

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION
Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
613-692-3571 1-800-267-3504

MINUTES

Mississippi-Rideau

Source Protection Committee

November 15, 2010

#10/10

Meeting Location: Rideau Valley Conservation Authority
3889 Rideau Valley Drive, Manotick, Ontario

Present:

Scott Berquist	George Braithwaite
Scott Bryce	Carol Dillon
Richard Fraser	Drew Lampman
Patricia Larkin	Randy Malcolm
Peter McLaren	Beverly Millar
Eleanor Renaud	Tammy Rose
Janet Stavinga (Chair)	
Alan Arbuckle	(Source Protection Authority Liaison)
Jean-Guy Albert	(Medical Officer of Health Liaison)
Mary Wooding	(Ministry of the Environment Liaison)

Regrets: Paul Knowles

Staff: Sommer Casgrain-Robertson Allison Gibbons
Brian Stratton

Guests: Gary Davison, Mayor of South Frontenac

1.0 Welcome and Introductions

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

Motion 1-10/10

Moved by: Carol Dillon
Seconded by: Eleanor Renaud

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 November 15, 2010.

Carried

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 2-10/10

That the Agenda be approved as presented.

Carried

d) **Declarations of Interest** **None**

e) **Approval of Minutes**

Motion 3-10/10

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of September 2, 2010 be approved.

Carried

f) **Status of Action Items**

Chair Stavinga spoke to item #3. She informed members that Gatineau staff is keen to delineate Intake Protection Zones for their four municipal drinking water system intakes, but funding is an issue. Ian Smith is talking to his Quebec counterpart about whether provincial funding could be made available. Baird Consulting and Gatineau staff is currently reviewing what data and information is currently available for the Ottawa and Gatineau areas and how it could be shared between the two.

Members expressed concern that attendance was low at the *Draft* Assessment Report public meetings. Staff explained that attendance was high at our initial open houses in 2009 and early 2010 where preliminary Wellhead Protection Area and Intake Protection Zone study findings were presented. This current round of open houses was not presenting any new information. In addition, the notices that were mailed to property owners prior to the *Draft* Assessment Report public meetings invited people to contact staff. Mr. Stratton and Ms. Casgrain-Robertson spoke to approximately 250 people over the phone in advance of the public meetings. The vast majority determined through the conversation that source protection planning would not affect their land use activities and so they would be less inclined to attend the public meeting.

Motion 4-10/10

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

Carried

g) Correspondence

Ms. Casgrain-Robertson informed members that the Raisin-South Nation Source Protection Committee just posted their *Proposed* Assessment Reports on October 28, 2010. The deadline to submit comments is December 2, 2010.

Motion 5-10/10

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

Carried

2.0 Assessment Report Development

Chair Stavinga walked members through the draft document titled *Summary of Comments Received on the Draft Assessment Report and How They Were Addressed*. She explained that two *Proposed* Assessment Reports will be developed to comply with the MOE's legislative requirements.

A member asked how other regions considered the Great Lakes Agreement. Mary Wooding explained that other Assessment Reports state how the report considered the Great Lakes Water Quality Agreement.

Another member asked if designating clusters of private wells to be included in the source protection planning process was on hold indefinitely. Ms. Casgrain-Robertson explained that the MOE is developing a screening tool to help municipalities identify "other" systems they may wish to designate and include in source protection planning. The MOE has encouraged municipalities to wait until the second round of planning to include any such systems because it will be a challenge to complete Source Protection Plans by August 2012 just for municipal drinking water systems. Most municipalities will want to know if provincial funding will be available to study and protect these other systems, or if the costs would be the responsibility of the municipality, before they go ahead and designate any systems. The member indicated that if provincial funding is not available to study these systems the option to include clusters of private wells is an insincere gesture by MOE because most municipalities will be unlikely to absorb these costs.

Members made a number of revisions to the comment summary document as follows:

- Comment 1.6 – in the response, add "and will be included in the

Accompanying Document” at the end

- Comment 3.5 – in the comment, replace “drought scenarios” with “future demand scenarios”
- Comment 4.2 – in the response, add some examples of activities that reduce recharge
- Comment 4.3 – in the response, begin the last sentence with “in the provincial threats tables”.
- Comment 4.6 – in the comment, replace “industries” with “government agencies that are responsible for monitoring spills”
- Comment 5.12 – in the response explain why clay deposits increase the vulnerability
- Comment 5.19 – in the response, revise the first sentence to read “The following wording will be added to sections of Chapter 5 where a quarry has created a transport pathway”
- Comment 10.7 – in the comment, add “sewage” in brackets following the word wastewater to provide greater clarity

A member asked that an additional comment be added to the summary asking for more colour contrast between the time of travel delineations for IPZ-2 or WHPA-B and the 8-80% impervious surface designation on the Impervious Surface map. Staff responded that they would not have time to make that change in the Proposed Assessment Reports but it will be changed in the updated Assessment Reports in June, 2011.

