

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION
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MINUTES

Mississippi-Rideau
Source Protection Committee **September 2, 2010** **#8/10**

Meeting Location: Lanark & District Civitan Club
2144 Pine Grove Road, Lanark, Ontario

Present:

Scott Berquist	George Braithwaite
Scott Bryce	Carol Dillon
Paul Knowles	Drew Lampman
Patricia Larkin	Christine Leadman
Randy Malcolm	Peter McLaren
Beverly Millar	Eleanor Renaud
Tammy Rose	Janet Stavinga (Chair)

Mark Burnham	(Source Protection Authority Liaison)
Jean-Guy Albert	(Medical Officer of Health Liaison)
Mary Wooding	(Ministry of the Environment Liaison)

Regrets: Richard Fraser

Staff: Sommer Casgrain-Robertson Michelle Paton
Brian Stratton

1.0 Welcome and Introductions

Chair Stavinga asked that the following Motion to waive the rules of procedure be considered.

Motion 1-08/10

Moved by: Eleanor Renaud
Seconded by: George Braithwaite

That the Mississippi-Rideau Source Protection Committee suspend the Governing Rules of Procedure, Code of Conduct and Conflict of Interest as outlined in Section 2.2.3 and in accordance with Section 2.2.5 in order that the Committee may receive and consider the agenda and accompanying materials for September 2, 2010.

Carried

Peter McLaren welcomed meeting participants to the Village of Lanark.

Chair Stavinga asked all participants to introduce themselves. Debra Pretty-Straathof introduced herself as the Ontario Federation of Agriculture (OFA) representative for the Lanark area.

a) **Agenda Review**

Chair Stavinga reviewed the purpose of the meeting and the Agenda.

b) **Notice of Proxies**

None

c) **Adoption of the Agenda**

Motion 2-08/10

That the Agenda be approved as presented.

Carried

d) **Declarations of Interest**

None

e) **Approval of Minutes**

Carol Dillon recommended that the draft Minutes be amended to indicate the meeting's location.

Motion 3-08/10

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of August 12, 2010 be approved as amended.

Carried

f) **Status of Action Items**

Motion 4-08/10

That the Mississippi-Rideau Source Protection Committee receive the Status of Action Items Report for information.

Carried

g) Correspondence

Chair Stavinga confirmed that a date has not yet been set with Atomic Energy of Canada Limited to tour the Chalk River Laboratory facility.

2.0 Assessment Report Development

Sommer Casgrain-Robertson advised that the *Draft* Assessment Report must be posted by September 30, 2010 to ensure the region's eligibility for Early Response funding under the Ontario Drinking Water Stewardship Program. She expressed confidence that staff could meet the posting requirements by this date if the Committee were to approve the recommendations before them.

Ms. Casgrain-Robertson suggested the following schedule to address public notice requirements. By early October, notices would be published in newspapers and letters sent to each person known to be potentially engaging in a significant drinking water threat. A public meeting would be held in each Source Protection Area by late October. The 35 day comment period would end in early November and any necessary revisions would be made to the Assessment Report by mid-November. The *Proposed* Assessment Report could then be posted for the final public consultation period and submitted to the Ministry of Environment by late December.

Ms. Casgrain-Robertson then reviewed the recommendations that the Committee would be asked to approve.

Brian Stratton reviewed the *Summary of Changes to IPZ Studies* chart dated August 31, 2010 (attached).

Members were directed to the package of 10 maps that was provided. With respect to presentation, Patricia Larkin suggested that greater consistency be used in the legends on the vulnerability score maps. She also suggested that it would be useful to add a bracket to the legend showing the IPZ scoring level beside the number and colour.

Brian Stratton then spoke to the IPZ for the City of Ottawa. Originally IPZ-3, for the two Ottawa River intakes (Britannia and Lemieux Island), was delineated using the Contaminant Transport Approach. The City of Ottawa has questioned this approach based on their interpretation of the Event Based Approach (EBA) Technical Bulletin. As a result, the City decided to use a Boundary Approach which is similar to the IPZ-3 delineation method used for the inland waters study.

Brian Stratton then spoke to the revised IPZ-3 Vulnerability Scoring methodology being presented to the Committee for approval. He advised that staff had been working with MOE technical staff, consultants, and the surface water municipalities to develop a more simplified scoring approach. This new approach utilizes a time of travel scoring method. All IPZ-3 areas will have a starting area vulnerability factor of eight which is in keeping with MOE's

technical rules. Within IPZ-3 areas, the area vulnerability factor will drop by one every four hour time of travel interval to a minimum of four. Chair Stavinga confirmed that different Source Protection Committees are using different approaches, but all are in keeping with the spirit of the Provincial Technical Rules.

