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## Thames – Sydenham and Region Source Protection Committee

# Meeting Notice

Please be advised that a meeting of the Thames-Sydenham and Region Source Protection Committee has been called for the following time. If you are unable to attend please contact Deb Kirk at 519-245-3710x 46.

**Meeting Date:** September 10, 2010

**Meeting Time:** 9:00 am to 2:00 pm

**Meeting Location:** St. Clair Conservation Authority office

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### *Proposed Agenda*

<b>Item</b>	<b>Time</b>
1. Chair's Welcome	9:00
2. Adoption of the Agenda	
3. Delegations	9:15-9:35
a. Heather Gingerich (M.Sc.)	
4. Minutes From the Previous Meeting	
5. Declaration of Conflict of Interest	
6. Business arising from the minutes	9:35
a. Discussion on cross jurisdictional issues in planning stages	
b. Thames River naming - Pat Donnelly	
c. Wind Turbine update	
7. Business	10:30
a. Early Response Program application	
b. UTRSPA Assessment Report	
i. additional UTR AR comments	
Lunch	12:00
ii. Tier 2 Water Budget update	
iii. AR Posting	
8. Information	
a. Regional Training	1:30
9. In Camera Session	
10. Other business	
11. MOE Liaison report	
12. Members reports	
13. Adjournment (next meeting October 15, 2010)	2:00



## ***Meeting Materials***

<b>Agenda Item</b>	<b>Description</b>
4	<ul style="list-style-type: none"><li>• August 20, 2010 SPC Meeting Minutes</li></ul>
7 a.	<ul style="list-style-type: none"><li>• Early Response Program Application</li></ul>
From Previous Meeting	<ul style="list-style-type: none"><li>• Ontario Drinking Water Stewardship Program Presentation (Brad Glasman)</li></ul>



SPC MEETING MINUTES  
SEPTEMBER 10, 2010  
Meeting #30

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:15 a.m. on September 10, 2010 at the St. Clair Region Conservation Authority (SCRCA) Boardroom. The following members and staff were in attendance:

**Members**

Bob Bedggood  
Murray Blackie (SPA Liaison)  
Pat Donnelly  
Pat Feryn  
Paul Hymus  
Carl Kennes  
Joe Kerr  
Don McCabe  
Valerie M'Garry  
Doug McGee  
Earl Morwood

Sheldon Parsons  
Darrell Randell  
Jim Reffle  
Joe Salter  
Charles Sharina  
Patrick Sobeski  
Augustus Tobias  
John Van Dorp  
Joe Van Overberghe  
Teresa McLennan (Provincial Liaison)

**Regrets:**

Keenon Johnson  
Brent Clutterbuck  
Dean Edwardson  
Richard Philp  
James Maudsley  
Robert Olivier

**Staff:**

Steve Clark  
Chitra Gowda  
Girish Sankar  
Chris Tasker  
Deb Kirk  
Ingrid Vanderschott  
Derekica Snake  
Melissa Sherran (Oxford County)  
Brad Glasman

Linda Smith  
Bonnie Carey  
Ralph Coe  
Rick Battson

Other:  
Heather Gingerich (delegation)  
Frazer Parsons



1) Chair's Welcome

Bob welcomed the committee.

2) Adoption of the Agenda.

It was suggested that the following items be added to the agenda: 8b.Update on LTVCA AR, 8c. IPZ3 Update and 7c. Updated Work plan.

moved by Charles Sharina -seconded by Doug McGee

*"Resolved that the agenda be approved to include the additional items suggested."*

*CARRIED.*

3) Delegations

a) Heather Gingerich

Heather Gingerich, a medical geologist gave a presentation titled "Winning the Periodic Table." The objectives of the presentation were to make the water-health connection and give an overview of common natural impairments, policy implications and some recommendations when developing plans for protecting water.

