
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. Please confirm your attendance with Deb Kirk at 519-451-2800 ext 223.

Meeting Date: June 13, 2008

Meeting Time: 9:00-4:00

Meeting Location: SCRCA boardroom, Strathroy

Proposed Agenda

Item	Time
1. Chair's Welcome	9:00
2. Adoption of the Agenda	
3. Delegations	none
4. Minutes From the Previous Meeting	
5. Declaration of Conflict of Interest	
6. Business arising from the minutes	9:15
a. Letter to Minister	
7. Business	9:30
a. Working Group Reports – verbal	
b. Groundwater Technical Work in Terms of Reference	
c. Surface Water Technical Work in Terms of Reference	
Break	10:30
d. Source Protection Plan and Consultation Components	
e. Terms of Reference Schedule	
Lunch	12:00
f. Terms of Reference Review	12:45
g. Assessment Report Rules Posting and Consultation	
h. Compensation for Risk Management	
Break	2:45
i. Scope of Tier 2 Risk Assessment	
j. Meeting Schedule	
8. Information	
a. First Nations update (verbal)	
9. In Camera Session	none
10. Members reports	
11. Adjournment	4:00

Meeting Materials

	Agenda Item	Description
Discussion Papers	2008.06.7b	<ul style="list-style-type: none"> GW Technical work description of the tasks contained in the Terms of reference using one of the systems as an example and describing the various projects which the tasks were/will be completed within.
	2008.06.7c	<ul style="list-style-type: none"> SW Technical work description of the tasks contained in the Terms of reference using one of the systems as an example and describing the various projects which the tasks were/will be completed within.
	2008.06.7d	<ul style="list-style-type: none"> Outline of materials developed at the SP Plan work planning workshop Report and DBS will be distributed at the meeting
	2008.06.7e	<ul style="list-style-type: none"> Discussion paper outlining the revised terms of reference schedule Proposed revised schedule is attached to the discussion paper
	2008.06.7i	<ul style="list-style-type: none"> Discussion paper on Scope of Tier 2 Risk Assessment
	2008.06.7j	<ul style="list-style-type: none"> Discussion paper on revisions to the meeting schedule Attached is proposed revised schedule up to December
Other Materials	2008.06.7a	<ul style="list-style-type: none"> Groundwater Municipal Working Group meeting #2 notes
	2008.06.7a	<ul style="list-style-type: none"> Surface Water Municipal Working Group meeting #2 notes
	2008.06.7f	<ul style="list-style-type: none"> Preliminary Terms of Reference
	2008.06.7h	<ul style="list-style-type: none"> Ian Smith's memo on the subject of Compensation and including it in the Terms of Reference

SPC MEETING MINUTES
FRIDAY, JUNE 13, 2008
Meeting #6

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. Friday, June 13, 2008 at the St. Clair Conservation Authority office. The following members and staff were in attendance:

Members:

Bob Bedggood	Sheldon Parsons
Murray Blackie	Richard Philp
Brent Clutterbuck	Darrell Randell
Dean Edwardson	Joe Salter
Patrick Feryn	Charles Sharina
Paul Hymus	Pat Sobeski
Joe Kerr	John Van Dorp
Don McCabe	Rick Vantfoort
Doug McGee	Jim Reffle
Marg Misek-Evans	Valerie M'Garry
Earl Morwood	Carl Kennes
	Joe Van Overberge

Regrets:

Jim Maudsley	Pat Donnelly
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Staff:

Rick Battson	Chris Tasker
Ralph Coe	Deb Kirk
Chitra Gowdra	Ian Wilcox
Brian McDougall	Linda Nicks
Billy Haklander	

Others:

Eric Boere (Thames Centre)
Jonas Velaniskis (U of G Student)
Robert Olivier (First Nations, Manager of Technical Studies)

1) Chair's Welcome

Bob welcomed the committee. A tour was originally planned, however in order to focus on the Terms of Reference the tour will be rescheduled for the fall.

2) Adoption of the Agenda

An additional item 6b. Ryerson University Survey was requested to be added to the agenda.

A motion to approve the agenda as amended was requested.

moved by Charles Sharina - seconded by Dean Edwardson

“Resolved that the agenda be approved as amended.”

CARRIED.

