South Georgian Bay Lake Simcoe Source Protection Region

MINUTES

Source Protection Committee Meeting No. SPC-02/2017
Meeting No. 2
Monte Carlo Inn Barrie Suites, 81 Hart Dr., Barrie, ON.
April 5, 2018
1:00 pm – 4:00 pm

MEMBERS:

Lynn Dollin, Chair

Municipal	Economic/Development	Public Sector	First Nations
Herb Proudley (1)	Collin Elliott (1)	Clayton Cameron	TBD
John Boucher	David Ketcheson	Fred Ruf	
Stan Wells	David Ritchie	Larry Slomka	
Don Goodyear (1)	John Hemsted	Stephanie Hobbs	
	Ian Chadwick	Dianne Corrigan	
	Rick Newlove	Tom Kurtz (1)	

Liaisons

Simcoe Muskoka District Health Unit – Karen Kivilahti
Nottawasaga Valley Source Protection Authority – Doug Hevenor
Severn Sound Source Protection Authority – Julie Cayley
Lakes Simcoe & Couchiching, Black River Source Protection Authority – Ben Longstaff
Ministry of the Environment and Climate Change – Bilal Kidwai

Staff

Ryan Post, NVCA
Mike Wilson, LSRCA
Bill Thompson, LSRCA
Melissa Carruthers, SSEA
Jessica Burns, minutes, LSRCA

Guests

Scott Drewette, Barrie
Ted Benson, First Nations
Shane Ross, First Nations
Christina Wieder, Safe Water, SMDHU

Regrets

Colin Nisbet (Economic) – proxy to Colin Elliott
Bob Duncanson (Public) – proxy to Tom Kurtz
Katie Thompson – proxy to Don Goodyear for duration of her maternity leave
Debbie Korolnek (Municipal) – proxy to Herb Proudley
Kyle Mitchell (Municipal)

I. WELCOME & OPENING REMARKS

All were welcomed to the meeting, a roundtable took place and the following attendance details were reviewed:

- Bilal Kidwai from MOECC was welcomed as a liaison in place of Elizabeth (Beth) Forrest, currently on maternity leave;
- Shane Ross and Ted Benson from First Nations were welcomed; one of whom will be appointed to the SPC in place of Dan Schilling pending a Band Council Resolution.

II. DECLARATION OF PECUNIARY INTEREST

No pecuniary interests were declared.

III. APPROVAL OF THE AGENDA

The agenda was approved as printed and circulated.

Moved by: John Hemsted Seconded by: John Boucher

RESOLVED: **THAT** the agenda for the April 5, 2018 meeting of the Source Protection Committee was approved as presented.

CARRIED BY CONSENSUS

IV. ADOPTION OF MINUTES

(a) Source Protection Committee
The minutes from the October 19, 2017 Source Protection Committee (SPC) meeting were approved as circulated.

Clarification was requested pertaining to action item 2 from the October 19, 2017 SPC meeting minutes, re inserted below:

Action Item 2	Will provide a review of SPC membership terms and rules at the next SPC meeting as well as clarify whether the SPC Agricultural Representatives were re-appointed or re-elected to the Committee during the last SPC membership refresh.
Responsibility	Bill Thompson and Lynn Dollin

It was confirmed that the committee decided to replace members stepping down, to develop a long-term plan to replace members expiring Dec 31, 2019 and that 2/3 of the existing members would be affected by this expiry date.

Moved by: Rick Newlove Seconded by: Ian Chadwick

RESOLVED: **THAT** the minutes of the October 19, 2017 meeting of the Source Protection Committee were approved as printed and circulated.

CARRIED BY CONSENSUS

V. ANNOUNCEMENTS

a) Activities of the Chair & Committee

- Technical Working Group (TWG): Larry Slomka indicated that he is stepping down as Chair of the Technical Working Group (TWG) but would like to remain a member; he requested that this be indicated as an item on the next TWG meeting agenda. He noted that as he is no longer as involved with the issues being dealt with by the TWG, he feels it would be beneficial to elect a new Chair.

  Lynn thanked Larry for his aid, involvement and work to date as Chair.

