



## **LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES**

**Thursday December 3, 2015**

The following are the minutes of the Lake Erie Region Source Protection Committee meeting held on Thursday, December 3, 2015 at the Grand River Conservation Authority Office, 400 Clyde Road, Cambridge.

- Members Present:** W. Wright-Cascaden (Acting Chair); H. Cornwell; A. Dale; P. General; R. Haggart; K. Hunsberger; \*C. King; J. Kirchin; R. Krueger; I. Macdonald; J. Oliver; D. Parker; L. Perrin; P. Rider; G. Schneider; \*B. Strauss; B. Ungar; M. Wales; P. Wilson; D. Woolcott;
- Members Regrets:** A. Henry; D. Hill; D. Murray; T. Schmidt
- Proxy Representatives:** L. Perrin (A. Henry); D. Murray (D. Parker); T Schmidt (\*E. Hodgins)
- Liaisons:** J. Mitchell (SPA Liaison); B. Forrest (Provincial Liaison); D. Young (Public Health Liaison)
- Region Management** M. Columbus (LPRCA); C. Evanitski (LPRCA); J. Farwell (GRCA); B. Mackie (KKCA); S. Martyn (CCCA); K. Smale (CCCA); E. Van Hooren (KKCA)
- Committee:**
- Staff:** D. Boyd, GRCA; S. Brocklebank, GRCA; N. Davy, GRCA; J. Etienne, GRCA; I. Feldmann, GRCA; M. Keller, GRCA; D. Schultz, GRCA; T. Seguin, GRCA; K. Smith, GRCA; L. Stocco, GRCA

### **1. Call to Order**

W. Wright-Cascaden called the meeting to order at 1 p.m.

### **2. Roll Call and Certification of Quorum – 17 Members Constitute a Quorum (2/3 of members)**

The Recording Secretary called the roll and certified quorum with 22 members present.

### **3. Chairman's Remarks**

W. Wright-Cascaden welcomed members, staff and guests to the meeting and reported that she and M. Keller attended a province-wide Source Protection Program chairs meeting in October in Toronto. During the two-day event, W. Wright-Cascaden met with chairs from source protection committees across Ontario and noted many of

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the other committees do not meet as frequently as the Lake Erie Source Protection Committee. W. Wright-Cascaden also attended a Lake Erie Source Protection Region Management Committee meeting at Long Point Region Conservation Authority November 9, 2015.

M. Keller followed W. Wright-Cascaden's remarks by introducing I. Feldmann, the new Source Protection Program Assistant and Beth Forrest, Ministry of the Environment and Climate Change (MOECC) Liaison Officer. M. Keller congratulated the committee for years of dedication to the program and the approval of the Grand River Source Protection Plan.

**4. Review of Agenda**

**Moved by: M. Wales**  
**Seconded by: B. Strauss** *carried unanimously*

*THAT the agenda for the Lake Erie Region Source Protection Committee Meeting of December 3, 2015 be approved as revised.*

**5. Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest made in relation to the matters to be dealt with.

**6. Minutes of the Previous Meeting – September 3, 2015**

**Res. No. 31-15** **Moved by: B. Ungar**  
**Seconded by: J. Oliver** *carried unanimously*

*THAT the minutes of the previous meeting on September 3, 2015 be approved as distributed.*