Chair Stavinga noted that in general, the comments received on the *Draft* Assessment Report were minor in nature. No substantial issues, concerns or deficiencies were identified.

A member asked if other regions received similar comments. Staff explained that some regions had to make substantial revisions to their Proposed Assessment Reports to address comments received from MOE. One member noted that we undertook peer review on all of our studies which was not a required element but would have produced stronger results. Staff also noted that we were able to take advantage of MOE’s Assessment Report pre-screening in the spring and staff then had three months to address most of the comments due to the delay in posting the draft Assessment Report.

A member noted that she had been reviewing a number of other Assessment Reports online and found it challenging to have to navigate through multiple reports for one Source Protection Region. Members were disappointed and reluctant to have to produce two Proposed Assessment Reports for the Mississippi-Rideau region.

Motion 6-10/10

Moved by: George Braithwaite

Seconded by: Eleanor Renaud

Whereas the Mississippi-Rideau Source Protection Committee strongly believes a consolidated Assessment Report should be produced for the Mississippi-Rideau Source Protection Region for the following reasons:

- **Ottawa River Basin** - Both the Rideau and Mississippi watersheds drain into the Ottawa River and each watershed includes a number of small subwatersheds that drain directly into the Ottawa River (not into the Rideau or Mississippi Rivers). This situation results in our largest municipal drinking water system (City of Ottawa intakes which serve over 700,000 municipal residents) being located in the Rideau watershed, along with its IPZ-2, while its IPZ-3 is the extent of the Mississippi watershed. It therefore makes more sense to speak about the whole system in one document rather than talking about parts of this surface water study in two separate reports.
- **Legacy of Regional Information** - As highlighted in our "value for money" discussion at our September site visit, we utilized a lot of information from a 2003 groundwater study that covered both Mississippi and Rideau. It would have been a tremendous effort to try to separate this groundwater information into separate watersheds. We also found that there was some data that we simply couldn't separate into two watersheds due to the nature of the data sets.
- **End User** - We anticipate that municipal staff will be the group that uses Assessment Reports the most as they will be significantly involved in SPP implementation. With this in mind we acknowledged that we have 7 municipalities who are in both the Mississippi and Rideau watersheds. A single document is easiest for them to use and reference as it gives them a complete picture of their municipality. This obstacle was first raised when we developed two distinct ToR and all our municipalities (including those who are wholly within one watershed) lobbied for the creation of one AR and one SPP. They were surprised that the province had created regions only to require separate reports.
- **Lessons learned from Terms of Reference** - We created two distinct ToR as per the regulation and this proved to be cumbersome. We found it a challenge splitting information that had been collected for a region and it was then time consuming updating and amending two separate physical documents that were nearly identical. When we undertook public consultation, municipalities and the public complained that it was onerous to review two documents, especially for municipal staff and residents of the 7 cross-watershed municipalities. Since the majority of the content was identical we actually had to create a section at the beginning of the ToR highlighting which sections of the ToR were unique between the Mississippi and Rideau versions.
- **Responsible use of Public Money** - It was noted by many at our ToR open houses that producing two nearly identical documents was wasteful. In reality, the relatively short length of the ToR and the fact that we printed it in house meant the actual monetary cost was not very high, however the amount

of wasted paper was. The AR on the other hand has a tremendous print cost associated with it, approximately \$240 / hard copy. For this reason we cannot justify creating two distinct reports given the tremendous amount of repetition that would be in the two documents. Our print budget for the draft proposed AR was nearly \$16,000 for the combined document, we will incur an additional \$16,000 to print the approved version.

Whereas the Mississippi-Rideau Source Protection Committee and our SPA partners firmly believe that our efforts as outlined above meet the spirit of the regulation while allowing us to house our two Assessment Reports in a single document.

Whereas MOE has confirmed that we must submit two separate Assessment Reports;

Therefore, be it resolved that despite our strong reservations, the Mississippi-Rideau Source Protection Committee direct staff to create two *Proposed* Assessment Reports in accordance with comment 2 received from MOE to be in compliance with the *Clean Water Act* and its Regulations.

Carried

Motion 7-10/10

Whereas the Mississippi-Rideau Source Protection Committee has strongly advocated for long-term provincial funding to fund the implementation of Source Protection Plans:

- Provincial funding for municipalities to implement Source Protection Plans; and
- Provincial funding through the Ontario Drinking Water Stewardship Program for property owners impacted by Source Protection Plan policies.

Be it resolved that the Mississippi-Rideau Source Protection Committee direct staff to revise the "Provincial Funding" section on page 1-9 of the Assessment Report in accordance with comment 12 received from MOE to be in regulatory compliance.

Carried

Motion 8-10/10

Whereas the Mississippi-Rideau Source Protection Committee feels strongly that Assessment Report readers should be aware of how difficult it was to develop a local methodology to assign vulnerability scores in Intake Protection Zones because the Provincial Technical Rules do not prescribe a methodology;

Whereas the Mississippi-Rideau Source Protection Committee feels strongly that the Ontario Ministry of the Environment should develop Technical Guidance on how to assign vulnerability scores in Intake Protection Zones;

Be it resolved that the Mississippi-Rideau Source Protection Committee direct staff to revise Section 6.2 of the Assessment Report in accordance with comment 15 received from MOE to be in regulatory compliance.

