

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION

Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
613-692-3571 1-800-267-3504

FINAL MINUTES

Mississippi-Rideau

Source Protection Committee

April 23, 2020

#1/20

VIA TELECONFERENCE

Voting Members: Scott Bryce
Ken Graham
Drew Lampman
Claude Lloyd
Peter McLaren
Eleanor Renaud
Wilf Stefan

Carol Dillon
Michel Kearney
Patricia Larkin
Randy Malcolm
Bev Millar
Diane Smithson

Tessa Di Iorio (City of Ottawa)

Martha Robinson (Medical Officer of Health Liaison)

Mary Wooding (Ministry of Environment, Conservation and
Parks Liaison)

Staff: Michelle Paton (RVCA)
Brian Stratton (RVCA)
Kestrel Wraggett (RVCA)

Regrets: John Hall (Source Protection Authority Liaison)
Pieter Leenhouts (Source Protection Authority Liaison)

1.0 Welcome and Introductions

Ken Graham called the meeting to order at 1:00 p.m. and noted that with the current state of affairs, it was necessary to conduct this meeting by conference call. Chair Graham reviewed housekeeping items to ensure an efficient e-meeting. Chair Graham then asked participants to respond to a roll call.

a) **Agenda Review**
Chair Graham reviewed the agenda.

b) **Notice of Proxies** None

c) Adoption of the Agenda

Chair Graham asked that the Agenda be approved as circulated.

Motion 1-1/20

Moved by:

Diane Smithson

Seconded by:

Eleanor Renaud

That the Agenda be approved as circulated.

**Carried by a majority vote of the Committee by voice vote
(no opposed, no abstentions)**

d) Declarations of Interest None

e) Approval of Minutes

Motion 2-1/20

Moved by:

Claude Lloyd

Seconded by:

Carol Dillon

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of November 7, 2019 be approved as circulated.

**Carried by a majority vote of the Committee by voice vote
(no opposed, no abstentions)**

f) Correspondence None

2.0 Source Protection Program Update

Chair Graham introduced Kestrel Wraggett, the new Project Manager.

Kestrel Wraggett gave an update on the Source Protection Program including recent milestones:

2020-2021 Funding Application

On November 28, 2019, the 2020-2021 Drinking Water Source Protection funding application was submitted to the Ministry of the Environment, Conservation and Parks (MECP). On February 4, 2020, a conference call was held to review the workplan. Minor modifications were recommended. On March 27, 2020, a transfer payment agreement was received by staff. Some minor modifications are required but the final agreement is expected within the next two weeks which means that funding for 2020-2021 will be received.

Section 34 Amendment

On January 7, 2020, the Section 34 amendment was submitted to the MECP for the North Grenville well and revisions to the DNAPL policies. Comments from the Ministry are expected this spring.

Final Draft Report Submission

On February 26, 2020, the final draft annual and financial report was submitted. The final report is due May 1, 2020.

Proposed Amendments to Directors Technical Rules

Mississippi -Rideau Source Protection staff attended an engagement session on proposed changes to the Phase II Technical Rules in November 2019. The changes are to be posted on the Environmental Registry this spring.

Climate Change

A climate change assessment tool, which allows SPAs to conduct local climate change vulnerability assessments on drinking water systems, was developed by the MECP, Conservation Ontario, and the Ontario Climate Consortium and released to source protection authorities in January 2020. Staff attended a training session in January. MECP is not funding the implementation of this tool.

SPC Governing Rules of Procedure

Updates to the governing rules of procedure, code of conduct and conflict of interest were approved by the Rideau Valley Source Protection Authority and the Mississippi Valley Source Protection Authority on November 28, 2019 and February 19, 2020 respectively. The updated rules are to be signed by committee members and returned to staff.

Motion 3-1/20

Moved by:

Carol Dillon

Seconded by:

Diane Smithson

That the Mississippi-Rideau Source Protection Committee receive for information this update on the Source Protection Program.

