus on developing an education and outreach policy.

### **Next Steps**

Section 34 of the *Clean Water Act* and Sections 48-50 of Ontario Regulation 287/07 set out the regulatory process for the amendment. The proposed amendments will be presented to the Source Protection Authorities in November and December. Once the amendment has been initiated, technical work and consultation will be underway.

Ministry of the Environment, Conservation & Parks

# 2019 Annual Progress Reporting Summary

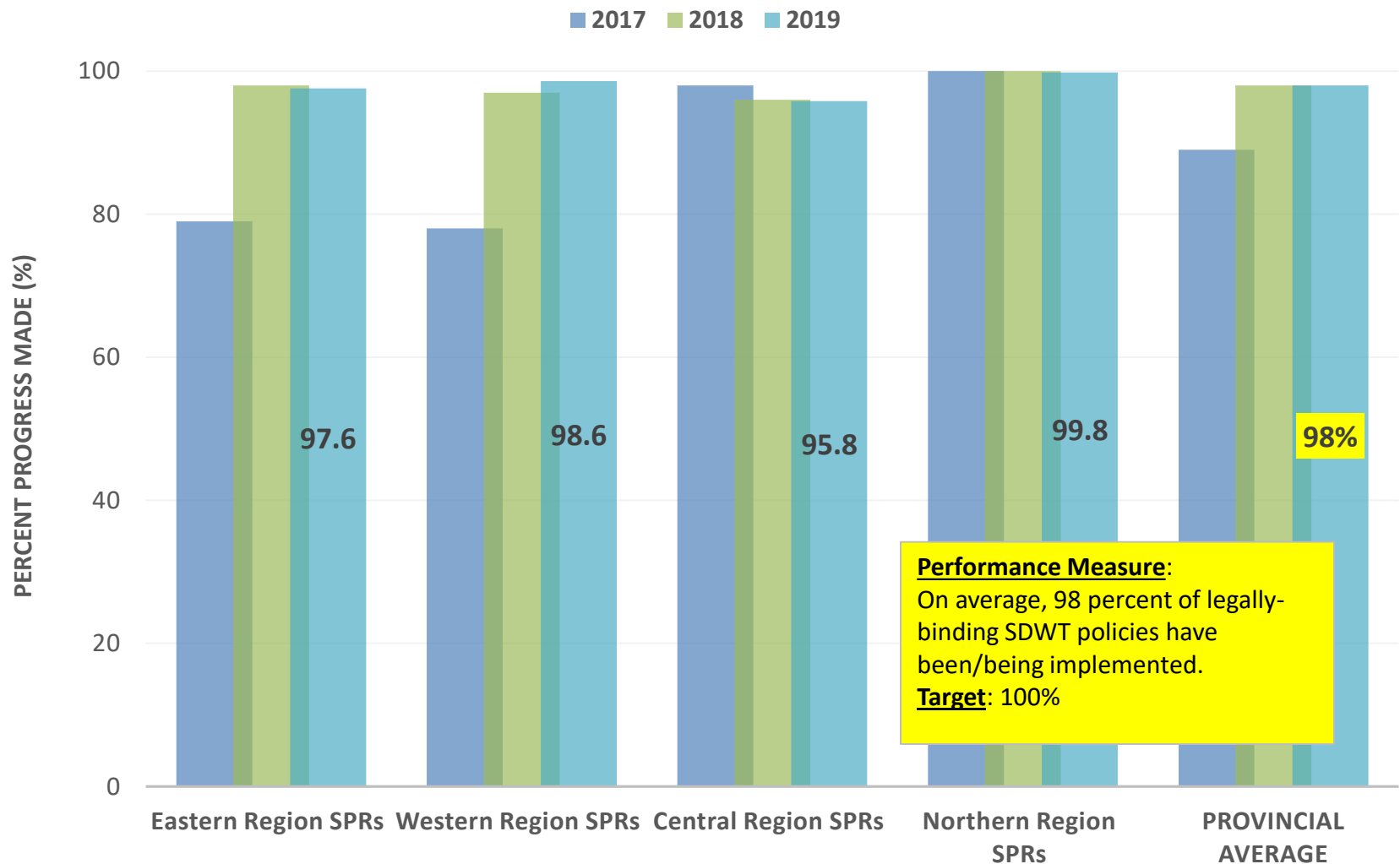
Mississippi-Rideau

Source Protection Committee Meeting

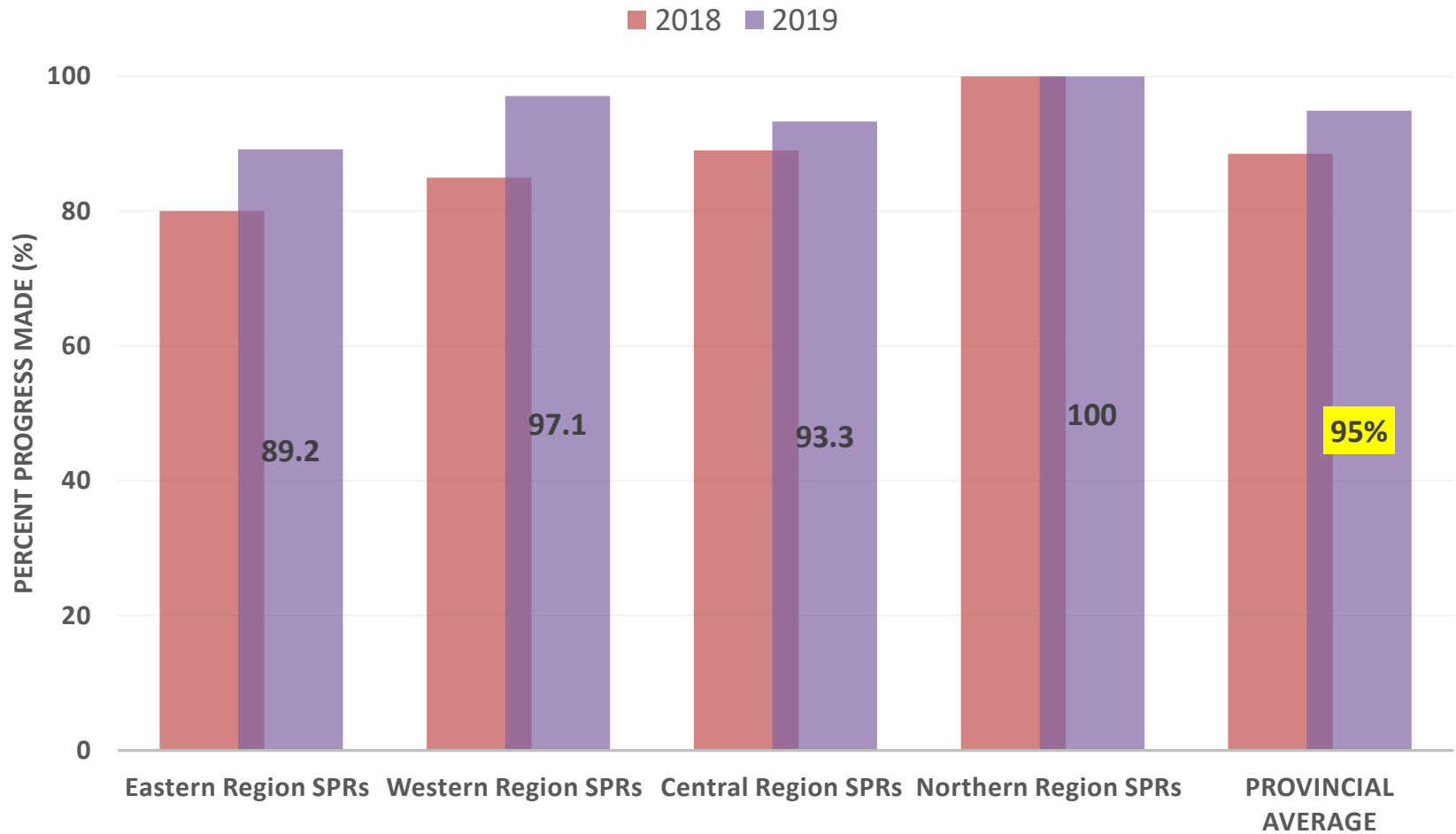
October 27, 2020

# Section 1: Policy and Threat Implementation Highlights

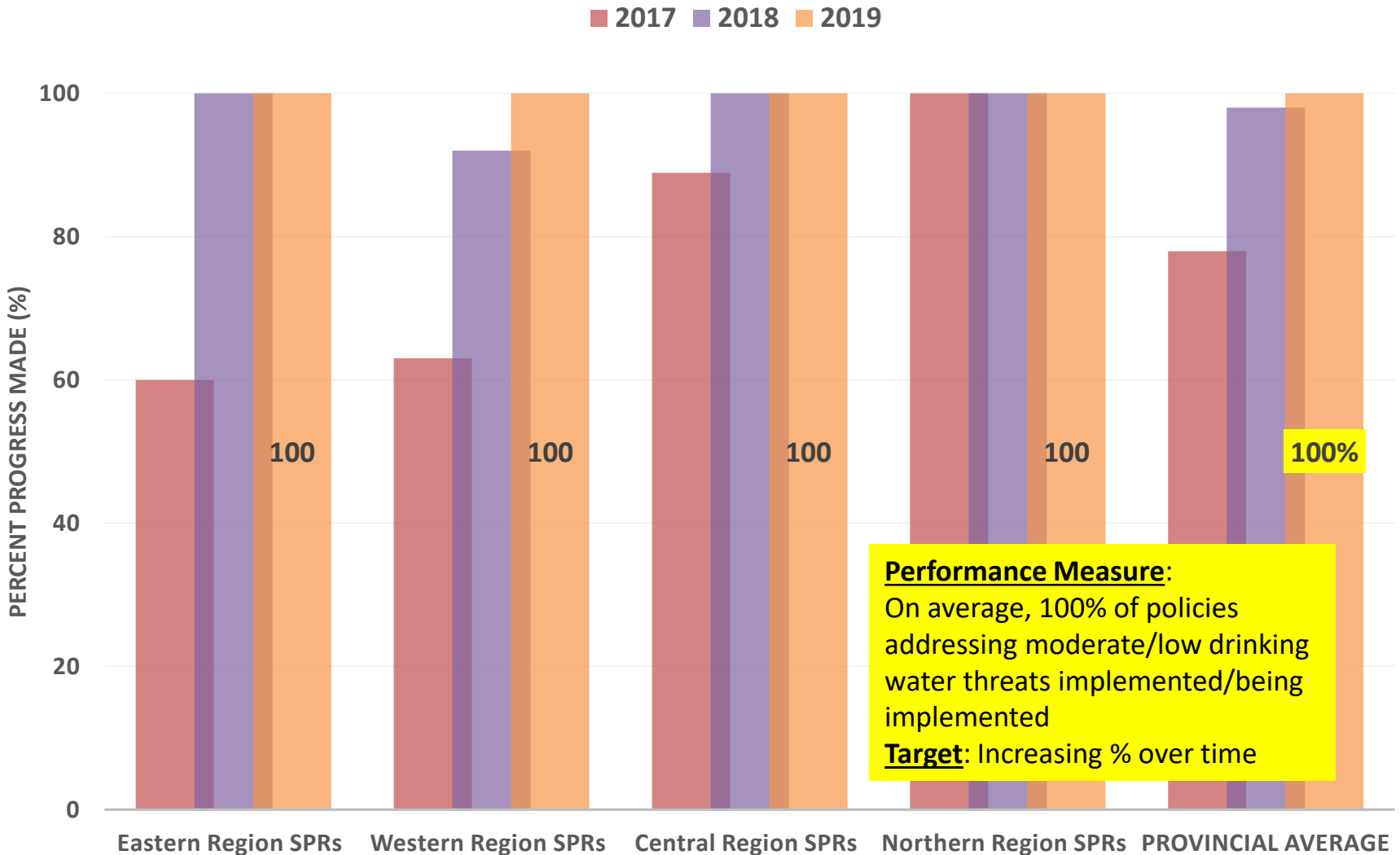