3) Delegations

None

4) Minutes from the Previous Meeting

moved by Earl Morwood-seconded by Sheldon Parsons

“Resolved that the minutes be approved as circulated.”

CARRIED

5) Declaration of Conflict of Interest

No conflict was identified.

6) Business Arising from the minutes

a) Letter to Minister

A letter was sent to the Minister requesting a two month extension for the submission of the Terms of Reference. The letter was circulated to the members by email. The extension will allow adequate consideration of provincial requirements in developing the terms of reference. To date, there has not been a response, however MOE indicated at the Chair’s meeting that they were approximately two months behind in getting the rules out so the minister seemed to think that a two month extension was reasonable. It was indicated that five other SPC’s have asked for an extension as well.

Valerie M’Garry arrived at 910 a.m.

b) Ryerson University Survey Letter

A letter was distributed to the committee from Ron Pushchak, a Professor at Ryerson University explaining their study on public perception of risk as it relates to threats to drinking water in Ontario. This letter answers the questions discussed by the committee members during the previous meeting. The study also includes a broad survey of the general public's views of potential threats to drinking water sources. The report will not disclose the community in which the survey was conducted. It was left to each committee members' discretion as to whether they wish to participate. Deb will circulate the surveys which were not mailed directly by the university.

Don McCabe arrived at 9:11 a.m.

7) Business

a) Working Group Reports-verbal

Joe Salter, the chair groundwater municipal working group gave a verbal update including the following keypoints:

- The group was pleased with the decision to defer the submission of the Terms of Reference to allow for review of the MOE guidance.
- The working group discussed Oxford's planned wells which are being added to an existing system and whether they needed to be identified in the Terms of Reference as proposed systems. MOE has required that they be identified separately.
- Source Protection Planning Workshop charts indicated a deliverable be named an "acquisition" under the implementation tools. This is meant to include options like leases, purchase, and will require a different term.
- A suggestion was made that another SPP workshop involving more planners should be organized.
- There was a concern raised that the GUDI-IPZ studies need to consider the time of travel from the river bed to the well which may be significantly longer than the 2 hours travel on the surface.
- Chatham-Kent, Oxford, Thames Centre, City of London, Town of St. Mary's are going to be or have been doing their own work and therefore will require council resolutions by October 2008.
- Roland Welker, City of London, will be arranging a meeting with the municipal partners on London-Middlesex work.
- Dillon will be consulted on pumping rates used in the model for the bedrock wells which are rarely used for water supply (similar to backup wells in other municipalities).

- Meetings are planned for July for the working groups to meet again and committee members are welcome to participate. Deb will circulate meeting details to the committee once the dates are set.

A question was asked as to whether the working groups would continue following the completion of the Terms of Reference. The committee was reminded that the terms of reference suggests that the committee will re-evaluate the need for the working groups after the completion of the draft Terms of Reference.

In Pat Donnelly's absence, Chris Tasker gave a report on the surface water municipal working group including the following keypoints:

- there are many similarities in the discussions of the working group to the Groundwater Working Group.
- The working group raised a significant concern over the delay in First Nations becoming involved and stressed how important their involvement is to the process. A concern was raised about the Walpole Intake and that they likely have many of the same concerns as Wallaceburg. The committee was reminded that MOE has no authority over Walpole. It is up to the First Nations whether they wish to give their systems the same level of protection as is offered by the Source Protection Plan to the municipal residential systems. It was also noted that First Nations are currently holding elections and it may be timely to engage the new Chiefs.

Robert Olivier attended the meeting today and introduced himself as technical staff, not an official rep for First Nations..

- Municipalities are seeking assistance from the working groups to craft the wording of resolutions.
- A FTP site will be made available to working group members and committee members. This will allow the materials, which change frequently, to be accessible by the committee and working groups.

Pat Sobeski arrived at 9:20 a.m.

Copies of the Terms of Reference for each of the three regions were circulated to provide an overview of the systems, how the projects will fit together and to show the formatting. The major components are included in the Summary of Tasks and Matters Requiring consultation with another SPC, which were distributed to the members prior to the start of the meeting.

It was pointed out that there are a significant number of blank pages. These are for systems which municipalities ask to have elevated or other systems which get added or exempted from the plan. Blank pages are also provided in the template for Council resolutions will also be included.

