



**Kettle Creek Source Protection Authority**  
**March 20, 2019**

**Agenda**  
**KCCA Administration Centre 11 a.m.**

**Audio/Video Recording Notice**

*"Board members, staff, guests and members of the public are reminded that the KCSPA Board/Committee meeting is being recorded, and will be posted to the Authority's web site along with the official written minutes. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not, represent the opinions or comments of the Source Protection Authority and/or the KCSPA Board of Directors.*

*The recorded video of the KCSP meeting is not considered the official record of that meeting. The official record of the Source Protection Authority meeting shall consist solely of the Minutes approved by the Source Protection Authority."*

**Introductions and Declarations of Pecuniary Interest**

**Delegations**

**Election of Officers**

**Year 2019 Administrative Approvals**

**Minutes of Meetings**

- a) Kettle Creek Source Protection Authority October 17, 2018.....
- b) Lake Erie Region Source Protection Committee Meeting December 6, 2018 .....
- c) Lake Erie Region Source Protection Committee Meeting October 4, 2018 .....
- d) Lake Erie Regional Management Committee Meeting October 16, 2018 .....

**Correspondence**

**New Business**

- a) Amendments to the Lake Erie Source Protection Region Partnership Agreement .....

**Next Meeting**

As required.

**KETTLE CREEK SOURCE PROTECTION AUTHORITY**  
**Full Authority Meeting**  
**Wednesday, October 17, 2018, 11:35 a.m.**  
**KCCA Administration Centre**

A meeting of the Kettle Creek Source Protection Authority was held on Wednesday, October 17, 2018 at 11:35 a.m. at the Kettle Creek Conservation Authority Administration Centre.

**Members Present:**

Ian Chard	Southwold Township
Bill Mackie	City of London
David Marr	Central Elgin
Marcel Meyer	Thames Centre
Max Moore	Malahide Township
Linda Stevenson	City of St. Thomas
Ralph Winfield	City of London

**Regrets:**

Heather Jackson	City of St. Thomas
Stephen Harvey	Middlesex Centre
Jared Zaifman	City of London

**Staff Present:**

Michael Buis	LWCA Coordinator
Rob Lindsay	DWCA Coordinator
Jennifer Dow	Water Conservation Supervisor
Jeff Lawrence	Forest and Soils Supervisor
Marianne Levogiannis	Public Relations Supervisor
Kathleen Sebestyen-Scott	Financial Services Supervisor
Elizabeth VanHooren	General Manager/Secretary Treasurer

**Audio/Video Record Notice**

In the absence of Chair, Vice Chair David Marr chaired the meeting. He read the following statement:

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*The recorded video of the Source Protection Authority meeting is not considered the official record of that meeting. The official record of the Source Protection Authority meeting shall consist solely of the Minutes approved by the Source Protection Authority.*

**Introductions and Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest.

## Delegations

There were no delegations.

## Meeting Minutes

- a) Kettle Creek Source Protection Authority April 18, 2018
- b) Lake Erie Region Source Protection Committee Meeting June 21, 2018
- c) Lake Erie Region Source Protection Committee Meeting April 5, 2018

### **KCSPA16/18**

**Moved by: Linda Stevenson**

**Seconded: Ian Chard**

That the minutes of the Kettle Creek Source Protection Authority April 18, 2018 meeting be approved as presented; and further

That the minutes of the Lake Erie Region Source Protection Committee April 5, 2018 and June 21, 2018 meetings be received.

**Carried**

## Correspondence

- a) Memorandum to Source Protection Authority General Managers from Heather Malcolmson, Director of Ministry of the Environment, Conservation and Parks August, 2018.

### **KCSPA17/18**

**Moved by: Ralph Winfield**

**Seconded: Bill Mackie**

That the correspondence be received.

**Carried**

## New Business

- a) Authorization to Issue Notice under Section 48 (1.1) (b) of Ontario Regulation 287/07 under the Clean Water Act, 2006

### **KCSPA18/18**

**Moved by: Marcel Meyer**

**Seconded: Bill Mackie**

That the Kettle Creek Source Protection Authority authorize the General Manager/Secretary Treasurer of Kettle Creek Conservation Authority to issue Notice of Amendments to the Kettle Creek Source Protection Plan pursuant to Section 48 (1.1) (b) of Ontario Regulation 287/07 under the Clean Water Act, 2006.

**Carried**

b) Section 36 Kettle Creek Workplan

**KCSPA19/18**

**Moved by: Linda Stevenson**

**Seconded: Max Moore**

That the Kettle Creek Source Protection Authority release the Workplan for Comprehensive Review and Update of the Kettle Creek Source Protection Plan to the Ministry of the Environment, Conservation and Parks.

**Carried**

**KCSPA20/18**

**Moved by: Ian Chard**

**Seconded: Linda Stevenson**

That the meeting adjourn at 11:49 a.m.

**Carried**



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Elizabeth VanHooren  
General Manager/Secretary-Treasurer

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David Marr  
Vice Chair



## LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: December 6, 2018  
 Time: 1:00 pm  
 Location: Auditorium  
 Grand River Conservation Authority  
 400 Clyde Road, Box 729  
 Cambridge, ON N1R 5W6

Members Present	A. Dale (interim Chair), B. Carberry, H. Cornwell, P. Emerson, E. Hodgins, K. Hunsberger, C. Jamieson, J. Kirchin, R. Krueger, I. Macdonald, T. Nevills, L. Perrin, P. Rider, G. Schneider, J. Sepulis, B. Strauss, B. Ungar, P. Wilson, D. Woolcott,
Members Absent	P. General, A. Henry, C. Hill, J. Oliver, M. Wales, W. Wright-Cascaden
Liaisons	O. Yudina (Provincial Liaison)
Proxy Representatives	M. Elder (J. Oliver), L. Perrin (A. Henry), B. Ungar (M. Wales)
Staff	I. Feldmann, M. Keller, E. Hayman

**1. Call to Order**

A. Dale called the meeting to order at 1:01pm

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

The Recording Secretary called the roll and certified a quorum with 21 members present.