**7. Hearing of Delegations**

None

**8. Presentations**

None

**9. Correspondence**

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a) Copies for Members

- i. Correspondence from Correspondence from Heather Malcolmson, Source Protection Programs Branch, Ministry of the Environment and Climate Change to Wendy Wright-Cascaden, Source Protection Committee Chair (A), Lake Erie Source Protection Region, Michael Columbus, Chair, Long Point Region Conservation Authority, Cliff Evanitski, General Manager/Secretary Treasurer, Long Point Region Conservation Authority and Jane Mitchell, Chair, Grand River Conservation Authority regarding approval of the Long Point Region Assessment Report.
- ii. Correspondence from Glen Murray, Minister of the Environment and Climate Change to Wendy Wright-Cascaden, Source Protection Committee Chair (A), Lake Erie Source Protection Region, Michael Columbus, Chair, Long Point Region Conservation Authority, Cliff Evanitski, General Manager/Secretary Treasurer, Long Point Region Conservation Authority and Jane Mitchell, Chair, Grand River Conservation Authority regarding approval of the Long Point Region Source Protection Plan.
- iii. Correspondence from Glen Murray, Minister of the Environment and Climate Change to Chief M. Bryan LaForme, Mississaugas of New Credit First Nation regarding approval of the Long Point Region Source Protection Plan.
- iv. Correspondence from Glen Murray, Minister of the Environment and Climate Change to Chief G. Ava Hill, Six Nations of the Grand regarding approval of the Long Point Region Source Protection Plan.
- v. Correspondence from Graham Milne, Deputy Clerk and Supervisor of Council and Committee Services, Regional Municipality of Halton to Sue Lo, Ministry of the Environment and Climate Change, Robert Edmondson, Halton-Hamilton Source Protection Committee, Susan Self, Credit Valley, Toronto Region & Central Lake Ontario (CTC) Source Protection Committee, Wendy Wright-Cascaden, Lake Erie Region Source Protection Committee, Donna Bryce, County of Wellington, Dina Lundy, Town of Erin, Angela Morgan, City of Burlington, Suzanne Jones, Town of Halton Hills, Troy McHarg, Town of Milton and Vicki Tytaneck, Town of Oakville regarding the adoption of resolution PW-34-15/LPS113-15 – Source Protection Plan Implementation Requirements Under the *Clean Water Act*, 2006.
- vi. Correspondence from Heather Malcolmson, Source Protection Programs Branch, Ministry of the Environment and Climate Change to Wendy Wright-Cascaden, Source Protection Committee Chair (A), Lake Erie Source Protection Region, Joe Farwell, Chief Administrative Officer, Grand River Conservation Authority and Jane Mitchell, Chair, Grand River Conservation Authority regarding approval of the Grand River Assessment Report.

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- vii. Correspondence from Glen Murray, Minister of the Environment and Climate Change to Wendy Wright-Cascaden, Source Protection Committee Chair (A), Lake Erie Source Protection Region, Joe Farwell, Chief Administrative Officer, Grand River Conservation Authority and Jane Mitchell, Chair, Grand River Conservation Authority regarding approval of the Grand River Source Protection Plan.

In response to the approval letters for the Long Point Region Assessment Report and Source Protection Plan, M. Keller commented that monitoring continues at the Richmond drinking water system and results will be shared with the committee when they become available. W. Wright-Cascaden added that it was wonderful to see the Long Point Region Source Protection Plan approved.

M. Keller noted that correspondences regarding the approval of the Grand River Assessment Report and Source Protection Plan contained references to Tier 3 water budget studies; MOECC shared that they looked forward to receiving the amended Source Protection Plan once Tier 3 work is complete. M. Keller commented that currently there is not a work plan or process in place for water budget policy development. Tier 3 work is estimated to be complete in 18 months. The MOECC also made specific reference to Centre Wellington – the reference will require follow up with the Ministry for further clarification.

b) Not Copied

None

**Res. No.32-15**

**Moved by: R. Kreuger**

**Seconded by: L. Perrin**

**carried unanimously**

*THAT the correspondence be received as information.*

## **9. Reports**

### **a) SPC-15-12-01: Program Update**

M. Keller presented report SPC-15-12-01.

M. Keller shared that the Long Point Region and Grand River Source Protection Plans were approved – all 22 plans in the province are now approved. The effective date for both plans is July 1, 2016. Staff would like to have a celebration in the New Year to recognize eight years of collaborative work to complete the first set of approved source protection plans in the Lake Erie Region. The committee will be notified of celebration details as they become available.

*\*B. Strauss left the meeting at 1:30pm.*

Regarding the potential inclusion of communal drinking water systems in future plan updates, D. Parker commented that not all communal systems, e.g. community halls, retirement communities and trailer parks, are equal in size and therefore, would not influence drinking water sources to the same degree. M. Keller agreed and indicated that variability among communal systems and determining which systems are a priority, would be part of future discussions.

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J. Oliver referenced the change to Ontario Reg. 288/07 and was surprised that the Lake Erie Region Management Committee recommended that the Lake Erie Source Protection Committee maintain its current size. J. Oliver questioned that decision and indicated that he would like to see more rationale as to why the committee could not be reduced.

