



SOURCE PROTECTION COMMITTEE MEETING MINUTES

MEETING NO. SPC-11/08

Kempfenfelt Conference Centre
3722 Fairway Road, Innisfil, ON

Thursday, November 27, 2008 – 2:00 pm to 5:00 pm

MEMBERS:

Lynn Dollin, Chair

Municipal

Herb Proudley
Stan Wells
Clayton Cameron
John Boucher
David Marquis

Economic / Development

Colin Elliott
Chris Galway
Colin Nisbet
David Ritchie
John Hemsted
David Ketcheson
Gerry Brouwer

Public Sector

Dianne Corrigan
Fred Ruf
Alex Millar
Stephanie Hobbs
Bob Duncanson
Tom Kurtz
Larry Slomka
Fred Jahn

Liaisons

Health Unit – Karen Wierzbicki Muskoka Health Unit
LSRCA – Gayle Wood

MOE - Kate Turner

Staff

Don Goodyear

Susan Jagminas

Angela Bishop

Regrets

Rick Newlove - Municipal
Erin Mahoney - Municipal

Guests

Janis Pechinger – Ministry of the Environment

I. WELCOME & OPENING REMARKS

Chair Lynn Dollin welcomed everyone to the meeting, including Gayle Wood as SPA Liaison, Karen Wierzbicki – Simcoe / Muskoka Health Unit and Kate Turner – Ministry Of The Environment.

II. DECLARATION OF PECUNIARY INTEREST

None made for the record of this meeting.

III. APPROVAL OF THE AGENDA

Kate Turner, Ministry of the Environment advised that the Ministry preferred to await passage of the Lake Simcoe Protection Act before addressing the committee's questions about overlap with the Clean Water Act to allow for a full discussion (Ministry staff cannot freely discuss policies in a proposed act). Based on this information, Item VI (b) of this agenda will be deferred to future meeting.

Moved by: Alex Millar

Seconded by: John Hemsted

RESOLVED THAT the agenda for the November 27, 2008 meeting of the Source Protection Committee be amended to include the deferral of Agenda Item VI (b), until the Lake Simcoe Protection Act is passed.

CARRIED BY CONSENSUS

IV. ADOPTION OF MINUTES

(a) Source Protection Committee

Moved by: Dave Marquis

Seconded by: Larry Slomka

There were some requests to make corrections to the minutes as follows:

- ◆ add "Chair's Quarterly meeting" in place of quarterly meeting;
- ◆ correct "Georgian Bay Waterworks Conference" in place of Waterworks Conference;

RESOLVED THAT the minutes of the Source Protection Committee meeting of October 23, 2008 be approved as revised to reflect the above noted corrections.

(b) Communications Working Group

It was noted that the word Councillors was misspelled in the minutes. The minutes will be revised to reflect the correct spelling at the next meeting.

RESOLVED: THAT the draft minutes of the Communications Working Group meeting of November 5, 2008 be received.

Moved by: Fred Ruf

Seconded by: Colin Elliott

CARRIED BY CONSENSUS

The following is an update on the Action Items from the October 23rd, 2008 meeting minutes:

Per Diem Policy – Completed

Future meetings - Action: Dr. Isobel Heathcote be asked to present at a future meeting. Carry to next set of minutes.

(b) Technical Working Group

It was recommended that the correction to the name of AquaResource Inc. be corrected within the minutes. This suggestion will be carried forward to the TWG.

Report by Chair of Technical Working Group, Larry Slomka

- ◆ Advised the SPC that finalization of reports on Tier 1 water budgets for the Lake Simcoe and Nottawasaga Valley were delayed due to final peer review comments and the resignation of staff that would have addressed these comments. AquaResource Inc. has been retained to complete the reports for this area as well as in the Black River and SSEA areas.
- ◆ Advised the SPC that Dave Ketcheson's firm Azimuth Environmental has been retained for project management support. In the southern subwatersheds EarthFx has been retained for Tier 2 water budget completion. For Kempenfelt Bay area NVCA and SSEA watersheds groundwater modeling is being completed by Golder Associates and AquaResource Inc. Also advised the NVCA agreed to assist Tier 2 water budget efforts by providing surface water modeling expertise.
- ◆ Advised the SPC of the Site 41 presentation made by Don Goodyear to the Technical Working Group during their meeting of November 13, 2008. The conclusion of the presentation was that the site was not within a wellhead protection area, intake protection zone or area of high aquifer vulnerability and therefore was unlikely to be evaluated as a significant risk to municipal drinking water in this program.

Don Goodyear then provided the SPC a presentation about Site 41 in relation to the committee's work on source water. The majority of Site 41's geology is clay with a low to moderate aquifer vulnerability ranking. The site is not within a wellhead protection area or intake protection zone. The south east corner of the site does have a small area of significant recharge.

Moved by: John Hemsted

Seconded By: Tom Kurtz

RESOLVED: THAT the draft Minutes of the Technical Working Group meeting of November 13, 2008 be received.

