

## AGENDA

### Mississippi-Rideau Source Protection Committee

**Date:** February 9, 2012

**Time:** 1 pm

**Location:** Rideau Valley Conservation Authority – Monterey Boardroom  
3889 Rideau Valley Drive, Manotick

Welcome and Introductions		
<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 – February 9, 2012 (D) ▶ draft minutes attached as a separate document f. Status of Action Items – Staff Report Attached (D) ..... g. Correspondence – none	<b>Pg.</b>       1
<b>Chair Stavinga</b>		
Source Protection Plan		
<b>2.0</b>	<b>Restricted Land Use</b> – Staff Report attached (D) ..... Members will consider including restricted land use policies (which act as an administrative screen tool)	3
<b>3.0</b>	<b>Preliminary Draft Source Protection Plan</b> – Staff Report attached (D) ..... Members will review a preliminary draft version of the Source Protection Plan (internal draft attached as a separate document for members)	6
<b>Sommer Casgrain-Robertson</b>		
Other		
<b>4.0</b>	<b>Community Outreach</b> – Staff Report Attached (D) ..... Members & staff report on past activities and upcoming events and opportunities	7
<b>5.0</b>	<b>Other Business</b>	
<b>6.0</b>	<b>Member Inquiries</b>	
<b>7.0</b>	<b>Next Meeting – March 1, 2012</b> 1 pm Rideau Valley Conservation Authority 3889 Rideau Valley Drive, Manotick	
<b>8.0</b>	<b>Adjournment</b>	
<b>Chair Stavinga</b>		

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

**Delegations:** If you wish to speak to an item on the Agenda please contact Sommer Casgrain-Robertson before the meeting ([sommer.robertson@mrsourcewater.ca](mailto:sommer.robertson@mrsourcewater.ca) or 613-692-3571 / 1-800-267-3504 x 1147)

## 1.0f STATUS OF ACTION ITEMS

**Date:** February 1, 2012  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Sommer Casgrain-Robertson, Co-Project Manager  
Mississippi – Rideau Source Protection Region

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**Recommendation:**

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

**Staff & Chair Action Items:**

Issue		Action	Lead	Status
1	O. Reg 903	A member suggested O. Reg 903 be added as applicable law under Ontario's Building Code	Patricia Larkin and Sommer Casgrain-Robertson	<b>In Progress</b> Staff and members are working on a transport pathway draft policy idea to be considered by the Committee at a future meeting
2	Vacant City of Ottawa seat on SPC	Fill the vacancy on the MRSPC	City of Ottawa staff	<b>In Progress</b> City of Ottawa staff are in the process of filling this seat
3	Ottawa River Watershed Inter-Jurisdictional Committee	Encourage MOE to take the lead role in establishing an Ottawa River watershed inter-jurisdictional committee	Chair Stavinga & Brian Stratton	<b>Ongoing</b> In December, 2011 the Province of Quebec introduced a draft regulation respecting water withdrawals and water protection. This draft regulation introduces new abilities to protect sources of drinking water in Quebec.
4	Uranium	MVC and local Health Units work together to raise public awareness about naturally occurring uranium in drinking water	Sommer Casgrain-Robertson	<b>In Progress</b> Health Canada released a "Uranium and Drinking Water" fact sheet. It is available on their website at <a href="http://www.hc-sc.gc.ca/ewh-semt/pubs/water-eau/uranium-eng.php">http://www.hc-sc.gc.ca/ewh-semt/pubs/water-eau/uranium-eng.php</a>
5	Compensation Models	Staff to collect other compensation models (e.g. Ottawa wetland policy, Alternate Land Use Services).	Sommer Casgrain-Robertson	<b>In Progress</b> Staff will present their findings to the Committee at a future meeting and integrate wording into the general narrative of the Source Protection Plans.

**MRSPC Member Action Items:**

<b>Issue</b>		<b>Action</b>	<b>Lead</b>	<b>Status</b>
1	Members were concerned that attendance might be low at public open houses and groups who should be involved in the process are not	Members were asked to provide Sommer with contact information for groups they feel should be involved in the process – they will be added to our mailing list.	All Members	<b>Ongoing</b>
2	OFEC Conference Calls & Training Sessions	Richard Fraser will provide the MRSPC with updates on OFEC conference calls & training sessions	Richard Fraser	<b>Ongoing</b>
3	Community Outreach opportunities	Members to notify Sommer of potential events and opportunities to engage the public about source protection	All members	<b>Ongoing</b>

## 2.0 Restricted Land Use Policies

**Date:** February 1, 2011  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Sommer Casgrain-Robertson, Co-Project Manager  
Mississippi – Rideau Source Protection Region

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### **Recommendation:**

That the Mississippi-Rideau Source Protection Committee approve the Restricted Land Use policies for inclusion in the Draft Source Protection Plan.

