
Thames – Sydenham and Region Source Protection Committee

Meeting Minutes

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 519-245-3710 ext 46.

Meeting Date: August 8, 2008

Meeting Time: 9:00-4:00

Meeting Location: SCRCA Boardroom, Strathroy

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. Comments on Rules	
7. Business	9:45
a. Working group reports	
b. Terms of Reference	
• Preamble & Introduction	
• SP Region, Areas, Municipalities, (maps)	
• First Nations	
• Water Systems	
• Schedule	
• Matters Affecting another SPC	
• Tasks	
Lunch	12:00
• Costs	12:45
• Glossary	
b. Precautionary principle (discussion)	
c. Posting and consultation	
8. Information	3:00
a. First Nations update (verbal)	
b. Early Actions, Drinking Water Stewardship and Education and Outreach (verbal)	
9. In Camera Session	none
10. Members reports	
11. Adjournment	4:00

Next meeting – September 12, Wallaceburg

Meeting Materials

	Agenda Item	Description
Discussion Papers		
Other Materials	2008.07.6a	<ul style="list-style-type: none">Proposed comments on the Assessment Report Rules and Regulation <i>(to be distributed at meeting)</i>
	2008.07.7a	<ul style="list-style-type: none">SW Working Group notesGW Working group notes
	2008.07.7b	<ul style="list-style-type: none">Terms of Reference
	2008.07.7b	<ul style="list-style-type: none">Summary of Funded and Proposed costs
	2008.07.7d	<ul style="list-style-type: none">Draft of notice <i>(to be distributed at meeting)</i>

SPC MEETING MINUTES
FRIDAY, AUGUST 8, 2008
Meeting #8

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:00 a.m. Friday, August 8, 2008 at the St. Clair Conservation Authority office. The following members and staff were in attendance:

Members:

Bob Bedggood	Doug McGee
Murray Blackie	Sheldon Parsons
Pat Donnelly	Richard Philp
Dean Edwardson	Darrell Randell
Patrick Feryn	Joe Salter
Paul Hymus	Charles Sharina
Carl Kennes	Pat Sobeski
Joe Kerr	John Van Dorp
Don McCabe	Earl Morwood
Valerie M'Garry	

Regrets:

Joe VanOverberghe	
Brent Clutterbuck	Marg Misek-Evans
Rick Vantfoort (interim Provincial Liaison).	Jim Maudsley
Jim Reffle	

Staff:

Bonnie Carey	
Chitra Gowdra	Deb Kirk
Billy Haklander	Ian Wilcox
Chris Tasker	Linda Nicks

Others:

Robert Olivier, First Nations technical rep
Jonas Velaniskis (U of G Student)
Jake Noordnof (representing Rick Vantfoort, MOE)

1) Chair's welcome

Bob welcomed the committee and reminded everyone of the Wallaceburg area tour scheduled for the next SPC meeting on September 12, 2008.

2) Adoption of the Agenda

A motion to approve the agenda was requested.

moved by Dean Edwardson- seconded by John Van Dorp

“Resolved that the agenda be approved as circulated .”

CARRIED.

3) Delegations

None

4) Minutes from the Previous Meeting

moved by Charles Sharina–seconded by Paul Hymus

“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) Comments on Rules

Comments on the Directors Rules and Regulations were due on August 4, 2008. Various meetings with the working groups and consultants occurred and resulted in a report being produced to include a list of comments and a cover letter summarizing five comments in general:

1. The definition of an issue is not in keeping with the multi-barrier approach to protecting drinking water and is in need of revision. The Province should identify a standard such as the ODWQS as an interim standard only, allow flexibility to identify issues which are not in the ODWQS and develop a comprehensive raw drinking water standard for future use.
2. In establishing the Director's Rules the MOE has the opportunity to develop appropriate rules for GUDI systems rather than applying those which were developed for surface water intakes. These rules need to be flexible in application so as not to treat all GUDI systems as being as vulnerable as the surface water intakes for which the proposed rules were intended.
3. The delineation of IPZ-3 for Lake St Clair intakes will result in effectively the entire region being in an IPZ-3 once transport pathways are considered. It is important that the flexibility to assess the vulnerability within parts of IPZ-3 be firmly established in the rules. Further, it is suggested that the total watershed contributing area be delineated and assessed for vulnerability and that IPZ-3 be delineated in those areas which have a vulnerability score of 4 or greater. This

would prevent large expanses of area being delineated as vulnerable when in reality they contribute in only a negligible manner to drinking water risks.

