



**South Georgian Bay Lake Simcoe Source Protection Region**

**MINUTES**

Source Protection Committee Meeting No. SPC-03/2014

Meeting No. 3

Monte Carlo Inn Barrie Suites, Barrie, ON

Thursday June 12, 2014: 1:00 pm – 4:00 pm

<b><u>MEMBERS:</u></b>			
Lynn Dollin, Chair			
<b><u>Municipal</u></b>	<b><u>Economic/Development</u></b>	<b><u>Public Sector</u></b>	<b><u>First Nations</u></b>
Herb Proudley	Colin Elliott	Fred Ruf	Fred Jahn
John Boucher	Colin Nisbet	Larry Slomka	
Rick Newlove	David Ritchie	Tom Kurtz	
Wendy Kemp	David Ketcheson		
<b><u>Liaisons</u></b>			
Simcoe Muskoka District Health Unit – Brenda Armstrong			
Lake Simcoe Region Conservation Authority - SPA – Gayle Wood			
Ministry of the Environment – Neil Gervais			
<b><u>Guests</u></b>			
Don Goodyear, York Region		Sherry Diemert, City of Barrie (in place of Richard Forward)	
<b><u>Staff</u></b>			
Ben Longstaff	Ryan Post		
Katie Howson	Keith Sherman		
Jessica Burns, minutes	Wayne Wilson		
<b><u>Regrets</u></b>			
Susan Jagminas	Richard Forward	Stephanie Hobbs	Chris Galway
Irena Kontrec	Alex Millar	Bob Duncanson	Gerry Brouwer
Dianne Corrigan	Stan Wells	Clayton Cameron	John Hemsted

***I. WELCOME & OPENING REMARKS***

The Chair welcomed all to the meeting. She thanked guest, Don Goodyear, York Region, for attending and noted that Sherry Diemert is in attendance in place of Richard Forward as a representative from the City of Barrie. The Chair further thanked all three SPA Liaisons, Gayle Wood, LSCBR SPA, Keith Sherman, SS SPA and Wayne Wilson, NV SPA for attending, as well as Brenda Armstrong, SMDHU and Neil Gervais, MOE. The Chair reviewed the allocation of proxy votes for confirmation of quorum.



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**II. DECLARATION OF PECUNIARY INTEREST**

David Ketcheson will declare any pecuniary interest at the time, should any arise during the course of the meeting

**III. APPROVAL OF THE AGENDA**

The agenda was approved as circulated.

Moved by: John Hemsted

Seconded by: Colin Nisbet

RESOLVED: THAT the agenda for the June 12, 2014 meeting of the Source Protection Committee be approved as presented.

CARRIED BY CONSENSUS

**IV. ADOPTION OF MINUTES**

(a) Source Protection Committee

Included is a copy of the draft minutes from the April 16, 2014, meeting of the Source Protection Committee (SPC).

A required change to the April 16, 2014 SPC meeting minutes was noted. On page 8 under FUEL – 1: “implementation of this policy in the Barrie area will...” should read “in the York area.” This correction will be made.

Action Item 1	To change “Barrie” to “York” on page 8 under FUEL – 1 in April 16, 2014 SPC meeting minutes.
Responsibility	Jessica Burns

Moved by: Sherry Diemert

Seconded by: Wendy Kemp

RESOLVED: THAT the minutes of the April 16, 2014 meeting of the Source Protection Committee, be approved as amended.

CARRIED BY CONSENSUS

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**V. ANNOUNCEMENTS**

(a) Activities of the Chair & Committee

Fred Jahn announced that they are continuing work on the Rama Source Protection by-law. They are working to make this by-law more stringent by including the IPZ-2. They are hoping to present the by-law to council by July 2014. They would like to present this by-law to the SPC as well, in order to keep them informed.

(b) Agricultural Sector Update to the SPC

Dave Ritchie thanked staff for organizing and facilitating the two recent meetings in preparation for and with the Ontario Ministry of Agriculture and Food (OMAF).