A question was raised as to what level of consultation is occurring with stakeholders. For most of the projects, technical steering or advisory committees were set up. These committees included all the municipalities which participated in each group. In this way all of the municipalities or water system operators participated in the study related to their systems.

b) Groundwater Technical Work in Terms of Reference (report 2008.06.7b)

The Groundwater Technical Work in the Terms of Reference was undertaken in projects on either single or multiple systems. These projects are outlined in the Assessment Report tasks list that was distributed at the meeting. The tasks associated with the Dorchester Well Supply were used as an example of the work on the Groundwater systems. A suggestion was made to add another column in the table to indicate costs for work in progress and already funded and work where funding has not yet been approved.

A question was raised as to whether all wells were GUDI due to the fact that all are influenced by surface water. The committee discussed GUDI wells and the difference between the direct influence of surface water and the longer term influence from recharge processes. GUDI wells are defined as groundwater sources (wells, springs, infiltration galleries, etc.) where microbial pathogens are able to travel from nearby surface water to the groundwater source. Potential GUDI wells will be considered to be under the direct influence of surface water unless a hydrogeological study proves otherwise to the satisfaction of the Director. In accordance with the Ontario Drinking Water Standards, water from GUDI wells must receive chemically assisted filtration and disinfection or an equivalent treatment process unless this hydrogeological study shows, to the satisfaction of the Director, that the aquifer is providing effective in situ filtration. The depths of GUDI wells vary although in this area they tend to be shallower wells. First Nations GUDI wells could also be included in the preliminary screening if we are requested by the Band Councils to include their systems.

The examples related to the Dorchester system in the report do not include Tier 2 Risk Assessment, the SP Plan or Watershed based studies.

c) Surface Water Technical Work in Terms of Reference (report 2008.06.7c)

The Surface Water Technical Work included in the Terms of Reference discussion paper is intended as an illustration of the tasks associated with completing the Assessment Report Tasks related to the surface water intakes. The tasks related to the Wallaceburg system have been used as an example to illustrate the types of tasks included in the Terms of Reference.

Placeholders are included for tasks to update current work to meet the Director's Rules when they are available. One of the items which is expected is the need to delineate IPZ's for Wallaceburg and systems on Lake St Clair. The current guidance doesn't allow for this but the new Rules are expected to require it. It was pointed out that there are opportunities for partnerships with Walpole with regards to the work on the Wallaceburg intake. It was noted that reverse flow is taken into consideration in establishing the IPZs for Wallaceburg. Chatham-Kent is involved in a proposal for real time monitoring up river from the Wallaceburg intake. A question was raised as to why the Upper Thames is shown as lead for the delineation of the Wallaceburg and Lake St.Clair Intakes IPZ's. For flexibility sake, the work delineating IPZ 3 for the Wallaceburg Intake was grouped as one project with work that will likely be required on

the Lake St.Clair intakes.The zone for the Lake St.Clair intakes could include much of the Thames River as well as the IPZ 3 for the Wallaceburg System.

It was also noted that there is an American project underway utilizing the same models as are being used for delineating the IPZ for the system in our region. This project ties these models together to assess the effects of cross channel mixing on delivery of spills to American intakes on the St.Clair River. Staff has been invited to participate in a conference in Port Huron to discuss release points, and flow conditions. LAWSS and the CK PUC have also been invited.

The committee took a fifteen minute break.

d) Source Protection Plan and Consultation Components (report 2008.06.7d)

A Summary Report on Preliminary Source Protection Plan Preparation and Consultation Deliverables prepared by Greg Philliban a consultant with DGS Environmental Project Management Solutions was circulated. The components of the plan are intended to be a skeleton which will be built upon through further consideration of the committee and the working groups. Revisions may be required when the director's rules on the SP Plan are available.

The committee wants to be sure the public is informed as much as possible on how the plan could affect them. To date, through the Education and Outreach program there have been door to door mailings to people within the WHPA and IPZs. A higher focus was placed on the one hundred meter zones for wells where Early Actions funding is available. Tier 2 Risk Assessment will also involve one on one discussions.

It was suggested a committee of five or so people be formed to develop a process to outline how the committee will deal with site specific issues that could arise when the plan is being developed.

moved by Doug McGee-seconded by Joe Kerr

“that a committee of five or so people be formed to develop a process for handling site specific issues.”