4. Source Protection Committees require the flexibility to develop a local Source Protection Plan. It is important that they have the latitude to identify drinking water threats and appropriate risk management measures for risks which do not necessarily fit the model of risk assessment being used. Rule 112 attempts to provide the SPC some discretion for type A or B intakes; however the criteria, specifically the storage criteria is far too limiting and needs to be replaced with an evidence based approach to determining if an activity poses a risk. Further, this type of flexibility, with more appropriate evidence based criteria, should also be allowed for the other types of systems.
5. The Rules leave considerable room for interpretation in some places. Although the flexibility to interpret the rules is important in developing a local Source Protection Plan, there are many items which would be best clarified outside of the Rules in (less rigid) technical guidance.

7) Business

a) Working Group Reports

Joe Salter, Chair of the Groundwater Working Group reviewed the comments and concerns outlined in the report circulated. Highlights of the working group meeting held on July 15, 2008 were; the Draft Director's rules are subject to change, there is no MOE guidance on Source Protection Plan and Great Lakes Targets, the scope and extent of GUDI-IPZ studies, the working group members will continue involvement in the process via email, peer review on the technical work will occur across the region and timelines for the studies is tight. Municipalities of Chatham-Kent, Oxford, Thames Centre, Town of St. Mary's and the City of London will be providing municipal resolutions on undertaking their own work, by September 19, 2008. The working group will also check the draft proposed Terms of Reference for accuracy and aid in filling in the gaps.

The committee had questions about the peer review process and who the peer reviewers will be. The preference is to involve persons already involved in similar work. Consideration needs to occur during the selection process to avoid any conflict of interest. It is also preferred to include both academics and consultants. The committee will have an opportunity at the next meeting to discuss this in detail.

Pat Donnelly, Chair of the Surface Water Group gave a report on their meeting held on July 21, 2008. Similar comments and concerns were highlighted. Municipalities of Chatham-Kent and West Elgin are to provide municipal resolutions on undertaking their own work by September 19, 2008.

Questions were asked pertaining to what category the Wallaceburg intake would fall under and whether pumping schemes are to be included in the two hour time of travel. The intake will fit into Type D and B, Type D being inland lakes including Lake St Clair and Type B, a connecting channel. This is due the potential of back flow up river and the impacts of the Sydenham river. Pumped drainage falls under transport pathways and

these types of systems would be included in IPZ-2 and 3. To date, it is still not fully known how Wallaceburg will be dealt with. How the work will be undertaken was discussed, indicating that the partnerships that have been in place throughout the process, will continue and municipalities will continue to be involved with the consultants.

Pat Sobeski arrived at 9:20 a.m.

b) Terms of Reference

The updated draft proposed Terms of Reference was circulated to the Committee to include the changes incorporated based on their feedback at the previous SPC meeting. Further editorial changes will also be completed, based on the proof readers edits. The changes included adding the Preamble, and the committee's Mission Statement was incorporated. Maps were generated in high resolution and can be printed on 11 x 17, including margin notes.

Further changes suggested by the committee at today's meeting were:

- Some members voiced their concerns of the statement on financial instruments only being included in the Tasks Section on page 21, seemingly more hidden in the document. To alleviate this, everyone agreed on including a statement in the introduction under the Guiding Principles to identify that the principles will be used in developing policies and reference the task in the Terms of Reference, called 'Policy development to address drinking water threats.'
- The committee discussed whether to include a map identifying the intakes in the region, in the Terms of Reference. Bonnie Carey, the Communications Specialist of the Lower Thames Valley Conservation Authority, presented the committee a map showing the intakes. This map is being included the tabloid to be distributed in local newspapers. Although there were concerns brought forth regarding possible security issues by showing these intakes, the committee agreed on the importance of public awareness and decided to include this map in Section 5 of the Terms of Reference, under Municipal and First Nations Drinking Water Supplies.

moved by Dean Edwardson-seconded by Sheldon Parsons

“Resolved that a statement be included in the Introduction of the Terms of Reference under the Guiding Principles indicate that both existing and new programs, opportunities and financial instruments will be considered and indicate that these concepts are included in the Source Protection Plan task in the Terms of Reference, called 'Policy development to address drinking water threats.' Also, a map outlining the region's intakes will be included under Section 5 under Municipal and First Nations Drinking Water Supplies.”

CARRIED.

During the public open houses, the two aforementioned points need to be highlighted.

The committee raised concerns and discussed transportation corridors posing possible threats and would like to be prepared for this and include it in the Terms of Reference as a separate task in the Assessment Report.

moved by Sheldon Parsons -seconded by Joe Kerr

“Resolved that the Terms of Reference, include a separate Assessment Report task for transportation corridors threats to include a broad definition, encompassing all corridors such as pipelines, trains, highways etc. ”

CARRIED.