**2019 Annual Progress Reporting Highlights:  
Average Percentage of Legally-binding Significant Drinking Water Threat Policies  
Implemented/being Implemented by Provincial Source Protection Regions  
(SPRs)**



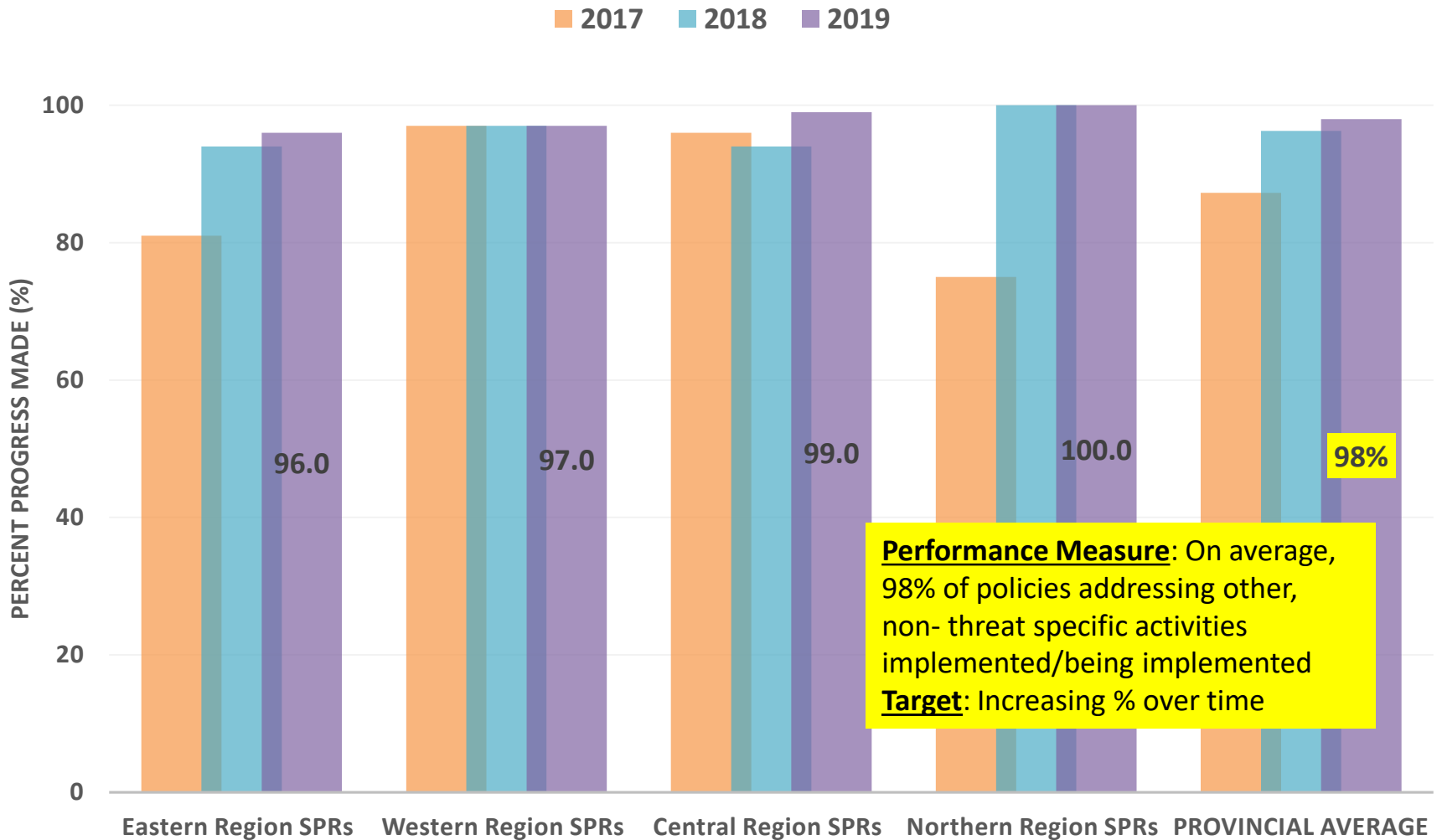
**2019 Annual Progress Reporting Highlights:  
Average Percentage of Non-binding Significant Drinking Water Threat Policies  
Implemented/being Implemented by Provincial Source Protection Regions  
(SPRs)**



**2019 Annual Progress Reporting Highlights:  
Average Percentage of Moderate-low Drinking Water Threat Policies  
Implemented/being Implemented by Provincial Source Protection Regions (SPRs)**



**2019 Annual Progress Reporting Highlights:  
Average Percentage of Other, non-threat Policies Implemented/being Implemented  
by Provincial Source Protection Regions (SPRs)**