Considerable discussion occurred questioning the purpose and need for such a committee. It was also suggested that it may be premature to form such a group and to table the motion until the July meeting. Joe Kerr will provide the committee with more information for the next meeting through a discussion paper. Joe requested that others provide him with some assistance in developing the background material for the proposed committee. It will be important that the purpose and function of the proposed committee be well defined so that the members can consider the need for the committee.

Following the discussion, an alternative motion was made.

moved by Darrell Randall-seconded by Earl Morwood

“Resolved that the motion to form a committee to deal with site specific issues be tabled until the July meeting when further information can be provided.”

CARRIED.

The committee was reminded that the discussion paper posed a number of questions for consideration of the committee. In particular, one question was related to the need for early policies which could be used by municipalities updating their OP. The Provincial Policy Statement requires that municipalities protect drinking water sources through their OP and once the Assessment Report is completed, identifying areas which are in need of protection, municipalities will be compelled to put policies in their OP to protect those areas. It was noted that a few municipalities have such policies in their OP or are working on putting them in their OP. These policies have been reviewed by the province. It was noted that these policies could be shared with municipalities that are considering adding such policies prior to the completion of the SPP

Brent Clutterbuck arrived at 11:30 a.m.

Don McCabe distributed a list of motions which had been recently forwarded to him. He will re-submit the motions as part of a report which provides the context for the motions. The report should be submitted to the chair prior to the next meeting, so that it can be distributed to the members in advance of the meeting.

The committee broke for lunch at 12:00 p.m.

Bob reminded the committee of the need to adhere to meeting procedures. Any additions to the agenda need to be done in advance of the meetings, to allow for preparation and an awareness of the items to be discussed.

e) Terms of Reference Schedule (report 2008.06.7.e)

A revised copy of the Terms of Reference scheduled was distributed at the meeting with track changes shown. The changes highlighted included that the; Municipal Working Groups will meet in July not June, public meetings in September will be held on the 10th or 11th, consultation with the public and municipalities will be in September. One of these meetings will happen after the required twenty one day notice period. Meetings will be held in each of the SPA's and be combined with a municipal forum. There is a thirty five day comment period from August 15-September 19. On October 15, 2008 the terms of reference is required to be submitted to the SPA's, posted publicly and circulated to the clerks. In order for the Terms of Reference to be distributed to the committee before the August meeting, it is necessary to have information from the municipalities by July 21, 2008. It would be best if resolutions were part of the package, however it is acknowledged that the resolutions may have to follow later. To be part of the proposed Terms of Reference reviewed by the SPC at the October meeting the resolutions must be received by September 19.

The committee discussed having more open houses in smaller communities although past experience has shown a lack of attendance from the public. The time period that the meetings must occur tends to place limits on the number of sessions which can be held. Announcements will be posted on the website, in newspapers, including London Free Press and agricultural papers. The goal is to reach as many areas as possible and target people who will be most affected.

f) Terms of Reference Review (Summary of Tasks)

The Terms of Reference Summary of Tasks was circulated and reviewed. The report organizes the tasks for each SPA and similar items will be included in each SPA. The focus of the review of the tasks was on non-source specific tasks (or broader watershed or region based tasks), which were not outlined as part of the surface water and ground water reports reviewed earlier in the meeting. The process for the delineation of highly vulnerable aquifers was described as well as the projects related to Significant Groundwater Recharge Areas (SGRA). Tier 1 Water Budget work is refining models with regards to re-charge and water use. This work will identify areas contributing to Municipal sources and define the SGRAs.

A question was raised as to whether there are areas showing stress? Although we are not yet at this point, large permits at quarries tend to be completely out of line with other water budget components pointing to the need for a better understanding of the nature of the permits for these operations.

g) Assessment Report Rules Posting and Consultation

When the rules are posted, some of the committee and working group members may be invited, by MOE, to participate in consultation sessions held in London. As the consultation period is 45 days these will likely be held within two weeks of the posting. Some members may receive personal invitations directly from MOE. A full day is planned which will be highly technical in nature while a half day session will be focused on those looking for a more general review and discussion of the Rules.

h) Compensation for Risk Management

A recent resolution from Mary J. McCuaig of the Nation Municipality generated discussion concerning compensation to property owners for loss of land use/enjoyment resulting from initiatives under the Clean Water Act by Source Protection Committee proposed policies. The committee talked about farm communities being affected and the need for compensation to be considered. The Stewardship Program money will cover some of the costs through the Early Action and the Drinking Water Stewardship programs.