**Carried by a majority vote of the Committee by voice vote
(no opposed, no abstention)**

3.0 Risk Management Official Annual Report (2019)

Brian Stratton confirmed that all municipalities, except for the City of Ottawa, have chosen to transfer their Part IV enforcement authority to the Mississippi-Rideau Source Protection Authority. The City of Ottawa has their own Risk Management Official, Tessa Di Iorio.

Outside the City of Ottawa, the focus of 2019 was to work with property owners to develop Risk Management Plans for existing activities where required. Risk management staff worked with property owners to develop eight Fuel/Chemical Risk Management Plans and one Agricultural Risk Management Plan. Six of the Fuel/Chemical Plans were in the Rideau Valley Source Protection Area and two were in the Mississippi Valley Source Protection Area. The Agricultural Plan was in the Rideau Valley Source Protection Area.

Mr. Stratton reiterated that it takes time to develop a Risk Management Plan. He did note that all the businesses that were approached regarding DNAPLs were very accommodating adding that all Fuel/Chemical Plans in the Rideau Valley Source Protection Area related to DNAPLs.

Tessa Di Iorio advised that the City had established two Risk Management Plans within the City of Ottawa. This was done through an agreement with the Mississippi-Rideau Source Protection Region. Mississippi-Rideau Source Protection staff were retained by the City to support Part IV policy implementation related to existing drinking water threat activities (fuel and agriculture), which includes verification of existing threats and, if necessary, negotiating Risk Management Plans in vulnerable areas to safeguard drinking water sources. The Source Protection Support contract is being extended into 2020 to include existing DNAPL threats and complete the threats verification and Risk Management Plan development related to fuel storage.

The two Risk Management Plans established within the City of Ottawa were both related to home heating fuel policies. Ms. Di Iorio advised that there are five outstanding Risk Management Plans relating to fuel within the City of Ottawa.

Motion 4-1/20

Moved by:

Eleanor Renaud

Seconded by:

Bev Millar

That the Mississippi-Rideau Source Protection Committee receive for information the Risk Management Official Annual Reports for the 2019 calendar year.

**Carried by a majority vote of the Committee by voice vote
(no opposed, no abstentions)**

4.0 2019 Annual Progress Report to MECP

Source Protection Authorities are required to submit an Annual Progress Report to the Ministry of the Environment, Conservation and Parks by May 1 of each year. This is the third Annual Progress Report to be submitted. Kestrel Wraggett noted that this year's report is very similar to last year's report.

Ms. Wraggett stated that the Source Protection Authority has three main reporting requirements: Monitoring Policies, Risk Management Official's Report and the Annual Progress Report. Every year the Source Protection Authority requires Implementing Bodies to report, usually by February 1, on monitoring policies included in the Source Protection Plan. Ms. Wraggett noted that there are three municipal reports outstanding from municipalities that have legally binding policies. She also noted that staff received very few reports from municipalities with non-legally binding policies. Reports received were compiled and analyzed by staff to respond to the reportable items in the Annual Progress Reporting forms.

There are two components to the Annual Progress Report: a public facing report and a supplemental form. The public facing document has four sections: Introduction, Message from Committee, Information on our Watershed, and Implementation which has ten components. The Introduction and the Information on our Watershed sections contain general information. The Information on our Watershed section does not require grading and has not changed from last year.

There are seven sections in the report that require grading. Kestrel Wraggett advised that the grading has not changed from last year. The three grades are Progressing Well/On Target, Satisfactory and Limited Progress.

Implementation Part 1: Overall Policy Status

There are 48 significant threat policies which either prohibit or manage activities. 43 of these policies have been implemented (89.6%), a 2.1% increase over 2018. 4 are still in progress and one of the significant threat policies is not applicable.

There are 6 moderate-low threat policies. 4 policies have been implemented (67%) and 2 are in progress.

In response to a question from a member regarding the Not Applicable Status category, Kestrel Wraggett, agreed that staff should look into removing this category from next year's report.