**VI. DELEGATIONS**

None.

**VII. PRESENTATIONS**

(a) Ministry of Environment Update

Neil noted the following MOE update:

- Given the election period, their focus is on Plan Reviews and Source Protection Plan (SPP) review and approvals. Neil clarified that comments from the MOE on updated Assessment Reports (ARs) is a separate approval process from that of the SPP. The AR is updated on a Director level and the decision on the SPP will follow. Until the Cabinet is selected the Ministry will not be making any big decisions or announcements.

It was requested that the Education and Outreach (E & O) Catalogue not only be provided to small municipalities but to all municipalities so that all receive consistent information and messaging. It was noted that once the E & O Catalogue is complete, MOE will be working with South Georgian Bay Lake Simcoe (SGBLS) staff to distribute it to municipalities.

Moved by: Herb Proudley

Seconded by: Fred Jahn

RESOLVED: THAT the MOE updates provided by from Neil Gervais be received for information.

CARRIED BY CONSENSUS



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(b) Results from the May 26, 2014 Agricultural Policy Discussion with OMAF and MOE

Ben presented on the background and outcomes of the May 26th, 2014 meeting where OMAF concerns with some of the agricultural related SPP policies were discussed. He reviewed the concerns and outcomes of each.

Overall the meeting was noted as a success. SPC members and staff were thanked for their involvement and efforts.

Moved by: Larry Slomka

Seconded by: Fred Ruf

RESOLVED: THAT the information presentation by Ben Longstaff on the outcomes of the May 26, 2014 Agricultural SPP Policy Discussion be received for information.

CARRIED BY CONSENSUS

(c) Review of comments received on the Revised Proposed Source Protection Plan (SPP), Explanatory Document (ED) and Assessment Report (AR) during public consultation.

Katie presented the comments received during public consultation and the proposed options for revising the SPP, ED and AR in response to the comments.

In terms of Penetanguishene and New Tecumseth “no comment” Comments, the SPC agreed with staff recommendation to accept all for information.

Katie reviewed official comments made on the AR:

In terms of Durham Region Comments 1 and 2, the SPC agreed with staff recommendation that these minor corrections be addressed in the Assessment Report prior to submission. In terms of Comment 3, the SPC agreed with staff recommendation that it be received for information.

In terms of Rama First Nations Comments 1, 2, 3 and 4, the SPC agreed with staff recommendation that the Assessment Report be updated to address these comments.

Katie reviewed official comments made on the SPP:

Katie reviewed some of the MOE Director’s Letter Sample Comments, how they were addressed and what the SPC agreed on in the past and the noted outcome.

Durham Region: DEMD -4: The SPC agreed with staff recommendation that the comment be received for information; no action is necessary.



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Durham Region: DEMD-3: The SPC agreed with staff recommendation that the comment be received for information; no action necessary. However, staff will send follow up explanatory information to Durham Region for their reference.

Action Item 1	Staff will send follow up explanatory information regarding DEMD-3 to Durham Region, for their reference.
Responsibility	Katie Howson

York Region: LUP 1: The SPC agreed with staff recommendation of Option 1: Minor editorial change be made to maintain consistency with the other types of storage listed.

York Region: Section 16. 13.1: The SPC agreed with staff recommendation of Option 1: Include a reference to EDU-8 in Section 16.13.1 to ensure the list is complete.

York Region: INENT – 6: Option 1: The SPC agreed with staff recommendation of Option 1: Add TCE and DNAPLs to the list of local research issues in Policy INCENT-6.

York Region: EDU – 10: The SPC agreed with staff recommendation of Option 1: 1, 4-Dioxane and PCE be added to the list of DNAPLs within the policy text.