Carried

Motion 9-10/10

That the Mississippi-Rideau Source Protection Committee approve the *Summary of Comments Received on the Draft Assessment Report and How They Were Addressed* (dated November 8, 2010) and direct staff to prepare *Proposed Assessment Reports* that reflect the approved changes.

Carried

Motion 10-10/10

That the Mississippi-Rideau Source Protection Committee direct staff to post the *Proposed Assessment Reports* for public consultation and submit them to the Mississippi Valley Source Protection Authority and Rideau Valley Source Protection Authority for submission to the Ontario Ministry of the Environment.

Carried

Alan Arbuckle explained to members that he remains relatively quiet as the SPA liaison because he likes to let the Committee do their work. He stated that he felt members were thorough and diligent and that the Source Protection Authorities have tremendous confidence in them.

Chair Stavinga complemented staff on the professional integrity, competency and dedication they displayed in developing the Assessment Reports. She asked that Ms. Casgrain-Robertson and Mr. Stratton relay the Committee's gratitude to their many "behind the scene" staff who contributed to the Assessment Reports.

3.0 Assessment Report Accompanying Document

Ms. Casgrain-Robertson said a draft Accompanying Document would be prepared for the Committee's consideration at their December 2, 2010 meeting.

4.0 2011 Meeting Schedule

Members discussed the merit of holding their May to September meetings in the evening. Public participation has not been high and many members personally prefer daytime meetings. It was decided that “meet and greets” would not be held prior to the meetings because the public did not take advantage of them. However, to maintain an open and publically accessible process, members decided that May to September meetings in 2011 would begin at 4pm and public delegations could be heard midway through the meeting if necessary to accommodate delegates’ schedules.

Motion 11-10/10

Moved by: George Braithwaite
Seconded by: Richard Fraser

That the Mississippi-Rideau Source Protection Committee approve the following meeting schedule for 2011 as amended:

- | | |
|--------------------------------|-------------------|
| • Thursday, January 6 | 1pm, RVCA |
| • Thursday, February 3 | 1pm, RVCA |
| • Thursday, March 3 | 1pm, RVCA |
| • Thursday, April 7 | 1pm, RVCA |
| • Thursday, May 5 | 4pm, location TBD |
| • Thursday, June 2 | 4pm, location TBD |
| • Thursday, July 7 | 4pm, location TBD |
| • Thursday, September 1 | 4pm, location TBD |
| • Thursday, October 6 | 1pm, RVCA |
| • Thursday, November 3 | 1pm, RVCA |
| • Thursday, December 1 | 1pm, RVCA |

Carried

5.0 Community Outreach

Past Activities

1 Provincial Site Visit – Chair Stavinga informed members that it was a very thorough day and covered governance and accountability, value for money and overall progress. She highlighted that the Source Protection Authority Chairs, General Managers, herself and the Project Managers presented a united front when it came to difficult decisions that had been made in recent months. Overall it was a very positive day. Alan Arbuckle added that the Source Protection Authority chairs were there to provide supportive comments that reinforced the cohesive decision making structure we have locally and that staff had done a good job of covering all the basis in their presentation to MOE and MNR.

Chair Stavinga indicated to members that she has had subsequent conversations with Ian Smith and Brenda Lucas, special advisor to the Ontario Minister of the Environment. Those conversations indicate ongoing discomfort at the provincial level with our Assessment Report submission date being non-compliant. It is expected that Ian Smith will be sending a letter shortly indicating the MOE’s “disappointment” with the Mississippi-Rideau region’s non-compliance. Chair

Stavinga send a letter to the MOE on September 20, 2010 outlining why we would be submitting Proposed Assessment Reports at the end of December, 2010 rather than on September 21, 2010. A copy of the letter will be circulated to members.

A member indicated that they are pleased the Committee maintained their integrity by fixing the surface water studies rather than bowing to political pressure to post an Assessment Report on time.

Upcoming Activities

The inaugural meeting of the *Source Protection Plan Working Group* will be held on December 9, 2010. There are two positions for Source Protection Committee members and it is hoped that the same two members can attend most or all of the meetings. Members interested in participating were:

- Eleanor Renaud
- Beverly Millar
- George Braithwaite
- Patricia Larkin
- Carol Dillon
- Drew Lampman

Members were asked to email Chair Stavinga their top two choices and she will tally members' preferences and let the Committee know which two members will sit on the working group.

Motion 12-08/10

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

Carried

6.0 Other Business None

7.0 Member Inquiries None

8.0 Next Meeting

December 2, 2010, 1pm

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

9.0 Adjournment

The meeting was adjourned at 3:30 pm.

.....
Janet Stavinga
Chair

.....
Sommer Casgrain-Robertson
Recording Secretary