4) Minutes from Previous meetings

The August 20, 2010 SPC meeting minutes distributed with the meeting package were considered by the members. It was requested that the meeting attendees be revised to include Joe Salter's name. It was also pointed out that the date on page 10 first paragraph, concerning the SCR IPZ-3 Advisory Committee meeting should be September 2010, not 2009.

moved by Earl Morwood -seconded by Doug McGee

*"Resolved that the August 20, 2010 meeting minutes be approved with the revisions requested."*

*CARRIED.*

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

a) Discussion of cross jurisdictional issues in planning stages

Collaboration through teleconferences as part of the SPP Advisory Committee, consisting of chairs and staff from each region as well as at the SPP Chairs and Project Managers meetings should allow a venue for the airing of cross-jurisdictional issues between Source Protection Regions. Items were identified in the Terms of Reference under “*Matters to be discussed with other SPC’s*” to deal with cross jurisdictional policy development and ensure there is consistency between regions. A web based tool will be developed and implemented to share information with SPC’s and others. A sub-committee was formed with representation from five of the regions to develop a mechanism for sharing this information. The SPP Advisory committee will report to the Chairs at the September 20 meeting and a progress report will be provided to the committee at the October SPC meeting. Cross jurisdictional issues will be incorporated into the plan to identify how each region is approaching issues.

b) Thames River naming- Pat Donnelly

Pat Donnelly raised his concerns of the discussion at the previous SPC meeting relating to “Name of River.” Although historically there have been different names of the rivers and creeks, reverting back to referring to the South Thames River as just the Thames River may add confusion. Upper Thames tends to use the common naming as reflected in the annotation layers in the mapping but also need to rely upon gauge and watershed naming conventions that use the Thames all the way through, Ingersoll and Woodstock. The municipalities also tend to drop both the north and south at times. After a discussion, it was reconfirmed that acknowledgement of the common and official name for the Thames River will be referenced in the Assessment Report. For the purposes of the future work, we should make clear references to the branches as North, Middle and South Thames.

c) Wind Turbine Update

An update on wind turbines was requested at the previous SPC meeting. An article written in the Windsor Star “*ERCA urges step back on turbines fight,*” was circulated. It outlines ERCA’s submission to the provincial government that a five kilometers exclusion zone is far enough away from shore for wind turbines in the lakes. A review of this region’s intakes shows all the intakes, with the exception of LAWSS, of the 5 km being more than enough to encompass IPZ2. The Essex Region has completed an assessment of quantity of oil used and this could qualify as a low to moderate threat if near an intake. Recently there have been fires and leaks reported in wind turbines.

Comments can be made until October 4<sup>th</sup> to the MNR on where, when and how the province should make Crown land available for offshore turbines.

It was also pointed out that there has been media attention on two local doctors debating the wind turbine issue. Lake Huron Center for Coastal Conservation has put forward a document “*Position Statement regarding Offshore Wind Proposals on Lake Huron,*” which mirrors some of the Essex region’s concerns. This can be found under [www.lakehuron.ca](http://www.lakehuron.ca). It was also noted that the oil and gas industry, Department of Fisheries and Oceans, Ministry of Energy and Ministry of Natural Resources will be meeting to discuss crossing natural gas lines and significant impact on lake bottoms and disturbances, turbidity.

## 7) Business

### a) Early Response Program Application

A discussion paper was circulated (2010.09.7.a Early Response Program-Ontario Drinking Water Stewardship Program). Brad Glasman gave a presentation outlining some of the background information and guidelines from the Ministry. The committee reviewed and discussed the priorities and criteria outlined. The technical staff reviewed the threats and threats subcategories for each of the drinking water systems where potential significant threats have been identified in an effort to estimate the potential uptake of specific early response measures. Based on the selection criteria recommended in the discussion paper, the following threats were recommended to the SPC to be included in the proposal for funding;

- 1) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or dispose of sewage.
- 2) Transport Pathways
- 3) Handling of Storage of Fuel
- 4) Handling of Storage of DNAPL.
- 5) Application of Manure/Fertilizer & Pesticides to Land.