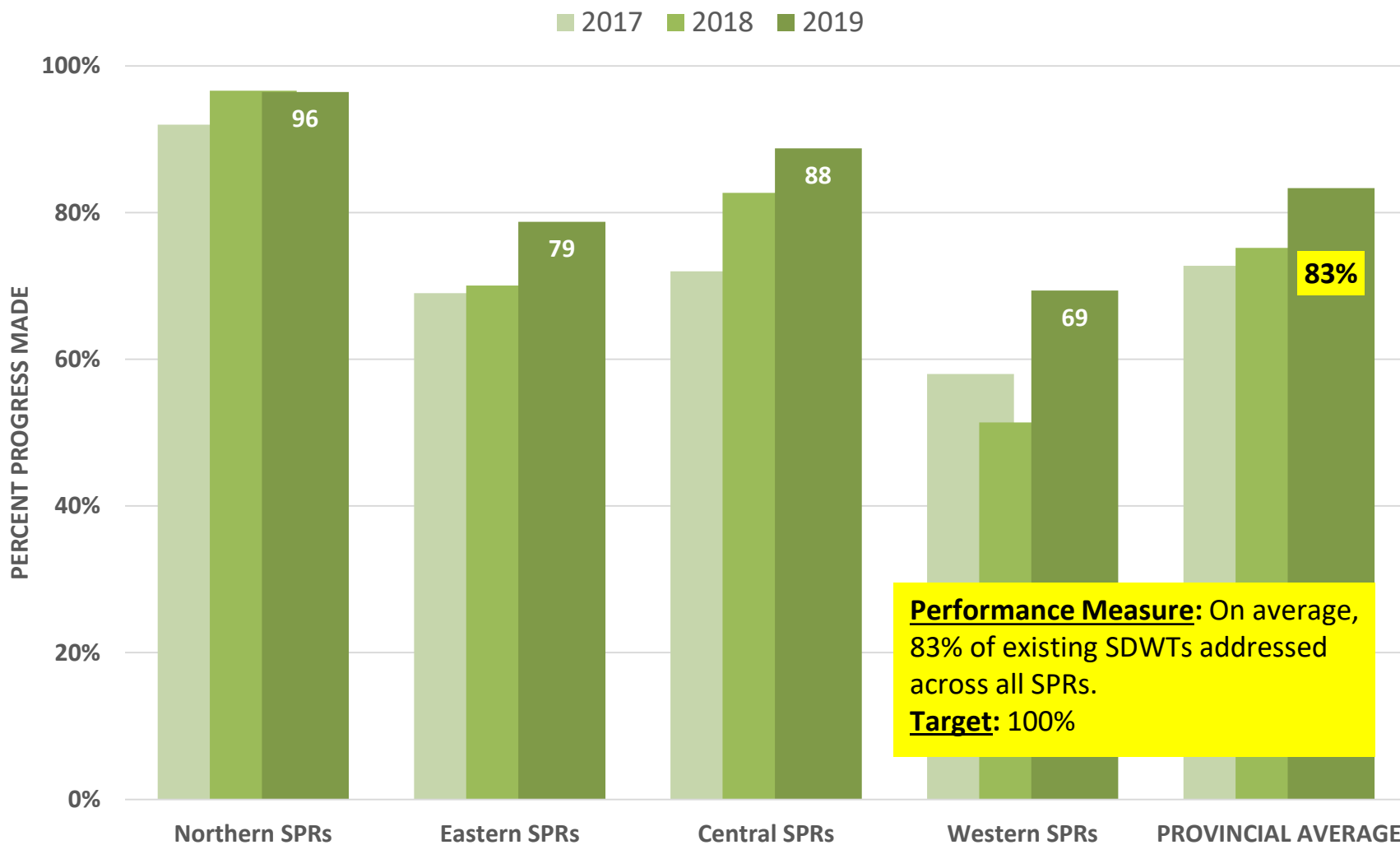




# Implementation Challenges

- Reporting indicates that a total of 21 threat (low, moderate, significant) policies from 8 SPR/As are experiencing implementation challenges
  - Of the 21 threat policies, 17 address significant threats (81%)
- The 17 SDWT threat policies with implementation challenges include:
  - Specify action (10)
  - Incentives (4)
  - E&O (2)
  - Risk Management Plan (1)
- Reasons for delay include: Non-binding policy, implementing bodies are considering options for implementation, activity not currently zoned to occur on landscape.
- Authorities reported steps they are taking to ensure implementation. SPPB developing a compliance strategy to assist.

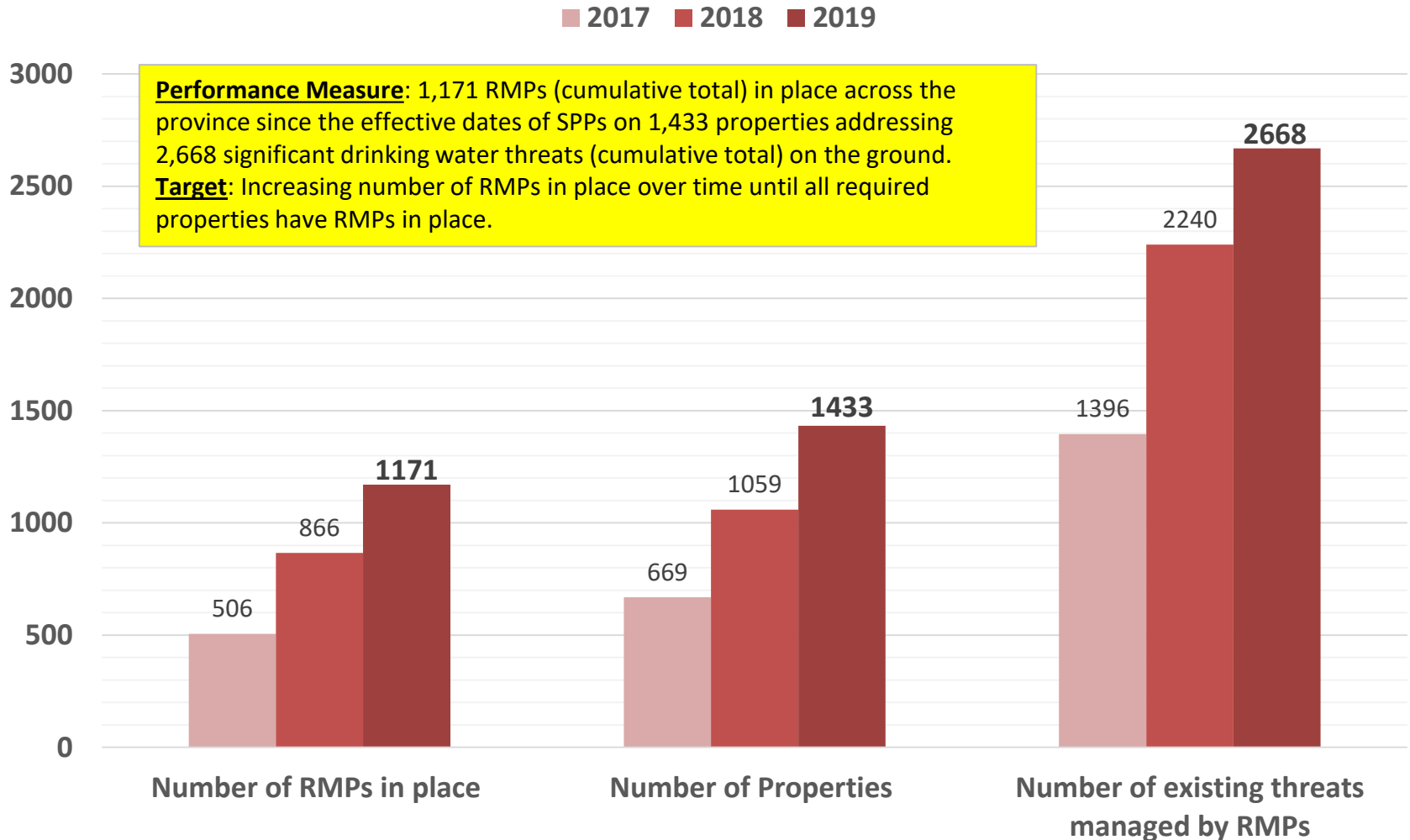
## 2019 Annual Reporting Highlights: Addressing Existing Significant Drinking Water Threats (SDWT) by provincial Source Protection Regions (SPR)