**3. Chair's Remarks**

A. Dale welcomed everyone in attendance. A. Dale wished W. Wright-Cascaden all the best in her recovery and welcomed new Source Protection Committee (SPC) members, Paul Emerson and Cathie Jamieson and returning member, G. Schneider.

**4. Review of Agenda**

**Res. No. 41-18**  
**Moved By B. Ungar**  
**Seconded By L. Perrin**

*THAT the agenda of December 6, 2018 be approved as distributed.*

**Carried**

**5. Declarations of Pecuniary Interest**

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

**6. Minutes of the Previous Meeting**

**Res. No. 42-18**

**Moved By B. Strauss**

**Seconded By T. Nevills**

*THAT the minutes of the previous meeting on October 4, 2018 be approved as circulated.*

**Carried**

**7. Hearing of Delegations**

None

**8. Presentations**

None

**9. Correspondence**

M. Keller provided a brief overview of the correspondence. J. Sepulis wondered what the next steps would be in response to the correspondence. M. Keller replied that the Guelph/Guelph-Eramosa Water Quantity Policy Development Study Project Team (Project Team) will discuss next steps which may include sending draft policy text to the MECP and MNRF for a response. P. Emerson commented that the County of Brant experienced a similar situation. P. Emerson offered to put the Project Team in contact with County of Brant staff.

**Res. No. 43-18**

**Moved By J. Sepulis**

**Seconded By R. Krueger**

*THAT the correspondence be received as information.*

**Carried**

**10. Reports**

**10.1 SPC-18-12-01 Source Protection Program Update**

M. Keller presented report SPC-18-12-01. J. Sepulis asked if the water quantity policies are going to be pulled out of the S.34 Grand River “bundled” update, what kind of revised timeline the SPC could expect. M. Keller responded that the Project Team had not discussed a specific timeline but the water quantity policies could align with the S.34 Grand River Wellington County update.

J. Sepulis asked how one decides on the nature of the public consultation. M. Keller replied that Lake Erie Region staff started to have discussions with municipalities to figure out the best approaches. Ontario Regulation 287/07

requires that the draft updated plan is posted online and that the public consultation period is advertised in newspapers. Additional outreach, e.g., hosting a public meeting, is a local decision. P. Rider noticed that the length of public consultation periods varied in the proposed timeline. M. Keller replied that O. Reg. 287/07 requires a minimum 35-day public consultation period. Lake Erie Region staff decided that the S.34 Grey/Hamilton/Brant update should have an eight-week pre-consultation period to accommodate the Holiday break. A. Dale added that S.34 update timelines will be moving and shifting over the next several months and staff will be busy orchestrating the 2019 agenda.

**Res. No. 44-18**  
**Moved By M. Elder**  
**Seconded By E. Hodgins**

*That the Lake Erie Region Source Protection Committee receives report SPC-18-12-01 Source Protection Program Update - for information.*

**Carried**

#### **10.2 SPC-18-12-02 Progress Report Grand River**

M. Keller presented report SPC-18-12-02.

**Res. No. 45-18**  
**Moved By B. Strauss**  
**Seconded By J. Sepulis**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-02 – Progress Report Grand River Assessment Report and Source Protection Plan Update – for information.*

**Carried**

#### **10.3 SPC-18-12-03 Rockwood/Hamilton Drive Water Quality Technical Study**

E. Hayman presented report SPC-18-12-03.

**Res. No. 46-18**  
**Moved By I. Macdonald**  
**Seconded By T. Nevills**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-03 Township of Guelph-Eramosa WHPA Update Technical Study - for information.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to incorporate the results of the Township of Guelph-Eramosa WHPA Update Technical Study into the Draft Updated Grand River Watershed Assessment Report and Source Protection Plan.*

**Carried**

#### 10.4 SPC-18-12-04 Centre Wellington Water Quality Technical Study

E. Hayman presented SPC-18-12-04. B. Strauss commented that private septic and municipal systems might also be influencing chloride levels. K. Davis, Risk Management Official, County of Wellington, shared that there are pumping stations in the well E3 Issue Contributing Area (ICA); the stations may be potential sources of chloride. The Fergus wastewater treatment plant does overlap the well F1 ICA.

T. Nevills noticed that the new Wellhead Protection Areas (WHPAs) are significantly different from the original delineations, and that the pumping rates have changed. T. Nevills asked if the pumping rates have an effect on the size and direction of the new WHPAs. E. Hayman replied that in general, pumping rates can change the shape of WHPAs. T. Nevills questioned why the study did not use Centre Wellington pumping rates closer to the maximum permitted amount in the Permit To Take Water (PTTW). M. Keller clarified that the pumping rates presented in the Centre Wellington report are future pumping rates, not current. T. Nevills reiterated his initial comment. K. Davis provided additional context sharing that the 2016/17 average for water takings was 5400m<sup>3</sup>/day; the future rate in the report is double that. The pumping rates in the report are based on Centre Wellington's Water Supply Master Plan. The Plan identifies pumping rates for each of the existing wells but in reality, Centre Wellington will need new wells. The subject of new wells will be presented to council and exploratory drilling is expected to begin within the next year. M. Keller commented that WHPAs are never delineated at the max permitted rate but based on a reasonable future rate that is determined together with the municipality.

B. Ungar felt that the pumping rates presented in the report were misleading. M. Keller clarified that the pumping rates in the report are based on estimated future demand. J. Kirchin asked if there is a need to go back to the public and notify them that there are changes in the report. M. Keller stated that once the technical work is completed it will be incorporated into the draft updated Grand River Assessment Report and Source Protection Plan, at which point Lake Erie Region staff and municipalities will discuss public consultation options. K. Davis added that the technical study will be presented to council in the New Year and the agenda will be public. County of Wellington staff are also in the process of completing threats verification work which requires contacting specific property owners in the WHPA. R. Krueger noted a discrepancy in the WHPA legend on the maps; E. Hayman replied that it was a typographical mistake and that the date should read "2010", not "2014".