Following a discussion on the threats and the types of BMP’s to be eligible for addressing the threats, the committee considered a motion to accept the staff recommendations.

moved by Pat Donnelly-seconded by Valerie M’Garry

*“Resolved that the SPC endorse the staff recommended list of threats deemed a priority to be addressed in accordance with the Ontario Drinking Water Source Protection Early Response Program”*

*CARRIED.*



Key points during discussion:

- ER program will run from April 2011 to December 31, 2012.
- Maximum grant rates and caps have been set by the Ministry of Environment.
- Landowners, farmers, small and medium sized businesses and municipalities are eligible for a maximum 80% of total cost. Large businesses or municipalities are eligible for funding of 50% of the total cost. The baselines have been set based on capacity. Retroactive projects will not be covered under the ER project.
- The deadline for submitting the two separate grant applications in the ER Program to the Ministry is September 30, 2010. These include the special projects to be submitted by the municipalities, over \$100,000 and the Conservation Authorities submission of the priority projects. If a municipality has a project under the \$100,000 they can ask that this be put through the Conservation Authority's application.
- Municipalities have been notified of the program by the Ministry of Environment via an email circulated to the CAO's and Clerks.
- Thames-Sydenham and Region program would be delivered through the Clean Water Program which consists of representatives Upper Thames River and Lower Thames Valley Source Protection areas, the SPC and Ontario Soil and Crop Improvement Association.
- A question was raised as to whether moving an intake location qualifies under this program. This would not be covered.
- Cost effectiveness was defined and will be based on the history of what people have been willing to do within the Clean Water Program, which is also a voluntary program. Protection to landowners against price increases was a concern raised by the members. The committee discussed whether costs of decommissioning wells increased when programs promoting well decommissioning increased the demand. It was also discussed that the costs are also dependent on the company completing the work was identified.
- Septic systems were discussed and the question was raised of whether pumping or maintaining a septic system is covered under this project. They are covered if done as part of an inspection.
- It was explained that Transport pathways were deemed number two on the priority list because the staff felt wells where there are significant threats are very important to address. A well is not a threat but a transport pathway that increases the vulnerability/risk in the area. As such they are not counted in the significant threats. The action to deal with these is decommissioning of wells as listed a measure in the Ministry catalogue. A comment was made of there being other potential pathways such as pipelines, drains, geothermal etc.
- A DNAPL is a significant threat out to WHPA C.
- Best Management Practices examples to address Handling and Storage of DNAPL's could include the construction of proper storage or the collection of hazardous waste materials.

- A comment was made of the ERP being a good start but there are limitations. Issues of costs associated to farmers and maintenance of projects such as buffer strips will require continued future funding. It is important to note that the program cannot deal with the ongoing associated with the BMP costs.

## b) UTRSPA Assessment Report

### Update on Early Action Program

Under the Early Actions program Kettle & Stony Point First Nation is moving forward to delineate IPZ's once an agreement is in place. The work planned to be done in December, 2010 which could pose a challenge. While this work is underway preliminary IPZ-1 have been prepared and provided Band Council accepts the preliminary zone, the Early Actions program could fund projects within the preliminary IPZ-1. Ausable-Bayfield and St. Clair Conservation Authorities will be promoting the program to the First Nation and private owners respectively.

### i. Additional UTR AR comments

Comments were reviewed at the previous SPC meeting and since that time comments from the Ministry have been submitted.

Review of comments continued from previous meeting starting at:

- *Comment 19.* Map correction in Melrose and Komoka-Kilworth. WHPA-A on should be slightly oblong to reflect that there are radiuses around 2 adjacent wells.
- *Comment 28, 29, 30, 31* reflect editorial changes.
- *Comment 32, 33.* Maps to be clarified to show municipal wells, well numbers and well field names.
- *Comment 34 to 37.* The adjusted groundwater vulnerability due to transport pathways is now shown on the maps.
- *Comment 38.* Watershed Characterization Maps were not changed as suggested due to the report being completed for the entire Thames Watershed and scale reflects that.
- *Comment 39.* Footnote on table was revised to indicate that the systems serve the UTRSPA.
- *Comment 40 and 54.* Water Budget work is not completed, text included to show this.
- *Comment 43.* Watershed Characterization 1a, 1b, 1c., text was revised.