York Region: FUEL – 4: The SPC agreed with staff recommendation of Option 2: Revise the policy to only apply to existing activities since future fuel threats are captured under policy FUEL-2 and revise policy wording to read:

“Municipalities shall develop a by-law to require the removal of fuel tanks from abandoned properties within 1 year of known abandonment, and unused tanks from occupied properties once no longer in use, where the handling and storage of fuel would be a significant drinking water threat.”

Katie shared some recent new information regarding the Fuel 4 policy in terms of above and below ground commercial tanks.

It was clarified that the Technical Standards and Safety Authority (TSSA) is responsible to verify whether or not the existing legislation is being followed.

Discussion occurred around above and below ground residential tanks. It was noted that there is no requirement for residential property owners to remove an unused tank. A disconnect was identified in that residents do not know they are required to remove an unused tank, and that TSSA is unaware of tanks that have not yet been removed.

Other: Fuel-4: The SPC agreed with staff recommendation of Option 2: No change, included policy as proposed or amended per the decision made on the suggested wording revision provided by York Region.



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MTO: Salt (App) – 2: The SPC agreed with amended staff recommendation to retain the notion of collaboration, and insert the wording “encourage to undertake and share research” into the policy.

MTO: MON-3: The SPC agreed with staff recommendation of Option 1: No change, the SPP contains the required monitoring policy.

York Region: LUP-12 (Site Alteration): The SPC agreed with staff recommendation of Option 1 (Part 1): Remove the reference to site alteration in LUP-12.

York Region: LUP-12 (Off-site Compensation): The SPC agreed with staff recommendation of Option 2: To include barns and non-commercial structures that are accessory to an agricultural operation in the exemption, and incorporate the notion of off-site compensation where recharge rates cannot be maintained on-site.

Agricultural SPC Members: PEST (App)-1: The SPC agreed with staff recommendation of Option 1: No change to policy. The current policy reflects the committee's decision on how these threats should be treated.

Agricultural SPC Members: Commercial Fertilizer (ICA):

Discussion occurred around the Georgian Sands and Lafontaine issues contributing area (ICA) transport pathway well of concern.

Whether or not to include a site specific policy or broader policy to address transport pathways was considered. Katie reminded that such a policy would not be legally binding. Dave Ketcheson noted that it would be appreciated if consideration is placed on how such a policy might affect aggregate producers, given that pits and quarries are identified as transport pathways, should the SPC choose to broaden the scope of the policy.

Lynn reminded that, from her understanding, the idea of including this specific policy is to illustrate to OMAF that they have been heard, and that we are moving towards the consensus reached at the May 26, 2014 meeting with OMAF. She further clarified that Katie is asking that the SPC give her the ability to look at and draft a site specific policy, and to circulate it to the SPC with a one week turnaround for comments, so that it can be incorporated into the plan prior to the June SPA meetings. Neil noted that he will work with Katie on this policy if that is what the SPC chooses.

The SPC agrees with the amended staff recommendation to develop a site specific policy addressing transport pathways in the Georgian Sands ICA and circulate the draft policy to SPC members for approval within the next week.



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Moved by: Fred Jahn

Seconded by: John Hemsted

RESOLVED: THAT Staff draft a proposed policy that has the intent of removing the transport pathways within Georgian Sands Issue Contributing area, AND THAT this draft policy be circulated to SPC members with a one week turnaround for comments AND FURHTER THAT this site specific policy, as revised, if applicable, be approved for inclusion into the Revised Proposed SPP to be submitted to the Province July 3, 2014.

CARRIED BY CONSENSUS

Ag Reps: LSTOCK 1 & 2

The SPC agrees with the staff recommendation of Option 2: i) Education and Outreach for Grazing and Pasturing that generate less than or equal to 0.5 NU/acre/year and ii) Prohibition for Grazing and Pasturing Operations that generate nutrient units at a rate greater than 0.5 NU/acre/year.

Neil reminded the group that if this is the only policy to address this circumstance it will need to be noted in the policy that only a soft tool is being applied address this drinking water threat activity.