**Res. No. 47-18**

**Moved By R. Krueger**

**Seconded By J. Kirchin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-04 – Centre Wellington WHPA Update and ICA Technical Study - for information.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to incorporate the results of the Centre Wellington WHPA Update and ICA*

Carried, B. Ungar opposed

#### 10.5 SPC-18-12-05 Guelph-Guelph/Eramosa Draft Water Quantity Policy Approaches

M. Keller presented SPC-18-12-05. J. Sepulis asked if water quantity policy text will be the same across the municipalities. M. Keller replied that the policies will not necessarily be the same. Policy approaches are similar or the same but policy text may in some cases differ among municipalities. The Project Team is working with the MECP working on another project called the Screening Tool to provide some vulnerability differentiation within the WHPA-Q; however, development has not progressed far enough to incorporate the tool into municipal policy discussions.

G. Schneider asked for clarification as to why dewatering is characterized as a consumptive water use. M. Keller replied that consumptive water use is defined as taking water from one aquifer or surface water source and not returning it to the same source, e.g., dewatering from a groundwater source and then putting it back into a river.

E. Hodgins commented on the IMG and CLG feedback questioning how training opportunities related to water quantity policy development. M. Keller replied that the comment came from the CLG. It was a broad suggestion that an effort be made to ensure that the Local Planning Appeal Tribunal (LPAT), formerly known as the Ontario Municipal Board (OMB), has an understanding of Source Water Protection in general, and more specifically water budget studies when making decisions in affected areas.

I. Macdonald felt that policy legal effects were more of a wish list and may not be adhered to by implementing bodies. M. Keller stated that the policy approaches reflect a specific tool under the *Clean Water Act, 2006* and under the Act, there are specific legal effects, e.g., in the case of a Prescribed Instrument policy that directs the Province to do something, that Prescribed Instrument tool is a *must conform* to the policy. I. Macdonald added that legally making landowners do something may be challenging. M. Keller replied that the policies would only be directed at municipalities, ministries and boards, not individual landowners.

E. Hodgins asked if the Project Team has discussed the potential for competing quality and quantity policies. M. Keller responded that it has not been discussed by the Project Team specifically but assumes that as water quantity policy text is developed, that recharge reduction policies could include caveats to maintain recharge except where water quality concerns would direct otherwise.

P. Emerson left the meeting at 2:30pm.

**Res. No. 48-18**

**Moved By L. Perrin**

**Seconded By E. Hodgins**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-05 - Guelph/-Guelph/Eramosa Draft Water Quantity Policy Approaches - for information.*

*AND THAT the Lake Erie Region Source Protection Committee direct Lake Erie Region staff to continue to work with the Guelph-Guelph/Eramosa Water Quantity Policy Development Project Team to develop draft water quantity policies for the Guelph-Guelph/Eramosa area.*

**Carried**

**10.6 SPC-18-12-06 Draft Updated Grand River Assessment Report and Source Protection Plan: City of Hamilton, Brant County, Grey County**

M. Keller presented report SPC-18-12-06. E. Hodgins commented that there may be deviations in the water quality threat assessment methodology among municipalities. M. Keller shared that assessment report section 3 is the combined municipal threat assessment methodology. E. Hayman added that differences in methodology are named in the specific municipal sections.

**Res. No. 49-18**  
**Moved By B. Ungar**  
**Seconded By B. Strauss**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-06 – S.34 Draft Updated Grand River Assessment Report and Source Protection Plan: City of Hamilton, Brant County, Grey County – for information.*

*AND THAT the Lake Erie Region Source Protection Committee release the Draft Updated Grand River Assessment Report and Source Protection Plan for pre-consultation and direct staff to commence a 58-day pre-consultation period.*

**Carried**

**10.7 SPC-18-12-07 Draft Updated Grand River Assessment Report and Source Protection Plan: Municipal and Non-municipal Sections**

M. Keller presented SPC-18-12-07.

**Res. No. 50-18**  
**Moved By H. Cornwell**  
**Seconded By M. Elder**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-12-07 – S.34 Bundled Draft Updated Grand River Assessment Report and Source Protection Plan: Municipal and Non-municipal Sections – for information.*

**Carried**

**11. Business Arising from Previous Meetings**

There was no business arising from the minutes of the previous meeting.

**11.1 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.**

Agenda item was addressed through correspondence.

**12. Other Business**

**13. Closed Meeting**

Not applicable

**14. Next SPC Meeting**

February 7, 2019 at 1:00pm, Grand River Conservation Authority, 400 Clyde Rd., Cambridge.

**15. Adjourn**

The Lake Erie Region Source Protection Committee meeting of December 6, 2018 adjourned at 3:12pm.

**Res. No. 51-18**

**Moved By L. Perrin**

**Seconded By J. Sepulis**

*THAT the Lake Erie Source Protection Committee meeting of December 6, 2018 be adjourned.*

**Carried**

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Chair

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Recording Secretary



## LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: October 4, 2018  
 Time: 1:00 pm  
 Location: Auditorium  
 Grand River Conservation Authority  
 400 Clyde Road, Box 729  
 Cambridge, ON N1R 5W6

Members Present W. Wright-Cascaden (Chair), B. Carberry, H. Cornwell, A. Dale, P. Emerson, P. General, E. Hodgins, K. Hunsberger, R. Krueger, I. Macdonald, T. Nevills, M. Elder, L. Perrin, P. Rider, G. Schneider, J. Sepulis, B. Strauss, B. Ungar, M. Wales, D. Woolcott

Members Absent A. Henry, C. Hill, C. Jamieson, J. Kirchin, P. Wilson

Liaisons A. DeLauriers (Provincial Liaison), C. Komorowski (Health Liaison)

Proxy Representatives M. Elder (J. Oliver and P. Wilson), P. General (C. Hill), E. Hodgins (J. Kirchin)

Staff I. Feldmann, M. Keller, S. Strynatka, E. Hayman

### 1. Call to Order

W. Wright-Cascaden called the meeting to order at 1:00pm.

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

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

### 3. Chair’s Remarks

W. Wright-Cascaden introduced two new committee members: Paul Emerson (Brant, Brantford, and Hamilton) and Cathie Jamieson (Mississaugas of the New Credit First Nation). G. Schneider was also re-appointed to the committee as an aggregate member.