- Chairs & Project Managers Meeting: Lynn Dollin and Bill Thompson gave a quick review of topics discussed at the March 2018 Chairs & Project Managers meeting. Most notable was the fact that the Province is looking at how the Source Water Program is evolving; what that looks like for the rest of the Province, how it might play out for municipalities that are not currently supported by a Conservation Authority and for drinking water systems that are not municipally operated.

- Doug Hevenor announced that Ryan Post has been named the Senior Hydrogeologist at NVCA. Ryan was congratulated by the Committee and guests.

b) Agricultural Sector Update to the SPC

None.

c) MOECC Update

Bilal Kidwai provided a brief update on the status of MOECC Source Water Program and activities.

Additional points addressed at the March 2018 Chairs and Project Managers Meeting were noted:

- The Source Protection Planning Unit is working on a guidance document with a user friendly approach to the principals of safe drinking water to allow anyone to participate in protecting their sources of drinking water – may develop into an interactive online tool
- Currently there is no funding for Source Water incentive programs;
- Annual Reporting and 2018/19 funding is coming to a close;
- MOECC is focusing on Section 36 guidance documents and regulations changes made to the Safe Drinking Water Act, some of which will be integrated into the Clean Water Act;
- Work being done on the First Nations outreach program to inform on Source Water;
- Conservation Ontario (CO) is leading a Climate Change Program to address how the next iteration of the Source Protection Plan (SPP) may be effected;
    - Series of handbooks with worksheets to assess risk and vulnerability to Source Water components to Climate Change.

VI. DELEGATIONS

None.

VII. PRESENTATIONS

a) Source Protection Overview

Bill Thompson provided a general overview and update from the Source Protection Region. Some program elements touched on included:

- MOECC Program Review, including a proposal to streamline the amendment, update processes and the addition of hydrocarbon pipelines as an additional threat type;
- Provincial Working Groups remain engaged in sharing of resources, knowledge and experience that feed into processes and input for reporting tools, approaches, program reviews and assessment of achieved policy requirements;
- Working Groups formed of members of local implementing bodies such as the Risk Management Officials (RMO) Working Group and Municipal Working Groups continue to share information

In 2018 the Source Water program is expected to identify needed updates for the next iteration of the Source Protection Plan (SPP), and submit a workplan to the MOECC by November 2018. Criteria to be used in this assessment include reports on municipal water quality, projections regarding infrastructure and drinking water systems, and challenges in

policy implementation, including an assessment of the effectiveness of agricultural prohibition policies. This will require municipal consultations and SPC and Working Group meetings, within a rather tight timeline. Resources required to complete the identification of necessary updates to the SPP were included in 2018 SWP funding negotiations.

Discussion occurred around who is to pay to define any new Well Head Protection Areas (WHPAs) moving forward. In most cases it is said to be the responsibility of the municipality and that they, depending on the nature of the application and available municipal resources, may charge back to the proponent as part of the application process i.e. growth driven/ development.

Additionally considered was whether any funds received through the development of new water systems could be used to pay for the water system assessment portion of the process and how situations in which a municipality takes over a private water system and the required definition of a WHPA process would play out. Added complexity may also arise in cases where developments only require a portion of the water concerning how the supply would be appropriately divided. This is not clearly defined in the development charge by-law but may be addressed under water rates or tax levy. Generally, it was understood that in most cases, it falls to the municipalities to address the costs of these process requirements; however, smaller municipalities may be in a position to request support from the MOECC in certain situations. Given that Development Charges by-laws are scheduled to be re-assessed on a 5 year cycle it may be beneficial to request adjustments to address these issues at that time.

Action Item 1	A Development Charge by-law expert will be asked to speak to this item at the next SPC meeting.
Responsibility	Bill Thompson

Moved by: Clayton Cameron Seconded by: Rick Newlove

RESOLVED: **THAT** the update provided by Bill Thompson on the Source Protection Region, be received for information.

CARRIED BY CONSENSUS

b) Communications Update

Lynn requested that SPC members reflect on opportunities within their respective communities to engage in some Source Water E & O outreach. An example of such was the Source Water 101 sessions provided to municipal staff in Severn Sound, to bring new staff up to speed and provide a source water refresh to others.