- *Comment 44.* Section 4.3.5 Vulnerability Assessment of the WHPA. Text in the section relevant to specific wells should reference maps.
- *Comment 45, 46.* Wells were edited to show well numbers and well field names on the groundwater vulnerability frames in Maps 4-1-1 to 4-1-23.
- *Comment 47.* Text revised to show transport pathways in Well 9 WHPA is separated from the vulnerability smoothing sentence as they are not related. Additional clarification in professional judgment on contact smoothing is provided in Section 4.3.5
- *Comment 48.* Justification should be provided for the selection of a 50 meter buffer around wells as transport pathways in the Perth studies. Justification is already provided in the report; 50 meter buffer is half of the WHPA-A 100 meter radius around a wellhead. The AR should also reflect the consultants used their best professional judgment, in consultation with operators and with the SPC support.
- *Comment 49, 50, 51.* Report and maps to be consistent on transport pathways. Joe Salter provided information that the municipal wells are inspected weekly. A well constructed well is not considered a transport pathway and needs to meet Regulation 903. Shallow wells are not considered transport pathways as they do not extend to the aquifer used by the municipal wells. Well locations are based on well record data and there is a concern of ground proofing. While this is a real concern it will be a significant challenge to prove that a well either is not there or was properly decommissioned without proper documentation. The 50 meter buffer may cover this. Whether the well is properly decommissioned is more important.
- *Comment 52.* Page 4-25. The vulnerability scoring of these vulnerable areas will be assessed using methodologies described in the surface water vulnerability section above. Text revised to indicate when the areas are delineated, the score will be assessment based on the method above.
- *Comment 53.* Ministry has identified activities in the SPA that may have impact on groundwater vulnerability near Ingersoll. Oxford confirmed this was not in WHPA. No adjustments have been made to vulnerability of SGRA or HVA so no revision is needed.
- *Comment 55.* Text revised to indicate the number of sub-watersheds in the UTRSPA for the Tier 1 and the number considered in Tier 2 work.
- *Comment 56.* Text will be added to clearly describe how the results of Tier 1 stress assessment (both surface and ground) and of Tier 2 stress assessment (groundwater) are reported and demonstrate that the analysis was undertaken and documented in two separate reports.
- *Comment 57.* A separate SGRA delineation and SGRA groundwater vulnerability map are already included in the report.

- *Comment 58.* The site identified with historical contamination will be added in Section 6 and summary 6. This will be considered during future conditions assessment work.
- *Comment 59.* The spill at the Mitchell municipal well supply was identified as a dairy processing industrial site with PCB being spilled. The AR indicates further investigation is required.
- *Comment 64.* Oxford system significant threats location counts in the AR are to be made consistent with information in the Oxford technical reports regarding sewer line threats. Section 7 system and section summaries were revised.
- *Comment 65.* Sewer lines were not reviewed during the threats and risk assessment in the Perth system studies. They were indicated as data gaps in the report but they were not considered. Ministry may not approve the Assessment Report until this work has been completed.
- *Comment 66.* List of references to include Tier 1 and 2 reports and the Watershed Characterization Report.
- *Naming of the River,* the text based on the resolution from the previous SPC meeting will be incorporated into the report.

The SPC approved the above noted revisions to the UTSPA AR based on the comments provided and reviewed.

moved by Darrell Randall-seconded by Joe Kerr

*“Resolved that the SPC approve the revisions provided and that the proposed changes be incorporated into the proposed UTRSPA AR.”*

## ii. Tier 2 Water Budget update

The committee was given an update on the Tier 2 Water budget. The consultants are still being challenged by getting the model to converge in unconfined mode. They have had more success recently but still have a number of wells which are not stable when the pumping rate is increased. This was discussed with the Ministry of Environment approvals branch, and with the water budget analysts with the Ministry of Natural Resources. It was suggested the committee consider submitting the AR on time, acknowledging the gap. Work would continue to fill this gap and then submit it as part of an amended report when MOE requests that the proposed report be amended to add the information.

## iii. AR Posting

The alternative of submitting an amended AR is to hold off on the AR posting until the work is done but that would mean at least a month delay in submission.

We are diligently compiling all the pieces to be able to post on or around September 22, 2010. The comment period would end on October 24, 2010 allowing for five days to send the report and comments to the Ministry.