Source protection committee chairs across the province sent a joint letter to Rod Phillips, Minister of the Environment, Conservation and Parks in July 2018. The face-to-face chairs meeting typically held in the fall has been replaced with a chairs teleconference on October 30, 2018.

### 4. Review of Agenda

**Res. No. 28-18**  
**Moved By M. Wales**  
**Seconded By B. Ungar**

*THAT the agenda of October 4, 2018 be approved as distributed.*

**Carried**

**5. Declarations of Pecuniary Interest**

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

**6. Minutes of the Previous Meeting**

**Res. No. 29-18**  
**Moved By A. Dale**  
**Seconded By R. Krueger**

*THAT the minutes of the previous meeting on June 21, 2018 be approved as circulated.*

**Carried**

**7. Hearing of Delegations**

None

**8. Presentations**

None

**9. Correspondence**

**Res. No. 30-18**  
**Moved By B. Strauss**  
**Seconded By B. Ungar**

*THAT Correspondence from John Williamson, Cataraqui Source Protection Committee, on behalf of the 19 Chairs of the Source Protection Committees to the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks, be received as information.*

**Carried**

**10. Reports**

**10.1 SPC-18-10-01 Source Protection Program Update**

M. Keller presented report SPC-18-10-01. E. Hodgins asked if Lake Erie Region staff have received any feedback from the province regarding the S.34 update timeline for Brant County, the City of Hamilton and County of Grey; M. Keller had not received any feedback from the province.

**Res. No. 31-18**  
**Moved By J. Sepulis**  
**Seconded By L. Perrin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-01 – Source Protection Program Update – for information.*

**Carried**

**10.2 SPC-18-10-02 Proposed Source Protection Committee Meeting Schedule**

M. Keller presented report SPC-18-10-02. The January 17, 2019 Source Protection Committee (SPC) meeting has been rescheduled to February 7, 2019.

**Res. No. 32-18**

**Moved By M. Elder**

**Seconded By I. Macdonald**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-02 – Proposed Source Protection Committee Meeting Schedule - for information.*

**Carried**

**10.3 SPC-18-10-03 Interim Source Protection Committee Chair**

M. Keller presented report SPC-18-10-03. W. Wright-Cascaden will miss the December 6, 2018 SPC meeting, and potentially the February 7, 2019 meeting as well. W. Wright-Cascaden will select an interim chair to act on her behalf in her absence.

**Res. No. 33-18**

**Moved By T. Nevills**

**Seconded By M. Wales**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-03 –Interim Source Protection Committee Chair – for information.*

**Carried**

**10.4 SPC-18-10-04 Section 36 Catfish Creek and Kettle Creek Workplans**

M. Keller presented report SPC-18-10-04.

**Res. No. 34-18**

**Moved By B. Ungar**

**Seconded By L. Perrin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-04 – Section 36 Catfish Creek and Kettle Creek Workplans – for information;*

*THAT the Lake Erie Region Source Protection Committee releases the Workplan for Comprehensive Review and Update of the Catfish Creek Source Protection Plan to the Catfish Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks;*

*AND THAT the Lake Erie Region Source Protection Committee releases the Workplan for Comprehensive Review and Update of the Kettle Creek Source*

*Protection Plan to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks.*

**Carried**

**10.5 SPC-18-10-05 Progress Report Grand River**

M. Keller presented report SPC-18-10-05.

**Res. No. 35-18**

**Moved By A. Dale**

**Seconded By H. Cornwell**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-05 – Progress Report Grand River Assessment Report and Source Protection Plan Update – for information.*

**Carried**

**10.6 SPC-18-10-06 Bethel Water Quality Technical Study**

E. Hayman presented report SPC-18-10-06.

**Res. No. 36-18**

**Moved By B. Strauss**

**Seconded By L. Perrin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-06 – Bethel Water Quality WHPA Update Technical Study - for information.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to incorporate the results of the Bethel Water Quality WHPA Update Technical Study into the Draft Updated Grand River Assessment Report and Source Protection Plan.*

**Carried**

**10.7 SPC-18-10-07 Mount Pleasant Water Quality Technical Study**

E. Hayman presented report SPC-18-10-07. A. Dale questioned if the black fields on the map presented were ginseng. E. Hayman confirmed that there is a lot of ginseng in the area.

**Res. No. 37-18**

**Moved By P. Emerson**

**Seconded By A. Dale**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-07 – Mt. Pleasant Water Quality WHPA Update Technical Study - for information.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to incorporate the results of the Mt. Pleasant Water Quality WHPA Update Technical*

*Study into the Draft Updated Grand River Watershed Assessment Report and Source Protection Plan.*

**Carried**

**10.8 SPC-18-10-08 Draft Updated Grand River Assessment Report and Source Protection Plan: City of Hamilton and Oxford County**

M. Keller presented report SPC-18-10-08.

**Res. No. 38-18**

**Moved By E. Hodgins**

**Seconded By I. Macdonald**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-08 – Draft Updated Grand River Assessment Report and Source Protection Plan: City of Hamilton and Oxford County – for information.*

**Carried**

**10.9 SPC-18-10-09 Draft Updated Grand River Assessment Report: Non-municipal Sections**

M. Keller presented report SPC-18-10-09. M. Keller noted that agenda packages including reports with large attachments will be less bulky for future SPC meetings. Complete updated Grand River Source Protection Plan sections will be available on eScribe separate from the agenda package.