# Section 2: Part IV Implementation Highlights

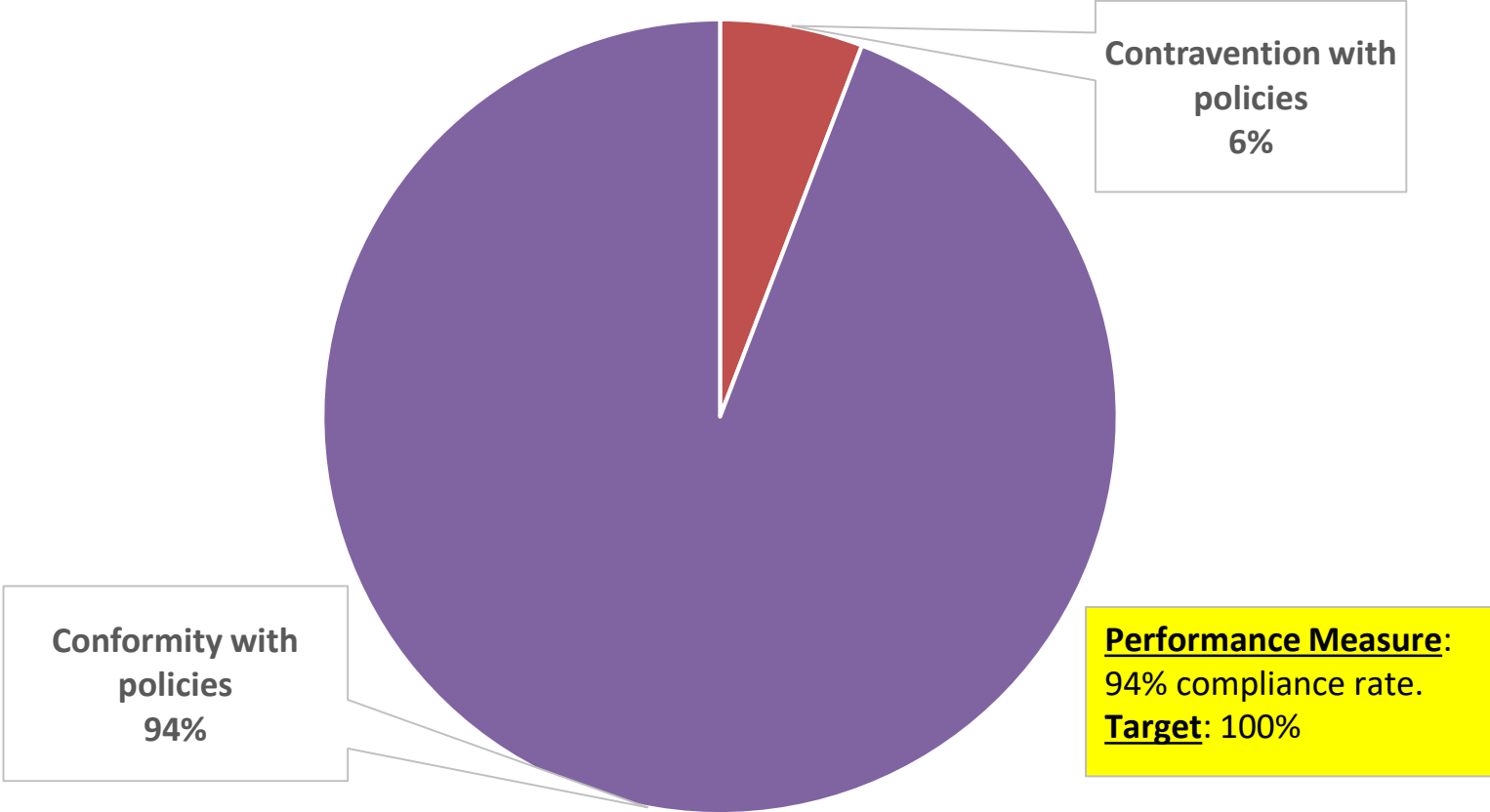
# Part IV (Section 58 Risk Management Plans)

## 2019 Annual Progress Reporting Highlights: Risk Management Plans (RMP) across Source Protection Regions



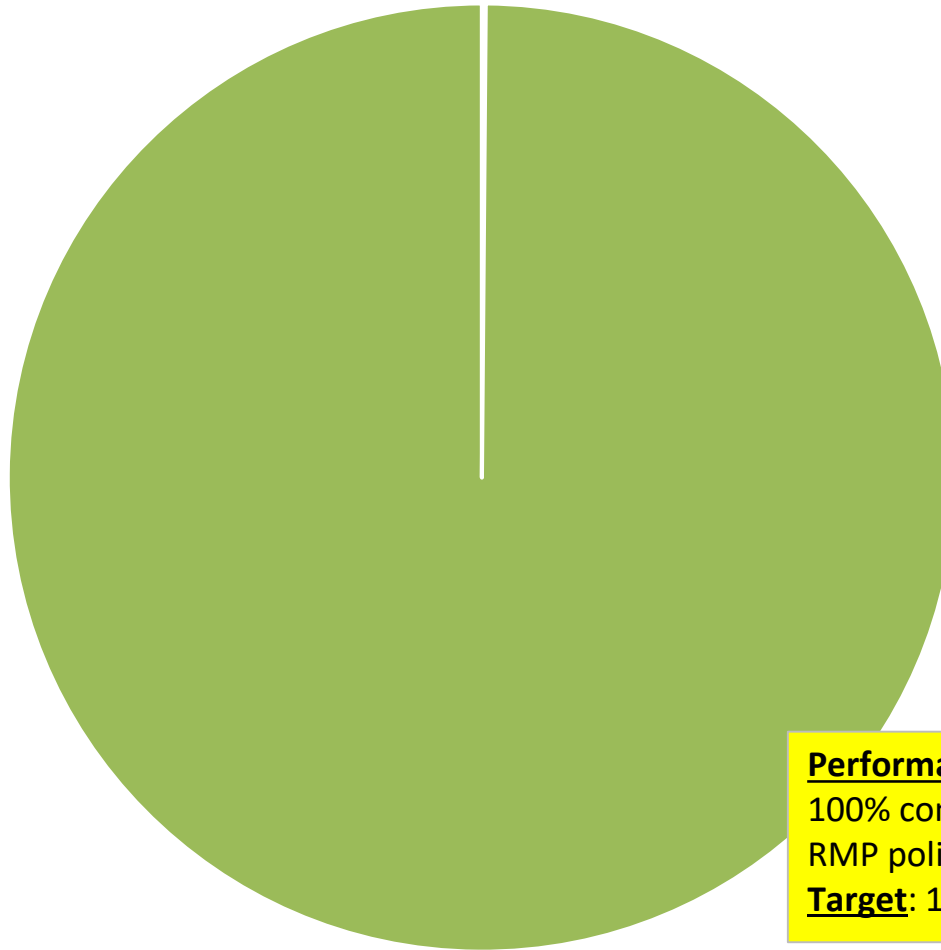
# Part IV (Inspections)