Moved by: Wendy Kemp

Seconded by: John Hemsted

RESOLVED: THAT the presentation from Katie Howson on public consultation comments be received for information, and that the SPP, ED and AR be revised in accordance with the direction provided by the committee.

CARRIED BY CONSENSUS

(d) Letter from the SPC to the Minister to accompany resubmission of the Source Protection Plan

Ben spoke to the draft proposed SPP Submission Letter. He noted that this letter is more specific than the letter submitted on October 22, 2012 and that a response is requested from the Minister.

Concern around the degree and quality of science on which the Table of Circumstance (TC) is founded was expressed. It was agreed that the statement "the SPC encourages the ministry to conduct a review of the Table of Circumstance" be added to the SPP

Submission Letter as item C 1 and that, if such a review is undertaken, SPC members are willing to participate.

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Moved by: Rick Newlove

Seconded by: John Boucher

RESOLVED: THAT the proposed Cover Letter be revised in accordance with any SPC direction and then submitted to the Minister with the Revised Proposed Source Protection Plan

(e) Scenario Run Through – Time Permitted

Katie Howson led the group through a workshop scenario.

Moved by: Larry Slomka

Seconded by: Rick Newlove

RESOLVED: THAT the scenario work presented by Katie Howson be received for information.

**VIII. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

None.

**IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**

Moved by: Fred Jahn

Seconded: John Hemsted

RESOLVED: THAT the recommendations respecting items not requiring separate discussion be approved  
AND THAT staff be authorized to take all necessary actions to effect those recommendations, including the item under VII c Agricultural SPC Members: Commercial Fertilizer (ICA), regarding the development and inclusion of a site specific transport pathway policy in the Revised Proposed Source Protection Plan to be submitted to the Province July 3, 2014

CARRIED BY CONSENSUS

**X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

***Staff Report – Submission of Revised Proposed Source Protection Plan, Explanatory Document and 2014 Updated Assessment Report***





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Moved by: Colin Elliott

Seconded by: Herb Proudley

RESOLVED: THAT Staff Report No. SPC-2014-06-01 regarding the Revised Proposed Source Protection Plan, Explanatory Document, and 2014 Updated Assessment Reports of the South Georgian Bay Lake Simcoe Source Protection Committee be received for information  
AND FURTHER THAT, the Source Protection Committee endorse the Revised Proposed Source Protection Plan, Explanatory Document, and 2014 Updated Assessment Reports along with comments received, outstanding stakeholder concerns and the Committee's comments in response, as being at a standard suitable for submission to the Ministry of the Environment on July 3, 2014  
AND FURTHER that staff be directed to complete all necessary actions to submit the documents to the Ministry of the Environment.

CARRIED BY CONSENSUS

**XI. OTHER BUSINESS**

Gayle Wood expressed, on behalf of all SPA liaisons present and congratulations to staff and the Committee for a job well done and that the LSCBR Board of Directors looks forward to embracing the recommendations that will be brought forth.

Keith Sherman noted that the Severn Sound Environmental Association is hosting an Open house on July 17<sup>th</sup>, 2014; notices will be sent out.

Lynn reviewed next steps; Katie will circulate the draft site specific policy for SPC comment and approval for resubmission. A consistent message towards positive implementation should be communicated by all SPC members once resubmission of the Revised Proposed SPP is complete July 3, 2014.

The next SPC meeting will likely be held in September 2014, at which Committee composition and quorum protocols will be looked at moving forward. It was clarified that direction as to how the SPC will evolve in the future will come from Neil, likely following the approval of the SPP.

Fred Jahn requested that the Committee allow him to circulate to members, the draft Rama Source Protection By-law for voluntary feedback. The Committee agreed and thanked Fred for the opportunity to do so.



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***XII. CLOSED SESSION***

None for the record of this meeting.

***XIII. ADJOURNMENT***

Motion to adjourn meeting moved by Rick Newlove at 4:00pm.