**Res. No. 39-18**

**Moved By J. Sepulis**

**Seconded By M. Wales**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-18-10-09 – Draft Updated Grand River Assessment Report and Source Protection Plan: Non-municipal Sections – for information.*

**Carried**

**11. Business Arising from Previous Meetings**

**11.1 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.**

M. Keller shared that the Guelph-Guelph/Eramosa Project Team recently met with the Ministry of Natural Resources and Forestry (MNRF) regarding water quantity policy development. The purpose of the meeting was to clarify and discuss if and how a Prescribed Instrument under the *Aggregate Resources Act, 1990* (ARA) could be used in the development of water quantity policies. The MNRF is restricted regarding how they can implement a Prescribed Instrument policy. The MNRF was open to further discussions with the Project Team as water quantity policy development continues. The Project Team believes that using a Prescribed

Instrument under the ARA can be used effectively to manage significant water quantity threats.

W. Wright-Cascaden added that a few members of the committee had a meeting with the MNRF about a year ago. At the time, there was a consensus to use the ARA as a tool. M. Keller added that the recent meeting with the MNRF builds on the meeting from a year ago.

H. Cornwell asked about ponding occurring in the Bethel wellfield. M. Keller commented that the Bethel wellfield does have a pond that creates a pathway for water from the pond to reach the well. In that case the concerns are mainly around water quality. In terms of water quantity with respect to quarry sites where extraction has or could breach the aquitard protecting a municipal drinking water source, the goal is to figure out a way to use a Prescribed Instrument under the ARA to prevent water from the quarry site from reaching a municipal well once extraction and dewatering stops. The dewatering volume is a concern because it is not available to be used by the municipality.

G. Schneider agreed with M. Keller's comments and wanted to participate as a committee member in any future discussions with the MNRF. M. Keller added that the Bethel wellfield has overburden wells and no protective layer therefore surface water can more easily reach the wells. For quarry situations where a protective layer is present, the aim is to determine where the layer is located and ensure that it is not breached.

**12. Other Business**

None

**13. Closed Meeting**

Not applicable

**14. Next SPC Meeting**

December 6, 2018 at 1:00pm, Grand River Conservation Authority, 400 Clyde Rd., Cambridge.

**15. Adjourn**

The Lake Erie Region Source Protection Committee meeting of October 4, 2018 adjourned at 2:18pm.

**Res. No. 40-18**

**Moved By R. Krueger**

**Seconded By B. Strauss**

*THAT the Lake Erie Source Protection Committee meeting of October 4, 2018 be adjourned.*

**Carried**

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Chair

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Recording Secretary



**LAKE ERIE SOURCE PROTECTION REGION  
MANAGEMENT COMMITTEE MEETING MINUTES  
OF October 16, 2018**

The following is a summary of the Lake Erie Source Protection Region Management Committee Meeting held at 12:30p.m. on October 16, 2018 at Grand River Conservation Authority.

**Present:** J. Farwell – Chair, M. Columbus, I. Feldmann, M. Keller, K. Smale, E. VanHooren, W. Wright-Cascaden

**Regrets:** R. Cerna, H. Jackson, H. Jowett, J. Maxwell

**1. Call to Order**

The meeting was called to order at 12:25p.m.

**2. Review and Approval of Agenda**

**Moved by:** E. VanHooren  
**Seconded by:** K. Smale

**carried**

*THAT the meeting agenda for October 16, 2018 be approved as distributed.*

**3. Declarations of Pecuniary Interests**

None

**4. Review and Approval of Minutes of Previous Meeting August 29, 2018**

**Moved by:** E. VanHooren  
**Seconded by:** M. Columbus

**carried**

*THAT the minutes of the previous meeting of August 29, 2018 be approved.*

**5. Correspondence**

None

**6. Source Protection Program Reports**

a) Report 18-10-01 – Program Manager’s Update

M. Keller shared that section 36 Kettle Creek and Catfish Creek workplans are complete. The focus now shifts to developing workplans for the Grand River and Long Point Region; it is anticipated that work will begin in early 2019.

The S. 34 Grand River Source Protection Plan (SPP) update now includes two streams:

1. Hamilton, Brant and Grey

The update has been accelerated to minimize the delay to complete the update so water can be delivered by the new wells included in the plan. Anticipated submission is spring 2019.

2. "Bundled" Grand River

This update includes all the other remaining assessment report and source protection plan sections. Anticipated submission is June 2019.

The Whitemans Creek Tier 3 identified a significant risk level for Wellhead Protection Area Quantity (WHPA-Q). Discussions have now begun with Brant County to decide what that means in terms of policy development. The Guelph-Guelph/Eramosa Water Quantity Policy Development Study is on track. Draft policy approaches are scheduled to be presented to the Implementing Municipalities Group (IMG) and Community Liaison Group (CLG) November 7 and 8 and to the SPC on December 6, 2018. A lot of the discussion is currently focussed on the Aggregate Resources Act (ARA) and how Prescribed Instruments under the Act could be used to address water quantity threats. The Centre Wellington Tier 3 project team have been working to address CLG comments before moving on to the risk assessment phase.

Lake Erie Region staff are continuing to work with City of Guelph and Region of Waterloo staff to develop a governance framework for model management.

Two new members have been appointed and one member re-appointed to the SPC.

K. Smale asked who would be submitting the Catfish Creek S.36 workplan to the province. Lake Erie Region staff will submit the workplan on behalf of Catfish Creek. M. Columbus questioned SPC municipal member terms. M. Keller responded that municipal member terms are independent of elected council, i.e., a member may remain on the committee as long as they have municipal support. J. Farwell added that a member of the SPC cannot be a member of the GRCA board. W. Wright-Cascaden shared that H. Cornwell's term will be ending in the spring 2019. I Feldmann added that the process to replace SPC members H. Cornwell and J. Oliver has started.