Brian Stratton identified an error in Table 3: Source Vulnerability Factor Ranges for Surface Water Intakes. The source vulnerability factors for Carleton Place, Perth, and Smiths Falls should be 1 and not 0.9. The source vulnerability factors for Britannia (Ottawa) and Lemieux Island (Ottawa) should be 0.9 and not 1 as shown.

Chair Stavinga introduced Ryan Polkinghorne of the City of Ottawa. Mr. Polkinghorne explained, in greater detail, the boundary approach that the City of Ottawa would like to use. Chair Stavinga confirmed that while the IPZ-3 has been enlarged using the Boundary Approach, the vulnerability score for this area is low (3.6) and will not require mandatory policies. Tammy Rose added that the score was so low that even voluntary policies would not need to be addressed.

Chair Stavinga suggested that with the August 2012 plan deadline, the Committee may have to concentrate on mandatory policies as we may not have sufficient time to be able to develop optional policies. Carol Dillon suggested that the land masses are so extensive and diverse that it may be difficult to implement policies that do not detrimentally affect smaller communities.

Mary Wooding confirmed that air-borne contaminants from industrial activities are not being considered as threats at this time. Jean-Guy Albert advised that the Provincial Ministry of Health and the Eastern Ontario Health Unit have been in discussions relating to testing for the natural presence of uranium as opposed to uranium mining. Chair Stavinga suggested that this could be flagged as a voluntary policy. She added that one of the benefits of this process has been the identification of risks that may not have been evident before. Sommer Casgrain-Robertson reminded Committee Members that their mandate is very specific as the *Clean Water Act* is limited to very specific vulnerable areas where sources of municipal drinking water could be impacted. Municipalities and other agencies have access, through other legislation, to an extensive number of tools to protect water resources.

Chair Stavinga stated that a Motion was being brought forward to recognize the City of Ottawa's wish to further explore the Boundary Approach methodology. Chair Stavinga reiterated that there was insufficient time for the City to complete their study before the *Draft Assessment Report's* posting deadline of September 30, 2010. Tammy Rose confirmed that this is a fine tuning exercise that would allow for further refinement while enabling the Committee to proceed with the posting of the *Draft Assessment Report*. Sommer Casgrain-Robertson suggested that any revisions might be brought

in as a comment in November. If the information is received later than November, clarification regarding submission will be requested from the Ministry of the Environment. Paul Knowles questioned how the Committee would explain the use of two scoring methodologies. Chair Stavinga reiterated that the City of Ottawa is currently asking for time to continue their study and added that there would need to be strong justification for a proposed change.

Motion 5-08/10

Moved by: Tammy Rose
Seconded by: George Braithwaite

Whereas, the Ministry of the Environment permits (but does not require) the delineation of sub-zones within IPZ-3 for the assignment of vulnerability scores, since they can be used to reflect a change in vulnerability for an intake;

And whereas, the Technical Rules and accompanying Technical Bulletin provide no guidance on how to establish sub-zones, except to say that when assigning Area Vulnerability Factors to such areas that the following matters should be considered:

- Percentage of the area IPZ-3 that is composed of land;
- Land cover, soil type, permeability of the land, and the slope of any setbacks;
- Hydrological and hydrogeological conditions of the areas where the transport pathway is located; and
- Proximity of the area of the IPZ-3 to the intake.

Whereas, the City of Ottawa has recently raised concerns with regards to the present IPZ-3 modelling and is requesting an opportunity for further examination and refinement in partnership with the MRSPR;

And whereas, the City of Ottawa appreciates that the level of effort to complete such an undertaking is measured in months not weeks;

And whereas, the City of Ottawa understands that the Draft Assessment Report must be posted by September 30, 2010 for our member municipalities and affected landowners to be able to access provincial funds to address potential significant threats under the Ontario Drinking Water Stewardship Program Early Response;

Therefore, be it resolved that the Mississippi-Rideau Source Protection Committee direct staff to work with the City of Ottawa, our consultants (Baird) and the Ontario Ministry of the Environment to further explore an alternative approach to the delineation of sub-zones and vulnerability scores for the two

IPZ-3's for the City of Ottawa intakes that is in keeping with the Technical Rules.