CARRIED BY CONSENSUS

(c) Communications Working Group

Susan Jagminas, Chair, Communications Working Group (CWG) provided an overview of the November 5 minutes of the Communications Working Group:

Item #8, Ontario Drinking Water Stewardship Program, has now received approval, from the Ministry of the Environment and she will be moving forward with the plan.

Item III - FIPPA (Freedom of Information and Protection of Privacy Act), the Ministry of the Environment is planning training sessions in the new year. Both the Chair of the CWG and the Chair of the SPC will attend and bring the information back to the Source Protection Committee.

The CWG Chair clarified that that the Director of Corporate Services at the Lake Simcoe Region Conservation Authority is their Freedom of Information Officer. Upon collaboration with the Director, a privacy policy has been posted to the www.ourwatershed.ca web site advising that communication will be subject to our privacy policy.

Item IV - Council Delegations/Deputations: The SPC were advised that Chair Dollin provided a presentation to Barrie Council, specifically tailored to the Barrie region. The presentation was video taped and along with the power point presentation will be shown to the NVCA and SSEA partners, for presentation to their respective Councils, to ensure a consistent message. It was suggested that a committee member should be present for future delegations.

In response to a question about the release of the Source Water Protection brochures, Susan Jagminas advised that the brochure had been presented to the CWG in draft and is now with their conservation group partners, for finalization. The brochure, once completed will be distributed to the SPC.

Moved by: Dave Marquis

Seconded by: Larry Slomka

RESOLVED THAT the draft minutes of the November 5, 2008 meeting of the Communications Working Group be received for information and the recommendations contained within the minutes be approved.

CARRIED BY CONSENSUS

V. ANNOUNCEMENTS

(a) Activities of the Chair & Committee

The SPC members who attended the Latornell Conservation Symposium shared their experience and will provide their notes for inclusion with these minutes.

Action	SPC Members Larry Slomka, Dave Ketcheson, Stephanie Hobbs, and Lynn Dollin to provide notes on their attendance at the Latornell Conservation Symposium for appendance to the minutes of the meeting.
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Source Protection Authority:

Chair Lynn Dollin invited Gayle Wood, Chief Administrative Officer of the LSRCA and of the Source Protection Authority to provide an update on the Source Protection Authority's (SPA) Meeting held on November 13, 2008.

Ms. Wood advised that the November 14 meeting was one member short of quorum, however they proceeded with the agenda. The minutes were circulated to all members in order to have the resolutions ratified.

The SPA members in attendance endorsed the documents and the comments received in the second round of consultation on the Terms of Reference. The SPA also passed a resolution to advise the MOE that they are concerned about the cost to municipalities and landowners of implementing source protection plans.

Gayle Wood advised that the SPA are very impressed with the work of the Source Protection Committee and thanked them for their work.

General Update:

Chair Dollin advised that the Chair's Quarterly Meeting and Project Manager's meeting is scheduled for December 8 and December 9, 2008, and reminded the SPC members that should they have any issues these should be brought to the attention of Chair Lynn Dollin by December 1, 2008.

Don Goodyear advised that the Ministry of the Environment and Ministry of Natural Resources will be conducting a site visit of the Lake Simcoe Region Conservation Authority on January 20, 2009.

The Severn Sound region have completed their sustainability plan in draft form and will be presenting it to the public at the Arena in Midland December 2nd 2008 at 7:00 pm-9:00 pm.

It was suggested that members of Source Protection Committee should attempt to attend council presentations to assess reactions of Council to the presentations and to report to back to the Source Protection Committee.

Action	Barrie City Council records meetings and Chair Lynn Dollin will get copy of the tape recording for the Source Protection Committee.
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VI. DELEGATIONS

There are no delegations scheduled for this meeting.

VII. PRESENTATIONS

(b) Permits to Take Water

Janis Pechinger, Permit to Take Water Coordinator with the Ministry of the Environment provided a presentation on Permits to Take Water.

Janis Pechinger advised the SPC that the purpose of Permit to Take Water (PTTW) program was part of the Ministry of the Environment's aim to manage the sharing, conservation and sustainability of waters within the Province, thus avoiding detrimental impact to the environment and existing water users. Monitoring and reporting and taking water are based on the Ontario Water Resources Act (1961) and Ontario Regulation 387 (2004) – "Taking Water" (enforced as of January 1, 2005). A system of classification from 1 – 3 is used to assist in protecting water supplies. Seven principals are applied, ecosystem functions, to prevent interference with other users, adaptive management of resource dependant on availability and environmental conditions, cumulative impacts of water taking, risk management in the application process and promotion of public and local agency involvement. Examples of incorrect water taken included wells and surface water interference. Permit holders are obliged to monitor on a daily basis extraction. The application process of new, renewal and amended PTTWs was discussed. Future matters are charges for industrial and commercial water users (Ontario Regulation 450/07) use of interactive water use mapping tools to determine Tertiary watershed and can be used by applications for permit preparation and application, surface and groundwater guidance documents, water extraction reporting, and PTTW exemption fees for 'conservation' water. Questions and comments asked by the SPC included the Ministry's reliance on correct information being given by permit holders. The SPC were advised that Municipalities had the right to refuse, amend, and shut off water pumps. That excess extracted water should be returned to its source although this was not always easy to control. As yet there is no hierarchy of water use in an emergency situation. With respect to un-permitted water extraction the current practice is not to fine offenders, to avoid non-reporting of un-permitted water extraction.