**Moved by: M. Columbus**

**Seconded by: K. Smale**

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives report 18-10-01 Program Manager's Report – Status Update – for information.*

**b) Report 18-10-02 – Financial Update**

Expenditures for the project manager, program assistant, technical staff, GIS and data management staff are on track. Liaison and communication is slightly underspent as less time was required to complete S.36 workplans than anticipated.

Disbursements are also underspent. There have been fewer meetings, more teleconferences, no printing costs, and a few Implementation Working Group (IWG) meeting chair per diems and travel costs have not yet been captured. Some of the consultant costs for technical work are underspent, e.g., the Centre Wellington Tier 3 has been delayed to align the water supply master plan process with Tier 3 work. The goal is to complete all technical work by the end of the 2018/19 fiscal year. The model management study is underspent due to complexities in defining the work that needs to be completed.

The timeline for the S.34 Grand River Source Protection Plan update has now shifted into the 2019/2020 fiscal year which means funds will likely not be fully spent until the end of March 2019. Lake Erie Region Source Protection Committee expenditures are on track. K. Smale cautioned that Lake Erie Region does not have a large financial surplus at the end of the 2018/19 fiscal year. J. Farwell commented that Lake Erie Region has no guarantee that the province will provide additional funding in the new fiscal. M. Keller agreed and reiterated the push to complete technical work before the end of the current fiscal year. If work is delayed and Lake Erie Region does not receive additional technical funding, then the risk lies with the GRCA. Discussions are ongoing with the Centre Wellington Tier 3 consultant, municipality, and province regarding this issue. M. Columbus asked if money could be moved around to new projects that need to be completed. M. Keller commented that funding can no longer be carried over from one fiscal year to another. Expenses can only identify work that has been completed in the current financial agreement. W. Wright-Cascaden asked if Lake Erie Region could make the province aware that there are contracts and obligations in place that span multiple fiscal periods. M. Keller replied that staff could add comments to the 2017/18 interim financial report indicating where there are commitments in place. J. Farwell suggested that contracts be much smaller in scope moving forward, i.e., segmented contracts. W. Wright-Cascaden asked how funds were committed in the early years. M. Keller replied that the funding structure was very different and has changed over the years.

M. Keller has not received any information from the province regarding the 2019/2020 Grant Funding Application or eligible activities.

<b>Moved by:</b>	<b>E. VanHooren</b>	
<b>Seconded by:</b>	<b>K. Smale</b>	<b>carried</b>

*THAT the Lake Erie Source Protection Region Management Committee receives report 18-10-02 – Financial Update – for information.*

*AND THAT the Lake Erie Source Protection Region Management Committee direct staff to finalize and submit the 2018/19 Interim Progress Report and Financial Progress Report to the Ministry of the Environment, Conservation and Parks by October 31, 2018, including a note identifying the concerns with the outstanding contract liabilities.*

## **7. Joint Advisory Committee Update**

J. Farwell reported that the Joint Advisory Committee (JAC) met with ministry staff. Ministry staff are still awaiting direction from senior levels with regard to long-term funding and how the program will be managed. At the last JAC meeting, Jim Whitestone – former Assistant Deputy Minister (ADM), Environmental Programs Division – was very supportive of conservation authorities. The JAC has not met the new ADM.

J. Farwell commented on the confusion of having an agreement between the Source Protection Authority (SPA) board and the GRCA board. M. Keller responded that there are legal differences between a conservation authority board and a SPA board. Any decisions that a SPA makes under the *Clean Water Act, 2006* are legally protected. E. VanHooren commented that in the early days of source protection, the legal advice at the time was to keep the conservation authority and SPA boards separate for legal purposes. E. VanHooren may bring this issue forward again to a new Kettle Creek lawyer. K. Smale shared that Catfish Creek SPA meetings are held separately from conservation authority board meetings; Long Point Region and Grand River also hold separate conservation authority and SPA meetings.

M. Columbus asked if climate change has been discussed by the JAC. J. Farwell replied that the JAC has not discussed climate change but there was some discussion at the conservation authorities general manager meeting. E. VanHooren shared that Conservation Ontario has a contract with a consultant examining what action conservation authorities are taking on climate change and some of the challenges to implement a full action plan. The province is no longer using the term "climate change" but is aware that the climate is changing. Management committee members discussed the province's current direction on climate change. J. Farwell asked the management committee members to send him any items they would like to have brought to the JAC.

J. Farwell shared that the province may be trying to combine some source protection areas, but there is no concrete plan in place. W. Wright-Cascaden commented that some of the smaller source protection committees have very few meetings each year; however, this is not really the case in southwestern Ontario. Source protection committee chairs have a teleconference with the province on October 30, 2018 and W. Wright-Cascaden invited management committee members to send her any comments they would like to have brought forward at the teleconference. Source protection committees could be disbanded and they SPAs could be expected to take on the roles and responsibilities of the SPC. J. Farwell noted that when the SPC had the opportunity to downsize in 2016, they chose not to. W. Wright-Cascaden commented that it was the municipal sector that wanted to maintain the SPC's current size. J. Farwell thought changing the committee size and structure could be left alone for the time being.

## 8. Business Arising from Previous Meetings

M. Keller shared the amended conservation authority-SPA partnership agreement with the management committee members. J. Farwell suggested that Lake Erie Region staff prepare a Grand River SPA report on the amendments and share it with Catfish Creek, Kettle Creek and Long Point Region so that they may share a similar report with their local SPA to request the board chair's signature. Lake Erie Region staff will draft a Grand River SPA report and share it with the partner conservation authorities.

## 9. Update from Conservation Authorities

### ***Catfish Creek Conservation Authority***

K. Smale reported that Catfish Creek campgrounds are closed for the year.

### ***Kettle Creek Conservation Authority***

E. VanHooren had nothing new to report.

### ***Grand River Conservation Authority***

J. Farwell shared that a new strategic plan for 2019-2021 was approved at the last GRCA board meeting, and unauthorized tenting has become an issue on GRCA property.