Proposed Grade: Progressing Well/On Target – No objections

Implementation Part 2 – Municipal Progress

In the Mississippi-Rideau Source Protection Region, 15 municipalities have vulnerable areas where significant drinking water threat policies are included in the Source Protection Plan. Legally binding policies apply to portions of Wellhead Protection Areas or Intake Protection Zones. All 15 municipalities in our source protection region have processes in place to ensure that their day-to-day decisions conform to with our Source Protection Plan policies.

Municipalities regulate development through their powers under the *Planning Act*. Updating the Official Plans and Zoning By-laws helps to ensure that decisions on planning matters are consistent with Source Protection Plan policies. In our Source Protection region, municipalities are required to update their Official Plans either before, or during their next five -year review after January 1, 2015. Zoning By-laws must be updated within three years of the Official Plan amendments.

In the Mississippi-Rideau Region, all municipalities have completed or are in the process of completing their Official Plan amendments, and 11 have completed or are in the process of completing their Zoning By-law amendments.

In response to a question from a member regarding municipalities that are in the process of completing either Official Plans or Zoning By-laws, Kestrel Wraggett confirmed that the RVCA Planning department would flag any planning applications that would need to have significant drinking water threats addressed. Ms. Wraggett added that municipalities are still required to abide by Source

Protection Plan policies regardless of the stage of any Official Plan or Zoning By-law amendments. Staff were asked to explain this in the Public Facing document.

Proposed Grade: Progressing Well/On Target – No objections

Implementation Part 3 – Septic Inspections

A key part of protecting drinking water is accomplished through the Mandatory On-Site Swage System Maintenance Inspection Program. Where they are a significant drinking water threat, on-site sewage systems must be inspected once every five years in accordance with the Ontario Building Code's mandatory septic inspection program. 100% of on-site sewage systems identified as a significant threat have been inspected (number remains unchanged from previous annual reports) and minor maintenance work was completed where required. In particular, two existing systems in Mississippi Mills were identified. Inspections reported as complete in 2016 will require reinspection in 2021.

Proposed Grade: Progressing Well/On Target – No objections

Implementation Part 4 – Risk Management Plans

Since the Source Protection Plan came into effect, 44 Risk Management Plans have been established in the Mississippi-Rideau Region. In 2019, 11 inspections were carried out by a Risk Management Inspector to verify additional potential threats and prohibited or regulated activities within the Region. These inspections were initial inspections that occurred to assist in putting Risk Management Plans in place. No Section 59 notices have been issued. There have been no cases of non-compliance with established Risk Management Plans observed to date.

Each inspection resulted in the establishment of a Risk Management Plan. There are 17 parcels remaining that require Risk Management Plans. There are a few non-responsive landowners within our Region that require Risk Management Plans.

Proposed Grade: Satisfactory

Implementation Part 5 – Source Water Protection

In the Mississippi-Rideau Region, there were 95 previously issued provincial approvals identified that required review.

All of these have been reviewed, for conformity to our Source Protection Plan. Only two Prescribed Instruments were amended or replaced. One was a Wastewater/Sewage Prescribe Instrument and the other was a Fuel Storage/Handling Prescribed Instrument.

Proposed Grade: Progressing Well/On Target – No objections

Implementation Part 6 – Source Protection Awareness

This section does not require grading and is included for information only.

A total of 63 Drinking Water Project Zone signs have been installed in the

Mississippi-Rideau Source Protection Region (since 2015) along municipal and county roads to mark the 12 drinking water systems in the Source Protection Plan. A total of nine Drinking Water Protection Zone signs have installed in the Mississippi-Rideau Source Protection Region along provincial roads. In addition to continuing with the rolling out of the Living in the Zone campaign, several pamphlets and media releases have been produced to increase public awareness.

The City of Ottawa is developing a communications strategy for source water protection which will target a much larger audience.

A member questioned whether it was possible to track progress of the Living in the Zone program from year to year as it is very important to committee members and members of the rural community. Staff will broaden future reporting on this program.