And that staff report back to the Committee in sufficient time to allow consideration of this new information as part of an amendment/update to the Assessment Report.

Carried

Motion 6-08/10

That the Mississippi-Rideau Source Protection Committee approve the following Surface Water study revisions and updates:

- revised IPZ delineation for the Britannia and Lemieux Island Intake Protection Zone studies;
- updated IPZ delineations for the Smiths Falls Intake Protection Zone study; and,
- revised IPZ-3 vulnerability scores for the Britannia, Carleton Place, Lemieux Island, Perth, and Smiths Falls Intake Protection Zone studies.

Carried

Sommer Casgrain-Robertson advised that, if the Committee approves the next recommendation, Dillon Consulting can make the necessary revisions to the report by mid-September. She added that the *Draft* Assessment Report and one newspaper notice must be posted by September 30. The notices to landowners where a land use activity has been identified as a potential significant threat will be mailed as soon as possible after September 30. The letters will include notice of the dates for public consultation. Member municipalities will receive a copy of the letter, the date of mailing, the date of the public consultation, and a list of addresses within their municipality receiving the notice.

Chair Stavinga confirmed that all Committee members will receive a paper copy of the final *Draft* Assessment Report.

Motion 7-08/10

That the Mississippi-Rideau Source Protection Committee direct staff to:

- include the approved updated and revised Surface Water study findings in the *Draft* Assessment Report;
- revise Managed Lands, Livestock Density and Significant Threats Inventory results accordingly; and,
- revise Chapter 6 accordingly.

Carried

Sommer Casgrain-Robertson confirmed that the *Draft* Assessment Report could include Knowledge Gaps and Data Gaps in Chapter 8.

Motion 8-08/10

That the Mississippi-Rideau Source Protection Committee approve the inclusion of Knowledge Gaps in Chapter 8 of the *Draft* Assessment Report.

Carried

Mary Wooding advised that, while Knowledge Gaps have been included in other posted *Draft* Assessment Reports, they may not be allowed.

Motion 9-08/10

That the Mississippi-Rideau Source Protection Committee approve the following amendments to the *Draft* Assessment Report approved by the Committee on June 3, 2010:

- inclusion of revised and updated Surface Water study findings;
- revised Managed Lands, Livestock Density and Significant Threats Inventory results to reflect revised and updated Surface Water studies;
- revised Chapter 6 to reflect revised and updated Surface Water studies; and,
- inclusion of Knowledge Gaps in Chapter 8.

Carried

Motion 10-08/10

Moved by: Patricia Larkin
Seconded by: Eleanor Renaud

That “by September 30” be added to Recommendation #5.

Carried

Motion 11-08/10

That the Mississippi-Rideau Source Protection Committee direct staff to post the amended “*Draft* Assessment Report” for public consultation by September 30, 2010.

Carried

Mary Wooding reminded the Committee that two Assessment reports are to be submitted: one for the Mississippi Valley Source Protection Area and one for Rideau Valley Source Protection Area.

3.0 Threats Prioritization for ODWSP Funding

Sommer Casgrain-Robertson advised that there is still funding available under the Early Actions component of the Ontario Drinking Water Stewardship Program. The small area of eligibility is limiting the number of approved projects. Brian Stratton stated that there was no indication that unused funds could be carried forward.

Sommer Casgrain-Robertson then advised that we are entering the final year of funding. As there is limited provincial funding available, the Committee must prioritize which significant threats should receive funding under the new Early Response program starting in 2011. Applications for funding must be received by September 30, 2010. Sommer Casgrain-Robertson added that the *Draft* Assessment Report shows that vulnerability scores for the municipal wells in Kemptville and Merrickville could be dramatically reduced by deepening the solid portion of their municipal well casings. In Kemptville and Merrickville combined, the number of properties with significant threats could decrease by over 90%. A similar well casing situation exists in Richmond and Munster. Stewardship staff has identified anticipated costs for the proposed project and will include them in the application.