2019 Annual Progress Reporting Highlights:  
Sections 57 & 58 Inspection Results



# Part IV (Inspections)

## 2019 Annual Progress Reporting Highlights: Section 58 Inspection Results



**Performance Measure:**  
100% compliance rate with  
RMP policies.  
**Target:** 100%

# Section 3: Provincial Ministry Highlights

# Prescribed Instrument Integration/Conformity

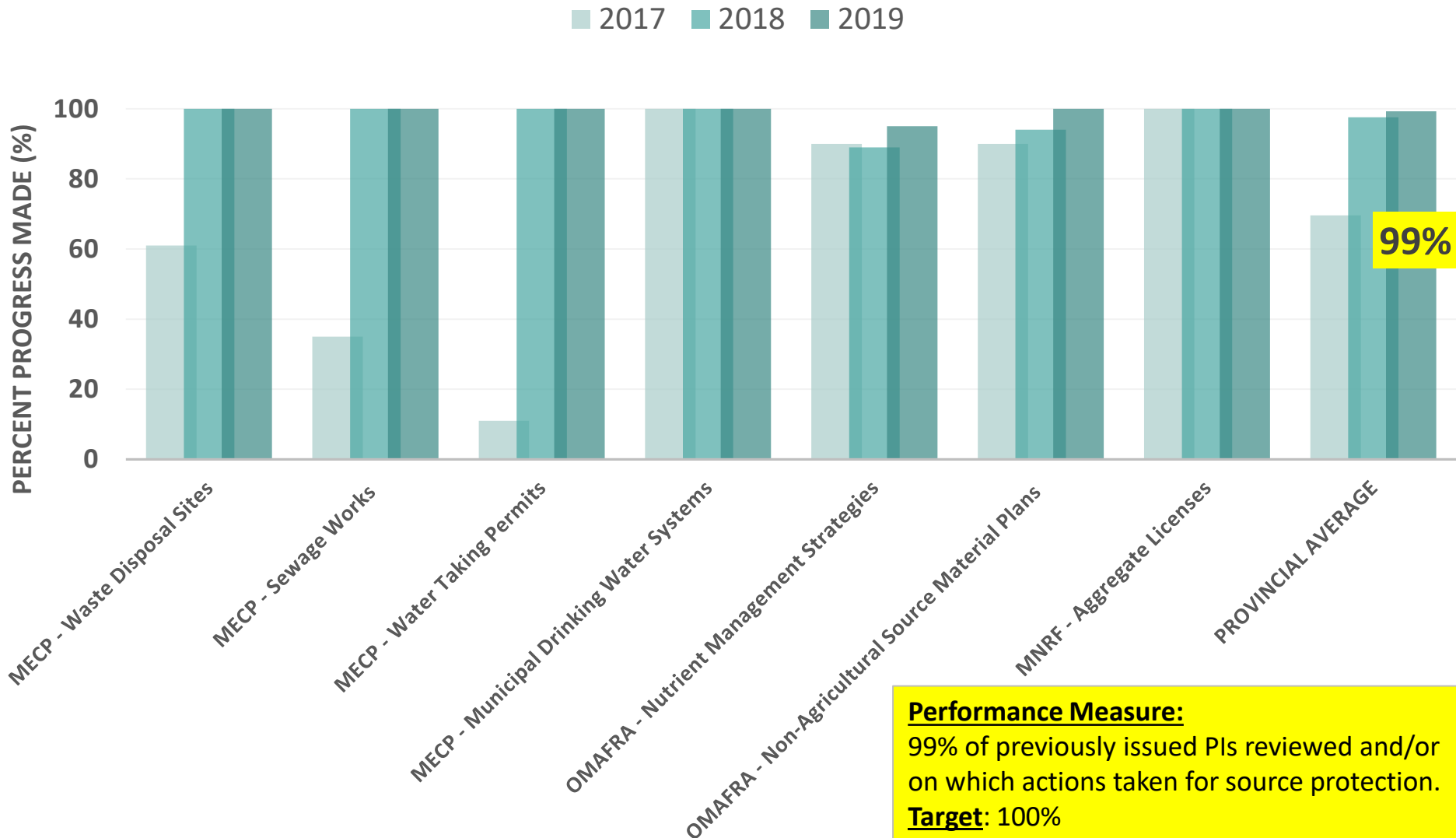
- All nine (9) Ministry program areas that issue prescribed instruments reported having the following processes in place:
  - Staff training on source protection;
  - Guidance documents to align with new program changes for source protection;
  - Mapping of prescribed instruments that are subject to policies;
  - Screening to review incoming applications for prescribed instruments where they are a significant drinking water threat;
  - Tracking prescribed instruments that are subject to source protection plan policies;
- Most program areas have additional processes in place related to:
  - Tools to support stakeholders during applications.
  - Protocol in place to review previously issued prescribed instruments



# Prescribed Instrument Integration/Conformity (Future instruments)

2019 Total Count of Applications Screened for Source Protection across applicable ministry program areas	Cumulative Total of Applications Screened for Source Protection across applicable ministry program areas	2019 Count of Decisions Made (i.e., Manage/Prohibit) across applicable ministry program areas	Cumulative Count of Decisions Made (i.e., Manage/Prohibit) across applicable ministry program areas
264	1069	45	260

# 2019 Annual Reporting Highlights: Cumulative Percent Progress Made on previously issued Prescribed Instruments (PI) by Provincial Program Area



**Performance Measure:**  
99% of previously issued PIs reviewed and/or on which actions taken for source protection.  
**Target:** 100%

# Prescribed Instrument Inspections

Ministry Program Area	Inspections	Orders	Voluntary Abatement Measures	Referral to Internal Investigations	Primary/ Secondary Screening of PI Application	Provincial Offense Notice	Self-reporting
MECP – WDS	Yes	Yes	Yes	Yes	Yes	Yes	No
MECP – Sewage Works	Yes	Yes	Yes	Yes	Yes	Yes	No
MECP – Pesticides	Yes	Yes	Yes	Yes	Yes	No	Yes
MECP – Water Taking	Yes	Yes	Yes	Yes	Yes	Yes	Yes
MECP – Hauled Sewage/ Biosolids	Yes	Yes	Yes	Yes	No	Yes	No
MECP – MRDWS	Yes	Yes	Yes	Yes	Yes	No	No

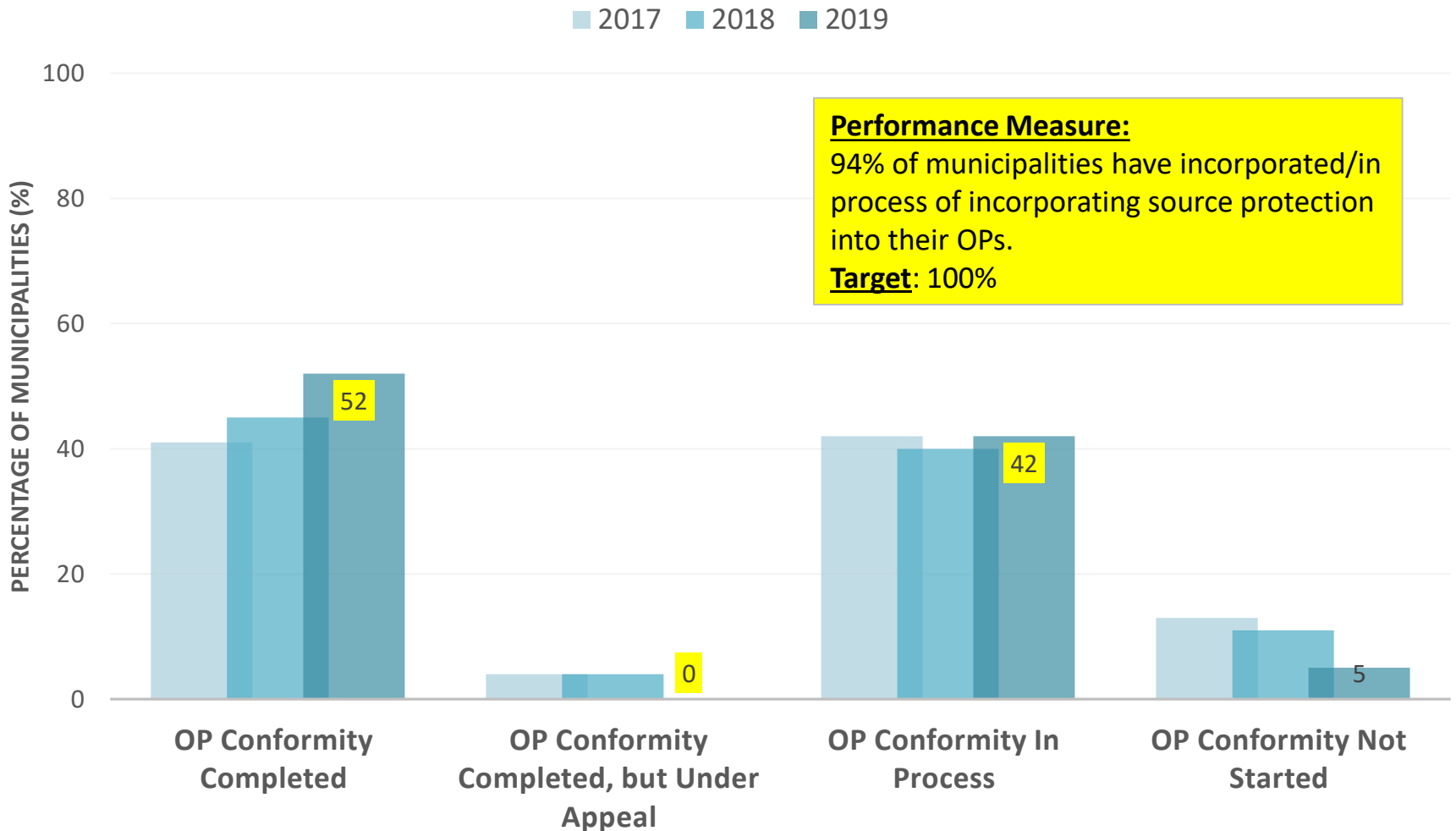
# Prescribed Instrument Inspections

Ministry Program Area	Inspections	Orders	Voluntary Abatement Measures	Referral to Internal Investigations	Primary/Secondary Screening of PI Application	Provincial Offense Notice	Self-reporting
MECP – NMA Inspections	Yes	Yes	Yes	Yes	No	No	No
MNRF – Aggregates (Fuel Storage)	Yes	No	No	No	Yes	No	Yes
MTO – Road Construction (Fuel Storage)	Yes	Yes	No	No	Yes	No	Yes