### **Background**

The *Clean Water Act* created new regulatory tools under Part IV to address a gap where significant threats cannot be addressed by existing planning tools or regulatory instruments. These regulatory tools are referred to as “Part IV powers” and are implemented by the municipally appointed Risk Management Official. The Part IV powers are:

- Prohibition under Section 57
- Risk Management Plan under Section 58
- Restricted Land Use under Section 59

#### Section 57 Prohibition

The Mississippi-Rideau Source Protection Committee is proposing to prohibit the future establishment of certain activities that pose a significant threat to drinking water. In some instances the policy for prohibition invokes the authority of Section 57 of the *Clean Water Act*.

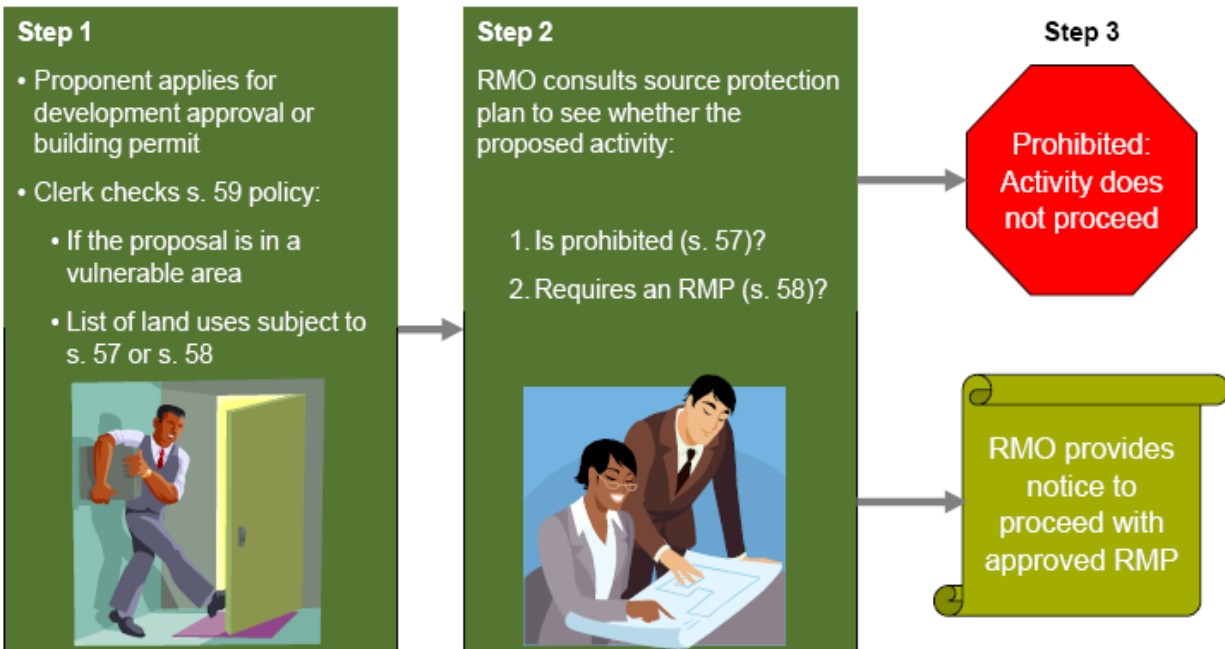
#### Section 58 Risk Management Plan

The Mississippi-Rideau Source Protection Committee is proposing to manage the risk associated with certain activities that have the potential to pose a significant threat to drinking water. Risk Management Plans developed under the authority of Section 58 of the *Clean Water Act* is one effective way to accomplish this. Risk Management Plans are locally developed plans that outline risk reduction measures and provide a regulatory means to ensure the measures will be implemented.

#### Section 59 Restricted Land Use

Section 59 Restricted Land Use is not a stand alone tool. Rather it is intended to be a companion policy to assist with administration of Section 57 Prohibition and Section 58 Risk Management Plan policies. It provides municipalities with an administrative procedure to avoid inadvertently approving applications or building permits for activities that could be subject to Section 57 or 58 policies in the Source Protection Plan.

## Section 59 Process



### Restricted Land Use Policies in the Mississippi-Rideau Region

To determine if Restricted Land Use Policies should be part of the Mississippi-Rideau Source Protection Plan staff conducted:

- A review of available guidance from the Ministry of the Environment
- Informal discussions with the municipal working group
- Formal consultation with all affected municipalities

#### Guidance from the Ministry of the Environment

Guidance from the Ministry of the Environment indicates that Restricted Land Use policies are not legally required but are recommended to be included as complimentary policies where Section 57 Prohibition and / or Section 58 Risk Management Plan policies are used because:

- If a Restricted Land Use policy is not included, the municipality may have to amend its Official Plan and pass a procedural by-law to require development applications be reviewed by the Risk Management Official. These processes may be subject to lengthy and costly appeals.
- If a Restricted Land Use policy is not included, then the Chief Building Official is obligated to issue a permit without the benefit of the Risk Management Official's review.
- The Restricted Land Use policy is the applicable law flag under the *Building Code Act*.
- The Section 59 notice is a process / tool that will be part of the Risk Management Official's training and there will be an expectation that it is in place to support their role in implementing the Prohibition and Risk Management Plan policies.