The committee agreed with the staff recommendation to move forward with the work we have, finish the consultation, identify gaps and submit the report. An amended updated AR can be submitted.

moved by Darrell Randall-seconded by Joe Kerr

*“Resolved that the work required to complete the UTSPA AR continue and we continue with the consultation and submission as scheduled. If necessary, an amended report to be submitted when the Water Budget work is finalized.”*

*CARRIED.*

c) Work plan update

A memo was circulated by Ian Smith on Guidance on amended and updated ARs. The Guidance points out the differences between an updated Assessment Report and an amended Assessment Report. It also outlines the process of submitting an amended AR. A work plan needs to be submitted by October 1, 2010 to the Ministry to include the schedule for planned submission of updated Assessment Report so they can plan their review. Prior to developing the work plan key points were reviewed with the committee for their consideration to include:

1. Tier 3 Water budget
2. IPZ3 Delineation
3. Issues/contributions areas/threats
4. GUDI, WHPA E and F
5. Conditions Investigation
6. Tier 2 Risk Assessment.

Key points of Discussion:

1. **Tier 3 Water budget** will be completed too late to be included in a June 2011 updated Assessment Report.
2. **IPZ3 delineation:**
  - IPZ3 delineation work is optional but necessary for Wallaceberg intake. LAWSS and Petrolia are also being completed as part of the same study. The question was posed

to the committee of whether there is merit in doing this for Lake Erie at this time? There have been no large threats identified outside of IPZ2 other than a single large hog operation that the public raised concerns over at one meeting. The committee agreed with completing the delineation of the intakes in the St Clair Region Source Protection Area as planned. When developing the work plan it will be important to discuss the possibility of leaving IPZ-3 for the Lake Erie intakes with operators. It was noted in delineating the St Clair Region Source Protection Area intake we can learn from this process and apply it to the Lake Erie intakes when that work is undertaken.

- The Essex Region is working on the IPZ-3 for the Lake St. Clair intakes.
  - Wheatley is a cross jurisdiction item and we should determine what the plans are for this in the ERSPA. Data sharing and working with them will be valuable in this case.
  - A question was asked of whether there is benefit in doing IPZ3 knowing the issue of off shore wind farms? There could be a benefit but how much is unknown. At this point it would appear to be marginal. The work Essex has done shows wind turbines to be a low to moderate threat in IPZ1.
  - A question was posed of what happens if the Wallaceburg intake is re-located? Moving an intake is a decision for the operator. A concern was noted that the IPZ-3 work would be wasted if it were to be moved. If a municipality is looking at new water source in the future, part of the process will require them to look at the source and SWP requirements including delineation of IPZs.
  - Can the SPC update the AR after June 2011? Any changes past this date would not be approved in time to be considered in the August 2012 proposed Source Protection Plan. Focusing on priorities will be important. We will know more after the delineation work and policy writing experience around this. It was noted that funding is a concern regarding future work.
3. Issues contributing areas/threats
- Work could be delayed due to uncertainty of the Ministry's desire to fund the data collection and investigations required to complete this work. It may be moved to the next phase.
  - An example was discussed of the Wallaceburg nitrates issue which was identified. The work would include looking at where are they coming from - St. Clair or Sydenham Rivers? Within those areas, what types of threats contribute? Those activities then become significant threats. Data collection is likely needed to support this investigation.
4. GUDI WHPA-E and F
- Staff is preparing to get this study underway and it would be included in the updated Assessment Report.

## 5. Conditions Investigations

- Consultants will need to determine potential sites and whether they meet the tests for a condition. The work to date has been based on limited data sets coming from operator knowledge and public concern. MOE provided limited data from their files.
- We need to tap into the Ministry's corporate knowledge such as abatement officers who have detailed knowledge. Teresa McLellan will be looking into this further. Spills action centre only gives record of the spill not detailed enough information to determine if it would meet the test of a condition. It was suggested to add tapping into local MOE knowledge through the Liaison in the work plan so that it can be further investigated.
- A question was asked of whether this information would include sediment in the St. Clair River. This has been documented as an AOC and public consultation is planned for next year on this issue. During the Wallaceburg IPZ work we will be looking upstream how far the IPZ boundary goes and if it includes the AOC sediment contamination could be considered in the Conditions Investigations.
- Historical data on RAPS and AOC information is available through the Ministry. Locating this and other information may be a difficult process, unless past employees are available to assist.
- Once the Ministry investigation is complete, priorities can be reviewed and then reported to the committee.