Moved by: David Ketcheson

Seconded by: Colin Elliott

CARRIED BY CONSENSUS

RESOLVED THAT the presentation provided by Janis Pechinger regarding Permits to Take Water be received for information.

VII. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

Items 1(a) and 4 were identified for separate discussion.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Moved by: Larry Slomka

Seconded by: Clayton Cameron

RESOLVED THAT the following recommendations respecting the matters listed as “Items Not Requiring Separate Discussion” be adopted as submitted to the Committee and staff be authorized to take all necessary action required to give effect to same.

CARRIED BY CONSENSUS

1. Correspondence

RESOLVED THAT the correspondence listed in the November 27, 2008 agenda as items 1 (b) and (c) be received for information.

2. Communications Update

RESOLVED THAT Staff Report No. 2008-11-01-SPC describing media and other communications activities surrounding Source Water Protection for the period ending October 31, 2008 be received for information.

3. Terms of Reference Update

RESOLVED THAT Staff Report No. 2008-11-02-SPC describing the status of the Terms of Reference and comments received on the second draft be received for information.

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

1. Correspondence

Items 1 (a) Ontario Regulation 385/08, Source Protection Committee advised that this document is to reconcile and replace previous directions.

- (a) Chair Lynn Dollin asked Don Goodyear to speak to the Ontario Regulation 385/08 made under the Clean Water Act 2006. Don Goodyear advised the Source Protection Committee that this document revokes a number of previous sections within earlier regulations. The document was released the same day as the SPC agenda and the Directors Rules were posted. The web address www.ebr.gov.on.ca was recently released. The Directors Rules report will be brought forward to the January 2009 Source Protection Committee Meeting, summarizing any implications or changes. Concern was raised over what Source Protection Committee records should be kept for 15 years. This will be included in the review.

Chair Lynn Dollin asked that a review should be made concerning the current HR issues and its implications for keeping on track to meet project deadlines. Report should be brought to the January 2009 Source Protection Committee meeting.

The question was raised concerning chemicals and pharmaceuticals in water that are listed as threats, which are not checked for in Municipal water supply. Don Goodyear responded that tests of municipal water does cover a broad sweep and while not all encompassing has broad indicator parameters that would show major spikes in organic contaminates. Checks for contaminates are made at different periodic times. There are indicator parameters that are indicative of other contaminate parameters and the threats are a lot more inclusive than in the test.

Pharmaceuticals are the exception, along with other emerging contaminates. The Ministry of the Environment has these chemicals on their radar and there may be some future development concerning them. Testing for pharmaceuticals is currently experimental and beyond the limits of most labs. However LSRCA in conjunction with the Trent University have conducted some experiments for pharmaceuticals testing of surface waters. Currently waste and sewage is not tested for contaminates.

Moved by: John Hemsted

Seconded by: Dianne Corrigan

RESOLVED THAT the correspondence listed in the November 27, 2008 agenda as items 1 (b) be received for information.

CARRIED BY CONSENSUS

4. Update to Per Diem and Communications Protocol

The Committee dealt with Staff Report No. 2008-11-03-SPC describing the Source Protection Committee Communications Protocol and Payment Schedule.

Discussion on attendance by Source Protection Committee members at Source Protection Authority meetings. Source Protection Committee members should have one representative from each of the three sectors – business/economic – municipal – public. Susan Jagminas reminded the group that she does her best to keep the members only calendar up to date with regard to upcoming SPA meetings, but is reliant on being included in their distribution. She will make another request to be included in the distribution of the SPA meetings

Action	Last bullet point under Remuneration to be removed, due to duplication of information in earlier part of document. - Staff
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Moved by: Fred Ref Seconded by: Fred Jahn

**RESOLVED THAT Staff Report No. 2008-11-03-SPC describing the Source Protection Committee Communications Protocol and Payment Schedule be received for information as amended to remove the last bullet point under the Remuneration section; and
FURTHER THAT the Source Protection Committee Communications Protocol and Payment Schedule be implemented effective December 2008**

CARRIED BY CONSENSUS

XI. OTHER BUSINESS

Attendance

Alex Millar reminded members that this was almost the first full year since the formation of the Source Protection Committee and expressed his appreciation of the technical knowledge of the Source Protection Committee and the dedication of members' consistent attendance at the meetings.

Chair Lynn Dollin concurred and thanked Alex Millar for his observations

Direction of Source Protection Committee

Fred Ruff expressed thoughts for the Source Protection Committee to review its role and look at the boundaries set by the Ministry of the Environment.

XII. CLOSED SESSION

There were no items listed in the agenda for Closed Session discussion.

XIII. ADJOURNMENT

Meeting adjourned at 5:30 pm on a motion by John Hemsted.