# **Section 4: Municipal & Source Protection Authority Highlights**

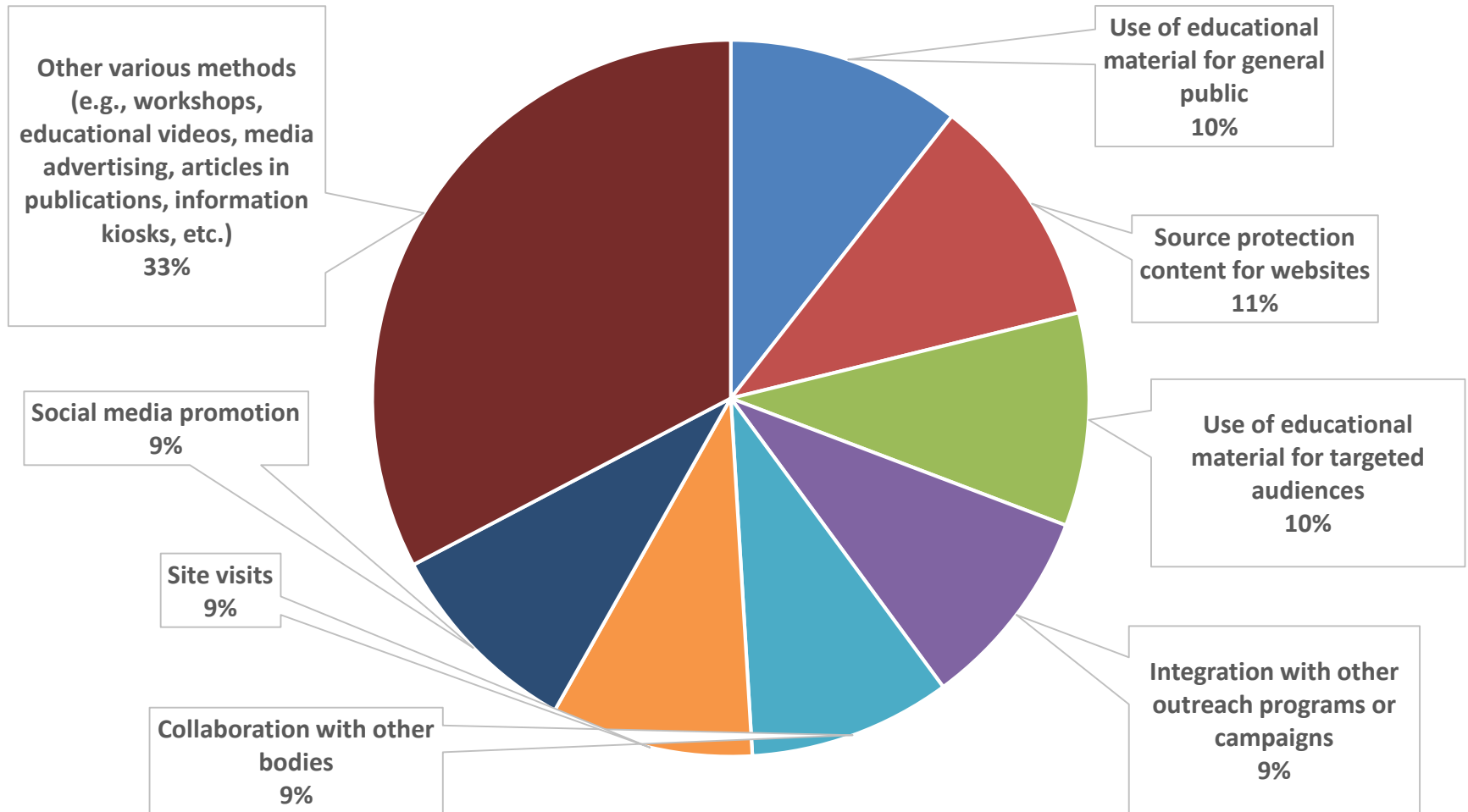
# Land Use Planning

## 2019 Annual Progress Reporting Highlights: Province-wide Official Plan (OP) Conformity for Source Protection



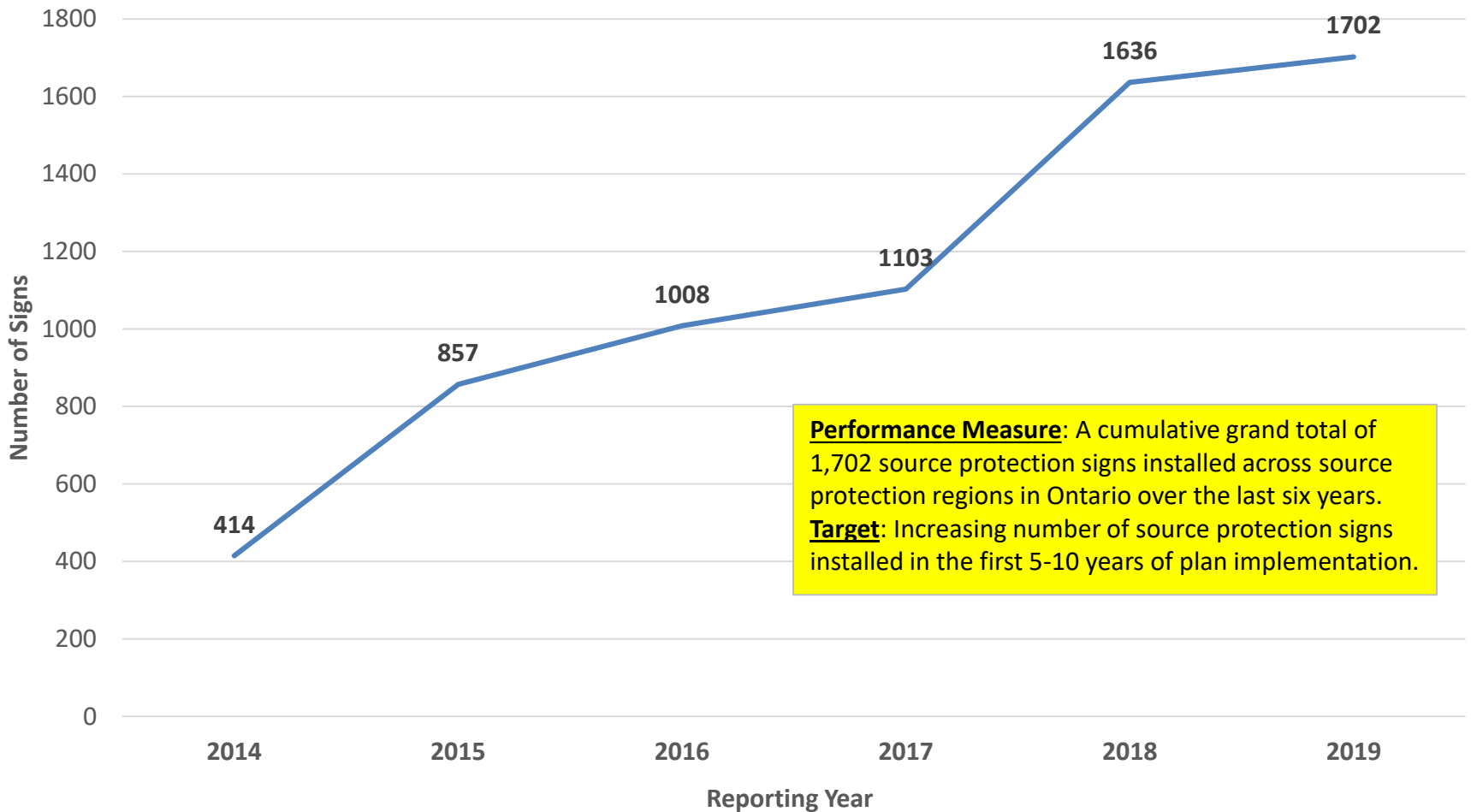
# Education & Outreach

## 2019 Annual Progress Reporting Highlights: Methods used to implement Education & Outreach Policies



# Signage

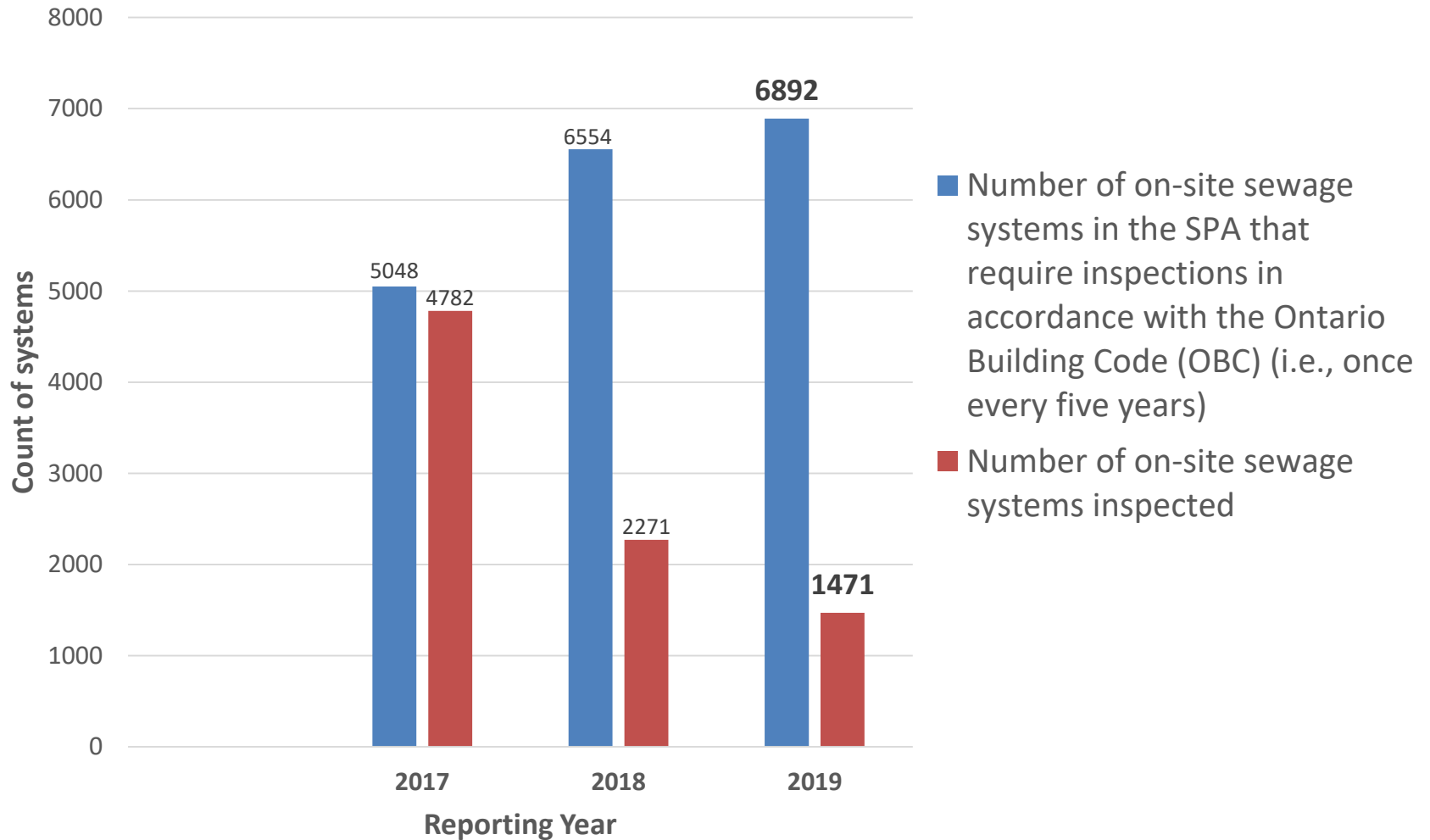
2019 Annual Progress Reporting Highlights:  
Total Number of Source Water Signs Installed across Source Protection Regions per Reporting Year