### Other data gaps:

- Data gaps related to the west side of Chenal Ecarte needs to be mapped with First Nations cooperation. This should be included in the work plan.
- Gus Tobias made comment that he would be attending the next London Chiefs council meeting and will approach the public works manager at Walpole to discuss the intake being affected. Unofficially, Robert Olivier is being updated on the technical advisory committee work.
- The Ministry of Environment's First Nation's liaison has been making efforts to engage Walpole, but to date has not been successful.
- The American side of LAWSS IPZ was mentioned. Working locally may be helpful in getting this work started.

## d) LTVSPA AR Update

The Ministry is getting through the review of the LTV Assessment Report. A teleconference occurred last week to discuss the data gaps. The gaps identified were the IPZ2 for the Emergency Intake at West Elgin and managed land, livestock density, percent impervious mapping.



The mapping has been done and sent to consultants for the ground water studies.

Staff have reviewed the West Elgin Emergency intake IPZ2 draft report and returned comments which the consultant still needs to address. Better drainage delineation information was used for the emergency intake and the consultants will consider this information for an update of IPZ-2 for the primary intake for consistency. The updates would likely only affect a handful of properties. An amended proposed AR will include this information for both intakes and will be brought to the committee next month.

Personal consultation versus broader public will be planned with the people who are affected. Individual notification would occur via letters and phone calls. A one month time frame was suggested as a minimum to allow the meetings to occur and give those affected time to consider comments. The finalized report to include these gaps is forecasted to be able to be submitted around the end of November.

### **Comments on “Winning at the Periodic Table” Presentation**

The committee had a brief discussion of the presentation “Winning at the Periodic Table.” Unfortunately there was not time for questions after the presentation. It was noted the SP committee’s job is to deliver a Source Protection plan which will protect drinking water sources from activities occurring on the surface. Many of the concerns focused on natural impairment which is not part of the committee’s mandate. The members suggested that this would be better directed at Ministry who sets drinking water standards through the Safe Drinking Water Act. There was some discussion about Heather’s assertions that her municipal water does not meet drinking water standards and it was pointed out that the standards that she is referring to are considered Aesthetic Objectives or notification thresholds and not health related concerns. The members did indicate that the presentation did give pause for thought on environmental conditions which may impact human health and that these factors may in the future be found to have a greater impact on health than currently accepted. The committee requested access to the slides to consider some of the recommendations outlined.

#### e) Regional Training

The Ministry of Environment will be hosting a Clean Water Act Regional training session for SPC members on October 21, 2010 in London. The importance of attending the London session was noted to allow SPC’s in neighboring regions to work together on similar issues. Deb Kirk will be forward more detailed information and will register the committee members.

#### 8) In Camera Session

None.



## 9) Other Business

None.

## 10) MOE Liaison Report

The Ministry of Environment staff is working on the detailed guidance materials for policy development to be complete before the New Year.

## 11) Members Reports

*John Van Dorp*- made note of the committee requiring a new vice chair. Once the committee positions are filled, an election will take place.

*Pat Donnelly*- a London committee report was written to provide council with the AR information and suggested that if other municipalities want it, it can be passed along. Clear Water Revival is alive and well and a meeting is tentatively set for October 21, 2010. A charette is planned for end of October, beginning of November. Geothermal and ground water heat pumps have been discussed in the past. Rob Schincariol from UWO is doing research and modeling and is interested in obtaining any data on heat pump installations, horizontal and vertical. UWO will be monitoring heat transfer outside the systems.

*Sheldon Parsons*- Asked for an update on the Wallaceburg intake and what is happening with the west side of Chenal. The Ministry has been attempts to set up a meeting with the Walpole. Teresa McLellan will also follow up.

## 12) Adjournment

There being no further business, the meeting was adjourned at 2:40 p.m. Next meeting is scheduled for October 15, 2010, a week later than normal due to Thanksgiving.