J. Oliver also expressed concern with regard to the number of reportables and performance measures detailed in the MOECC's draft Annual Progress Report and asked if all 70 reportables would need to be reported to the Ministry. M. Keller responded yes – all 70 reportables would need to be collected and reported to MOECC. J. Oliver commented that he finds that number unacceptable and would like the committee express their concern to the MOECC. W. Wright-Cascaden agreed that the number of required reportables seems excessive. J. Oliver added that he would like to put forward a motion with respect to the potential number of reportable items that would be included in the Annual Progress Report; M. Wales agreed with J. Oliver's suggestion. W. Wright-Cascaden stated that the Committee could convey their concern regarding the number of reportables in the Annual Progress Report that are over and above requirements listed in the *Clean Water Act, 2006*. B. Forrest added that the Committee is not alone in their concern. MOECC has been collaborating with a Working Group during the development of the reportables and performance measures, but it is still a work in progress. M. Keller shared that the exact timeline for finalizing the reportables is still unknown, but supports a clear resolution to share with the MOECC. J. Oliver put forward a motion that the committee express concern to the MOECC with regard to the number of reportable items that could be required by the Ministry in the annual progress process. I. Macdonald stated that perhaps a letter of concern is somewhat premature. R. Haggart suggested that the committee share their concern during an Ontario chairs meeting; a collective voice of concern from multiple committees would be far more impactful than one. M. Keller commented that may be an option if the committee does not receive enough information from the Ministry in the next few months – the committee could share their concern with the provincial chairs in March, 2016. M. Keller cautioned against bringing the committee's concern to the chairs before all proposed reportables and performances measure details are known. A. Dale commented that the committee should err on the side of caution and draft a letter to the Ministry to start the discussion process. H. Cornwell agreed that it would be good to send a letter of concern to the Ministry before the reportables are finalized. J. Oliver added that he would agree to the addition of the phrase "over and above" with regard to the number of required reportables in the letter to the Ministry. W. Wright-Cascaden indicated that the letter will include the phrase "over and above" for added clarification.

W. Wright-Cascaden turned the conversation to O. Reg. 288/07 and expressed that the committee could be smaller in size, but must retain a balance of the sectors. P. General asked why committees reducing numbers to nine members may only have one First Nations representative. B. Forrest responded that it is likely due to proportionality.

**Res. No.33 -15**

**Moved by: J. Oliver**

**Seconded by: M. Wales**

**carried unanimously**

*THAT the Lake Erie Region Source Protection Committee expresses their concern about the overall number of reportables and performance measures with regard to the Annual Progress Report*

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*[specifically what is required] over and above the items mandated through legislation to the Ministry of the Environment and Climate Change, with a copy of the letter of explanation sent to the provincial Source Protection Committee Chairs.*

**Res. No.34 -15**      **Moved by:**      **I. Macdonald**  
**Seconded by:**      **L. Perrin**      **carried unanimously**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-15-12-01 - Source Protection Program Update - for information.*

**b) SPC-15-12-02: Water Quantity Update**

J. Etienne presented report SPC-15-12-02.

**Res. No. 35-15**      **Moved by:**      **J. Kirchin**  
**Seconded by:**      **D. Parker**      **carried unanimously**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-15-12-02 - Water Quantity Update - for information.*

### c) SPC-15-12-03: *Aggregate Resources Act*, A Blueprint for Change

M. Keller presented report SPC-15-12-03.

G. Schneider commented that the report presented by M. Keller was appreciated and that the majority of industry members are supportive of the *Aggregate Resources Act*, a Blueprint for Change. However, G. Schneider did not support the GRCA's recommendation that the province should prohibit extraction within a two-year time of travel (WHPA A/B) of municipal drinking water wells. There would be circumstances where prohibition on extraction would not apply. G. Schneider questioned whether this decision was science-based and shared with the committee that there are municipalities which currently have aggregate operations within a two-year time of travel - are those operations expected to shut-down and the municipalities prohibited from taking water? The industry would not support such an action. D. Parker questioned whether the prohibition of aggregate extraction within WHPAs should also include Intake Protection Zones (IPZ). J. Kirchin supported the GRCA's recommendations and emphasized the importance of proceeding in a cautionary manner. E. Hodgins shared that Waterloo Region's Official Plan included a ban on extraction within a two-year time of travel of a WHPA and found it would affect only a small area. Waterloo felt the ban was applicable to their circumstances but did not agree with the province's indication that it would become a default standard across watersheds. The Ministry of Natural Resources (MNR) then requested that Waterloo's Official Plan be changed. Waterloo ultimately decided not to include a recommendation to ban aggregate extraction within a two-year time of travel in their comments on A Blueprint for Change, but rather refrain from comment until they received further guidance from risk assessment studies. It is neither the spills nor the extraction of material that pose a threat to water supplies, rather the subsequent use of the site. E. Hodgins supported the policy principal and agreed with G. Schneider that there may be circumstances where the prohibition of aggregate extraction would not apply, e.g. where there is sufficient separation between extraction and the water

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supply. E. Hodgins felt the GRCA's recommendation was a proactive response, but also understood why the issue may not be favoured by all parties.