The Wallaceburg intake was discussed and concerns were brought forward as to what SP Region will be overseeing the work. The Essex Region Conservation Authority has been the lead in completing the studies with a consultant but ultimately the Thames-Sydenham and Region SPC will be developing policies involving this intake. The municipality of Chatham-Kent and both the LTVCA and SCRCA have also been involved in the project. The Project will also be subject to the Thames-Sydenham peer review process. There will be opportunities for the committee to review and discuss the work being done.

Task 8, 8.2 and 9 Cost Estimates were circulated at the meeting to be inserted in the draft proposed Terms of Reference package.

In the Glossary Section of the draft proposed Terms of Reference document a statement needs to be added that suggest that the definitions provided will assist the readers in the Terms of Reference documents and some are based on Ministry of Environment draft Director’s Rules and Regulations which are subject to change.

With the additional changes requested by the committee in the meeting, the Terms of Reference, will be ready for posting on August 15, 2008 for public comment.

The committee broke for lunch at 12:00-12:45 p.m.

Letter to Ministry

The Committee discussed whether a letter should be written to the Minister of Environment indicating their concerns of corridors being potential threats to the protection of drinking water. The committee recognizes that other Ministries will be affected by the this comment, such as Ministry of Transportation. Chris will compose a letter and distribute it at the next SPC meeting for review.

c) Precautionary Principle

Chris gave a brief presentation on “Precautionary Principle.” The question was posed as to whether a precautionary principle statement needs be inserted into the Terms of Reference. Keypoints during the discussion, include the Committee’s desire to use a

balanced approach when looking at the Clean Water Act. The Committee's Guiding Principals include statements around the process being science-based, this being the anchor, but not wanting to be boxed in by this. Public reaction to risk is important to consider and financial implications will be a factor for municipalities and other stakeholders. After a lengthy discussion, the committee by consensus decided a precautionary principle does not need to be included in the Terms of Reference at this time.

d) Posting and Consultation

A Notice of Public Open Houses & Public Meeting regarding the Draft Proposed Terms of Reference was distributed. The public open houses are scheduled for September. The purpose of the open houses is for discussion and consultation on the draft proposed Terms of Reference, not for presentation purposes. There will be display panels and information available. A presentation is planned for the required public meeting in London and it was recommended that at this meeting, an open house be held first and then the presentation to follow. These dates were selected as part of the required comment period following the Terms of Reference posting. Committee members are encouraged to attend.

Municipal and First Nations Forums are also planned. Invitations will be sent to Municipal reps, First Nations, SPC chairs and Great Lakes contacts. If someone wishes to present at these forums, they need to contact Chitra Gowda of the Lower Thames Valley Conservation Authority. Advertisements will be placed in local newspapers including the agricultural papers.

The Committee members requested the Municipal forum invitation be sent to them via email.

8) Information

a) First Nations Update (verbal)

There has not been any further success in securing First Nations representatives on the committee. Robert Olivier described his involvement as not being formalized at this point. A question was raised as to whether there has been any communication with Walpole Island. The Chair described his extensive efforts to try to engage Walpole. Sheldon Parsons will attempt to arrange a meeting with Chief Joe Gilbert. If Walpole puts forward a possible member, this would likely be accepted by the SPA's, even although it does not meet the intent of the CWA and regulations that the First Nations jointly put forward the names.

b) Early Actions, Drinking Water Stewardship and Education Outreach

An update on Early Actions Stewardship was provided. The Province has increased grant funding from fifty to eighty percent. The challenge has been the number of land parcels

that meet eligibility of being within one hundred meters around the wells. With the planned program for this year, there is an expansion to IPZ1's and the two year time of travel where those delineations are accepted with municipal council resolutions. New additional projects such as fuel storage management activities, improved manure storage have been included. Special projects funding announcements will be posted soon on the MOE website. Jake Noordnof, a MOE representative indicated that MOE will forward information as it becomes available regarding the new program. Once the program is advertised, proposals need to be submitted. A review of the past projects was given.

9) In Camera Session

None

10) Members Reports

Darrell Randall requested to have information provided on the tour regarding the Skinner Drain pumping.

Sheldon Parsons reiterated his concerns of First Nations involvement on the committee and arranging a meeting with the Chief from Walpole Island.

Carl Kennes gave a report on a letter that was sent recently to MOE from the Ontario Allied Golf Association. They address four key concerns to include consumptive water use, thresholds of threats, vulnerability score rational, interaction between federal, provincial and regional agencies and consideration on climate change.

John Van Dorp gave an update on the meeting arranged through OFA held last evening that included some Oxford County farmers. A contact list was developed from the meeting.

11) Adjournment

A reminder was given that the next SPC meeting will include a tour of the Wallaceburg area, and the meeting will follow. A map of the tour departure location was distributed to the members.

There being no further business, the meeting was adjourned at 2:20 p.m.