***Long Point Region Conservation Authority***

J. Maxwell reported that one third of LPRCA's board members are likely to be turned around, staff are working on water control structures, the Backus management area hired two curators to enhance the site, and one campground is closing for restructuring.

**10. New Business**

**11. Date of Next Meeting**

February 19, 2019

**12. Adjourn**

The meeting adjourned at 1:32p.m.

***Moved by: K. Smale***

*THAT the Lake Erie Source Protection Region Management Committee meeting of October 16, 2018 be adjourned.*

**DATE:** March 20, 2019  
**TO:** Kettle Creek Source Protection Authority  
**FROM:** Elizabeth VanHooren  
**SUBJECT:** Amendments to the Lake Erie Source Protection Region Partnership Agreement

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**RECOMMENDATION:**

THAT the Kettle Creek Source Protection Authority approve the proposed amendments to the Lake Erie Source Protection Region Partnership Agreement as identified in the staff report Amendments to the Lake Erie Source Protection Region Partnership Agreement.

**BACKGROUND:**

The *Safe Drinking Water Act (SDWA), 2002* and the *Clean Water Act (CWA), 2006* were amended to ensure that source water protection planning is incorporated at an early stage in the municipal residential drinking water supply process. The goal of the regulatory changes is to ensure that municipal residential drinking water systems are protected before water is provided to the public.

Effective July 1, 2018, the new amendments require that municipal residential drinking water system owners ensure work to assess the vulnerability of new or expanding drinking water systems is completed by the owner and accepted by the local source protection authority (SPA) before they can apply for a drinking water works permit. Additionally, water cannot be provided to the public until updates to the source protection plan that protect the system are approved. The regulatory amendments more closely integrate source protection work with the Environmental Assessment (EA) process and make the provision of municipal drinking water dependent on timely updates and amendments of source protection plans.

The local SPA must issue a notice to the drinking water system owner pursuant to Section 48(1.1)(b) of Ontario Regulation 287/07 under the CWA, when they have received, and are satisfied that the technical work has been completed for the purpose of identifying anticipated amendments to the source protection plan and the timing to submit any proposed amendments to the Ministry of the Environment, Conservation and Parks (MECP).

On August 29, 2018, the Lake Erie Source Protection Region Management Committee (LERMC), comprised of the board chair and chief administrative officer/general manager of each of the four conservation authorities (Kettle Creek, Catfish Creek, Long Point Region, and Grand River) directed Lake Erie Region staff to amend the Lake Erie Source Protection Region Partnership Agreement to include CWA Section 48 considerations, namely, additional responsibilities of the SPA.

The partnership agreement is a Memorandum Of Understanding (MOU) between the parties (the four conservation authorities) to form a Source Protection Region to carry out the duties and obligations prescribed by the CWA and associated Regulations, and to establish and implement a cooperative process to prepare Source Protection Plans that protect riverine, groundwater and Lake Erie drinking

water sources. The original partnership agreement was signed by all parties on November 12, 2004 and then revised on October 1, 2007 to update the responsibilities and duties of the Lead Source Protection Authority, as well as the responsibilities and duties of the partner Source Protection Authorities in the Lake Erie Region.

Section 4, Responsibilities of the SPA, has been recently amended to include:

(4h) review technical work for the purpose of identifying anticipated amendments to the source protection plan as per O. Reg. 287/07 S. 48(1.1)(b);

4i) issue a notice as per O. Reg. 287/07 S. 48(1.1)(b) to the drinking water system owner; and

4j) ensure data and intellectual property agreements are in place and maintained.

The remainder of the partnership agreement remains unchanged. A copy of the amended partnership agreement is attached.

**RECOMMENDATION:**

**THAT the Kettle Creek Source Protection Authority approve the proposed amendments to the Lake Erie Source Protection Region Partnership Agreement as identified in the staff report Amendments to the Lake Erie Source Protection Region Partnership Agreement.**

## MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING IS MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

BETWEEN

THE CATFISH CREEK SOURCE PROTECTION AUTHORITY, hereinafter called Catfish Creek SPA,

AND

THE GRAND RIVER SOURCE PROTECTION AUTHORITY herein after called Grand River SPA

AND

THE KETTLE CREEK SOURCE PROTECTION AUTHORITY, hereinafter called Kettle Creek SPA.

AND

THE LONG POINT REGION SOURCE PROTECTION AUTHORITY, hereinafter called Long Point Region SPA,

### 1. PREAMBLE

In recognition of their common interests in Drinking Water Source Protection Planning and the *Clean Water Act, 2006*; and in undertaking research, public education, and watershed planning and management as recommended within the "Final Report of the Advisory Committee on Watershed-based Source Protection Planning" (April, 2003, MOE), the Catfish Creek SPA, Grand River SPA, Kettle Creek SPA and Long Point Region SPA (the Parties) agree to establish a Memorandum of Understanding (MOU).

By this MOU, the Parties agree to form a Source Protection Region to carryout the duties and obligations prescribed by the *Clean Water Act, 2006* and associated Regulations, and to establish and implement a cooperative process to prepare Source Protection Plans that protect riverine, groundwater and Lake Erie drinking water sources.

### 2. PURPOSE

The purpose of this MOU is to jointly advance drinking water source protection, premised upon mutual consent and agreement between the Parties, while respecting the individual needs and priorities of drinking water source protection that are unique to each watershed.