P. General asked why the GRCA recommended a complete ban on takings below the water table where a breach of the aquitard could impact drinking water sources rather than within a two-year time of travel. M. Keller responded that the recommendation proposed by the GRCA referred to situations in which extraction would impact municipal drinking water. In such instances, one should not extract water from a well.

**Res. No. 36-15**                      **Moved by: A. Dale**  
   **Seconded by: J. Kirchin**                      **carried, G. Schneider opposed**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-15-12-03 – A Blueprint for Change – A proposal to modernize and strengthen the Aggregate Resources Act policy framework – for information;*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to submit report SPC-15-12-03 to the Ministry of Natural Resources and Forestry through Environmental Registry Number 012-5444.*

**d) SPC-15-12-04: Municipal Implementation Approaches**

M. Keller presented report SPC-15-12-04.

*\*C. King left the meeting at 3:11pm.*

*\*E. Hodgins left the meeting at 3:14pm*

R. Krueger noted that Haldimand County was not included in the municipal implementation approaches table. M. Keller responded that Haldimand was not included because it did not have Part IV responsibilities. J. Oliver asked if Oxford County was the only municipality attaching a surcharge to water consumption rates to fund source protection implementation. M. Keller responded that Halton and Waterloo are also applying surcharges to finance the program but their approach is buried within their budgeting process. J. Oliver added that in the early days of the *Clean Water Act, 2006* there was an additional act passed called the *Sustainable Water and Sewage Systems Act, 2002* which stated that municipalities would have to account for the cost of implementation and detail how it was to be funded; J. Oliver was unsure if this Act had come into effect. D. Parker shared a recent headline which stated that there was a municipality in which every household would have an additional \$2.50 added to their monthly water charge for the next ten years to fund sewage improvements.

**Res. No. 37-15**                      **Moved by: J. Kirchin**  
   **Seconded by: D. Parker**                      **carried unanimously**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-15-12-04 - Municipal Approaches to Source Protection Plan Implementation - for information.*

**e) SPC-15-12-05: Lake Erie Region Source Protection Committee: Roles and Responsibilities**

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M. Keller presented report SPC-15-12-05.

A. Dale suggested that the committee could focus on blue-green algae across the Lake Erie Region. J. Oliver added that prior to the Source Protection Program, conservation authorities worked together to tackle algal blooms in Lake Erie; there may be a role for source protection committees on the east, west and north shores of Lake Erie to address the issue of blue-green algae. B. Ungar reported that blue-green algae are on MOECC's and the Ministry of Agriculture, Food and Rural Affairs' (OMAFRA) radar. With regard to climate change data, H. Cornwell indicated that he would like the committee to receive monitoring reports annually from MOECC and that the committee not become involved in data collection. M. Keller responded that the committee would not collect data. M. Wales noted that phosphorus loading is also an issue of great concern and will require consistent data collection and monitoring throughout the Lake Erie basin. M. Wales then asked if there were any updates from the Ministry with regard to future Source Protection Program funding. M. Keller replied that the Ministry recently asked source protection Project Managers and representatives of the Joint Advisory Committee to help inform the development of the list of eligible activities for the 2016/17 program. The Ministry has indicated that there will be continued Source Protection Program funding but no additional funding opportunities. There is also a process underway led by Conservation Ontario to work towards establishing a multi-year funding program. M. Wales added that under the guidance of the *Great Lakes Protection Act, 2015* there may be legislation that requires the committee's input; it would be prudent to keep the *Great Lakes Protection Act, 2015* on the Committee's radar. M. Keller agreed with M. Wales' recommendation.

**Res. No. 38-15**                      **Moved by: R. Krueger**  
   **Seconded by: L. Perrin**    **carried unanimously**

*THAT the Lake Erie Region Source Protection Committee receives  
report SPC-15-12-05 - Municipal/Source Protection Committee Plan  
Implementation: Roles and Responsibilities - for information.*

**10. Business Arising from Previous Meetings**

- a) Lake Erie Region Source Protection Committee request under Technical Rule 119, from February 3, 2011, Re: rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system that allows ponding of water.

**11. Other Business**

- a) Question and Answer Period  
  
None

**12. Closed Meeting**

Not applicable

**13. Next Meeting – Thursday, March 3, 2016 at 1:00 p.m.  
GRCA Administration Centre, 400 Clyde Road, Cambridge, ON**



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**14. Adjourn**

The Lake Erie Region Source Protection Committee meeting of December 3, 2015  
adjourned at 3:33 pm.

***Moved by: D. Parker***  
***Seconded by: M. Wales***

***carried unanimously***

*THAT the Lake Erie Source Protection Committee meeting of  
December 3, 2015 be adjourned.*

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Chair

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Recording Secretary