Implementation Part 7 – Summary of Delays

This section is an overview of some of the challenges being faced by staff.

Some policy tools are challenging to implement and require significant time to build relationships with landowners, business operators, and other key individuals across the region. In particular, the policies that require negotiation of Risk Management Plans with individuals have been challenging to implement. Progress has been made to identify properties that require Risk Management Plan, refine threat numbers and identify sites that don't require a plan at this time, and to contact landowners. Some Risk Management Plans for existing activities are not yet complete, and staff are working hard to finish all required plans across the region at identified properties, however additional time is required to complete this work.

There have been some challenges with some non-responding landowners within the Source Protection Region. The Source Protection Authority is currently exploring possible updates to policy and legal steps as a last case scenario to address these conflicts. Staff have also had some very preliminary discussions with the insurance sector to discover whether there is a way to combine insurance requirements with source water protection significant threat policies in vulnerable areas.

Some non-legally binding policies have not yet been implemented or have not been reported on so staff will be working with municipalities to improve reporting processes.

Implementation Part 9 – Other Reporting Items

Kestrel Wraggett noted that through an administrative oversight, Section 9 in the Agenda package contained outdated information and will be replaced by the following:

Feedback from stakeholders and partners is an important part of the Source Protection program. Municipalities in our Source Protection Region brought

several points of view to the attention of Source Protection Staff during this reporting period. Municipal implementation was well supported overall.

Feedback encouraged added clarity in significant threat circumstances in the Source Protection Plan, including some sewage works definitions, stormwater management facilities and formal inclusion of low impact development. An update to the policy for DNAPLs was well supported.

Feedback discussed incorporating more flexibility into the plan and providing guidelines for when and how municipalities should follow policies that may not have been applicable in prior years. Municipalities were in favour of considering evolving climate and changing circumstances such as by including rare events (ice storm, drought, flash floods and spread of contaminants).

It was recommended that technical studies should be kept up to date to assist in determining appropriate policy updates. Added clarity for municipalities on guidelines regarding highly vulnerable aquifers along with use of mapping for highly vulnerable aquifers and significant groundwater recharge areas would be beneficial.

Some municipalities also indicated that they would like guidance and recommended policies to protect communal, privately owned drinking water systems and well clusters as well as resources to assist with implementing land-use planning policies, such as examples of Zoning By-laws and additional resources for using the application screening tool.

Kestrel Wraggett asked that any committee members intending to submit written comments do so by April 8, 2020. This is required to allow comments to be included in the upcoming Source Protection Authority package.

Section II

Kestrel Wraggett explained that staff would summarize comments coming out of today's meeting and the grading of the of the other sections to determine an overall grade for the reporting period.

Motion 5-1/20

Moved by:

Diane Smithson

Seconded by:

Patricia Larkin

That the Mississippi-Rideau Source Protection Committee receive for review the draft Annual Progress Report for 2019;

And further, that the Mississippi-Rideau Source Protection Committee assess and grade the progress achieved so far, providing a grade achieved through discussion at the meeting of April 6, 2020 to be recorded in the meeting minutes;

And further, that the Mississippi-Rideau Source Protection Committee direct staff to summarize the comments, notes, grading and discussion and provide the Annual Progress Report to the Source Protection Authority for their approval.

**Carried by a majority vote of the Committee by voice vote
(no opposed, no abstentions)**

5.0 Other Business

There was no other business.

6.0 Member Inquiries

Carol Dillon questioned who had access to the climate change tool. Brian Stratton responded that the tool is meant to be used by municipal and source protection staff. Brian Stratton offered to work with Patricia Larkin off-line regarding a guidance document.

In response to a request from Bev Millar, Brian Stratton agreed to add an update on the climate change guidance tool to the next meeting agenda.

7.0 Next Meeting

The date of the next meeting is to be determined.

8.0 Adjournment

Motion 6-1/20

Moved by: Eleanor Renaud

The meeting was adjourned at 2:02 p.m.

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Ken Graham
Chair

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Michelle Paton
Recording Secretary