The existing legislation does not allow for compensation, although some of the members feel it is the responsibility of the committee to include compensation in the Terms of Reference. Some members would like to see full compensation for work that is required which goes beyond normal business practices and which affects the property owner's business. Risk Management measures were discussed as well as examples of people who

could be affected. Questions were raised as to whether compensation applies to a dry cleaner who implements changes within their business to be more environmentally friendly? Is it possible to compensate everyone affected? Some questioned how much the committee was willing to water the plan down due to the compensation issue? The ongoing implications, including loss of income resulting from changes, need to be considered through financial compensation. Being sensitive to the municipality's position was also discussed, as there is a concern about implementation being downloaded onto the municipalities. This will depend on the issues and how the individual municipality deals with them. There was also substantial discussion as to whether consideration of financial assistance was adequate as the Clean Water Act does include the provision for a financial assistance program to assist landowners with the costs of implementation.

After a lengthy discussion, the committee asked Chris Tasker to develop a task description in the terms of reference for review at the next meeting outlining the need for considering opportunities for financial assistance for those affected. This description should adhere to the committee's Guiding Principle of being fair and reasonable, use the term financial assistance, rather than compensation, must consider the legislation, as well as elude to financial assistance being available for required changes to existing business practices that go above and beyond normal business practices.

An update on the Source Water Protection Stewardship fund and what is happening in this area was requested for the next meeting.

Joe Van Overberge left at 2:25 p.m.

i) Scope of Tier 2 Risk Assessment (report 2008.06.7i)

As the SPP may also include policies that focus on moderate risks and low risks, the committee was asked to consider whether detailed property specific inventories are necessary to implement those policies. Those threats are unlikely to require mandatory policies beyond the required monitoring to ensure that moderate risks do not become significant risks. Policies for risks which are not significant and which do not require mandatory risk management can likely be based on broader based inventories of the types or categories of threats in various vulnerable areas. Past guidance suggested that if the risk is moderate with a high level of uncertainty then Tier 2 Risk Assessment would be required. A significant level of effort is required to undertake Tier 2 Risk Assessment due to the individual contact with the land owners. A table of the area and parcels in each of the zones was reviewed as well as the tables of vulnerability scores in those zones. There was a question raised as to the uncertainty in ground water studies compared to the uncertainty in the surface water studies. It was pointed out that there has been extensive modeling undertaken on the groundwater supplies. This raised a discussion about whether, given it is unlikely that any of the surface water zones will have a vulnerability score high enough to generate a significant risk, that a lower vulnerability threshold of 7 be considered for determining areas where Tier 2 Risk Assessment would be undertaken. Concerns were also mentioned that the public may not be comfortable with omitting areas deemed a lower risk. It was recognized that provincial guidance or the director's rules may specify what is to be done, however in the

absence of provincial direction on this it is important to know which methodologies should be planned for.

moved by Dean Edwardson-seconded by Marg Misek-Evans

“Resolved that the more thorough reviews on land uses associated with a Tier 2 Risk Assessment be planned only in those areas which can result in a significant risk (currently areas with a vulnerability score of 8 or above) and further that for surface water supplies a vulnerability score of 7 or above be considered the threshold for requiring the more site specific review”

CARRIED

j) Meeting Schedule

The meeting schedule for the remainder of the year was circulated. The only change to the established schedule of meeting the second Friday of every month is in October. This meeting will be held on the first Friday, October 3, 2008 in order to meet the requested submission date of October 15 for the submission of the proposed terms of reference to the SPA. The deferred Wallaceberg-Sarnia tour will be planned for September’s meeting.

8) Information

a) First Nations update (verbal)

Bob will be contacting each of the First Nations’ chiefs to continue to encourage formal involvement on the committee.

9) In Camera Session

None

10) Members reports

None

11) Adjournment

There being no further business, the meeting was adjourned at 3:10 p.m.