### 3. OBJECTIVES

1. To advance shared goals in research regarding drinking water source protection:
  - a) by encouraging scientific research and data collection where information gaps exist regarding water resources used for drinking water sources;
  - b) by encouraging scientific research to develop and upgrade analytical tools and simulation models that are required to develop and improve source protection planning;

- c) by encouraging scientific research to develop benchmarks/indicators for monitoring the impacts of land use change on drinking water sources;
  - d) by encouraging Provincial and Federal Governments, local municipalities, other Conservation Authorities, and stakeholders in drinking water source protection to share existing research and information
2. To advance shared goals in public education regarding drinking water source protection:
- a) by encouraging all levels of government to develop compatible legislation, policy, and implementation guidelines in support of drinking water source protection;
  - b) by encouraging active stakeholder involvement in support of drinking water source protection.
  - c) by encouraging joint development and production of educational material, and programs designed to enhance awareness and provide learning opportunities;
  - d) by encouraging the development of information products designed to increase public understanding, awareness and enjoyment of drinking water sources;
  - e) by encouraging educational institutions to develop and implement drinking water source protection curriculum;
  - f) by encouraging staff education and training and the development of staff expertise to support drinking water source protection initiatives.
3. To advance shared goals in watershed planning and management regarding drinking water source protection:
- a) by encouraging drinking water source protection on a watershed basis by conservation authorities;
  - b) by encouraging the development of source protection plans by each of the Parties for their watershed, while collaborating in planning needs common to the Parties;
  - c) by encouraging monitoring, evaluation, planning, remediation, management, and related reporting of drinking water sources, to a standard appropriate to the watershed of each Party;
  - d) by encouraging Federal, Provincial and local Municipal Government, and other stakeholders in drinking water source protection, to cooperate in drinking water source protection program development and implementation;
  - e) by encouraging the development of similar initiatives between Conservation Authorities in the Province;
  - f) by encouraging international study and cooperation related to source protection planning;
4. To advance shared goals in administration and fundraising regarding drinking water source protection:
- a) by encouraging partnership development and support for source protection planning and program implementation within the Source Protection Area or a part thereof;
  - b) by encouraging stakeholder funding support for the development and implementation of source protection plans compatible with needs.

- c) by collaborating with stakeholders to source protection planning wherever possible;
- d) by administering this MOU through a Management Committee comprised of 2 representatives to be appointed by each Full Authority of the Parties;
- e) by conducting committee meetings according to accepted standards and procedures according to the purpose and objectives of this MOU;
- f) by approving source protection planning initiatives subject to agreement of each of the Parties' Full Authority;
- g) by revising this MOU to address other items of importance.

#### 4 RESPONSIBILITIES OF THE SPA

As Source Protection Authorities in the Source Protection Region, the Catfish Creek, Grand River, Kettle Creek, and Long Point Region Source Protection Authorities shall carry out the duties and responsibilities of a Source Protection Authority in accordance with the *Clean Water Act, 2006*, including Sections 10.(1), 12., 17.(1), 20., 21.(4), 23., 25., 32., 35.(1), (4) and (7), and Ontario Regulation 287/07, Section 48 (1.1)(b), which are as follows:

- a) submit the proposed terms of reference and source protection plan(s) to the Minister;
- b) submit the assessment report to the Director, as described in the Act;
- c) ensure that the approved terms of reference, assessment report and source protection plan(s) are made available to the public;
- d) ensure that the assessment report that is made public does not contain any personal information that is maintained for the purpose of creating a record that is not available to the public;
- e) provide a copy of the proposed source protection plan to the clerk of each municipality in the source protection area;
- f) prepare and submit to the Minister, amendments to the source protection plan if ordered to do so by the Minister;
- g) carry out consultations with each municipality affected by amendments to the source protection plan;
- h) review technical work for the purpose of identifying anticipated amendments to the source protection plan as per O. Reg. 287/07 S. 48(1.1)(b);
- i) issue a notice as per O. Reg. 287/07 S. 48(1.1)(b) to the drinking water system owner; and
- j) ensure data and intellectual property agreements are in place and maintained.

#### 5 RESPONSIBILITIES OF LEAD SPA.

As the lead Source Protection Authority for the Lake Erie Source Protection Region, the Grand River Source Protection Authority shall, in accordance with the agreement referred to in Section 6(3) of the *Clean Water Act*, and Sections 4.(2)(a), (b), (c) and (d), 7.(5)(a) and (b), and 7.(6)(b) and (f), which are as follows:

- a) assist the other source protection authorities in the source protection region in exercising and performing their powers and duties under this Act;

- b) provide scientific, technical and administrative support and resources to the other source protection authorities in the source protection region;
- c) serve as a liaison between the Ministry and the other source protection authorities in the source protection region;
- d) establish a source protection committee for the source protection region;
- e) co-ordinate the preparation of terms of reference, assessment reports and source protection plans for the source protection areas in the source protection region so that they do not conflict with each another;
- f) assist the source protection committee in exercising and performing the committee's powers and duties under the Act;
- g) provide scientific, technical and administrative support and resources to the source protection committee;
- h) carry out any other functions prescribed by the regulations or as agreed to by the Parties.

**6 GENERAL**

- 1. The Parties hereto agree that any notice required to be given pursuant to this Memorandum shall be sufficiently given if personally delivered or mailed by prepaid registered mail addressed as follows:

Chair,  
 Catfish Creek Source Protection Authority  
 Authority  
 R. R. # 5,  
 Aylmer, Ontario  
 N5H 2R4

Chair,  
 Grand River Source Protection  
 400 Clyde Road, Box 729  
 Cambridge, Ontario  
 N1R 5W6

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Signature

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Signature

Chair,  
 Kettle Creek Source Protection Authority  
 Authority  
 R. R. #8, 44015 Ferguson Line  
 St. Thomas, Ontario  
 N5P 3T3

Chair,  
 Long Point Region Source Protection  
 4 Elm Street,  
 Tillsonburg, Ontario  
 N4G 0C4

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Signature

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Signature

and any notice so mailed shall be deemed to have been received five (5) working days following the day of mailing.

2. Any one of the aforementioned Parties may terminate this Memorandum of Understanding by giving the other Parties *six (6)* months notice in writing.