Ryan Post provided an update on recent Education and Outreach (E & O) activities (Staff Report No. SPC-2018-01-01). All E & O resource materials discussed have been posted to ourwatershed.ca and shared with local Conservation Authorities and municipalities.
Some E & O update items touched on included:

- New tagline “Water is life. Protect Yours”;
- Revised artwork/illustrations and improved photo library;
- Municipal Orientation Campaign;
- Infographics, social media memes, videos, revised “front desk” fast sheets;
- Fuel storage workshop with the Canadian Oil & Heat Association.

Revisions and upgrades made to the ourwatershed.ca site were reviewed live. Positive feedback has been received on the site upgrades and E& O materials developed. An abstract to Latornell has been submitted to showcase the work. Credit and acknowledgement was given to Source Water Communications staff, including Joan Patch, Source Water Protection Communications Specialist with Conservation Ontario.

Action Item 2	Will inquire as to whether analytics are being tracked on ourwatershed.ca to gage effectiveness, interest and feedback.
Responsibility	Ryan Post

Conservation Ontario has been provided a copy of the Source Water Protection E & O materials. These materials have been designed in such a way that they can easily be adapted to other watersheds/areas. It was noted that Joan Patch, mentioned above, completed a gap analysis of materials at the front end of this project and has now been tasked with a similar project on a Province wide scale.

Moved by: Larry Slomka Seconded by: Dianne Corrigan

RESOLVED: **THAT** Staff Report No. SPC – 2018-01-01 be received for information.

CARRIED BY CONSENSUS

c) Annual Reporting

Mike Wilson presented on the first annual implementation report (Staff Report No. SPC-2018-01-02). Elements of the annual reporting process reviewed, included:

- RMP progress;
- Zoning by-law amendments progress;
- Septic inspections progress;
- Development proposal map (groundwater recharge);

- prescribed instruments progress;
- Potential issues;
- Next steps.

Overall, results of the first annual implementation report are positive; they show participation, cooperation and active SPP policy engagement. It was noted that early adopters of the SPP policies are likely accounted for in this series of reporting and that the next phase of proponents may require more staff time for policy adoption. However, additional positive engagement of the SPP appears to be shaping development in more ways than are captured in this annual reporting period, as applications for development are being stopped and/or modified to comply with SPP policies.

It was clarified that given the uncertainty around the Percent Managed Lands (PMLs) calculation approach, some Risk Management Officials (RMOs) have not moved forward with agricultural Risk Management Plans (RMPs). The PMLs item will be re-addressed at the next Technical Working Group (TWG) committee meeting. It was noted that the effect of policy outcomes on farmers will be considered as part of the PMLs decision making process. Following a decision on approach, clarification will be provided to the RMO working group.

Regarding areas in which SPP policies have not yet been met, barriers to success such as staff turnover, other pressing political issues, or lack of a “best fit” approach(es) were noted as possible hindrances. Additional support will be provided where needed and reminders of responsibility will be provided to those out of compliance.

Moving forward, a plan will be implemented to provide support to those who are behind in meeting SPP policy requirements i.e. RMPs and septic inspections, to get them back on track. Revisions to the Source Protection Annual Reporting database will be undertaken in late 2018 to improve functionality. Additionally, training on the Source Protection Annual Reporting (SPAR) database will be provided to RMOs and other stakeholders, to improve ease of use and consistency of question interpretation.

Discussion on the annual reporting grade to be indicated on the report to the Ministry took place. It was agreed that although a lot of good work has been done and that the overall data indicates a positive result, there are areas in which improvement is needed. As such the grade of “SATISFACTORY” on achieving source protection plan objectives this reporting period was agreed upon.

The narrative to accompany the grade of “SATISFACTORY” was reviewed and discussed. The following decisions were made and agreed upon:

1. 96% of the policies that address significant drinking water threats have been or are in the process of being implemented.

INCLUDE AS IS.

2. Approximately 71% of Significant Drinking Water Threats (SDWTs) that existed at the time of SPP approval have been addressed through policy implementation.

   2 EDIT: add “through policy implementation or threat verification” and delete last 3 words and replace with “removal by verification”

3. 106 Risk Management Plans (RMPs) have been established across the source protection region. However the rate of Risk Management Plan establishment may need to increase to complete all required RMPs by the 2020 deadline.

   3 EDIT: last phrase to be more cautionary

4. The majority of municipalities in our source protection region have processes in place to ensure that their day-to-day planning decisions conform to our source protection plans.