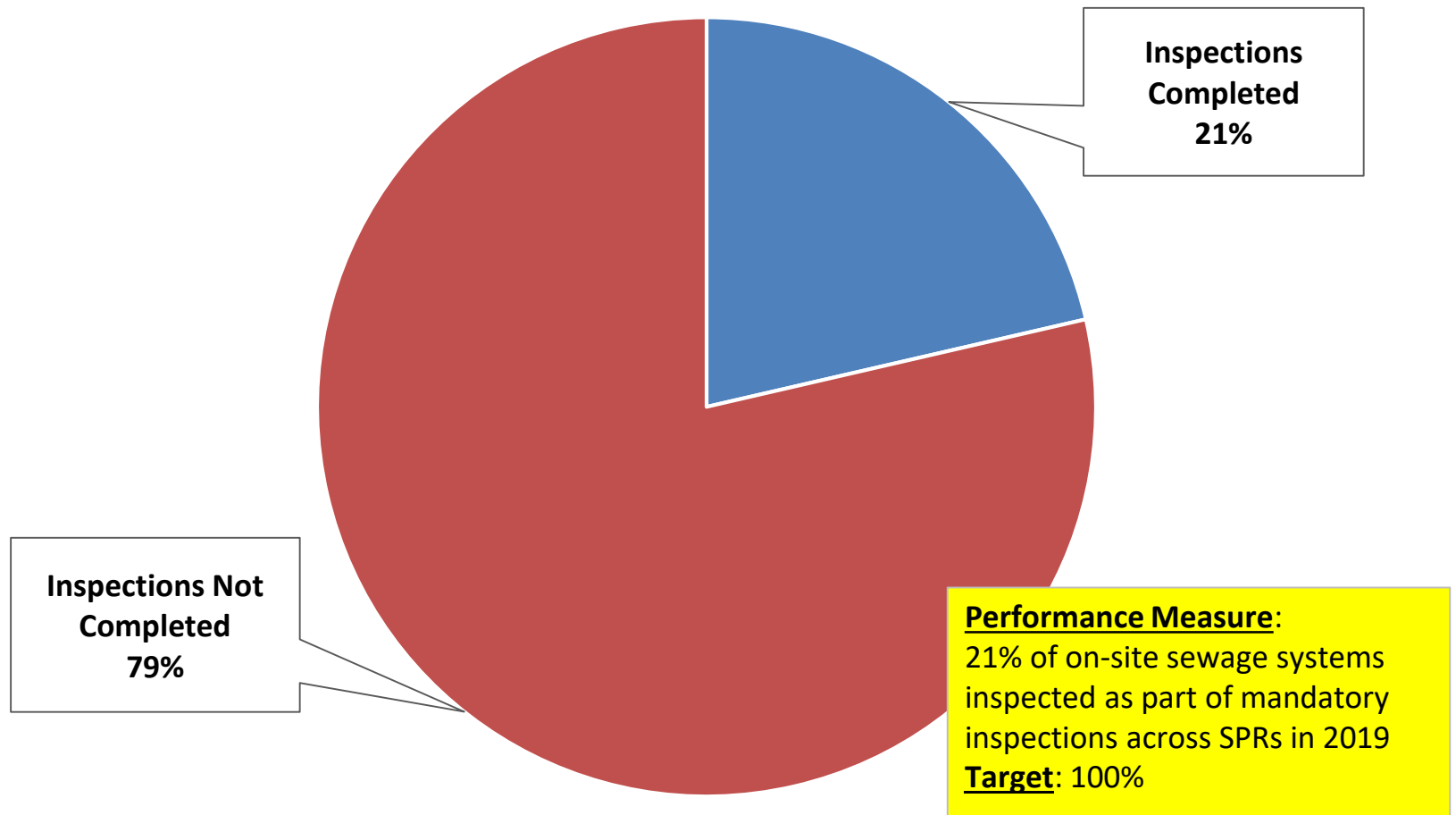
# Septic Systems

2019 Annual Progress Reporting Highlights:  
Septic System Inspections across Source Protection Region/Areas (SPR/A)



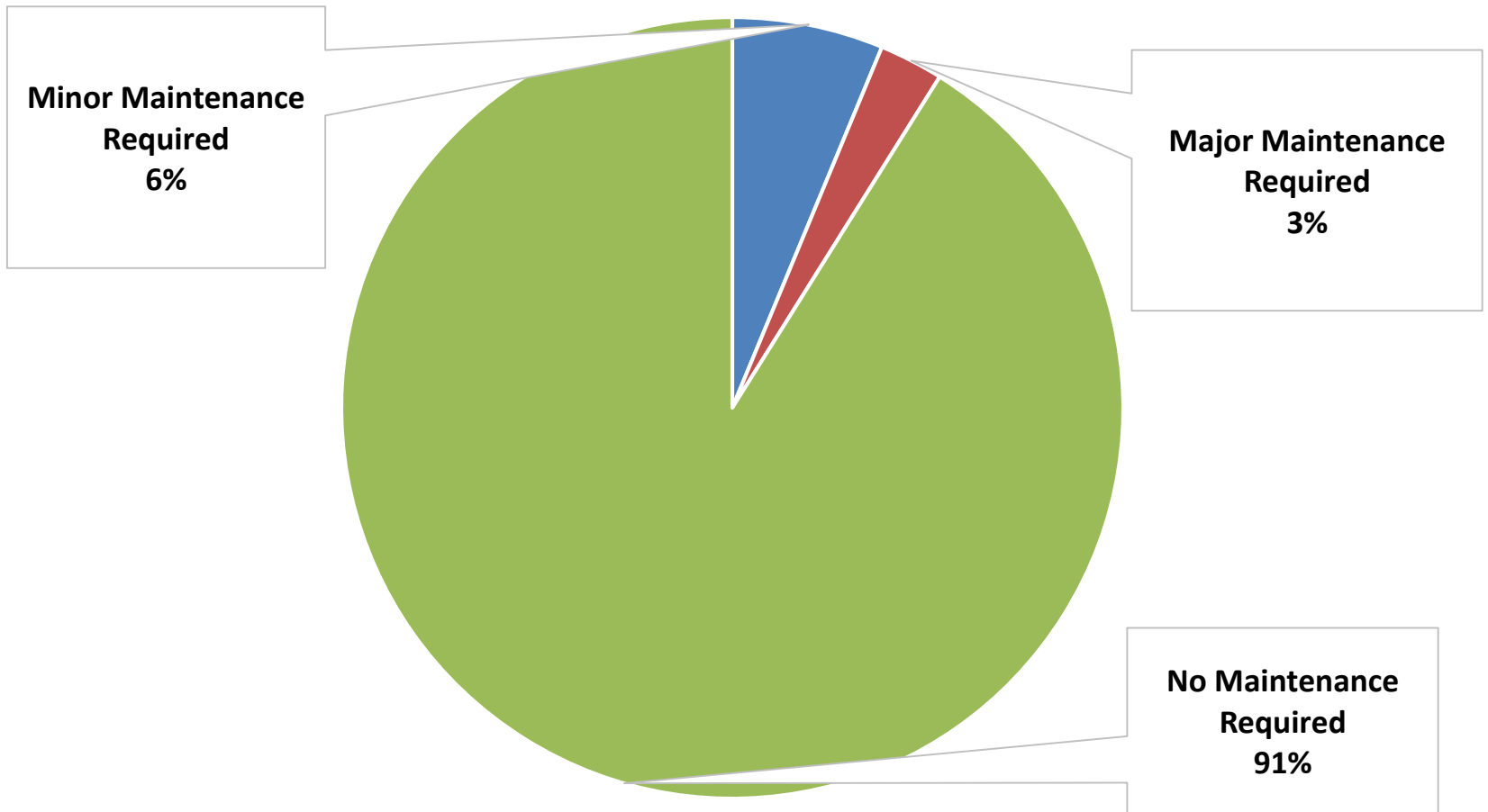
# Septic Systems

## 2019 Annual Progress Reporting Highlights: Province-wide Septic System Inspections Completed



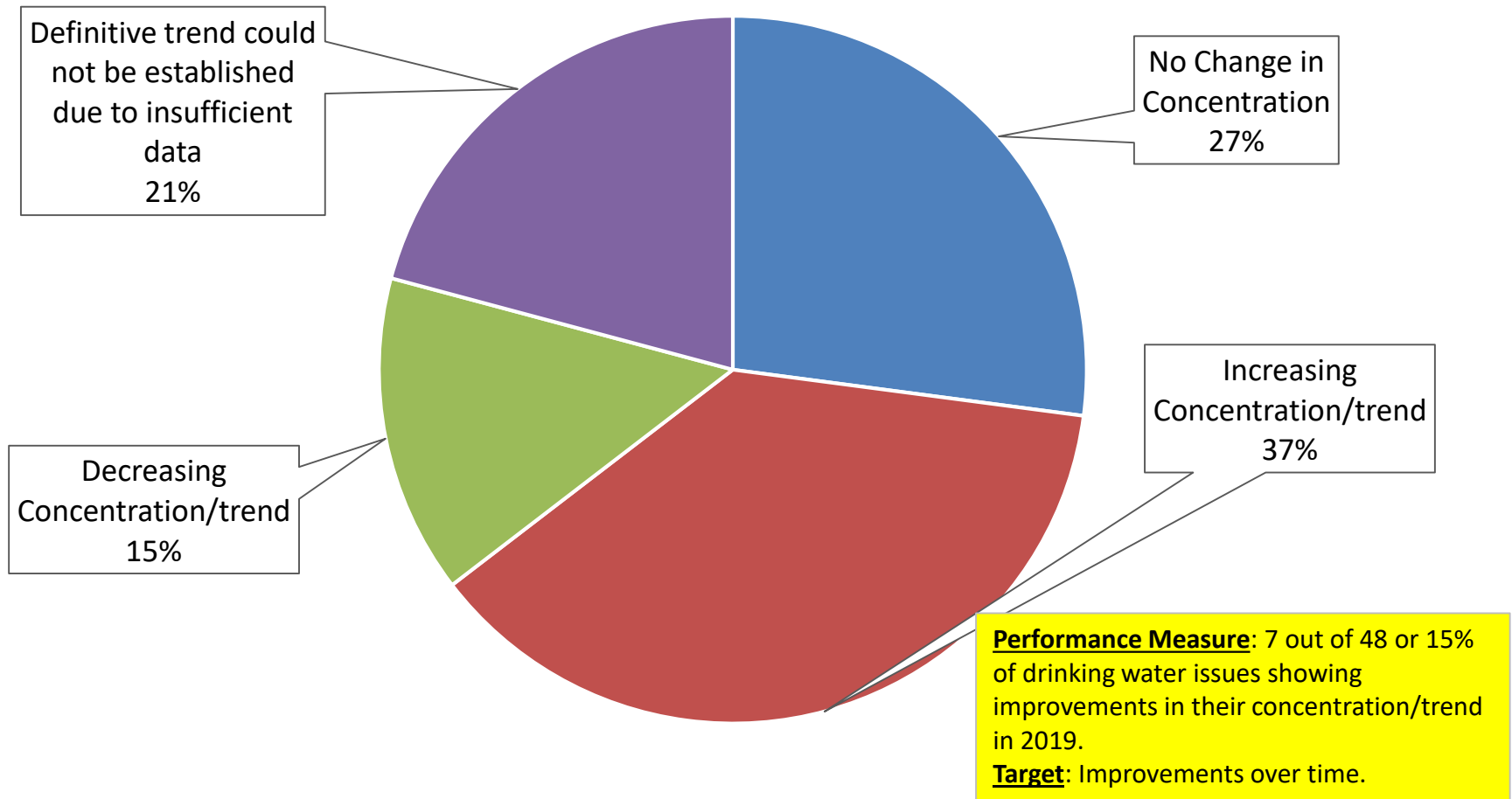
# Septic Systems

## 2019 Annual Progress Reporting Highlights: Province-wide Septic System Inspection Results



# Environmental Monitoring of Drinking Water Issues

## 2019 Annual Progress Reporting Highlights: Environmental Monitoring Results of Delineated Drinking Water Issues (n = 48) across Source Protection Regions in Ontario



# Transport Pathways

- 11 notices about transport pathways (meaning a condition of land resulting from human activity) were received in 2019 by six (6) different source protection areas.
- Where transport pathway notices were received, various actions were taken by the source protection region/area in response to receiving these notices, such as:
  - Provided information to municipalities about changes in vulnerability.
  - Provided notice to Source Protection Committee for information.
  - Situation continues to be monitored.

# Source Protection Positive Outcomes

- 82% of source protection authorities indicated that plan implementation is a contributing factor to achieving positive drinking water outcomes.
- Examples of positive drinking water outcomes that were shared by some SPAs include:
  - **CTC:** Long-Term Protection of Aquifer Recharge through the implementation of Low Impact Development.
  - **Halton-Hamilton:** Increased awareness about potential issues that can impact water quantity and quality in the context of capital projects and development applications.
  - **Lake Erie – Catfish Creek:** The Risk Management Official/Risk Management Inspector have noted a change in property owner behaviour during site inspections. People appear interested in protecting source water and are willing to change out chemicals for more environmentally-sensitive options.
  - **North Bay-Mattawa:** Awareness of factors that could contribute to blue green algae blooms.
  - **Quinte:** Raw water samples of Organic Nitrogen show results are improving.
  - **SGSNBP:** Results of the monitoring of nitrate have shown that levels have decreased and continue to fall below the threshold for an issues contributing area.

# Achievement of Source Protection Plan Objectives

**Performance Measure:** 91% of Source Protection Committees (SPC) are progressing well / on target towards achieving objectives of the plan

**Target:** Increasing percentage over time

## Progressing Well / On Target

ABMV, CTC, Essex, Halton-Hamilton, Lake Erie – Catfish Creek, Lake Erie – Kettle Creek, Lake Erie – Grand River, Lakehead, Mattagami, Mississippi-Rideau, Niagara Peninsula, North Bay-Mattawa, Quinte, Raisin-South Nation, Sudbury, SSM, Saugeen-Grey Sauble-Northern Bruce Peninsula, Thames-Sydenham and Trent Conservation Coalition.

## Satisfactory

Cataraqui, South Georgian Bay Lake Simcoe