Motion 12-08/10

Whereas, the Mississippi-Rideau Source Protection Committee has always strongly advocated for provincial funding to assist persons and bodies whose activities or properties are affected by the *Clean Water Act*; and

Whereas, the Mississippi-Rideau Source Protection Committee recognizes that there is limited provincial funding available so Committees must prioritize which significant drinking water threats, vulnerable pathways and/or Interim Risk Management Plans will be eligible to receive funding;

Therefore, be it resolved that the Mississippi-Rideau Source Protection Committee prioritize the following significant threats, vulnerable pathways and/or Interim Risk Management Plans to receive funding through the Early Response program

1. Pathways that increase vulnerability scores;
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
3. The handling and storage of a dense non-aqueous phase liquid;
4. The handling and storage of fuel;
5. The use of land as livestock grazing or pasture land, an outdoor confinement area or a farm-animal yard. O. Reg. 385/08, s. 3;

6. The application of pesticide to land;
7. The application of agricultural source material;
8. The storage of agricultural source material;
9. The handling and storage of pesticide;
10. The application of commercial fertilizer to land; and
11. The handling and storage of commercial fertilizer.

Be it further resolved that the Mississippi-Rideau Source Protection Committee stresses the need for flexibility in the Ontario Ministry of the Environment's Early Response grant funding agreements. This flexibility is needed to ensure that all mitigation measures for prioritized threats and pathways are eligible for funding, not just those measures specifically identified in the Early Response application. This will include new measures added to future versions of the Risk Management Catalogue or measures already in the catalogue that were not specifically listed in the application form.

Carried

4.0 Source Protection Plan Development

Sommer Casgrain-Robertson advised that Source Protection Plans must be submitted to the Ministry of the Environment by August 20, 2012. The Committee should be prepared to focus on policy development following the October 13, 2010 training session being provided by the Ministry of the Environment. In preparation for drafting the Source Protection Plan, a meeting for all municipal staff in the Mississippi and Rideau watersheds was held on May 31, 2010. Participants proposed developing policies one sector at a time such as industry, agriculture, residential, and municipal. Sommer confirmed that this approach has been adopted by other Source Protection Committees. The process could include targeted consultations with potentially impacted sectors as draft policies are being developed.

A working group will be created to review and comment on preliminary policies prepared by the source protection planner prior to SPC review. Ms. Casgrain-Robertson explained that the composition of this working group had intentionally been left open so that municipalities can opt in and out depending upon the threats/policies being reviewed at a particular meeting.

Ms. Casgrain-Robertson encouraged the Committee to focus on significant threat policies. She added that the Act requires that policies be written for things that are or could be significant threats. She then reviewed the Process to Develop a Mississippi-Rideau Source Protection Plan dated July 2010.

Motion 13-08/10

That the Mississippi-Rideau Source Protection Committee approve the proposed process for developing a Source Protection Plan.

Carried

5.0 Community Outreach

Past Activities

4. Ottawa River Summit – Chair Stavinga, Scott Bryce, and Sommer Casgrain- Robertson attended the Ottawa River Summit along with over 90 participants from watershed organizations, Conservation Authorities, First Nations, and municipalities in Quebec and Ontario. Attendees were encouraged to look at the Ottawa River watershed as “a whole”. The work of the MRSPC to advance the need to look at the whole Ottawa River watershed was noted by multiple speakers throughout the day.

Upcoming Activities

1. Provincial Site Visit – The Ministry of Natural Resources and the Ministry of the Environment will be holding a Provincial Site Visit at the Rideau Valley Conservation Authority office on Wednesday, September 8. Sommer Casgrain-Robertson advised that each region receives a site visit every few years so the Province can review and assess the region’s value for money, accountability, and governance.
9. MOE Training Session – The Ministry of Environment’s training session will be held on October 13, 2010 in Brockville.

Carol Dillon announced that the Friends of the Tay Watershed have received their second RBC Blue Water Project Grant and will use the funds to provide the Mississippi Valley Field Naturalists Grade 8 source water protection education program to schools in Perth. As well, the Friends of the Tay will be holding their 10th annual Watershed Discovery Day on September 19, 2010 at ECOPERTH Education Centre.

Motion 14-08/10

That the Mississippi-Rideau Source Protection Committee receive the Community Outreach staff report for information

Carried

6.0 Other Business

Chair Stavinga asked Committee members to tentatively schedule an MRSPC meeting on November 15, 2010. She confirmed a meeting has already been scheduled for November 4 but advised that this date may need to be postponed to accommodate the consultation process associated with the posting of the *Draft* Assessment Report.

7.0 Member Inquiries

None

8.0 Next Meeting

October 7, 2010, 1pm

Rideau Valley Conservation Authority (Monterey Boardroom)
3889 Rideau Valley Drive, Manotick

9.0 Adjournment

The meeting was adjourned at 9:40 pm.

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Janet Stavinga
Chair

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Michelle Paton
Recording Secretary