   INCLUDE AS IS.

5. York Region’s incentive program has clearly demonstrated that funding the cost of implementing risk management measures in Risk Management Plans (RMPs) can play an important role in successful and timely RMP negotiations.

   5 EDIT: remove first two words and speak to Incentive Programs only

6. To-date there have been only two prohibitions of future activities where the activity would be a significant drinking water threat.

   6 EDIT: add “most have been avoided through pre consultation” and take out “only”

7. The section 59 policy captured only four development proposals requiring an RMP for a future activity that would be a significant drinking water threat.

   7 EDIT: add “most have been avoided through pre consultation” and take out “only”

8. 97% (2005 of the 2071) of on-site sewage systems have been inspected in accordance with the Ontario Building Code. However one municipality has not started their septic inspection program as of the end of 2017.

   INLCUDE AS IS.

9. All municipalities, with the exception of one, submitted their 2017 annual reports to Source Protection Authority staff. This one municipality may have been without a Risk Management Official for all or part of 2017.

   INCLUDE AS IS.

10. All local municipalities within the Lake Simcoe Source Protection Authority portion of the York Well Head Protection Area (WHPA) - Q2 are implementing policy Land Use Planning (LUP) - 12 (which requires a water balance study for all major developments) by having all applications peer reviewed by a Hydrogeologist.

    INCLUDE AS IS.

Moved by: John Hemsted Seconded by: Ian Chadwick

RESOLVED: **THAT** Staff Report No. SPC-2018-01-02 regarding the section 46 Annual Report be received for information.
FURTHER THAT the Source Protection Committee utilize section II of the Annual Report template to make the MOECC aware of progress made on Source Protection Plan implementation, as outlined in the Issues section of Staff Report No. SPC-2018-01-02.
AND FURTHER that SPA staff be directed to rate progress as Satisfactory in section II of the Annual Report template.

CARRIED BY CONSENSUS

d) Proposal to Expand the Greenbelt

Bill Thompson provided a summary of comments received regarding the Provincial proposal to extend the Greenbelt. He then reviewed the themes in the comments received back from SPC members regarding the draft SPC submission letter, drafted in case it should be decided to submit.

Discussion occurred around whether a comment letter should be submitted from the SPC regarding the Greenbelt expansion proposal. Some noted points of discussion included:

- Out of the scope of the SPC;
- Appropriate for a group such as the SPC to comment on such a proposal;
- A knowledgeable body such as the SPC should share their knowledge on such topics/considerations;
- As this issue concerns work that has been completed by the SPC, some feel that the SPC should comment and speak to that;
- Focus should be on the implementation of this expansion and how it might work with existing policies, groups, municipalities and so on; should be in general support

of this expansion but need to emphasize what is already in play, that the work of the SPC should be recognized and be part of the policy;

- As per the MOECC, this expansion focuses on drinking water systems outside municipal systems and as it is in draft stage, no water source has been ruled out i.e. water used for agricultural purposes.

All in favor of submitting a letter: 12 in favor
All opposed to submitting a letter: 6 opposed
Abstained: 2

As a majority of two-thirds of the members present was not reached therefore no letter will be submitted.

Moved by: Larry Slomka Seconded by: Fred Ruf

RESOLVED: **THAT** the presentation provided by Bill Thompson on greenbelt expansion be received for information.

CARRIED

VIII. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Moved by: Dianne Corrigan Seconded by: Clayton Cameron

RESOLVED: **THAT** the recommendations respecting items not requiring separate discussion be approved, and staff be authorized to take all necessary actions to effect those recommendations.

CARRIED BY CONSENSUS

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

None.

XI. OTHER BUSINESS

Items mentioned under other business included the following:

- RMO Working Group information was requested to be presented at future SPC meetings;

- A request to provide Source Water Protection information to Tay and Simcoe County planners was noted;
- SPC members were asked to send ideas on how members might be able to engage in Source Water Education & Outreach in their local communities to Lynn Dollin or Bill Thompson.

XII. CLOSED SESSION

None for the record of this meeting.

XIII. ADJOURNMENT

The next meeting of the SPC will take place in the 2018 summer months; the location and date of the next meeting are to be determined.

Motion to adjourn the meeting was moved by Herb Proudley at 4:10pm.