#### Municipal Working Group Discussions

The municipal working group played an important role in policy development in sessions held on a regular basis between December 2010 and October 2011. At their October 20, 2011 session,

the use of Section 59 Restricted Land Use was discussed. Many municipal staff present at the meeting expressed an interest in including Section 59 policies in the Source Protection Plan.

#### Pre-Consultation with Municipalities

The pre-consultation communications with municipalities provided an explanation of Restricted Land Use policies and attempted to ascertain the amount of official support for the inclusion of Restricted Land Use policies by including a specific question about this topic. A response in support of the inclusion of Restricted Land Use policies was received from several municipalities. No municipalities opposed the inclusion of Restricted Land Use policies.

#### **Restricted Land Use Policy Wording for the Draft Source Protection Plan**

The Ministry of the Environment has provided guidance regarding the correct legal wording for Restricted Land Use policies. The policy wording must also include the land uses to which the policy would apply. The proposed Restricted Land Use policy wording for inclusion in the Source Protection Plan is presented below. The brackets indicate the parts of the wording that will be customized. No corresponding monitoring policy is required.

#### **Policies**

##### Restricted Land Use Policy

[All land uses except solely residential uses] are designated for the purpose of Section 59 Restricted Land Uses under the *Clean Water Act* in all areas where the [activity] [is or would be] a significant threat as described in Appendix B.

Due to the formal, legal nature of the policy wording, the Source Protection Plan will include supporting explanatory information to enable the municipal staff and other users of the document to understand the Restricted Land Use Policies and how they will be implemented. In addition, staff will consult with the Ministry of the Environment regarding options for the presentation of the policies in the Source Protection Plan to see if repetition can be avoided.

### **3.0 Source Protection Plan**

**Date:** February 1, 2012  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Sommer Casgrain-Robertson, Co-Project Manager  
Mississippi – Rideau Source Protection Region

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#### **Recommendation:**

That the Mississippi-Rideau Source Protection Committee direct staff to share the attached preliminary draft source protection plan with municipal staff for informal comments.

#### **Background**

Across Ontario, Source Protection Committees (SPC) are working with municipalities, farmers, property owners, businesses, industries, First Nations, environmental groups, Provincial Ministries and the general public. Together they are developing Source Protection Plans to prevent the contamination and overuse of lakes, rivers and aquifers that supply drinking water.

#### **Mississippi-Rideau Region**

The Mississippi-Rideau Source Protection Committee is responsible for developing a Source Protection Plan for the Mississippi-Rideau Source Protection Region. A proposed version of the Plan must be submitted to the Minister of the Environment for review no later than August 20, 2012. Draft and proposed versions of the Plan must undergo public consultation before the plan is submitted to the Minister.

#### **Source Protection Plan**

Staff have developed a preliminary draft version of the Source Protection Plan. It is attached as a separate document for members review. All comments received from Committee members will be incorporated into a second preliminary draft version which will be presented to the Committee for their review and possible approval at their March 1, 2012 meeting. At their March 1 meeting, members will also receive draft versions of the following documents for review and approval:

- Preliminary draft version of the Explanatory Document
- Preliminary draft version of the Summary of Comments Received on Draft Policies

#### **Attached as a separate document for members:**

- *Preliminary Draft Source Protection Plan*

## **4.0 Community Outreach**

**Date:** February 1, 2012  
**To:** Mississippi-Rideau Source Protection Committee  
**From:** Sommer Casgrain-Robertson, Co-Project Manager  
Mississippi – Rideau Source Protection Region

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### **Recommendation:**

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

### **Background**

Staff and MRSPC members participate in many different community outreach activities to raise awareness and understanding of the source protection planning process. These activities include information booths at events, presentations at meetings and articles in newsletters and local papers. It is important that staff and members keep each other informed about the activities they are involved in so that we can coordinate our participation and prepare appropriate materials in advance. This includes coordinating with our neighbouring regions for outreach covering Eastern Ontario.

### **Past Activities**

Members & staff are asked to give a verbal update on any other activities that took place in the past month related to source protection.

1. *Leeds and Grenville Joint Services Committee*
  - January 18, Brockville (Sommer attended, Cataraqui staff presented)
2. *Eastern Regions Meeting*
  - January 30, Brockville (Sommer and Brian attended)
3. *Adapation Planning in Eastern Ontario (Climate Change)*
  - February 2, Carleton Place (Brian attended)
4. *Rideau Lakes Planning and Advisory Committee*
  - February 8, Cantley (Sommer presented)

### **Upcoming Activities**

Members & staff are asked to give a verbal update about any other activities they know about in the coming months related to source protection.

1. *Municipal Working Group Meeting (Council members and staff)*
  - February 16, Perth (staff and some members attending)
2. *Mississippi Valley Source Protection Authority*
  - February 22, Almonte (Chair Stavinga and Sommer attending)
3. *Rideau Valley Source Protection Authority*
  - February 23, Manotick (Chair Stavinga and Sommer attending)